6-10/980.00 Civil Subpoena For Personal Appearance at Trial or Hearing

The Civil Subpoena For Personal Appearance at Trial or Hearing (SUBP-001) is used to compel the attendance of a witness or to be placed “on call.”

• 6-10/980.10 Witness Fees

If demanded, a witness, other than a designated public employee, is entitled to be paid a $35 witness fee and $0.20 a mile, both ways, prior to attending. Mileage fees are not required if the witness custodian of record is not required to personally appear. (CCP 1986.5; GC 68093)

If the witness is a designated public employee, a $275 witness fee must be paid at the time of service of the subpoena unless ordered waived by the court through a Fee Waiver. Designated public employees include: (GC 68097, 68097.2, 68097.4, 68097.5, 68097.55).

• 6-10/980.20 Service

• • 6-10/980.21 Designated Public Employee

A designated public employee may be served personally or by leaving two copies of the subpoena with the employee’s immediate superior or an agent designated to accept service. See 6-10/310.10 Designated Public Employee Witness or GC 68097.1 for a list of Designated Public Employees.

• • 6-10/980.22 CHP Witness

If the subpoena is for a CHP peace officer who resides within this state, the subpoena may be personally served on the officer or the officer’s immediate superior or by delivering, during usual office hours and at least five days prior to the hearing, to the person in charge of the CHP office where the officer’s report was filed. (GC 68097.3)

• • 6-10/980.23 Other Witness

The service of a subpoena is made by delivering a copy, or a ticket containing its substance, to the witness personally. (CCP 1987(a))