6-11/120.00 Subpoena (Criminal or Juvenile)

If only item “a” is marked, the subpoena is for a witness for personal appearance and is not a subpoena duces tecum.

2. You must follow the court order(s) checked below:
   a. ☐ Attend the hearing.

• 6-11/120.10 Service

No fee is to be charged for service of the subpoena. The service of criminal subpoenas is found in PC 1328 and does not mandate a fee may be charged.

All police departments in the county will serve their own criminal subpoenas, with the exception of Long Beach. Misdemeanor subpoenas for the Long Beach Police Department and any subpoena for defendants will be served by this department.

• 6-11/120.20 Minors

Service on a minor at least 12 years of age is made by serving the minor and the parent, guardian, conservator, or similar fiduciary, or if one of them cannot be located with reasonable diligence, then by serving any person having the care or control of the minor or with whom the minor resides or by whom the minor is employed, unless that person is the defendant. The minor is not served if less than 12 years of age. (PC 1328)

• 6-11/120.30 Peace Officers

A peace officer designated in PC 830 may be served either by delivering a copy to the peace officer personally or by delivering two copies to the witness’s agent for service (immediate superior or agent designated by the witness’s immediate superior to receive the service) With the consent of local agencies, the marshal’s or sheriff’s office may serve the subpoena by electronic means, including electronic mail, computer modem, facsimile, on the witness’ agent for service. If the service is made by electronic means, the agent for service shall acknowledge receipt of the subpoena by telephone or electronic means to the sender of origin. If the agent for service will be unable to deliver the subpoena to the witness within a time which will allow the witness to comply with the subpoena, the agent may refuse to accept service. If service is attempted less than five working days before the hearing, the agent may refuse acceptance of the subpoena. If the agent is subsequently unable to timely deliver the subpoena to the witness, the agent shall notify the server not less than 48 hours prior to the hearing. The server is then responsible for preparing the written return of service and notifying the subpoenaing party. (PC 1328)

• 6-11/120.40 Other Witness

Any person except the defendant may serve a subpoena by personally delivering a copy of the subpoena to the witness. (PC 1328)