

# Public Records, Subpoenas and Legal Holds

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AN OVERVIEW

## **University Compliance with Public Records, Subpoena and Legal Hold Requirements**

The public has a right to know how we conduct business and transparency is important. The public may include a former student or employee requesting records related to them.

Similarly, a member of the public involved in legal proceedings has a right to submit appropriately approved court filings to compel the University to provide records typically not available to the public.

As University faculty, staff and management, we are required to make our best efforts to identify any records that are responsive to these requests.



**Key Points –  
Public Records Requests**



## What are public records?

A “public record” is any writing containing information related to the conduct of the people’s business prepared, owned, used, or retained by the University, regardless of the physical form or characteristics and regardless of the manner in which the record has been stored.



# Roles and Responsibilities

- **Public Records Coordinator** – Screens all incoming public records, subpoenas and legal holds requests; assigns requests to applicable University staff/management to initiate records search and collection; reviews records provided by University staff/management for applicable public records exemptions; coordinates transfer of records to public and University counsel; campus point of contact for requesters and University counsel
- **All University Staff & Management (in general)** – Gatekeepers of records

**Question: “How do I know which records access law(s) to apply when searching for division records?”**

**Answer:** The Public Records Coordinator is responsible for ensuring appropriate application of records access law(s). Divisions searching for records should do their best to find all records that match the scope of the request.

**Key Points –  
Subpoenas**



# SUBPOENA SERVICE

- Subpoena service should be directed to the campus Public Records Coordinator in Sacramento Hall, Room 259F
- Subpoena service hours are 8am to 5pm, Monday – Friday
- Subpoenas received by mail, email or fax should be scanned and immediately sent to the Public Records Coordinator at [prarequest@csus.edu](mailto:prarequest@csus.edu)



# RESPONDING TO SUBPOENA REQUEST

## **Lawson-Cook, Mashariki A**

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**From:** Lawson-Cook, Mashariki A  
**Sent:** Wednesday, January 19, 2022 10:56 AM  
**To:** Ockey, Joelle  
**Cc:** Sasha Danna  
**Subject:** 2022 Subpoena S01 - Attorney Client Privilege (Health)  
**Attachments:** Subpoena 1 - .pdf; Subpoena 1 - Declaration.pdf

DUE TO Mashariki Lawson-Cook (by email): 1/25/22

Attached is the subpoena for the health records of

NAME:  
DOB:  
SID#:

### RECORDS SOUGHT:

- Health Records: 8/04/21 to present.
- See exact records request language below:
  - Any and all non-privileged physical, digital and hand-written medical records including records from 08/04/2021 to present.

Please email records, if they exist, by secure email (e.g. password protected file or Secure File Transfer <https://filetransfer.csus.edu/webclient/Login.xhtml>) to my office by Wednesday, January 25, 2022.

Please kindly **acknowledge receipt** of this email as soon as possible.

If you have any questions, please feel free to contact me anytime.

Thank you,

### **Mashariki Lawson-Cook**

Public Records Coordinator  
Auditing and Consulting Services  
Administration & Business Affairs  
California State University, Sacramento  
Office: [916-278-7968](tel:916-278-7968)  
Email: [m.lawson@csus.edu](mailto:m.lawson@csus.edu)

**Key Points –  
Legal Holds**



# LEGAL HOLD NOTIFICATION

## **Lawson-Cook, Mashariki A**

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**From:** Lawson, Mashariki A  
**Sent:** Monday, February 11, 2019 4:56 PM  
**To:**  
**Cc:** Chris Fowler; Weigle Roberts, Kristin M  
**Subject:** Legal Hold Notice  
**Attachments:** Legal Hold Notice ( ) - .pdf

Good Afternoon ,

Attached please find notice of a legal hold related to an upcoming State Personnel Board appeal by .

Thank you,

### **Mashariki Lawson-Cook**

Public Records Coordinator  
Auditing and Consulting Services  
Administration & Business Affairs  
California State University, Sacramento  
Office: 916-278-7968  
Email: [m.lawson@csus.edu](mailto:m.lawson@csus.edu)

# Presentation Key Takeaways

- Any University records may be subject to a variety of public records access laws. It is the responsibility of the PRA Coordinator to determine which laws apply and what records may be released
- Public records requests, subpoenas and legal holds require University staff and management to provide records in their entirety, without redaction or exclusion
- Information for subpoena service providers may be found on our website:  
<https://www.csus.edu/administration-business-affairs/auditing-consulting/subpoenas-records-lawsuits.html>
- Please immediately scan/forward any public records request or subpoena to [prarequest@csus.edu](mailto:prarequest@csus.edu) for processing
- If you have questions with a public records request, subpoena or legal hold, please contact the Public Records Coordinator any time: Cheri Acton, [cheri.acton@csus.edu](mailto:cheri.acton@csus.edu), 916-278-7968