

Guidelines for accepting service of Legal Claims and initial steps after service

This Guideline explains who may, and how to, accept service of a Statement of Claim or other court document or legal process (hereafter, collectively, “Legal Claim”) at the University and outlines the initial steps following service.

Accepting service of a Legal Claim

Service of a Legal Claim may be accepted by:

- The Office of the General Counsel – General Counsel, Senior Legal Counsel or Legal Counsel directly;

OR

- The Board of Governor’s Office – University Secretary or Board Secretary & Manager of Board Services directly.

If none of these individuals is available, and if the server insists on attempting to effect service immediately, then service may be accepted by any of the Vice-Presidents, the President or the Board Chair.* If none of these individuals is available, the server will need to return when one of the above listed individuals is available.

When accepting service, it is critical to review the named parties on the Legal Claim and ensure that *The Governors of the University of Alberta* is a named party. It is sufficient if the named party is the *University of Alberta*.

The Legal Claim may be against both *The Governors of the University of Alberta* and others, such as an individual employee of the University. In such a case, the individual accepting service should write on the service document after the signature “**on behalf of the Governors of the University of Alberta only**”. We may not have authority to accept service on behalf of anyone else including an employee. An exception to this rule should only be made if legal counsel has reviewed and advised that it is acceptable to do so.

Providing Legal Claim to the Offices of General Counsel and Insurance & Risk Assessment

If service is accepted by the Board of Governors office, they shall immediately provide it to the Office of General Counsel.

Where applicable, the Office of General Counsel will, immediately upon acceptance of the Legal Claim or upon receipt of a Legal Claim from the Board of Governors office, provide a copy to the Office of Insurance & Risk Assessment. In addition, the Office of General Counsel will draft and distribute to appropriate University units and persons, a Legal Hold Notice as required under the [Legal Hold Procedure](#).

Upon receipt of a copy of the Legal Claim, the Office of Insurance & Risk Assessment will determine if insurance coverage is available.

- If insurance is available, the LegalClaim will be forwarded to the appropriate insurer by the Office of Insurance & Risk Assessment. The Office of Insurance & Risk Assessment will inform the Office of General Counsel that this has been completed.
- If insurance coverage is **NOT** available, the Office of Insurance & Risk Assessment will inform the Office of General Counsel, and a copy of the LegalClaim will be sent, via the General Counsel's office, to external counsel.

* The Alberta Rules of Court mandate that an officer of a corporation is authorized to accept service of a Statement of Claim, so if a Vice President, the President or the Board Chair is available, they would have to accept.