

6-11/700.00 Disobedience to Subpoena

Disobedience to a subpoena, or a refusal to be sworn or to testify as a witness, may be punished by the Court or magistrate as a contempt. A witness disobeying a subpoena issued on the part of the defendant, unless he show good cause for his nonattendance, is liable to the defendant in the sum of one hundred dollars, which may be recovered in a civil action. (PC 1331)

A failure to comply with a subpoena served by mail and properly acknowledged may be punished by contempt; however, no warrant of arrest or body attachment may be issued thereon. Upon proof that a non-appearing witness was properly served by mail, the court shall grant a continuance for a reasonable period of time to allow personal service of the subpoena. (PC 1328d)
