



ALBUQUERQUE POLICE DEPARTMENT
GENERAL ORDERS

SOP 1-31 (Formerly 2-06 and 8-14) Effective: 03/06/2023 Review: 03/06/2024 Replaces: 08/13/2021

1-31 COURT SERVICES UNIT

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

[2-76 Court \(Formerly 2-01\)](#)

[2-80 Arrests, Arrest Warrants, and Booking Procedures \(Formerly 2-14\)](#)

B. Form(s)

Entry of Appearance

Failure to Appear Notices

Notice of Trial

Tow-In Report

C. Other Resource(s)

Court Service Information System (CSIS)

Intoxilyzer Breath Alcohol Test Card

D. Rescinded Special Order(s)

None

1-31-1 Purpose

The purpose of this policy is to outline the rules and responsibilities of the Court Services Unit.

1-31-2 Policy

It is the policy of the Department to facilitate proper communication, information exchange, and case preparation by promoting a collaborative working relationship between the Albuquerque Police Department (Department) and the judicial and administrative system entities.

N/A 1-31-3 Definitions

A. Judicial and Administrative System Entities

The Bernalillo County Metropolitan Court, Second Judicial District Court, United States District Court (Federal Court), Motor Vehicle Division (MVD), Office of the Attorney General (AG), Office of the District Attorney (DA), Law Office of the Public Defender, and private attorneys.

7 1-31-4 Rules and Responsibilities



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A. The Court Services Unit:

1. Provides case preparation and evidence sharing from the Department to the judicial system and administrative system entities; and
2. Assists the public, Department personnel, and judicial and administrative system entities with case preparation, questions regarding open cases and verification of cases on the court docket.

B. The Court Services Unit Supervisor shall:

1. Upon request, attend meetings about updates or any issues that may arise with any of the judicial and administrative system entities;
2. Review and respond to complaints, questions, and concerns from Department personnel about issued regarding cases or court hearings;
- N/A

 3. Review all Failure to Appear Notices received from judicial and administrative entities for potential policy violations as outlined SOP Court (refer to SOP Court for sanction classifications and additional duties); and
- N/A

 4. Create an entry in the Internal Affairs database web application if there is no valid reason for the employee's failure to appear for a court hearing as outlined in SOP Court (refer to SOP Court for sanction classifications and additional duties).

C. Court Services Unit personnel shall:

1. Coordinate court appearances for Department personnel;
- N/A

 2. Process a Department employee's leave request from court hearings and submit the request through SharePoint as outlined in SOP Court (refer to SOP Court for sanction classifications and additional duties);
 - a. Court Services Unit personnel shall notify the judicial and administrative systems entities of the employee's vacation, leave, and training.
3. Monitor a Department employee's duty assignments throughout the Department;
4. Use the Court Service Information System (CSIS) to:
 - a. Download court docket reports;
 - a. Post the seven (7) day court docket on SharePoint within seven (7) days of the current date; and
 - b. Post the final (next day) court docket on SharePoint within twenty-four (24) hours of the current date.



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N/A

5. Schedule misdemeanor pre-trial interview (PTI) requests from defense attorneys with Department personnel for cases that were filed before March 24th, 2022;
 - a. For cases filed after March 24th, 2022, the subpoena for PTI must be signed by a Bernalillo County Metropolitan Court judge.
6. Accept service of and distribute subpoenas requesting testimony at criminal and MVD proceedings to Department personnel, including:
 - a. Accepting subpoenas that are more than two (2) business days before the hearing/trial date; and
 - b. Emailing Department personnel copies of the subpoenas.
7. Review the following citations to ensure all information is complete and accurate before submitting them to the appropriate courts:
 - a. Printed or handwritten State of New Mexico Uniform Traffic Citations; and
 - b. Printed or handwritten misdemeanor citations.
 - i. If the issuing employee did not correctly complete the citation, Court Services Unit personnel shall return the citation to the issuing employee to be corrected and resubmitted.
8. Review criminal summons documents to assure:
 - a. The charges are listed correctly;
 - b. Sworn personnel have signed the criminal summons;
 - c. A supervisor has signed the criminal summons;
 - d. The defendant's information is listed and correct; and
 - e. Whether the document is listed as a criminal summons.
9. Complete the criminal summons log for all criminal summonses that were received from sworn personnel and sent to the Bernalillo County Metropolitan Court;
10. Submit the criminal summonses to the Bernalillo County Metropolitan Court;
 - a. Sworn personnel shall issue criminal summons consistent with SOP Arrests, Arrest Warrants, and Booking Procedures (refer to SOP Arrests, Arrest Warrants, and Booking Procedures for sanction classification and additional duties).
11. Gather and submit the following information and documents to the DA's Office for discovery requests on misdemeanors crimes, such as driving while under the influence (DWI) and domestic violence:
 - a. An Intoxilyzer Breath Alcohol Test Card;
 - b. A Tow-In Report;
 - c. The State of New Mexico Uniform Crash Report (if applicable); and

N/A



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d. Any video footage from on-body recording devices (OBRD).

12. Be signed into the phone system and be available to take incoming phone calls

a. If unavailable and a message is left, return phone call.

6

D. The Court Services Unit Specialist shall:

1. Prepare case files for Department personnel by ensuring that the case files include all paperwork needed for prosecution, including, but not limited to:

- a. Any related Uniform Incident Report or Supplemental Reports;
- b. State of New Mexico Criminal Complaints and/or criminal summons;
- c. Related citations;
- d. Witness/victim statements;
- e. Entry of Appearance forms;
- f. OBRD videos;
- g. Notice of dismissal; and
- h. Any physical evidence.

2. When possible, provide case files to Department personnel three (3) or more business days before the court date as follows:

- a. Provide discovery to the defendant and/or defense attorney; and
- b. Deliver all paperwork that requires a certified hardcopy to the officer's gun locker room in the Bernalillo County Metropolitan Court.
 - i. Department personnel shall return the paperwork from the case files to the officer's gun locker room in the Bernalillo County Metropolitan Court or the Court Services Unit after the court hearing.

3. Provide discovery to the Law Office of the Public Defender and the DA's Office for all officer prosecution cases;

- a. If an attorney is not listed on the Notice of Trial for traffic (TR) cases, the case shall not be processed by Court Services Unit personnel.
 - i. Exceptions to this are as follows:
 - 1. Suspended or revoked government-issued driver's license;
 - 2. Careless or reckless driving;
 - 3. Traffic crashes; and
 - 4. Parking (PR) citation cases if an attorney is listed.

4. Research and update case files as needed; and

5. Be signed into the phone system and be available to take incoming phone calls

If unavailable and a message is left, return phone call.