

Procedure for Court Orders and Discovery Requests

1.0 Purpose – This procedure establishes the process to receive and address court orders and discovery requests received by the State Crime Laboratory (Laboratory).

2.0 Scope – This procedure is applicable to all organizational units and employees in the Laboratory.

3.0 Definitions

- **Court Order** – An official proclamation by a judge that defines the legal relationships between the parties to a hearing, trial, appeal or other court proceeding. Such ruling requires or authorizes the carrying out of certain steps by one or more parties to a case. A court order must be signed by a judge.
- **Discovery Requests** – An official document requesting the receiving party to disclose material facts, documents or other items related to a case.

4.0 Procedure

4.1 Court Orders

- 4.1.1** Court orders may be received by any employee.
- 4.1.2** Court orders shall be forwarded to Laboratory Legal Counsel. If no evidence has been submitted, Laboratory Legal Counsel shall forward a copy to the Supervisor of Evidence Control and Administrative Services who will maintain the court order until evidence has been submitted.
- 4.1.3** If evidence has been submitted, Laboratory Legal Counsel or designee shall scan the court order and any accompanying documentation into the Case Object Repository of Forensic Advantage (FA) and shall provide a copy to the Section(s) and/or analysts involved in the case.
- 4.1.4** Legal Counsel shall review the court order to ensure coherence and completeness and shall provide guidance to the employees affected by the order.
- 4.1.5** Required court order materials shall be compiled and forwarded to Legal Counsel for final review.
- 4.1.6** Court order materials shall be disseminated by legal counsel or by the employee under the direction of legal counsel.
- 4.1.7** The court order may contain language to halt or preclude analysis on evidence until certain requirements are met. If the evidence is to be returned un-worked or partially worked, a Laboratory Report shall be issued by the Forensic Scientist Manager or the Forensic Scientist stating that analysis has been discontinued due to the court order.

4.2 Discovery Requests

- 4.2.1** Discovery requests may be received by any employee.

- 4.2.2 The employee who receives the discovery request shall forward the request to Laboratory Legal Counsel.
- 4.2.3 Legal Counsel shall review the discovery request to ensure coherence and completeness and provide guidance to the employee(s) affected by the request.
- 4.2.4 Required discovery materials shall be compiled and forwarded to Laboratory Legal Counsel for final review.
- 4.2.5 Discovery shall be disseminated by legal counsel or by the employee under the direction of Laboratory Legal Counsel.

5.0 Records – N/A

6.0 Attachments – N/A

Revision History		
Effective Date	Version Number	Reason
09/17/2012	1	Original ISO Document
03/08/2013	2	4.2.5 - added legal counsel for disseminating discovery; grammar