WEST NORRITON TOWNSHIP POLICE DEPARTMENT

Subject: Court Orders		Policy # 5.1.13
Accreditation N/A		
Effective Date: January 1, 2008	Revised Date:	
By Authority Of: Chief A. Dale Mabry	Signature: ADMabry	

5.1.13 COURT ORDERS

A. PURPOSE

The purpose of this directive is to establish guidelines and procedures for officers to follow when they are called to handle civil court orders.

B. POLICY

It is the policy of the West Norriton Twp. Police Department to assist citizens within the confines of the law and to clarify to them the difference between criminal and civil enforcement abilities.

C. DEFINITIONS

1. Civil

   a. Custody Order - unenforceable by the police department

2. Criminal

   b. Protection From Abuse Order - enforceable by police department as it carries a criminal penalty of indirect criminal contempt.

D. PROCEDURES

1. When receiving a request for assistance involving a civil court order, i.e., child custody order, officers will read order to:

   a. Ascertain if it is an active court order.
   b. Determine if it is signed by a Montgomery County Judge of Common Pleas Court.
   c. Determine if the Order is specific and not general in relation to its intent and meaning
   d. Understand the contents before speaking to the complainant.
   e. Interview the complainant to ascertain any additional information that would help you in reaching your decision to offer assistance.

2. Invalid Court Order

    a. If, in your judgment, it is unclear or not a valid order, advise the complainant to see his/her attorney as soon as possible, that you will take no further action at this time.

3. Valid Court Order

    a. Advise the complainant that:

        i. You will **not** enforce civil court orders.
        ii. You may, however, accompany the complainant to the location in question for the purpose of keeping the peace and to document the custody changing hands or the refusal to do so.

4. Upon arriving at the location advise the second party of the reason for your presence:

    a. That you are not there to enforce the court order.
    b. To keep the peace only**.**
    c. Document the custody change or the refusal to do so.
    d. If there is a refusal to change custody you will again advise both parties that the matter is being documented and to see their attorneys as soon as possible.

5. It is suggested that you instruct the complainant to leave the location while you are present in order to avoid potential problems in this highly emotional situation.

6. As this type situation may also bring allegations of child abuse from one of the parties, you will be alert to this possibility.

7. If there are visual signs of abuse you take appropriate action.

    a. Take immediate custody of the child.
    b. Immediately notify the department's Juvenile Division.
    c. At the Juvenile Division's direction, contact the Office of Children and Youth immediately.

8. If there are allegations (only):

    1. Advise the second party of the allegation.

    2. Notify both parties that the Office of Children and Youth will be contacted.

    3. Contact the Office of Children and Youth.

    4. Advise the Juvenile Division of the allegations.

5. In all incidents of this type, document the matter in as much detail as possible.