

<b>Community Healthlink Policy and Procedure Manual</b>		
<b>Section:</b> 7 Clients' Rights and Responsibilities	<b>Policy Number:</b> 7-04-2	<b>Effective Date:</b> 09/10/2013
<b>Title:</b> Court Appearance by Staff		<b>Review Date:</b> 4/5/17
<b>Scope:</b>		<b>Originated:</b> 7/1/01
<b>References:</b>		
<b>Revision:</b> 11/11/02, 09/10/13		

**Purpose:**

To describe the appropriate procedure for obtaining approval for appearance in court by CHL staff, when the appearance is not mandated by a court order or subpoena or otherwise compelled by a judge.

**Definitions:**

**Policy:**

When court participation, through direct testimony or deposition, is not mandatory, CHL staff shall participate when it is deemed to be in the best interest of the client, and with the express written consent of the client, their legal guardian, health care proxy or other duly legally appointed representative.

**Procedure:**

1. Any staff member who is requested to appear in court, or who believes that it would be in the best interest of the client to participate voluntarily in a court action, shall request permission from his/her Supervisor and/or the Program Manager.
2. Staff shall take no action until the court participation has been approved.
3. Responsibility for the determination of whether participation is in the best interest of the client shall be jointly assigned to the Program Manager and the Program Manager's supervisor.
4. CHL shall establish and reserves the right to make every reasonable effort to collect a fee for court appearances by CHL staff as well as for the cost of preparation for such appearances. Such fees should be determined by the program manager prior to the appearance and based on CHL's sliding fee scale.
5. CHL staff shall not refuse, nor be prohibited from participating in, court processes based on the client's or community agency's ability to pay fees associated with an appearance.
6. Staff will be responsible for obtaining proper authorization from the client prior to appearing in court. No information should be communicated to any outside party, including court, without express written authorization unless permitted or mandated by law.

**Responsibility:** All Clinical Staff