

Chapter: DIRECTLY-OPERATED PROGRAM MANAGEMENT
Title: LAWSUITS

Prior Approval: 03/25/2020

Current Approval: 09/03/2026

Proposed by: Traci Smith 09/03/2026
Chief Executive Officer Date
Approved by: Al Lorenzo 09/03/2026
County Executive Office Date

I. ABSTRACT

This policy establishes the standards and procedures of Macomb County Community Mental Health (MCCMH), an official agency of the County of Macomb, when MCCMH employees are served with Legal Paperwork concerning MCCMH, the MCCMH Board, or an MCCMH employee acting in his/her official capacity.

II. APPLICATION

This policy shall apply to Macomb County employees of MCCMH.

III. POLICY

It is the policy of the MCCMH Board that MCCMH Leadership and Legal Counsel be alerted timely to developing legal matters. To do this:

MCCMH employees shall ensure that all Legal Paperwork (as defined below) they receive is forwarded to the MCCMH Chief Operating Officer (COO). Upon receipt, the COO shall forward such Legal Paperwork to the Macomb County Office of Corporation Counsel.

IV. DEFINITION OF LEGAL PAPERWORK

- A. Legal Paperwork is any letter, email, fax, or other writing concerning a pending or threatened legal matter, including a:
1. Compliant - The first pleadings on the part of the party suing in a civil (non-criminal) lawsuit. It includes the title of the cause of action, the statement of facts, and a demand for relief (money, injunction, etc.).

2. Order to Show Cause- A court order to a person to give reasons at a hearing why the court should not take a particular action requested by one of the parties.
3. Notice of Hearing- A formal notice, usually on a Court form, alerting the reader to a future court date. Notice of Hearings are, by their nature, time sensitive and should be shared with the COO immediately upon receipt.
4. Summons- A court notice informing a person of the filing of a lawsuit against him or her and of the need to respond to the complaint.
5. Subpoena- An order from the court notifying an individual to appear in court or at another place to give sworn testimony or to produce certain documentary evidence.
6. Warrant- A written document which purports to grant legal authority to law enforcement to search and seize documents or persons. There are many different types of warrants and legal review by Corporation Counsel is necessary for each warrant MCCMH is served with.
7. Documents Served- The delivery of official documents (usually the summons and the complaint) to the defendant either in person by someone authorized to deliver the documents or by mail. If a document is legally served, it is Legal Paperwork subject to this policy.

V. STANDARDS

- A. An MCCMH employee who receives Legal Paperwork shall immediately alert his/her Division Director and provide the documents to the MCCMH COO who shall, in consultation with The Office of Corporation Counsel, assist in determining the manner in which to proceed.
- B. Compliance with MCCMH MCO Confidentiality Policies (Chapter 6) and MCCMH MCO Policy 10-012, "Access to Administrative Records/Documents, "shall be maintained, as applicable.
- C. MCCMH employees shall cooperate fully with the MCCMH and County Corporation Counsel in providing relevant information necessary to the defense of the legal matter.
- D. All MCCMH records related to any Legal Paperwork shall be retained and not destroyed during the pendency of associated legal proceedings.

VI. PROCEDURES

- A. An MCCMH employee who is served in person, by mail, or by email with Legal Paperwork shall notify his/her supervisor and forward the documents immediately to the MCCMH COO.
- B. The employee's supervisor or Director shall immediately contact the MCCMH COO to notify him/her of the existence of the lawsuit.
- C. The MCCMH COO shall forward the original documents to County Corporation Counsel and seek consultation from that office.

VII. REFERENCES / LEGAL AUTHORITY

- A. Michigan Court Rules, MCR 2.103

Attestation/Revision History

Revision #	Review Date	Revision Summary/Policy Update Notice Date	Reviewer/Department
1	03/25/2011		ADMINISTRATION
2	03/20/2020		ADMINISTRATION
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