

State of Minnesota

District Court

County of: _____	Judicial District: _____
	Court File Number: _____
	Case Type: _____

Plaintiff/Petitioner (first, middle, last)

and

Defendant/Respondent (first, middle, last)

SUBPOENA IN A CIVIL CASE

(COMMAND TO APPEAR)

Minn. R. Civ. Pro. 45

TO:

Name

Address

You are commanded to appear as a witness in the district court to give testimony at the place, date, and time specified below.

_____ Place of Testimony		
_____ Courtroom	_____ Date	_____ Time

You are commanded to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

_____ Place of Deposition		
_____ Date	_____ Date	_____ Time

You are commanded to produce and permit inspection and copying of the listed documents or objects at the place, date and time specified below (attach list of documents or objects if necessary):

_____ Place	_____ Date	_____ Time
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You are commanded to permit inspection of the following premises at the date and time specified below.

_____ Premises	_____ Date	_____ Time
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Person requesting subpoena: _____

Telephone Number: _____

WARNING: FAILURE TO OBEY A SUBPOENA WITHOUT BEING EXCUSED IS A CONTEMPT OF COURT

Signature of (select one below) <input type="checkbox"/> Court Administrator <input type="checkbox"/> Plaintiff's Attorney <input type="checkbox"/> Defendant's Attorney	Date:
Name, Address and Phone Number (if issued by Attorney as an Officer of the Court)	SEAL (if issued by Court Administration)

IMPORTANT: Both pages of this document must be served on the person receiving the summons.

RETURN OF SERVICE

I hereby certify and return that on _____ I served a copy of this subpoena upon the person named thereon. Service was made by:

- personally handing to and leaving with him or her a true and correct copy; or
- leaving a true and correct copy at his or her usual place of residence

_____ Address

with _____ a person of suitable age and discretion.
Name of Person

I declare under penalty of perjury that everything that I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: _____

_____ County and State where signed

Signature _____

Name: _____

Address: _____

City/State/Zip: _____

Telephone: _____

E-mail address: _____

Rule 45, Minnesota Rules of Civil Procedure, provides that:

- A subpoena may be served by any person who is not a party and is not less than 18 years of age.
- Service of a subpoena shall be made by delivering a copy to the person named in the subpoena or by leaving a copy at the person's usual place of abode with some person of suitable age and discretion who resides there.
- A witness who is not a party to the action or an employee of a party (except a person appointed pursuant to Rule 30.02(f)) and who is required to give testimony or produce documents relating to a profession, business, or trade, or relating to knowledge, information, or facts obtained as a result of activities in such profession, business, or trade, is entitled to reasonable compensation for the time and expense involved in preparing for and giving such testimony or producing such documents and is entitled to have the amount of those expenses determined prior to complying with the subpoena.
- A person is not obligated to attend as a witness in a civil case unless one day's attendance and travel fees are paid or tendered in advance (see fees below), unless the subpoena is issued on behalf of the state of Minnesota, or the state's officer or agent.

Fees to be paid to witnesses shall be as follows (Minn. Stat. § 357.22):

- For attending in any action or proceeding in any court of record or before any officer, person or board authorized the take examination of witnesses, \$20 for each day.
- For roundtrip travel estimated from the witness's residence at 28 cents per mile. If a witness lives outside the state, travel costs shall be estimated from the boundary line of the state where the witness crossed into Minnesota at 28 cents per mile. (Additional fees may be available for out of state witnesses).

In any proceeding where a parent or guardian attends the proceeding with a minor witness and the parent or guardian is not a witness, one parent or guardian shall be compensated in those cases where witness compensation is mandatory under Minn. State. § 357.22, and may be compensated when compensation is discretionary under those sections. No more than a combined total of \$60 may be awarded to the parent or guardian and minor witness. Minn. Stat. § 357.242.