

SERVICE OF
PROCESS

SERVICE OF
SUBPOENAS FOR
RECORDS

SERVICE OF
PETITIONS OR
COMPLAINTS
(SUITS)

PROCEDURES FOR
ACCEPTING SERVICE

REFUSAL BY
UNAUTHORIZED
PERSONNEL

ACCEPTANCE OF
SERVICE OF
PROCESS

COPY OF
DOCUMENT FOR
OFFICE FILES
LEGAL SERVICES

1. Authorizations for accepting service of subpoenas and petitions or complaints are as follows. See Reference (d).
 - a. A subpoena or order of the court for a record of the District will not be accepted by any employee or agent unless that person is the custodian of the records desired or has been designated the custodian's agent under the provisions of this policy. If service is sought on a person who cannot accept service, the officer attempting to perfect service should be referred to the proper person. See Reference (d). In the event that service is unavoidable, follow the PROCEDURES FOR ACCEPTING SERVICE below.
 - b. The following individuals and employees can accept service of a petition or complaint against the District: the general counsel or designated assistant general counsel, Legal Services (registered agent for service of process); the Superintendent; and members of the Board of Education. No other individual can accept service on behalf of the District. An employee may accept service where he or she is sued as an individual in a lawsuit arising out of the course and scope of his or her employment with the District. Immediately after service has been accepted, the petition or complaint will be transmitted to either the Superintendent or the President of the Board, who will transmit the suit to the general counsel, Legal Services. See References (a), (b), and (c).
2. The procedures for accepting services are as follows:
 - a. Any attempts to effectuate service to an unauthorized individual should be refused and referred to the appropriate individual.
 - b. Upon acceptance of appropriate served legal process, the document should be stamped with the time and date of receipt, and the name of the person who received it.
 - c. A copy should be made and maintained in the office files of the receiving school or department.
 - d. Legal Services should be notified immediately and arrangements should be made for expeditious delivery to Legal Services of the original document and the envelope in which it was received.

LISTING OF ALL LEGAL PROCESSES	e. Legal Services will maintain a listing of all legal processes received.
COURT APPEARANCE AND ANSWER	f. No appearance may be made or answer filed on behalf of the District except by the attorneys in Legal Services, assigned outside counsel, or as specifically authorized in writing by Legal Services.
CONSULTATION	3. This regulation does not require consultation.
MAINTENANCE RESPONSIBILITY	4. The general counsel, Legal Services, is responsible for maintenance of this regulation.

REFERENCES:

- (a) Board Policy BDD(LOCAL)
 - (b) Board Policy BJA(LOCAL)
 - (c) Board Policy GF(LOCAL)
 - (d) BDD(EXHIBIT)
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