

1230 The CPS Custodian of Records

DFPS Subpoena Policy January 2012

The Child Protective Services (CPS) employee who is assigned to function as the custodian of records (COR) depends on who is named in the subpoena.

If the subpoena ...	then ...
specifically names a current CPS employee ...	the employee named in the subpoena is the COR.
specifically names a former CPS employee ...	no COR is assigned. The named person cannot serve as the COR because he or she is no longer a CPS employee. For direction in such a case, see the table in 2210 Greeting a Process Server Who Delivers a Subpoena in Person.
<ul style="list-style-type: none">• is addressed only to the custodian of records; and• seeks the records on an OPEN CPS case, or seeks records on a specific client involved in an OPEN CPS case ...	the current caseworker is the COR.

- is addressed only to Custodian of Records; and
- seeks the records on a CLOSED CPS case, or seeks records on a specific client involved in an CLOSED CPS case
- ...

the most recent caseworker is the COR.
 If that caseworker is no longer employed by CPS, the supervisor of the unit that handled the case is assigned as the COR.

If the unit no longer exists, the program director:

- designates a staff person as the COR; or
- serves as the COR.

If anything prevents the program director from designating someone as COR or serving as the COR, the program administrator:

- designates an appropriate staff person; or
- serves as the COR.

If anything prevents the program director from designating someone as COR or serving as COR, the regional director:

- designates an appropriate staff person as the COR; or
- serves as the COR.

2210 Greeting a Process Server Who Delivers a Subpoena in Person

DFPS Subpoena Policy January 2012

When a process server arrives to serve a subpoena at a DFPS office, the receptionist:

- attempts to contact the employee using the standard operating procedure used when any person requests to see a staff member; and
- takes the next action described in the table below, below based on the result of the receptionist's attempts to contact the employee.

If the process server ... then the receptionist ...

- asks for an employee who works in the building; and
 - the employee answers and is in the building when the receptionist calls the employee ...

- asks for an employee who works in the building, and;
 - the employee is currently teleworking ...

- asks for an employee who works in the building; and
 - the employee does not answer when the greeter calls ...

asks the employee to come forward.

- requests the name and contact phone number of the process server and;
 - explains to the process server that the named employee will contact them and arrange to meet and accept the subpoena, and;
 - contacts the employee and provides them with the contact information for the process server.

- informs the process server that the employee did not answer; and
 - provides the server with a contact card for the Records Management Group (RMG)'s Customer Support office (in [1100](#) Definitions, see *Contact Card for Customer Support*). After providing the card, the receptionist either:
 - provides the server with the office and mobile phone numbers for both the employee and the employee's supervisor; or
 - explains that the server may contact RMG to obtain the office and mobile phone numbers for the employee and supervisor by using the information on the contact card.

- asks for an employee who does not work in the building ...

- informs the process server that the employee does not work in the building; and
 - provides the server with a business card for RMG's Customer Support office (in [1100 Definitions](#), see *Contact Card for Customer Support*).

After providing the card, the receptionist either:

- provides the server with the correct office address and the office and mobile phone numbers for the employee and the employee's supervisor; or

- explains that the server may contact RMG to obtain the correct office address and the office and mobile phone numbers of the employee and supervisor.

- asks for an employee who no longer works for DFPS ...

- explains to the server that it does not appear that anyone with that name works for DFPS;

- explains that the subpoena cannot be accepted, since it does not name a current employee; and

- provides the server with a business card for RMG's Customer Support office and explains that RMG can identify the appropriate person to be named on a new subpoena. (In [1100 Definitions](#), see *Contact Card for Customer Support*).

- explains that he or she is there to serve a subpoena to the custodian of records, but does not identify the custodian by name ...

- explains to the server that the custodian must be identified; and

- provides the server with a business card for RMG's Customer Support office and explains that RMG can identify the custodian for them. (In [1100 Definitions](#), see *Contact Card for Customer Support*.)

1100 Definitions

DFPS Subpoena Policy August 2015

Contact Card for Customer Support

The Customer Support Office (CSO) of the DFPS Records Management Group (RMG) provides contact information about DFPS employees so subpoenas may be served. The contact card is a business card that may be obtained at each front desk in every DFPS office that receives the public. It provides the contact information for the Customer Support Office. See also [1341](#) Customer Support Office (DSO).



Records Management Group
Customer Support Office

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