

Consulting

Consulting in Connection with Litigation

Policy

This policy applies to consulting by HHMI laboratory heads in connection with litigation. It should be read in conjunction with [HHMI's Consulting for Companies - General Policy](#), which also applies to this type of consulting activity.

This policy applies only to HHMI laboratory heads (i.e., HHMI Investigators and Freeman Hrabowski Scholars at HHMI's host-based sites, and Senior Group Leaders, Group Leaders, Principal Scientists, and Fellows at HHMI's Janelia Research Campus). Other laboratory employees are not permitted to consult in connection with litigation.

HHMI laboratory heads who are asked by companies or law firms to serve as experts in connection with litigation over patent claims and similar matters should be aware that service of this type can be time-consuming and burdensome, particularly if the service includes testifying as an expert witness. For example, this type of commitment can lead to extensive requests for information and documents relating to the consulting scientist's expertise, experience, and credentials, and can include efforts by opposing counsel to discredit the expert. In addition, HHMI scientists have, at times, found themselves on opposite sides of a litigation matter. For these reasons, HHMI discourages service by an HHMI laboratory head as an expert witness or similar service in connection with litigation. If HHMI determines that the consulting commitment could affect the operations of the laboratory or HHMI's administrative offices due to document requests or similar burdens, the request to consult in connection with litigation is not likely to be approved.

HHMI has prepared a document that includes the terms it requires in agreements relating to consulting in connection with litigation (a ["uniform provisions" document for laboratory heads](#)) that may be attached to a company's or law firm's standard agreement for these types of services.

Related Procedures, Forms and Policies

- [Consulting for Companies – General Policy](#)
- Consulting Questionnaire on the [HHMI Science Portal](#)
- [HHMI Uniform Consulting Agreement Provisions for Expert Witness Service](#)

Contact

Any questions about HHMI's policy on consulting in connection with litigation may be raised with the [Senior Director-Scientific Officer](#) (for HHMI Investigators), [Senior Director-Scientific Program Officer](#) (for Freeman Hrabowski Scholars), or [HHMI attorney](#) responsible for the site, or at Janelia with the [HHMI attorney](#) responsible for Janelia.

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