



CALIFORNIA STATE UNIVERSITY, LONG BEACH

Subject: Handling “Records Only” or “Appearance and Records” Subpoenas	
Department: Information Security Management and Compliance	Reference No.:
Division: Administration and Finance	Issue Date: March 2007
References: • CSU Subpoena Handbook, Revised February 2007	Revision Date: N/A
Web Links: • http://daf.csulb.edu/offices/vp/information_security • http://www.calstate.edu/gc/Docs/Subpoena_HB_with_Exhibits.doc	Expiration Date: N/A

I. BACKGROUND

This document describes CSULB procedures for handling “Records Only” or “Appearance and Records” subpoenas to avoid the release of information in response to an invalid subpoena. The release of personal information in response to an invalid subpoena is a violation of the privacy of the person or persons whose personal information was released. The determination of whether or not a subpoena is valid is a complex endeavor which requires specialized knowledge. The University could face potential legal liability should it release information in response to a defective or otherwise invalid subpoena.

Information regarding “Appearance Only” subpoenas and additional information on handling service of lawsuits and subpoenas can be found at http://daf.csulb.edu/offices/univ_svcs/safetyrisk/information/lawsuits.html

II. DEFINITIONS

Subpoena – A subpoena is a legal document that directs the University or an employee of the University to attend at a specific time and place to testify as a witness, and/or to produce documents or other tangible objects in a legal proceeding. CSULB must comply with all **valid** subpoenas.

“Records Only” Subpoena – A “*records only*” subpoena requires only the production of documents, and not a witness

“Appearance and Records” Subpoena – An “*appearance and records*” subpoena requires both the personal attendance of a witness and the production of documents.

III. PROCEDURES

Process servers attempting to serve a “Records Only” or “Appearance and Records” subpoena should be directed to the appropriate University Records Custodians. Only these individuals/positions are authorized to accept, respond to, or release University records or information.

Student Records and Information

Director of Judicial Affairs
Office of the Vice President for Student Services, BH 377

Faculty Personnel (includes librarians and coaches) Records and Information

Associate Vice President for Academic Personnel
Office of the Vice President for Academic Affairs, BH 303

Staff Personnel Records and Information

Director, Staff Human Resources
Staff Human Resources, BH 335

Non-Personnel Records and Records Covered by the California Public Records Act or in cases where it is not possible to determine the specific subject of a request

Assistant Vice President

Office of the Vice President for Administration and Finance, BH 320

FURTHER INFORMATION

Information Security Management and Compliance

iso@csulb.edu.

(562) 985-2283