
Procedure for Court Calendar Operation

1.0 Purpose – To establish procedures for managing the court calendar for State Crime Laboratory (Laboratory) employees.

2.0 Scope – This procedure applies to the Court Coordinator or designee.

3.0 Definitions

- **Administrative Document** – Document pertaining to a case (other than the Request for Examination of Physical Evidence Form, Laboratory Report and Case Notes).
- **Forensic Advantage (FA)** – The Laboratory’s electronic information management system. Used to access cases completed after January 1, 2008.

4.0 Procedure

4.1 Subpoenas

4.1.1 Generally, subpoena precedence is as follows: Federal Court (including Tribal and Military), Superior Court, District Court, Civil Superior Court and Civil District Court.

4.1.2 Laboratory employees are subpoenaed on a first-come, first-serve basis. The standby priority is based on the date the subpoena is received, with the exception of Federal and/or Military Court.

4.1.3 Prosecutor Office employees shall log in through FA Web and enter subpoena information for Crime Lab employees to request their appearance to provide testimony. They also upload a digital copy of the official subpoena.

4.1.4 The Court Coordinator shall enter subpoenas from entities that do not have access to FA Web (i.e. Defense Attorneys). The case will not be published because of this addition.

4.1.5 When the issuing party communicates to the Court Coordinator the need for a Laboratory employee, the court personnel shall be informed of all pending subpoenas for that employee that may conflict with the subpoena.

4.1.6 The Court Coordinator shall immediately notify the Laboratory employee of the need for appearance when that need has been communicated by the issuing party.

4.1.7 Separation of employee - Upon notice of separation, the supervisor of the employee shall obtain the separation date. The supervisor shall also request the employee’s permission to provide attorneys with the employee’s contact information.

4.1.7.1 If an employee provides contact information, the supervisor shall complete the notification memo on official letterhead. This memo shall be sent to all Prosecuting Attorneys, the Court Coordinator, the NC Department of Justice, the NC Conference of District Attorneys, and Crime Laboratory legal counsel. A copy shall be provided to the employee and placed in employee’s personnel file.

- 4.1.7.2** If an employee chooses NOT to provide contact information, the supervisor shall complete the notification memo on official letterhead. This memo shall be sent to all Prosecuting Attorneys, the Court Coordinator, and Crime Laboratory legal counsel. A copy shall be provided to employee and placed in employee's personnel file.
- 4.1.7.3** When a subpoena is received for a separated employee, the Court Coordinator shall remind the attorney that they need to contact the separated employee directly. If the attorney requests a substitute witness, the Court Coordinator shall:
- 4.1.7.3.1** Direct the DA's Office to subpoena the reviewer when the reviewer of the Case Record is still employed at the Crime Lab.
- 4.1.7.3.2** Contact the Forensic Scientist Manager to determine who can serve as the substitute witness when the reviewer of the Case Record is no longer employed at the Crime Lab or it is not feasible for the reviewer to travel to the court location.

4.2 Court Calendar

- 4.2.1** All information including subpoenas, training, conferences, and leave shall be recorded on the FA court calendar.
- 4.2.1.1** In the comment section, list the date(s) the employee may be unavailable for court and the location of the training or conference.
- 4.2.2** When the Court Coordinator receives a subpoena for an employee who is scheduled to be out of the Laboratory, the Coordinator shall in a timely manner notify the issuing party of the potential conflict. Document in FA the date and person contacted as well as the comment "Aware of Leave." If a subpoena is on the court calendar and the analyst requests leave and/or training, the analyst shall be responsible for contacting the attorney.

5.0 References – N/A

6.0 Records

- Current District Attorneys – names and contact information
- Current Victim/Witness Coordinators – names and contact information
- Current Clerks of Court – names and contact information, including mailing address
- Memo for separating employee providing future contact information
- Memo for separating employee not providing future contact information

7.0 Attachments – N/A

Revision History		
Effective Date	Version Number	Reason
07/29/2022	5	Document Header – change to Forensic Advantage and Administrative Services and FA Manager; 4.1.3 – added FA Web users will enter FA subpoenas through FA Web; 4.1.4 – Court Coordinator will enter subpoenas for non FA Web users; 4.1.3.1, 4.1.3.2, 4.1.3.3, and 4.1.3.4 – deleted; 4.1.5 – was 4.1.4; 4.1.6 – was 4.1.5; 4.1.7 – was 4.1.6; 4.1.6.1.1 – integrated into 4.1.7.1; 4.1.6.2.1 – integrated into 4.1.7.2; 4.1.6.1.2, 4.1.6.2.2, & 4.1.6.2.3 – deleted; 4.1.7.3.1, 4.1.7.3.2, & 4.1.7.3.3 – added how to deal with subpoenas for separated employees; 4.2.1 – scheduling information will be stored in the FA court calendar; 4.2.2 –leave and training now entered by Office Assistants; 4.2.3 – specify who contacts DA’s Offices about leave and how to document the contact; 4.2.5, 4.2.6, 4.3, 4.3.1, 4.3.2, 4.3.3 – delete; delete obsolete References