1. **STATEMENT OF POLICY**:  

The Law School provides all staff members, regardless of length of service, with unpaid time off to appear in court or at another judicial proceeding as a witness to comply with a valid subpoena or other court order or to obtain any relief, including a temporary restraining order, to help ensure the health, safety or welfare of a domestic violence victim or his/her child.

2. **POLICIES/PROCEDURES**:  

**Approved Court or Other Judicial Appearances**

A staff member is entitled to take unpaid time off: 1) To appear in court or at another judicial proceeding as a witness to comply with a valid subpoena or other court order; 2) to attend judicial proceedings related to a crime where the staff member or an immediate family member was the victim of a crime, as defined by law; or 3) to obtain any relief, including a temporary restraining order, to help ensure the health, safety or welfare of a domestic violence or sexual assault victim or his/her child, as defined by law.

**Notice Requirements**

A staff member needing time off to attend or appear in court or at another judicial proceeding for any of the foregoing reasons must provide his/her immediate supervisor with advance notice and certification of each proceeding, unless advance notice is not feasible. For general witness appearances, a copy of a valid subpoena should be provided to the immediate supervisor as soon as it is received by the staff member and is sufficient documentation of the judicial appearance. When advance notice is not feasible, the staff member must provide his/her immediate supervisor with certification of the need for the time off within fifteen (15) days of the absence.

For time off to attend judicial proceedings where the staff member or an immediate family member was the victim of a crime, certification evidencing the judicial proceeding shall be sufficient from any of the following entities: 1) The court or government agency setting the hearing; 2) the district attorney or prosecuting attorney's office; or 3) the victim/witness office that is advocating on behalf of the victim.

For absences where the staff member was the victim of domestic violence or sexual assault, certification of the absence shall be sufficient in any of the following forms: 1) A police report indicating that the staff

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1. This policy complies with and is governed by California Labor Code, sections 230, et seq.
2. The Law School’s policies and procedures regarding jury duty are addressed in the Jury Duty policy.
member was a victim of domestic violence or sexual assault; 2) a court order protecting or separating the staff member from the perpetrator of an act of domestic violence or sexual assault, or other evidence from the court or prosecuting attorney that the staff member appeared in court; or 3) documentation from a medical professional, domestic violence advocate or advocate for victims of sexual assault, health care provider, or counselor that the staff member was undergoing treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

Use of Vacation/Sick Pay for Court or Other Judicial Appearances

A staff member requesting time off to attend or appear in court or at another judicial proceeding for any of the purposes described above may elect to use accrued and available vacation during any leave. In addition, a staff member may substitute sick pay for absences related to his/her treatment for physical or mental injuries or abuse resulting in victimization from an act of domestic violence or sexual assault.

Restrictions to Time Off to Attend Court or Other Judicial Appearance

A staff member excused from witness duty on any day he/she is scheduled to appear is expected to return to work for the remainder of the day.

Benefits

While on an excused absence for a court or other judicial appearance, all benefits will remain in effect and the staff member will continue to accrue vacation and sick days.

Time Records and Compensation

Absence for a court or other judicial appearance should be recorded on the staff member’s Law School designated time-keeping record.

Staff members are entitled to keep any compensation received from the Court or any party issuing the subpoena for appearing in court or at another judicial proceeding.