6-10/610.00 Manner of Production Ordered

The Civil Subpoena (Duces Tecum) for Personal Appearance and Production of Documents, Electronically Stored Information, and Things at Trial or Hearing and Declaration (SUBP-002) is a subpoena duces tecum wherein the witness is ordered to produce the records by mailing copies to the clerk of court or by personally appearing in court with the records. (CCP 1985, 1986, 1987) Either box 3(a) or 3(b) must be marked.

Example:

3. **YOU ARE** *(item a or b must be checked)*:
   a. ☐ Ordered to appear in person and to produce the records described in the declaration on page two or the attached declaration or affidavit. The personal attendance of the custodian or other qualified witness and the production of th original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 156 1562 will not be deemed sufficient compliance with this subpoena.
   b. ☐ Not required to appear in person if you produce (i) the records described in the declaration on page two or the attac declaration or affidavit and (ii) a completed declaration of custodian of records in compliance with Evidence Code se 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose the original declaration of the custodian with the records. Seal the envelope. (2) Attach a copy of this subpoena to the envelope write on the envelope the case name and number; your name; and the date, time, and place from item 1 in the box (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party listed at the top of this form.