



FLORIDA A&M UNIVERSITY OFFICE OF THE GENERAL COUNSEL ADVISORY

OGC ADVISORY NO. 13-01		INITIAL ISSUANCE DATE: 02/05/13	
ATTACHMENT(S): n/a		REVISION DATE(S):	
TO:	Leadership Team, Deans, Directors, and Division Heads (Associates and Assistants)		
FROM:	Avery D. McKnight, Vice President and General Counsel, Legal Affairs		
SUBJECT:	Subpoenas, Summons, Court Orders, and Other Written Requests for Information		

Purpose:

Florida A&M University (FAMU or University) is occasionally named as a defendant in a lawsuit or as a respondent in an administrative proceeding or other complaint process. To protect the University from legal or monetary liability, it is essential that all subpoenas, summons, court orders, and other written requests for information are timely provided to the correct University personnel. Therefore, it is important that the community, as well as members of the University, know where to deliver subpoenas, summons, court orders, and other written requests for information.

General Information:

After a complaint is filed in court or with an administrative tribunal, the plaintiff or complaining party must provide the University with notice of the complaint by serving a copy of the complaint upon the University. This action is called service of process and may be accomplished by hand-delivery by a process server or by e-mail by an attorney. A complaint is a document that generally sets forth the allegations in the case and is filed with a court or administrative tribunal to commence legal action. A summons is an order to appear in court. A complaint and summons require a response from the University within a specified time frame. It is the policy of the University to serve subpoenas, summons, court documents, and other written requests for information according to the procedure outlined below. A subpoena is court order commanding a person to appear or produce documents.

Procedure:

If process is not served on the Office of General Counsel (OGC), the following procedures must be followed as quickly as possible:

Court Orders, Summons, or Complaints

For lawsuits filed against the FAMU Board of Trustees or FAMU, service must be upon the Chair of the Board of Trustees at 1601 S. Martin Luther King Jr. Blvd., 400 Lee Hall, Tallahassee, FL 32307, telephone number (850) 599-3225. In the absence of the Chair of the Board of Trustees,

process is to be served on the President of the University at 1601 S. Martin Luther King Jr. Blvd., 400 Lee Hall, Tallahassee, FL 32307, telephone number (850) 599-3225. In the absence of the President, service must be upon an attorney in the OGC at 1601 S. Martin Luther King Jr. Blvd., 300 Lee Hall, Tallahassee, FL 32307, telephone number (850) 599-3591.

Process for lawsuits against individuals is to be served on the named individual. If the individual is being sued for actions taken in the course and within the scope of their employment by the University, then service is upon an attorney in the OGC.

Subpoenas

Employee records ¶

- A subpoena for employee records should be served upon the Office of Human Resources at 1700 Lee Hall Drive, 211 FHAC, Tallahassee, FL 32307, telephone (850) 599-3611.

Student records ¶

- Subpoenas for student records should be sent to the Office of the University Registrar at 1700 Lee Hall Drive, 112 FHAC, Tallahassee, FL 32307, telephone (850) 599-3115.

Garnishments

Garnishments are to be served on the Office of Payroll Accounting at 1700 Lee Hall Drive, 201 FHAC, Tallahassee, FL 32307, telephone (850) 412-2960.

Public Records

Public records requests should be made to the Office of Communications at 1601 S. Martin Luther King Jr. Blvd., 103 Lee Hall, Tallahassee, FL 32307, telephone (850) 412-5211.

Bankruptcy

Student bankruptcy ¶

- Information regarding a student bankruptcy should be sent to the Controller's Office at 1700 Lee Hall Drive, 201 FHAC, Tallahassee, FL 32307, telephone (850) 561-2949.

Employee bankruptcy ¶

- All information should be sent to the Office of Payroll Accounting at 1700 Lee Hall Drive, 201 FHAC, Tallahassee, FL 32307, telephone (850) 412-2960.

Vendor Bankruptcy ¶

- Information regarding a vendor bankruptcy should be sent to the Office of Procurement Services at 2380 Wahnish Way, Suite 214, Tallahassee, FL 32307, telephone (850) 599-3203.

Written Communications

All other letters, correspondence, or other communications from lawyers or court officials should be forwarded to the OGC for review.