

Section 3	Human Resources Policies	02/15/95 -Originated
Subject 3.7	Employee Relations	09/02/10 -Reviewed w/ changes -Reviewed w/o changes
Policy 3.6.1 Jury Service and Witness Fees and Service		Human Resources -Author

Jury Service and Witness Fees and Service

Policy

Employees called for jury service shall be granted leave with pay and will not be required to account to the University for any fee or compensation received for jury service. Employees summoned to court as a witness or in any capacity other than jury duty in a non-work related case shall not be granted leave with pay but may use personal leave time or take leave without pay.

Procedure

Employee is to provide their supervisor with a copy of the order to appear in court or administrative hearing. Following the receipt the employee obtains documentary proof of time served and submits to his/her supervisor. On time records, employees will show time away from work for any jury service as “Court Appearance” or “Jury Duty”.

Supervisors will receive a copy of the order to appear in court or an administrative hearing and will process appropriate attendance records to reflect time served.

Special Considerations

- Employees testifying for the State, or involved in a work-related case, will be considered to be working and will be paid regular wages and any applicable overtime for hours worked.
- Evening and night shift employees may be reassigned to a day shift while they appear in court or an administrative hearing for jury duty or to testify in a work related case. If schedule and work demand do not permit this, employees may be given compensatory time (if an exempt employee) or paid (if a non-exempt employee) their regular wages for working regular schedule.
- Any employee called to appear in his or her official capacity in any judicial action or legislative investigation will neither accept nor receive any witness fee for such a governmental appearance.
- If the appearance as a witness is not in official capacity but is for the purpose of testifying from personal knowledge concerning matters related to the inquiry, then the employee may accept any customary witness fees for appearance.
- Faculty or professional staff who, participate in a professional

Special Considerations, (cont'd)

UTMB HANDBOOK OF OPERATING PROCEDURES

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Special Considerations, (cont'd)

practice plan, e.g. MSRDP, FSRDP, etc. shall submit fees received for all court appearances, depositions, expert testimony or legal consultations to the Institutional Trust Fund.

- Any employee appearing as an expert witness in a judicial proceeding or legislative hearing may accept compensation for his or her appearance only when such appearance is made on his or her own leave time. Travel reimbursement expenses may be accepted only if the expenses were not reimbursed **by** the state.
- Employees who are serving in an official capacity as a witness in a judicial proceeding or legislative hearing may receive per diem and reimbursement for travel and expenses from either the state or judicial body, but not from both.

With the exception of classified employees, full-time employees who serve as a consulting or testifying expert witness in a suit in which the state is a party shall notify their department and the Department of Human Resources.

Reports

UT System Administration Policy INT125, *Jury Service & Witness Service and Fees*, requires that a department submit a written report no later than October 1 of each year to Human Resources regarding compensated service by members of faculty or professional staff of UTMB as consulting or testifying expert witnesses in suits in which the state is a party during the preceding state fiscal year. The information in the report will not identify specific individuals.

Reference

Texas Government Code, Section 659.005

Texas Education Code, Section 61.0815

[IHOP Policy 6.1.12 Conflict of Interest and Commitment Policy](#)

[UTS155 – Policies and Procedures Regarding](#)

[MSRDP/DSRDP/PRS/AHRDP Business Operations](#)

UT System Administration Policy INT125, *Jury Service & Witness Service and Fees*
