

Fees Policy for Legal Requests 17 July 2012

Abstract:

This note proposes a policy to be implemented by the IAOC. If this policy is approved, the IAOC will implement standard fees to produce information and authenticate documents in response to subpoenas and other legal requests.

Background:

The IETF receives requests for information, documentation, authentication or other matters through subpoenas and less formal means that require manpower and materials to be expended. These requests are on the rise. During the period 2005 to 2010 the IETF responded to nine subpoenas. Since 2011 the IETF has received five subpoenas and three other legal requests for authenticated documents.

Each such request is time sensitive and involves the IETF Counsel, the IAD, and members of the IAOC, who together form the Legal Management Committee, to rapidly analyze and identify the means for satisfying the request. Often there is a need to retain outside counsel, especially in cases that might lead to depositions or court testimony.

A Schedule of Fees is an appropriate and reasonable means to recover costs associated with such efforts.

Fee Schedule:

Fees for legal requests are as follows:

- a. \$350 per subpoena or other legal request plus \$50 per document and other requests for authentication of documents in a single case, such as Internet-Drafts, RFCs, and emails.
- b. An additional \$500 per subpoena and other requests for authentication of documents requiring production of hardcopy, warehoused documents, such as blue sheets.
- c. In addition to the charges above, other expenses to include any associated legal fees from counsel, travel or other out-of-pocket expenses (e.g., out-of-town depositions or copying fees), such expenses to be cleared in advance with the requesting party.

Resolution

The IAOC approves the draft Fee Policy for Legal Requests and directs they be published online and community comments requested for consideration before adoption of a Fee Policy by the IAOC after a two week community comment period.