



CITY OF MADISON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE



Civil Actions Against Employees

Eff. Date 08/11/2016

Purpose

To outline the proper procedure for employees to follow when they are named as a defendant in a civil suit or similar proceeding stemming from their employment with the City of Madison.

Procedure

INITIAL SERVICE

- All civil service should come through the Chief's office. If civil service is attempted at any other location (directly to the OIC, at a district station, etc.) the process server should be directed to the Chief's office during normal business hours. Employees should not personally accept or admit any work-related civil service attempt.
- Upon receiving service, front office staff will deliver the original notice/summons and a copy to Professional Standards.
- Professional Standards will coordinate delivery of the copied notice/summons personally to the affected employee. In the event that Professional Standards personnel are not available, the OIC will coordinate delivery. It is important that the employee personally receives the notice/summons in a prompt manner (do not simply leave the documents in the employee's box).
- The original copy of the notice/summons will be forwarded promptly to the City Attorney's Office by Professional Standards. This original copy should be hand delivered to the City Attorney's Office during business hours.

POST-SERVICE

- The named employee should confirm with Professional Standards that they have received the notice/summons.
- The employee should also forward a memo to the Chief's office notifying the Chief of the pending legal action and requesting legal representation in the matter.
- The Professional Standards Lieutenant serves as the liaison with the City Attorney's office for civil actions against MPD employees, so any correspondence or other activity concerning employment-related civil actions should be copied and forwarded to the PS&IA office.

It is very important that these steps be followed to ensure that the City Attorney's office is able to defend these cases in a prompt and effective manner, and to ensure that named employees are properly protected and represented.

These guidelines apply only to civil actions related to acts or omissions undertaken during the course of employment with the City of Madison. They do not change the current procedures relating to subpoenas to appear for criminal cases in circuit or federal court, or for forfeiture actions in municipal court. They also do not apply to any civil actions that are unrelated to employment with the City.

Original SOP: 03/01/2014

(Reviewed Only: 02/17/2016, 01/09/2017, 12/26/2017, 01/30/2019, 01/31/2020, 01/11/2021, 02/04/2022, 01/31/2023)

(Revised: 03/16/2016, 8/11/2016)