

LEGAL DEFENSE OF STATE EMPLOYEES

Substitute for page 160 and top of 161 in the Faculty Handbook

The law provides in Kansas Statutes Annotated (K.S.A.) 75-6108 that the State shall defend any employee in any action brought against the employee on account of an act or omission in the scope of the employee's employment, except in a few specified circumstances. However, in order to be entitled to a defense, the employee must request the defense in writing within 15 days after service of process or subpoena upon the employee. This request shall be made to the Office of the Attorney General.

Kansas Law also requires the Attorney General, or an attorney designated by the Attorney General, to represent the Board of Regents and any state educational institution in almost all litigation. A request for defense of any action brought against the University should be made in writing to the Attorney General referencing K.S.A. 76-713. A complete copy of the papers involved in any legal action referred to the Attorney General should be sent to the Office of the General Counsel of the University and the General Counsel of the Board of Regents.

Any University employee served with any claim or action against the University should immediately forward the documents served upon the employee to the Office of the General Counsel of the University.

Adopted by President's Cabinet 11/09/05