

RESPONDING TO SUBPOENAS AND SUMMONS

Subpoenas

In both Federal and State Courts, an attorney for a litigant may have a subpoena issued by the court in which a case is pending. There are also circumstances when a subpoena may be issued prior to a case being filed. In all cases in which you receive a subpoena you should contact your supervisor and make arrangements to contact the General Counsel.

Subpoena *duces tecum*

This is a process by which a court or litigant commands a person or entity who has in their possession or control a document, paper or other object that is pertinent to the issues of a pending claim or controversy. The subpoena *duces tecum* is a command to produce the item at trial or deposition. In all cases in which you receive a subpoena *duces tecum* you should contact your supervisor and make arrangements to contact the General Counsel.

Summons

A Summons is a legal device which is used to bring a person before the court. It is typically used to start a lawsuit. In the event the System, a university or an individual are sued, a summons will be issued by the court in which the case is filed. Depending on the jurisdiction of the court, the person or entity sued has a limited time to respond to the lawsuit or the other party may win by default. It is imperative that prompt action be taken in the event you receive a Summons.