

SUBPOENAS

The Court no longer issues subpoenas. Rule 45 of the Federal Rules of Civil Procedure was modified on December 1, 1991. The amendments to Rule 45 made several important changes to the form and manner in which subpoenas are issued. The more important changes were:

Most subpoenas will be issued by **attorneys** as "officers of the Court." The Clerk will issue a subpoena only when it is requested by a party directly, as when a litigant is proceeding **pro se**.

The text of new subdivisions (c) and (d) of Rule 45, setting forth the rights and responsibilities of the person served, must be included on the subpoena.

A single subpoena may contain both a command to appear at trial or other hearing or at deposition and a command to produce evidence or permit inspection of premises.

There are three different subpoena forms available: Subpoena for Rule 2004 Examination, Subpoena in an Adversary Proceeding and Subpoena in a Case Under the Bankruptcy Code. These forms can be obtained from the Clerk's Office free of charge.