

# Legal Documents: Receipt and Disposition of Legal Documents Served at Providence Health Care

## 1. Introduction

### 1.1. Purpose

The purpose of this policy is to ensure appropriate handling of legal documents served at Providence Health Care (PHC).

### 1.2. Scope

This policy applies to the receipt and disposition of legal documents at all PHC facilities, except legal documents offered by an officer of a law enforcement agency for the purpose of obtaining the immediate release of personal information. See [Release of Information and Belongings to Law Enforcement](#) for further information.

## 2. Policy

Staff may not accept service of any legal document on behalf of PHC, another staff member, or a patient or resident without authorization from Risk Management or in-house counsel.

### 2.1. Legal Document received outside of Health Records

#### By Process Server

If a Process Server is serving the document, refer the Process Server to Risk Management. You should NOT accept service. You are under no obligation to accept service of a legal document from a Process Server. If the Process Server arrives and the Risk Manager / In-house counsel (or the respective assistant) is unavailable, direct the Process Server to leave and return during regular business hours.

Sometimes it is not clear that a person delivering a document is a Process Server. If, upon reviewing a document you discover that you have in fact accepted service of a legal document, please advise Risk Management immediately and proceed as directed.

#### By Fax or Mail

If the legal document is being served by fax or mail to St. Paul's Hospital, please arrange for immediate delivery of the document to Risk Management. Immediate delivery does NOT include placing the legal document in an envelope and relying on the hospital mail system for delivery.

If the legal document is being served by fax or mail to any facility except St. Paul's Hospital, please contact the Risk Manager by email or telephone for advice on how the legal document should be forwarded.

If the legal document is being served by fax or mail, and the Risk Manager (or the respective assistant) is not available for acceptance of service, please contact the Leader on Call.

## 2.2. Legal Document received in Health Records

If the legal document relates to the production of health records, fax it to the Release of Information (ROI) Office in St. Paul's Health Records Department at (604) 806-9006 and forward the original to the ROI Office in St. Paul's Health Records Department at Room 161, 1081 Burrard.

All other legal documents should be handled as per section 2.1.

## 3. Compliance

Compliance with this policy is expected. Anyone noting a violation of the policy may support others to locate and understand the policy and/or advise leadership of the need for education and support regarding the policy. Failure by Staff to comply with this policy may result in disciplinary measures.

## 4. Supporting Documents

### 4.1. Related Policies

[Release of Information and Belongings to Law Enforcement](#)

## 5. Definitions

**"Legal Documents"** are any documents that have been or will be filed in Court, or any document that is generated by the Court in a legal proceeding. A Notice of Civil Claim, Writ, Third Party Notice, Notice of Motion, Subpoena, Demand for Discovery of Documents, Court Order and Warrant are all examples of legal documents.

**"Process Server"** is an individual who hand delivers a legal document.

**"Service"** is the term that describes the delivery and acceptance of legal documents. When service is accepted, legal obligations are triggered. These legal obligations may be time sensitive, so acceptance of service must be limited to those people who are able to initiate steps to fulfill the legal obligations. Service can be done by mail, fax or in person.

**"Staff"** means all officers, directors, employees, contractors, physicians, dentists, midwives, health care professionals, students and volunteers engaged by PHC.

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