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)