

SUBPOENA in a Criminal Case
(COMMAND TO APPEAR)

Minn. R. Crim. P. 22

State of Minnesota		District Court		
County		Judicial District	Case No.	
Plaintiff		VS	Defendant	
WITNESS _____ Name _____ Address _____ City State Zip You are hereby commanded to appear as a witness to give testimony on the date, time and place indicated below, and from time to time thereafter as may be required.		<input type="checkbox"/> DEPOSITION <input type="checkbox"/> DUCES TECUM You are commanded to produce the following items, records, or documents: <input type="checkbox"/> SCHEDULE ATTACHED		
Date				
Time				
Address				
Witness For	<input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant			
Type Of Case	Criminal			
Person requesting Subpoena	Name			
Optional	Upon Receipt of this subpoena, please call:			

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

Signature of Court Administrator / Attorney for the State / Attorney for the Defendant (circle one)	Date
Print Name, Attorney Registration number, Office Address and Phone number (if issued by Attorney as an Officer of the Court)	
	SEAL (if issued by Court Administration)

Court Use Only

Returned and Filed _____	By _____
Date	Court Administrator/Deputy

RETURN OF SERVICE

STATE OF MINNESOTA

County of _____

I state that on _____ I served a copy of this subpoena upon
Date

The person named thereon.

Service was made by:

- personally handing to and leaving a true and correct copy; or
- leaving a true and correct copy at their usual place of residence:

Address

with _____ a person of suitable age and discretion.
Name

I declare under penalty of perjury, that everything I have stated in this document is true and correct.

NOTE: If served by someone other than a law enforcement officer, signature must be under penalty of perjury.

Dated: _____

Signature: _____

SUBPOENA INFORMATION

PLEASE READ CAREFULLY

SERVICE of a subpoena may be made by the sheriff, by a deputy, or any other person who is not a party and who is not less than 18 years of age. Service of a subpoena upon a person named therein shall be made by delivering a copy thereof to such a person or by leaving a copy at the person's usual place of abode with some person of suitable age and discretion then residing therein. (Rule 22.03, Rules of Criminal Procedure)

FEES to be paid to witnesses shall be as follows: (M.S. 357.22 or M.S. 357.24)

- 1) For attending in any action or proceeding in any court of record or before any officer, person or board authorized to take the examination of witnesses, \$20 for each day.
- 2) For travel in going to and returning from the place of attendance, to be estimated from the witness's residence, if within the state, or from the boundary line of the state where the witness crossed the same, if from out of state, 28 cents per mile. (Additional fees may be available for out of state witnesses.)

Travel and attendance fees do not need to be tendered in advance. A witness attending on behalf of the state or a public defender may obtain payment of fees by filing a certificate (set forth below) with the court administrator. Other witnesses must obtain payment of fees from the party requesting their attendance, unless payment is approved by the court.

S T A T E	IF YOU WERE SUBPOENAED BY THE STATE, COMPLETE THIS SECTION:
	To receive payment as a witness for the state, you must complete the following certificate, have the prosecutor sign it, and then take the subpoena to the court administrator's office, after you testify. Payment will be mailed as soon as possible.
	I certify that I attended as a witness for the state on the following date(s) _____, and that I traveled _____ miles round trip.
W I T N E S S	Date _____ Address _____ City, State, Zip _____
	Signature _____ Social Security Number _____
	I certify that the attendance of this witness was necessary. _____ Prosecuting Attorney

D E F E N D E N T	IF YOU WERE SUBPOENAED BY THE DEFENDANT, COMPLETE THIS SECTION:
	To receive payment as a witness for the Defendant, you must complete the following certificate and give this subpoena to the defendant's attorney.
	I certify that I attended as a witness for the defense on the following date(s) _____, and that I traveled _____ miles round trip for attendance on the above date(s).
W I T N E S S	Date _____ Address _____ City, State, Zip _____
	Signature _____ Social Security Number _____
	I certify that the attendance of this witness was necessary. _____ Public Defender
	Court approval for defense witness: _____
	Court approval for defense witness: _____
	Court approval for parent/guardian accompanying juvenile: _____ (See NOTES below)

PLEASE NOTE: In criminal cases, a witness authorized to receive payment of attendance and travel fees through the court administrator may also obtain payment of reasonable expenses actually incurred for meals, loss of wages, and child care not to exceed \$60 per day, by filing a separate application with the court administrator. If approved, expenses will be included with the attendance and travel fees. (M.S. 357.24)

PLEASE NOTE: 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 sections M.S. 357.22 or M.S. 357.24, 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 the minor witness. (M.S. 357.242)

Office Use Only	Certified for payment _____ Date _____	Fees _____ Mileage _____ Expense _____ Total _____
	_____ Court Administrator/Deputy	