

## Subpoenas and Court Appearances

If you receive a subpoena related to your OSU Extension work assignment, before taking action, please inform your immediate supervisor and contact the Associate Director, Operations. In responding, there are often a number of issues which need to be addressed and we would like to be certain we provide coaching and advice. If the subpoena related to personal reasons, follow guidelines on the Human Resources website related to leave time (<http://hr.osu.edu/policy/policy627.pdf>).

1. If you are subpoenaed to appear in court you must do so.
  - Fax the Associate Director, Operations, a copy of the subpoena immediately and notify your supervisor (RD for county educators) and
  - OSU legal counsel will assist you, if necessary, in understanding how to handle a court appearance.
2. OSUE policy guidelines (Policy Handbook under conflict of interest) indicate Extension professionals do not serve as expert witnesses in court. If subpoenaed by the court, you must serve as a fact witness.

## Fact Witness Guidelines

1. The types of information that can be provided includes:
  - a. Record of attendance - (sign in/sign out sheet)
  - b. Curriculum taught – copy of teaching outline
  - c. Materials provided
  - d. Level of participation in class sessions (examples: Mr. X entered into discussions, Mr. and Ms. Y showed evidence of having read the materials assigned)
2. Remember, you are an educator and do not offer opinions, recommendations, treatment goals, or discuss behavioral patterns.
3. Do not discuss the case with unauthorized persons or attorneys representing any parties in a court case.

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