

REGIONAL UNIVERSITY SYSTEM OF OKLAHOMA LITIGATION CHECKLIST

A Summons is a legal device that is used to bring a person before the court. It is typically used to start a lawsuit. In the event the System, a university or an individual is sued, a summons will be issued by the court in which the case is filed. Depending on the jurisdiction of the court, the person or entity sued has a limited time to respond to the lawsuit. On receipt of a summons, please consult the following checklist.

1. Email a copy of the Summons, Complaint or Petition, and the envelope in which it was delivered, to the RUSO General Counsel or Assistant General Counsel.
2. Send a copy of the Summons, Complaint or Petition and envelope in which it was delivered to the Attorney General at: Office of the Attorney General
Litigation Section, Attn: Docketing
313 N.E. 21st Street
Oklahoma City, OK 73105
or Fax to 405/521-4518 for docketing.
3. If an officer or employee is named as a defendant in a “personal” capacity, review [http://www.oag.ok.gov/Websites/oag/images/Documents/Divisions/Litigation/Litigation Rules of Engagement.pdf](http://www.oag.ok.gov/Websites/oag/images/Documents/Divisions/Litigation/Litigation_Rules_of_Engagement.pdf) and provide this link to the individuals named in their personal capacity. This notifies them of the conditions under which they may be represented by an Assistant Attorney General.
4. The President, on behalf of the university and any individual named in the petition/complaint, sends to the Attorney General, a personally signed letter requesting representation (if desired) and containing: (a) a statement of how and when the papers were received by the agency; (b) a copy of the summons, complaint/petition and envelope; (c) a statement that any named individual was acting in good faith and in the scope of their employment (if so determined); (d) a statement of who the primary contact for the university will be, with contact information; and (e) for each named individual, the name, address, email address and phone number where he or she can be reached. See [http://www.oag.ok.gov/Websites/oag/images/Documents/Divisions/Litigation/Litigation Procedures for Requesting Representation.pdf](http://www.oag.ok.gov/Websites/oag/images/Documents/Divisions/Litigation/Litigation_Procedures_for_Requesting_Representation.pdf). This request for representation should be sent to:

Office of the Attorney General
Litigation Section
313 N.E. 21st Street
Oklahoma City, OK 73105.
5. Notify the Oklahoma Risk Management Department of the lawsuit by emailing Miranda Whitaker at Maranda.whitaker@omes.ok.gov. Include as attachments a copy of the Summons, Complaint or Petition and envelope. If an individual is included as a defendant in his or her individual or personal capacity, include the determination on whether he or she was acting in the scope of employment. If there was a related Governmental Tort Claims Act claim previously filed by the same plaintiff, include that claim number.

6. Identify who is likely to have records relevant to the matter raised in the lawsuit. Notify those people to retain any records related to the matter raised in the lawsuit. Send a list of those names to the assigned attorney in the Attorney General's office. The assigned attorney will prepare written litigation hold notices.
7. Prepare a litigation report for submission to the Attorney General. See http://www.oag.ok.gov/Websites/oag/images/Documents/Divisions/Litigation/Litigation_Report_Guidelines.pdf
8. Have each person named as a defendant in a personal capacity prepare a litigation report using the format at: http://www.oag.ok.gov/Websites/oag/images/Documents/Divisions/Litigation/Litigation_Individual_Litigation_Report_Form_2014.pdf
9. When potential damages are calculated, request that the assigned attorney notify the auditor (if required).

If you need assistance, please contact your in-house attorney or the RUSO General Counsel or Assistant General Counsel.