6-11/300.00 Teletype Subpoena

Senate Bill 471 repealed PC 1328a, PC 1328b, PC 1328c effective January 1, 2020. These sections dealt with teletype generated subpoenas. SB 471 also amended PC 1328d to include the service of a criminal subpoena by modern means.

Notwithstanding PC 1328, except as specified in subdivision (c), a subpoena may be delivered by mail, messenger, electronic mail, or facsimile transmission. Service shall be effected when the witness acknowledges receipt of the subpoena to the sender, by telephone, by mail, over the internet by email or by completion of the sender's online form, or in person, and identifies themselves by reference to their date of birth and driver's license number or Department of Motor Vehicles identification card number. The sender shall make a written notation of the identifying information obtained during any acknowledgment by telephone or in person. The sender shall retain a copy of any acknowledgment received over the internet until the court date for which the subpoena was issued or until any further date as specified by the court. A subpoena issued and acknowledged pursuant to this section shall have the same force and effect as a subpoena personally served. Failure to comply with a subpoena issued and acknowledged pursuant to this section may be punished as a contempt and the subpoena may so state; provided, that a warrant of arrest or a body attachment may not be issued based upon a failure to appear after being subpoenaed pursuant to this section. (PC 1328d)