

## Texas Southern University EXPERT WITNESS REPORTING FORM

*State law requires public colleges and universities to gather and report data to the Texas Higher Education Coordinating Board regarding service by certain employees as consulting or testifying expert witnesses in lawsuits in which the State of Texas is a party. The report to the Coordinating Board will provide aggregate information only, and will not identify individual employees. The rules adopted by the Coordinating Board are included on the reverse side of this form. Reports should be completed and forwarded to the General Counsel by no later than September 1. The CEO's report must be forwarded to the Coordinating Board no later than October 1, and every year thereafter. Information provided herein may be subject to public disclosure in accordance with the Texas Public Information Act.*

**THIS FORM SHOULD ONLY BE COMPLETED BY EMPLOYEES WHO MEET ALL THE FOLLOWING CRITERIA:**

- ✓ **Full-time, non-classified employee who is a member of the faculty or staff;**
- ✓ **Employee's duties include teaching, research, administration or performing professional services, including professional library services; and**
- ✓ **Employee has received compensation for service as a consulting or testifying expert witness in a lawsuit or lawsuits in which the State of Texas was a party during the preceding state fiscal year (September 1-August 31).**

1. **Employee Name:** \_\_\_\_\_

2. **Title:** \_\_\_\_\_

3. **Mailing Address:** \_\_\_\_\_

4. **Telephone:** \_\_\_\_\_ 5. **E-mail:** \_\_\_\_\_

6. **Name of Case:** \_\_\_\_\_ 7. **Cause No.:** \_\_\_\_\_

8. **If the name of the case does not include the name of the state agency, provide agency name:**

\_\_\_\_\_

9. **State agency was:**  Plaintiff  Defendant 10. **Court:** \_\_\_\_\_

11. **County where case was filed:** \_\_\_\_\_ 12. **Judge:** \_\_\_\_\_

13. **Total hours employee worked as expert witness:** \_\_\_\_\_

**14. Judgment**

- Verdict/judgment for State
- Verdict/judgment against State
- Other (describe) \_\_\_\_\_
- Amount of judgment entered against State: \_\_\_\_\_

**15. Interest awarded**

- Amount of pre-judgment interest entered against State: \_\_\_\_\_
- Amount of post-judgment interest entered against State: \_\_\_\_\_

**16. Attorneys fees**

- No attorneys fees ordered to be paid by State
- Attorneys fees ordered to be paid by State: \_\_\_\_\_

**Employee's Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Please return completed form to the Office of General Counsel, Texas Southern University, Hannah Hall, 3100 Cleburne, Houston, Texas 77004; phone 713-313-7950; fax 713-313-1906 by September 1 of every year.**

## **19 Texas Administrative Code, Chapter 5, Subchapter A**

### **5.12 Expert Witnesses.**

- (a) *Purpose.* Pursuant to Texas Education Code, Section 61.0815, this subchapter sets out guidelines for reporting by higher education institutions to the Coordinating Board on certain employees who serve as consulting or testifying expert witnesses under the conditions specified in the law and in this subchapter.
- (b) *Definitions.* The following words and terms, when used in this subchapter shall have the following meanings, unless the context clearly indicates otherwise.
- (1) *Consulting or testifying expert witness* - any non-fact witness whose name must be disclosed during litigation as required by the Texas Rules of Civil Procedure.
  - (2) *Institution of higher education* - any public technical institute, public junior college, public senior college or university, medical or dental unit, or other agency of higher education as defined in Texas Education Code, Section 61.003.
  - (3) *Faculty or professional staff of an institution of higher education* - a non-classified, full-time employee who is a member of the faculty or staff and whose duties include teaching, research, administration or performing professional services, including professional library services.
  - (4) *Fiscal year* - the State of Texas' fiscal year, September 1, through August 31.
  - (5) *Non-classified* - an employee whose position is not controlled by the institution's classified personnel system or a person employed in a similar position if the institution does not have a classified personnel system.
- (c) *Reporting.* No later than September 30 of each year, the president of an institution of higher education shall file a written report with the Coordinating Board regarding members of the faculty or professional staff who received compensation for serving as consulting or testifying expert witnesses during the prior fiscal year in lawsuits in which the state is a party.
- (1) *Each report shall contain:*
    - (A) *the number of hours spent by faculty or professional staff members serving as consulting or testifying expert witnesses during the prior fiscal year;*
    - (B) *the names of the parties, cause number and county where the cause is filed, for each case in which qualifying expert witness services were rendered; and*
    - (C) *the outcome of the case, including the amount of:*
      - (i) *any judgment entered against the state;*
      - (ii) *any prejudgment or post-judgment interest awarded against the state;*  
*and*
      - (iii) *any attorney's fees of another party ordered to be paid by the state.*
  - (2) *The information regarding the number of hours spent by faculty or staff serving as consultants or testifying expert witnesses shall be reported to the Coordinating Board in the aggregate without identifying specific individuals.*

*In the event an institution cannot provide the information specified in subsection (c)(1)(C) of this section, the Texas Attorney General's Office shall provide the information to the Coordinating Board.*