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**Subject: JURY DUTY AND WITNESS LEAVE**

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1. An employee summoned to jury duty shall receive his/her full pay for up to five (5) days per year during his/her jury duty, but shall assign his/her jury duty pay, except mileage allowances, to the BOCES while receiving his/her full pay.

2. Non-party witnesses and party to action witnesses.

2.1 An employee subpoenaed pursuant to Colorado or federal statutes or rules of procedure and who is not a party to the lawsuit or similar litigation shall be excused from his/her duties for the time necessary to comply with the subpoena. An employee excused to comply with a subpoena as a non-party witness shall receive regular pay for that portion of the excused time reasonably necessary to testify pursuant to the subpoena, but such excused time shall be without pay if it exceeds two (2) days unless the Executive Director determines it is in the best interest of the BOCES to allow additional time with pay. When regular pay is received, the employee shall remit to the BOCES any witness or other fees received, except mileage allowances.

2.2 An employee who is a party to a lawsuit or similar litigation shall be excused from his/her duties for the time reasonably necessary to pursue such lawsuit or litigation. Such excused time shall be without pay, except if the employee became a party involuntarily and as a result of the proper performance of his/her official duties, such excused time shall be with pay, but such excused time shall be without pay if it exceeds five (5) days unless the Executive Director determines it is in the best interest of the BOCES to allow additional time with pay. This section shall not be applicable where the employee is a party where the BOCES, its employees or agents are defendants or similar respondents.