6-04/020.10 Issuance

A chief characteristic of a warrant issued pursuant to CCP 1993 is a determination by the court of the immediacy to produce the arrestee in court to testify or comply with a court order. The court will not even order the issuance of the warrant for a witness without leave to release the person on a promise to appear unless it determines that the person's immediate presence is required. CCP 1993 (2)

1993 CCP (cited in part)

(a) (1) As an alternative to issuing a warrant for contempt pursuant to paragraph (5) or (9) of subdivision (a) of Section 1209, the court may issue a warrant for the arrest of a witness who failed to appear pursuant to a subpoena or a person who failed to appear pursuant to a court order. . .

(2) Before issuing a warrant for a failure to appear pursuant to a subpoena pursuant to this section, the court shall issue a "failure to appear" notice informing the person subject to the subpoena that a failure to appear in response to the notice may result in the issuance of a warrant. This notice requirement may be omitted only upon a showing that the appearance of the person subject to the subpoena is material to the case and that urgency dictates the person's immediate appearance.