


Name of Policy: Subpoenas Policy Number: 3364- 10-15 Approving Officer: President Responsible Agent: Vice President and General Counsel Scope: The University of Toledo, all campuses, and UTMC: Any and all individuals who receive a subpoena related to university business (see section (C) Scope)		 Revision date: January 22, 2020 Original effective date: April 1, 2011	
<input type="checkbox"/>	New policy proposal		Minor/technical revision of existing policy
<input type="checkbox"/>	Major revision of existing policy	<input checked="" type="checkbox"/>	Reaffirmation of existing policy

(A) Policy statement

The office of legal affairs is responsible for coordinating responses to all subpoenas ordering the university or its officers, administrators, employees, student employees, faculty or residents due to his or her status as a university employee to respond.

The university will ensure timely and appropriate responses to subpoenas by ensuring that the office of legal affairs is served with any and all subpoenas directed to the university or its officers, administrators, employees, faculty, or residents arising of performance of their university duties.

(B) Purpose of policy

To protect the legal interests of the university by ensuring timely and appropriate responses to subpoenas directed to the university or any of its colleges, departments, or offices, and to subpoenas directed to officers, administrators, employees, faculty, or residents concerning their university duties.

(C) Scope

This policy applies to any and all officers, administrators, employees, student employees, faculty or residents who receive a subpoena related to University

business or who a subpoena server attempts to serve with a subpoena related to university business.

(D) Procedure

- (1) Personal service of subpoenas: subpoena servers attempting to personally serve subpoenas on the university or one of its officers, administrators, employees, faculty, or residents, are to be directed to the office of legal affairs as explained below. If an attempt to personally serve a subpoena occurs on a weekend or holiday, or outside of normal office hours, the server is to be advised to return the next business day to the office of legal affairs.
 - (a) On health science campus, including the medical center, subpoena servers are to be directed to the office of legal affairs, third floor, Mulford library building, health science campus.
 - (b) On main campus or the Scott park campus, subpoena servers are to be directed to the office of legal affairs, third Floor, university hall, main campus.
 - (c) For any other university location, servers are to be directed to one of the two office of legal affairs locations.
 - (d) The office of legal affairs is the only office authorized to accept personal service of a subpoena directed to the university or one of its colleges, departments, or offices.
- (2) Mail services is authorized to accept subpoenas served through the mail, so long as the subpoena is promptly directed to the office of legal affairs as described above in paragraph (D)(1).
- (3) If an officer, administrator, employee, student employee, faculty, or resident is specifically named in a subpoena, he or she is authorized to accept service of the subpoena on behalf of himself or herself only, subject to the following:
 - (a) If the subpoena relates in any way to the individual's position with the university, the individual must immediately fax, email, or personally deliver a copy of the entire subpoena to the office of legal affairs.

- (b) Officers, administrators, employees, student employees, faculty, students, or residents are not authorized to respond to or appear pursuant to a subpoena that relates in any way to the individual's position with the university without direction from the office of legal affairs.
- (4) University officers, administrators, employees, student employees, faculty or residents must promptly provide to the office of legal affairs the records requested and must make themselves available as directed by the subpoena unless alternate arrangements are made through the office of legal affairs.

<p>Approved by:</p> <p><u>/s/</u> Sharon L. Gaber, Ph.D. President</p> <p><u>January 22, 2020</u> Date</p> <p><i>Review Completed by: Office of Legal Affairs, SLT</i></p>	<p>Policies Superseded by This Policy:</p> <ul style="list-style-type: none"> • <i>01-073 Subpoena response (former Health Science Campus policy, previous review date 1/1/04)</i> • <i>Previous 3364-10-15, effective date June 27, 2016</i> <p>Initial effective date: April 1, 2011 Review/Revision Date: June 27, 2016, January 22, 2020</p> <p>Next review date: January 23, 2023</p>
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