

Approved: March 14, 2007

University of Massachusetts Response to Legal Papers Standards

General

The University of Massachusetts (i.e., University) must be able to coordinate properly its response to legal papers, formulate its position, meet legal deadlines and requirements, and otherwise comply with its legal obligations with respect to legal proceedings.

University/Campus Chief Information Officers shall assign Designated University Officials on each campus to process/respond to requests, in coordination with University General Counsel, concerning electronic communications or databases.

Employees contacted by law enforcement to answer general questions about University systems, services, processes, etc., should refer such questions to University General Counsel.

Student employees working in a department that is directly contacted should refer the matter to a non-student University employee.

Acceptance of Subpoenas or Lawsuits

University employees or departments contacted by any individual attempting to serve subpoenas or attempting to serve a civil complaint for:

- a. Student records should direct the individual attempting to serve such a notice to the appropriate Registrar or Dean of Students Office.
- b. University-related records or information other than student records should direct the individual attempting to serve such a notice to their campus Department of Public Safety/Police.
- c. Lawsuits involving the University or University departments should direct the individual attempting to serve such a notice to their campus Department of Public Safety/Police or Chancellor's Office.
- d. No employee should accept service of a subpoena or lawsuit for any other individual employee. If the lawsuit is for a Chancellor, that person's secretary can accept the notice being served.

The Department of Public Safety/Police will ensure that the subpoena is forwarded to the appropriate department head/individual (e.g., Registrar, etc.).

University President's Office employees who are contacted by any individual attempting to serve subpoenas (for records/information or related to a lawsuit not against an individual employee) should direct the individual attempting to serve such notice to the

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University General Counsel. Subpoenas related to lawsuits against an individual employee shall only be accepted by that specific employee.

Acceptance of Search Warrants

If the law enforcement official presents a search warrant the agent or officer may begin a search as soon as the employee responding to the order has looked at the warrant and determined its scope. University employees on whom a search order is served should, however, ask if they can contact the appropriate administrator before the search begins. The University employee should immediately contact their supervisor, University legal counsel and the Designated University Official at the applicable campus to inform them that a court ordered search has been requested or initiated.

Law enforcement shall be supervised at all times (e.g., while appropriate personnel are being notified of the search and during the search).