

SUBPOENA
(COMMAND TO APPEAR)

Minn. R. Crim. P. 22; Minn. Stat. §§357.22; 357.24

State of Minnesota	District Court
County _____	Judicial District _____ Case No. _____

Plaintiff	Defendant
VS	

WITNESS _____ Name _____ Address _____ City State Zip You are here by commanded to appear as a witness to give testimony on the date, time and place indicated below, and from time to time thereafter as may be required.	<input type="checkbox"/> DEPOSITION <input type="checkbox"/> DUCES TECUM You are commanded to produce the following items, records, or documents: <input type="checkbox"/> SCHEDULE ATTACHED
Date _____	
Time _____	
Address _____	
Witness For <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant	
Type Of Case <input type="checkbox"/> Criminal <input type="checkbox"/> Juvenile	
Person requesting Subpoena Name _____	
Optional Upon Receipt of this subpoena, please call: _____	

WARNING: FAILURE TO OBEY A SUBPOENA WITHOUT BEING EXCUSED IS A CONTEMPT OF COURT.

WITNESS, _____, Administrator of the above named Court, and the seal thereof this _____ day of _____, _____ Year.

(SEAL) _____ Court Administrator
_____ Deputy

Court Use Only

Returned and Filed _____ Date _____ By _____ Court Administrator/Deputy

RETURN OF SERVICE

STATE OF MINNESOTA

County of _____

I state that on _____ I served a copy of this subpoena upon
Date

The person named thereon.

Service was made by:

- personally handing to and leaving a true and correct copy; or
- leaving a true and correct copy at their usual place of residence:

_____ Address

with _____ a person of suitable age and discretion.
Name

NOTARY STAMP, SIGNATURE AND DATE:

Date

Notary's Signature

Date _____

By _____

Title _____

NOTE: If served by someone other than a law enforcement officer, signature must be notarized.

SERVICE of a subpoena may be made by the sheriff, by a deputy, or any other person who is not a party and who is not less than 18 years of age. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such a person or by leaving a copy at the person's usual place of abode with some person of suitable age and discretion then residing therein. (Rule 22.03, Rules of Criminal Procedure)

FEES to be paid to witnesses shall be as follows: (M.S. 357.22, 357.24, 357.241)

- 1) For attending in any action or proceeding in any court of record or before any officer, person or board authorized to take the examination of witnesses, \$20 for each day.
- 2) For travel in going to and returning from the place of attendance, to be estimated from the witness's residence, if within the state, or from the boundary line of the state where the witness crossed the same, if from out of state, 28 cents per mile. (Additional fees may be available for out of state witnesses.)

Criminal or Juvenile Case: Travel and attendance fees do not need to be tendered in advance. A witness attending on behalf of the state or a public defender may obtain payment of fees by filing a certificate (set forth below) with the court administrator. Other witnesses must obtain payment of fees from the party requesting their attendance, unless payment is approved by the court.

S T A T E	IF YOU WERE SUBPOENAED BY THE STATE, COMPLETE THIS SECTION:
	To receive payment as a witness for the state, you must complete the following certificate, have the prosecutor sign it, and then take the subpoena to the court administrator's office, after you testify. Payment will be mailed as soon as possible.
	I certify that I attended as a witness for the state on the following date(s) _____, and that I traveled _____ miles round trip.
W I T N E S S	Date _____ Address _____ City, State, Zip _____
	Signature _____ Social Security Number _____
	I certify that the attendance of this witness was necessary. _____ Prosecuting Attorney

D E F E N S E	IF YOU WERE SUBPOENAED BY THE DEFENDANT, COMPLETE THIS SECTION:
	To receive payment as a witness for the Defendant, you must complete the following certificate and give this subpoena to the defendant's attorney.
	I certify that I attended as a witness for the defense on the following date(s) _____, and that I traveled _____ miles round trip for attendance on the above date(s).
W I T N E S S	Date _____ Address _____ City, State, Zip _____
	Signature _____ Social Security Number _____
	I certify that the attendance of this witness was necessary. _____ Public Defender
	Court approval for defense witness: _____
	Court approval for defense witness: _____
	Court approval for parent/guardian accompanying juvenile: _____ (See NOTES below)

PLEASE NOTE: In criminal cases, a witness authorized to receive payment of attendance and travel fees through the court administrator may also obtain payment of reasonable expenses actually incurred for meals, loss of wages, and child care not to exceed \$60 per day, by filing a separate application with the court administrator. If approved, expenses will be included with the attendance and travel fees. (M.S. 357.24, M.S. 357.241)

PLEASE NOTE: In any proceeding where a parent or guardian attends the proceeding with a minor witness and the parent or guardian is not a witness, one parent or guardian shall be compensated in those cases where witness compensation is mandatory under sections M.S. 357.22, 357.24, or 357.241, and may be compensated when compensation is discretionary under those sections. No more than a combined total of \$60 may be awarded to the parent or guardian and the minor witness. (M.S. 357.242)

Office Use Only	Certified for payment _____ Date _____	Fees _____	
	Court Administrator/Deputy	Mileage _____	
		Expense _____	
		Total _____	