

**GENERAL ORDER**

August 2017

Immediately

**II-18**

Distribution: All Employees

Subject: **NOTIFICATION OF CIVIL ACTION**

Index as: City Attorney, Notification Civil Summons for Police Department Employees  
Civil Action, Notification Subpoena, Civil Action

Accreditation Standards: 16.3.7, 22.2.2

Cross Reference: Rules and Regulation of the Personnel Management System, Section 5-12

Replaces: G.O. II-18, Notification of Civil Action (April 25, 2013)

This Order consists of the following sections:

- I. Policy
- II. Purpose
- III. Notification Procedure
- IV. Statements by Employees

**I. POLICY**

It is the policy of the City of St. Petersburg to defend and protect an employee from liability incurred in the performance of their duties under circumstances established by law or other official documents of the City, and in accordance with the interpretation of the City Attorney.

**II. PURPOSE**

This order establishes a procedure to notify the Department and City Attorney of a legal action against an employee as it relates to their employment. Prompt notification is required to properly provide for legal representation of an employee during all phases of the action and to protect the City's interest in the matter.

**III. NOTIFICATION PROCEDURE**

A. Any employee who is served with or receives a civil summons, complaint or other notice in which they are named as a defendant in an action arising from their duties as an employee of the City of St. Petersburg shall:

1. Within forty-eight (48) hours of service or receipt of a summons or notice, the employee shall prepare a <J:\Forms\Notice of Civil Summons Received.docx> and submit it along with a copy of the summons or notice directly to the City Attorney, 10<sup>th</sup> Floor, Municipal Services Center Building.

2. The City Attorney shall return a copy of the *Notice of Civil Summons Received* to the originator (employee) acknowledging receipt.

3. The employee shall cooperate fully and immediately by completing any forms the City Attorney may request.

B. If the employee elects to have the City Attorney represent them, they shall comply in an expeditious manner with all requests of the City Attorney (return phone calls, interrogatories, etc.) during the pendency of their suit.

#### IV. STATEMENTS BY EMPLOYEES

Should an employee receive either a request to make a statement or be subpoenaed by a private attorney in a work-related civil matter, they shall first discuss the incident with their respective Assistant Chief and with the Legal Division. Before making any oral or written statements, the employee shall discuss the matter with the City Attorney assigned.

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Anthony Holloway  
Chief of Police