

ELECTRONIC SUBPOENA USER AGREEMENT

This agreement is entered into between the Office of the State Attorney, 17th Judicial Circuit of Florida (hereinafter referred to as SAO) and Sunrise Police Department, Law Enforcement Agency (hereinafter referred to as USER).

Whereas, the SAO has developed and created an Electronic Subpoena Delivery Application (ESDA) module to automate and streamline the manual subpoena delivery process to law enforcement officers;

Whereas, the USER has requested to participate in the ESDA module and agrees that subpoenas delivered to the USER through this program are considered as served;

Whereas, in order for USER to participate in the ESDA module they must have access to the State Attorney File Management System (SAFES) which the SAO agrees to provide through a safe CJNET connection;

Whereas, the USER agrees to maintain and update their agency's law enforcement tables in SAFES including officer availability status, new hires and terminations;

Therefore, in consideration of the mutual benefits to be derived from this Agreement, the SAO and the USER do hereby agree as follows:

USER Software Requirements

USER shall have Windows Operating System 2000 or higher to allow installation of the SAFES executable code on all computers accessing the ESDA module. Computers must have the capability to save and view PDF formatted files. Each computer should have a Laser printer attached to it or a connection to a sharable printer.

Subpoena Delivery Process

Communication between the SAO and USER is accomplished through a safe CJNET connection. Each receiving agency or unit will have the ESDA module and a portion of the SAFES application loaded on their computers. The subpoena routing process is achieved through each law enforcement officer's unique CCN number. Subpoenas are received at the USER's central location or routed to various district locations within the agency. Subpoenas are considered served once they are received by the USER through the ESDA module. Received subpoenas can be printed at the USER's desktop and manually delivered or e-mailed to the officers. All received subpoenas along with their summary log are presented to the user in PDF file format. Previously received subpoenas can be re-delivered to the officers by the receiving user.

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Subpoena Audit and Reporting

Received subpoenas can be located through various reports and queries in the SAFES application. Once located, a detail subpoena history may be viewed, reported and/or printed. Users have a pre-determined time to receive an issued subpoena. Un-answered subpoenas are automatically re-routed by ESDA to the issuing agency after a pre-determined time has elapsed. USER's management staff may access various statistical reports as specified by SAO IT Directors.

Security

USER access is limited strictly to their agency subpoenas and officer tables. USER may view partial agency case information in SAFES.

USER Responsibilities

- Monitor CJNET connectivity between USER and SAO and immediately communicate any data exchange discrepancies to SAO Help desk at 954-831-8016.
- Receive, print and/or e-mail subpoenas to officers.
- Maintain officer Availability table in SAFES.
- Maintain Officer CCN numbers in SAFES.
- Maintain and provide officer e-mail addresses in SAFES.
- Print statistical reports as needed by USER.
- Monitor and process unanswered subpoenas.
- Monitor Subpoena Log for undeliverable e-mailed subpoenas.

SAO Responsibilities

- Maintain USER's access to SAFES.
- Monitor communication lines with USER and immediately communicate any data exchange discrepancies.
- Process returned subpoenas through Police liaisons.
- Monitor subpoena activity between agencies.

Parallel Testing Period (if applicable)

USER will commence a parallel testing period, which will continue for both electronic and manual subpoena process until both parties accept the system by executing agreement. During the parallel testing period, any and all connectivity errors, defects and malfunctions will be corrected. USER agrees to monitor the electronic receipt process through the use of the Subpoena Log and the E-Inquiry screen in SAFES. Any discrepancies should be reported immediately to SAO's help desk at 954-831-8016 and e-mail to safes_dbm@sao17.state.fl.us.

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Provisions Incorporated

This Agreement incorporates by reference the SAFES USER SECURITY AGREEMENT and the SAFES COMPUTER SOFTWARE AGREEMENT executed by the SAO and USER.

Associated Costs

Any modifications or additions to the existing ESDA specifications may be chargeable to the USER and must be mutually agreed upon by parties.

All parties agree that any costs associated with the running and auditing ESDA functions may be chargeable in order to insure that cost burdens are shared among the parties.

Warranty and Limitations of Liability

USER agrees that the SAO, it's employees and/or representatives shall not be liable in any claim, demand, action, suit, or proceeding, including, but not limited to, any suit in law or in equity for damages by reason of or related to the services provided during the term of this agreement such as; acts arising out of any loss of data, acts of omission or the detrimental reliance on the personnel of the USER in entering, removing, or relying on information transmitted through the ESDA module, SAFES program or CJNET Information system.

Term of Agreement

This agreement will remain in force until it is determined by the SAO that a new agreement is required. The USER should initiate the execution of a new agreement when a change of agency chief executive occurs.

The parties hereto have caused this agreement to be executed by the proper officers and officials.

USER (Sunrise Police Department)

Office of the State Attorney 17th Circuit

Michael J. Satz, State Attorney

By: _____
(Please Print Name and Title)

By: Monica M. Hofheinz, Exec. Director

(Signature)

(Signature)

(Date)

(Date)