

County of San Diego, Health and Human Services Agency (HHS)
Eligibility Policy and Procedures Guide

Procedures for Accepting Subpoenas and Writs of Mandate

Page

1 of 1

Revision Date:

04/25/17

Background:

The County of San Diego can be served subpoenas and writs of mandate requesting case information. The case information may include appeals, medical, billing, and customer records. A petition for review of a case can be requested by a claimant. This request may include a writ of mandate.

Purpose:

Provide staff with policy for accepting subpoenas and writs of mandate.

Policy:

The County is mandated by law to comply with the order served in the timeframe allotted. Subpoenas have a compliance timeframe of 15 days or by the deposition date, whichever is later. The requested documents cannot be released before the 15 day compliance date. Writs of Mandate have a compliance period of no more than 30 days.

Procedures:

Subpoenas:

All people serving a subpoena are to be referred to Eligibility Operations (EO), 1255 Imperial Ave. San Diego, CA 92101 3rd floor. No subpoenas are to be accepted at the Family Resource Center (FRC) or other office. A subpoena may be mailed to an FRC or another office. When received by mail, it should be immediately forwarded to the Custodian of Records via email documenting the date received. Also send the original including any checks and the envelope by interoffice mail to the Custodian of Records at 1255 Imperial Ave. San Diego, CA 92101 mailstop W414.

Writs of Mandate:

Original writs of mandate and petition for reviews are not to be accepted by EO. The petitioner/claimant or authorized representative will be referred to Superior Court to file the petition. The Custodian of Records may accept copies of a writ of mandate or petition for review in certain circumstances. See Procedures for the Custodian of Records Processing Guide, located on the EO SharePoint site.

Program Impacts:

All Programs

References:

County of San Diego Administrative Manual #0060-03

Sunset Date:

This policy will be reviewed for continuance by 03/31/2020.

Approval for Release:


Rick Wanne, Director
Eligibility Operations