



**ORANGE COUNTY SHERIFF'S OFFICE  
GENERAL ORDER  
SERVICE OF CRIMINAL SUMMONS/  
LEGAL PROCESS**



DATE ISSUED	DATE EFFECTIVE	REVISION NUMBER	REVISION DATE	PAGE
<b>05/01/05</b>	<b>05/01/05</b>	<b>21-034</b>	<b>03/22/21</b>	<b>1 of 2</b>

To: All Deputy Sheriffs & Office Personnel  
 From: Sheriff Carl E. DuBois  
 Subject: General Order # 05-191- Service of Criminal Summons/Legal Process

**PURPOSE:** The purpose of this General Order is to establish guidelines with regard to the issuance of criminal summonses and legal process work by personnel of the agency.

**I. POLICY.**

A. It is the policy of the Orange County Sheriff's Office to ensure that all legal process received from the court or other authoritative sources are properly recorded and executed in a timely manner in accordance with the requirements of the criminal procedure law, civil practice law and rules and any other applicable law. Our mission is to provide law enforcement services, to ensure the safety and welfare of our citizens and to serve the civil process of the court in a professional, courteous and compassionate manner.

**II. PROCEDURES.**

A. **GENERAL.** Information involving each item of legal process, civil and/or criminal, shall be recorded and a record of attempts to serve each legal process shall be maintained. This information shall include, but not limited to the following elements:

1. Date and time received,
2. Type of legal process, civil or criminal,
3. Nature of document,
4. Source of document,
5. Name of plaintiff/complainant when available and the name of defendant/respondent,
6. Employee, when appropriate or Zone and Sector assigned for service,
7. Date of assignment,
8. Court docket number,
9. Date service due.

B. **CIVIL.** Civil process must be acted upon within sixty (60) days. Civil Process paperwork shall be filed by Civil Office staff in to the SoftCode software program.

- C. RECEIPT. Receipt of Criminal Summons paperwork shall be entered into and be maintained in the Impact records management system. A paper copy of the criminal summons/legal process shall be retained in the Squad Room or Investigations Division, as deemed appropriate. Receipt of the criminal summons/legal process shall be kept up-to-date as activity occurs and shall be available for review by all sworn employees of this agency twenty-four (24) hours a day, for all criminal process.
- D. ASSIGNMENT OF CRIMINAL SUMMONS. The court issues the criminal summons, and it is forwarded to the Squad Room supervisor, who assigns a complaint number to the summons if it doesn't already have one. The heading of the complaint memo is the same as the charge on the criminal summons. If the summons was issued pursuant to an incident handled by the Investigations Division, such summons shall be forwarded to that division for further action.
- E. PRIOR RECORD. If the defendant has a prior arrest record, with the Orange County Sheriff's Office, if available, print a copy of the defendant's name and involvement from the Impact RMS system and place it with the Criminal Summons.
- F. PRIOR PHOTO. If the defendant has a "mug photo" on the file with the Orange County Sheriff's Office, if available, a copy of the photograph will be placed with the Criminal Summons.
- G. PROHIBITIONS.
1. Criminal Summons **are not to be placed in Warrant Control Jackets** as they have specific dates in which to be served and need not be confused with a Warrant of Arrest or Bench Warrant.
  2. Criminal Summons **are not to be entered into (Ejustice)** the New York Statewide Police Information Network System, particularly as a wanted person (File 5).
- H. SERVICE OF SUMMONS. Upon serving the criminal summons, the employee so doing, fills out the information on the reverse side or bottom portion, as appropriate, of the duplicate copy of the summons. An arrest report is completed and filed with a duplicate copy of the criminal summons.

***Revision History: Revision 09-03 - 12/1/09, 21-034 - 03/22/21  
XRef 05-117 Civil Process***