

Response to Legal Proceedings

Policy:

Morgan Support Services shall respond to legal actions taken against the agency and/or staff members as appropriate, under the guidance of legal counsel. The responsibility for response to any legal proceedings rests with the Executive Director/designee.

Procedure:

Subpoenas or Search Warrants

1. If a staff member is presented with a subpoena or search warrant, he/she shall immediately notify the Executive Director/designee and provide the following information:
 - a. Name of the agency/authority presenting the subpoena or search warrant
 - b. Purpose of the subpoena or search warrant
 - c. Location where the subpoena or search warrant is presented
2. If possible, no action shall be taken until approved by the Executive Director/designee.
3. The Executive Director/designee shall immediately contact the agency attorney and provide the information given in #1 above.
4. Once a determination is made, the Executive Director/designee shall notify the staff member of the action to be taken.
5. Within 24 hours, or as soon as is practical, the staff member shall supply Morgan Support Services with the subpoena or search warrant, and shall provide a written report of the event.

Investigations

1. If the investigation is regarding Morgan Support Services, the staff member should:
 - a. Ensure, to the best of his/her ability, that the investigation is being conducted by a responsible agency (i.e. law enforcement agency, federal/state/county compliance officer, etc.)
 - b. As soon as is practical, contact the Executive Director/designee to advise him of the investigation
 - c. Truthfully answer the investigator's questions and comply with reasonable requests
2. If the investigation is regarding a person who receives services or the person's parent, guardian or responsible person, the staff member should:
 - a. Immediately contact the Executive Director/designee and provide the following information:

- 1) Name of the investigating agency
 - 2) Purpose of the investigation
- b. If possible, take no action until approved by the Executive Director/designee.
 - c. Based upon the determination of the Executive Director/designee, the staff member shall comply with the investigator's reasonable requests and truthfully answer the investigator's questions.
 - d. Within 24 hours, or as soon as is practical, the staff member shall provide a written report of the event to the Morgan Support Services' office.

Morgan Support Services shall protect its staff members when actions of the agency are being examined. Staff members will be given assistance during any investigative process.

Other Legal Actions

Morgan Support Services will respond to all other legal actions according to the specifics of each situation, insuring compliance with applicable laws and regulations, and supporting staff and other stakeholders as appropriate, practical, and legally required.