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1.0 PURPOSE:

To describe the procedures to be followed by the City Attorney's Office and other City departments in appearances before Municipal Court.

2.0 ORGANIZATIONS AFFECTED:

This policy applies to all departments involved in Municipal Court cases, the Municipal Court, and the City Attorney's Office.

3.0 POLICY:

It is the policy of the City Attorney's Office to diligently present all meritorious cases for the City before the Municipal Court.

4.0 REFERENCES:

Section 62.09(12), Chapter 755 and Chapter 800, Wisconsin Statutes.
Section 2.19, City of West Allis Revised Municipal Code.

5.0 PROCEDURES:

5.1 RESPONSIBILITY

The City Attorney's Office and departments involved in cases before the Municipal Court shall follow these procedures.

5.2 GENERAL POLICIES

5.2.1 The City Attorney's Office shall determine who shall be called as witnesses. City employees shall be notified in writing or by electronic communication. All other witnesses shall be subpoenaed. The City Attorney's Office shall first attempt to serve witnesses by mail. If service by mail is unsuccessful or if time constraints or other factors make mailing impractical, then personal service of the subpoena shall be attempted.

5.2.2 The Municipal Court shall provide a court docket to the City Attorney's Office prior to Municipal Court.

- 5.2.3 The City Attorney's Office shall be provided with all information on every alleged violation, which will be the subject of a trial, when requested. Additional investigation will be conducted upon the request of the City Attorney's Office.
- 5.2.4 Only the City Attorney, an Assistant City Attorney, or an attorney designated by the City Attorney may make motions, present the City's case, or otherwise represent the City in Municipal Court or in an appeal from Municipal Court.
- 5.2.5 Individual Officers and employees shall respond within 48 hours of receiving a request for information from the City Attorney's Office. The appropriate Commanding Officer or Department head shall receive an informational copy of each written request received from the City Attorney's Office.