

# Affidavit or Other Legal Document Request Responses (LTS Procedure #98)

**Scope:** **\*\*LTS has suspended the affidavit service for the foreseeable future, with the possible exception of issues related to Cornell theses.\*\*** *The Library occasionally receives requests from law offices concerning when a publication was first made publicly available at CUL and/or to make and authenticate a copy of that publication from Cornell's holdings. Since this information may be filed with a court, this procedure insures that we are in compliance with University Counsel policy regarding these matters. The following steps for responding to these requests are based on guidelines from Peter Hirtle, CUL's former Intellectual Property Officer, in consultation with Cornell's Office of University Counsel.*

**Contact:** [Pamela Stansbury](#)

**Unit:** Senior Management Team

**Date last reviewed:** 04 Mar 2024

**Date of next review:** June 2025

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[Requests to verify when a publication was first made publicly available at CUL](#)

[Requests to make and authenticate a copy of a publication from a publication from Cornell holdings](#)

[Requests for both a verification of date of availability and an authenticated photocopy](#)

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## A. Requests to verify when a publication was first made publicly available at CUL

1. The Administrative Supervisor in Original Cataloging, the LTS Acquisitions Coordinator or another knowledgeable LTS supervisor should field these requests, which may come directly from an attorney (or his/her office) or from staff elsewhere in CUL. Note: Forward requests related to Law Library items to the [Associate Director of Information Management](#) at Law.
2. Advise the attorney or law office that we will do the required research and if possible, provide a signed, notarized affidavit containing this information for a processing fee of \$100.
3. Retrieve the item(s) and check date stamp(s), record creation dates in Voyager, and/or any other indications of when the item(s) would have first become available for patron use.
4. Fill out the appropriate affidavit for reporting and attesting to the veracity of the information you provide, editing the text of the [sample form](#) as appropriate.
5. Consult [Lyndsi Prignon](#), or other CUL or CU notary public, to witness your signature and notarize the form.
6. Prepare an invoice for the processing fee, editing the text of the [sample form](#) as appropriate.
7. Mail, fax, or scan the affidavit and invoice as instructed by the attorney or legal office that requested the information.
8. Submit copies of the affidavit to the [CUL's Intellectual Property Officer](#), the [AUL for Library Administrative Services](#), and the [Director of Library Technical Services](#).
9. Submit copy of the invoice to the appropriate [accounts representative](#), indicating that payment should be deposited in LTS account L54-3700.

## B. Requests to make and authenticate a copy of a publication from a publication from Cornell holdings

1. The [Olin/Uris Interlibrary Services Lending Unit](#) handles these requests – see <https://olinuris.library.cornell.edu/content/interlibrary-lending#Affidavit%20request>. The attorney (or his/her office) must submit the request directly to this unit, along with an explicit request for an affidavit.
2. Note that there is a \$100 processing fee for fulfilling these requests, plus the cost of photocopying.

## C. Requests for both a verification of date of availability and an authenticated photocopy

1. Alert the requestor that he/she must contact the [Olin/Uris Interlibrary Services Lending Unit](#) directly to request the authenticated photocopy, but to please hold their request until notified by LTS staff that the item(s) is ready and has been passed along to ILS. CUL considers the request for the photocopy, plus the affidavit, as a separate transaction from the query regarding when a document was first made available to the public. There is a \$100 processing fee for each transaction, plus the cost of photocopying.
2. Complete Steps [A.1-9](#) above, then forward the item(s) to Olin/Uris Interlibrary Services Lending Unit in B42 Olin Library. Include a printout of the original request with the item(s), indicating that the item will be requested by *\*name of requestor\**. Inform the requestor that the item(s) may now be requested from [Olin/Uris Interlibrary Services Lending Unit](#).