

**POLICY AND PROCEDURE
RESPONDING TO SUBPOENAS, SEARCH WARRANTS & LEGAL ACTIONS**

PURPOSE AND SCOPE:

The purpose of this directive is to inform employees of Abbott House, LLC the way in which legal documents served to the organization are handled. In the course of Abbott House, LLC normal business hours, employees or the facility may be served with subpoenas, warrants, investigations, court orders, garnishments, and other civil matters. This policy statement attempts to balance the interests of the Abbott House, LLC by cooperating with judicial and law enforcement agencies, while at the same time, preventing embarrassment and preserving the privacy and dignity of its employees and residents.

TOPICS ADDRESSED:

This policy will address legal process regarding subpoenas, garnishment orders, investigations, search warrants, and service of other legal processes.

GENERAL POLICY:

Abbott House, LLC and/or its employees are periodically served with legal process in the form of subpoenas for the production of witnesses and/or documents regarding the normal course of business of Abbott House, LLC, court orders, and garnishments. All legal process must be received in the Abbott House, LLC Administrative Office. Due to the often immediate need for response to subpoenas, the Executive Director or Designee will review for legal sufficiency legal processes received by its employees during the normal course of business. If the documents are determined to be legally sufficient, the document will be promptly delivered to the appropriate office for compliance. Abbott House, LLC managers and other officials are responsible for prompt compliance with requirements to produce staff or documents and for informing the Executive Director of the actions taken to comply.

If an office other than the Administrative Office receives legal process, it shall be immediately delivered to the Administrative Office. Any staff member who is contacted by a process server shall promptly refer the person to the Administrative Office. No employee shall produce documents or disclose any information or produce material as part of the employee's official status without prior authorization of the Executive Director or Designee.

The reasons for this policy are as follows:

1. To conserve the time of the Abbott House, LLC's employees for conducting official business;
2. To minimize the possibility of involving Abbott House, LLC in controversial issues that are not related to its mission;

3. To prevent the possibility that the public will misconstrue variances between personal opinions of the Abbott House, LLC employees and Abbott House, LLC policy;
4. To have a central repository for subpoenas;
5. To avoid spending Abbott House, LLC money for private purposes; and
6. To protect confidential and sensitive information; and
7. To assure that Abbott House, LLC and its employees timely comply with subpoenas and legal process in accordance with law.

An Abbott House, LLC employee may not give testimony, produce documents, or answer inquiries from a person not employed by Abbott House, LLC without the approval of Executive Director or Designee. All inquiries for such information shall be referred to the Administrative Office. All Abbott House, LLC employees who are requested to testify in an official proceeding or produce documents concerning information acquired in the course of their employment must seek approval from the Executive Director.

SUBPOENAS

A subpoena is a call to come before a court, a deposition, or other legal proceeding and may include a direction to bring specified records. A subpoena normally indicates the date, time and place of the required appearance or that a response is required within a certain number of days.

If the Executive Director or Designee determines that Abbott House, LLC should not comply with the subpoena, the Executive Director will attempt to have the subpoena withdrawn or modified. If the Abbott House, LLC is unsuccessful in having the subpoena withdrawn or modified, the Executive Director will obtain representation from legal counsel as necessary. Subpoenas and other process that are required to be served on the Abbott House, LLC should be served as follows:

1. If authorized by law to be served by mail, any mailed process should be sent to Abbott House, LLC at 405 Central Avenue, Highland Park, IL 60035.
2. If served by an individual, the process should be delivered to the Abbott House, LLC at 405 Central Avenue, Highland Park, IL 60035.

GARNISHMENT ORDERS

All garnishment and earnings withholding orders shall be served upon the Administrative Offices. All legal process in the nature of a garnishment shall be date and time stamped by Administrative Offices upon receipt. Administrative Offices will review the document for legal

sufficiency, and thereafter forward it for processing to the Abbott House, LLC Director of Financial Services. Garnishments concerning employees of Abbott House, LLC will also be

reviewed by Administrative Offices for legal sufficiency and thereafter be forwarded for processing to the Abbott House, LLC Administrative Offices. This insures that the garnishment is sufficient as to legal form and contains adequate information for identification of the employee.

All garnishment and earnings withholding orders will be processed in accordance with law.

SEARCH WARRANTS

A search warrant is an order signed by a judge directing a law enforcement officer to conduct a search of a designated person, a designated object or a designated place for the purpose of inspecting or seizing designated property or kinds of property.

If law enforcement officers bring a court order in the form of a search warrant:

1. A search warrant is executable immediately, unlike a subpoena. The law enforcement officers may begin a search of Abbott House, LLC records as soon as they enter the appropriate office.
2. Request that the law enforcement officers wait until the Executive Director or Designee is present before the search begins in order to allow the opportunity to examine the search warrant and to assure that the search conforms to the terms of the search warrant. (The law enforcement officials are not required to accede to your request to delay the search).
3. Cooperate with the search to ensure that only the records identified in the warrant are produced and that no other person's records are disclosed.

OTHER LEGAL PROCESS OR INVESTIGATIONS

1. All service of legal process or investigations shall be done through the Administrative Office. The Executive Director or Designee will be informed immediately of any legal process of a personal nature (civil or criminal) regarding an employee of Abbott House, LLC. That person shall make the determination whether such legal process requires immediate attention by the employee and interruption of their work day or whether the legal process is of a personal nature and should be addressed in a non-work environment.
2. Except for emergency situations, the Executive Director or Designee shall ask law enforcement personnel executing arrest warrants to do so in a pre-arranged private setting (e.g., administrative conference room or the supervisor's office).

3. The Executive Director or Designee shall be promptly notified of any legal process received by Abbott House, LLC concerning personnel/EEO litigation or;
4. administrative proceedings brought by a current or past Abbott House, LLC employee.

If you have any questions concerning this policy, contact the Executive Director.