


STATE OF MARYLAND  
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES  
DIVISION OF CORRECTION

 DIVISION OF CORRECTION DIRECTIVE	<b>PROGRAM:</b> PERSONNEL
	<b>DCD #:</b> 50-60
	<b>TITLE:</b> Employee Subpoenaed by Plaintiff
	<b>ISSUED:</b> June 15, 1986
	<b>APPROVED:</b> Original Signed By Arnold J. Hopkins <b>COMMISSIONER</b>

- I. Reference: DCD 50-29
- II. Applicable to: All Employees
- III. Purpose: To establish policy and method for notification when an employee is summoned by the plaintiff in a case in which the Attorney General's Office is providing representation for the Division of Correction.
- IV. Definitions: None
- V. Policy: To assist the Attorney General's office in preparing a sound defense in civil actions against an agency or official, the Division of Correction requires all employees subpoenaed in these cases to present such information to the Division.
- VI. Procedure:
  - A. Any employee who receives a subpoena in a case involving a claim against a State agency, official, or employee must notify the institution of this information.
    - 1. This notice must be made immediately upon receipt of the subpoena to the staff person indicated in Section VI.B. below.
    - 2. Failure to properly notify the institution may result in disciplinary action
  - B. DCD 50-29 requires each institution to have a designated staff person who is responsible for coordinating matters related to defense in civil actions.
    - 1. This individual shall also be designated to receive the employee's notification of subpoena and to immediately relay this information to the Chief of Correctional Litigation at the Attorney General's Office or the particular Assistant Attorney General handling the case, if known.
    - 2. The designated staff person shall provide the Attorney General's Office with information below:

- a. Employee's name;
- b. Name of the case;
- c. Court in which the case is pleading;
- d. Case number; and,
- e. Date on which the subpoena is returnable

3. The warden shall notify all employees of the staff person whom they are to notify.
- C. Each warden is responsible for issuing to each employee an institutional directive(s) to implement and comply with this DCD.

VII. Attachment: None

VIII. Rescission: None

Distribution:

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S-Chief of Correctional Litigation