

Request to serve witness for appearance at Trial

1. **Ordering Firm:** _____ **Date:** _____

Contact person: _____ Phone: _____

2. **Witness name** _____ (Must be a named individual)
Address to _____
serve _____
 _____ Phone: _____

Friendly witness

For parties (insurance adjusters) use a Notice to Appear if you have enough time (see below). If you don't have enough time use a subpoena or subpoena duces tecum.

3. **Trial date** _____ **Trial time** _____
Trial place _____

4. Witness fee must be attached - \$35 per day and twenty cents per mile, both ways. LC 131, CCP 1987, Govt. Code 68093

5. List documents to bring: _____

Documents require either a Notice to Appear and Produce (parties only), or Subpoena Duces Tecum (either).

Unlike a deposition, documents must be described exactly - Rule 10530 and CCP 1985(b) for subpoena duces tecum, Rule 10532 and CCP 1987(b) for Notice to Appear and Produce.

Benefit payment record Claim file Voc Rehab Employment

6. **Choose one of the following:**

6a. <input type="checkbox"/>	Notice to Appear (party only, no documents)
	<input type="checkbox"/> Serve by mail. Requires 15 days notice. <input type="checkbox"/> Serve by personally delivering to named individual (witness). Requires 10 days notice. If trial is in less than 10 days use a Subpoena See Board Rule 10532, CCP 1987(b) & (c)
6b. <input type="checkbox"/>	Notice to Appear and Produce documents (party)
	<input type="checkbox"/> Serve by mail. Requires 25 days notice. <input type="checkbox"/> Serve by personally delivering to named individual (witness). Requires 20 days notice. If trial is in less than 20 days use a Subpoena Duces Tecum See Rule 10532, CCP 1987(b) & (c). No Affidavit required unless an objection is received.
6c. <input type="checkbox"/>	Subpoena (no documents)
	Must be <u>personally</u> served on named individual (witness) only. "Reasonable" notice is required. Party or non-party. Rule 10530, CCP 1985(a), 1987(a)
6d. <input type="checkbox"/>	Subpoena Duces Tecum (appear and produce documents)
	Must be <u>personally</u> served on named individual (witness) only. "Reasonable" notice is required. Party or non-party. Affidavit of Good Cause (below) is required! Board Rule 10530, CCP 1985(a) & (b), 1987(a) <input type="checkbox"/> Affidavit of good cause attached <input type="checkbox"/> Use appropriate language <input type="checkbox"/> _____ _____ _____