

**OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA
GENERAL JURISDICTION DIVISION
Subpoena/Subpoena Duces Tecum**

Agency Case Number

OAH Case Number

Subpoena: Requesting Testimony

Subpoena Duces Tecum: Requesting the Production of Records or Things

THE PEOPLE OF THE STATE OF CALIFORNIA SEND GREETINGS TO:

Name (person being subpoenaed)

Address

At the request of

Petitioner

Respondent

Requesting party's name

Name (contact person for subpoena)

Address

Telephone Number

You are hereby commanded, business and excuses being set aside, to appear as a witness on:

(Date)

at (Time)

and then and there to testify at: (Select a Location)

Office of Administrative Hearings, 2349 Gateway Oaks Drive, Suite 200,
Sacramento, CA 95833

Office of Administrative Hearings, 1515 Clay Street, Suite 206, Oakland, CA
94612

Office of Administrative Hearings, 320 West Fourth Street, Suite 630, Los
Angeles, CA 90013

Office of Administrative Hearings, 402 West Broadway, Suite 600, San Diego, CA
92101

Other:

You are not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271.

(1) Place a copy of the records in an envelope (or other wrapper). Enclose your original declaration with the records. Seal them. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number, your name and date, time, and place from the address checked above. (3) Place this first envelope in an outer envelope, seal it, and mail it to the Office of

Administrative Hearings at the address checked above. (4) Mail a copy of your declaration to the attorney or party listed as the contact person for subpoena.

You are not required to appear in person if you produce the records described in the accompanying affidavit and a completed declaration of custodian of records in compliance with Evidence Code section 1561.

By (date) _____ send the records to _____

NOTE: This manner of production may not satisfy the requirements of Evidence Code section 1561 for admission at hearing.

You are ordered to appear in person and to produce the records described in the accompanying affidavit. The personal appearance of the custodian or other qualified witness and the production of the original records is required by this subpoena. The procedure authorized by subdivision (b) of section 1560, and sections 1561 and 1562 of the Evidence Code will not be deemed sufficient compliance by this subpoena.

Disobedience to this subpoena will be punished as contempt of court in the manner prescribed by law.

Witness Fees: Upon service of this subpoena, you are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you so request. You may request them before your scheduled appearance from the person named as the contact person for subpoena. See Government Code sections 11450.05, 11450.50, 68092.5-68093, and 68096.1-68097.10.

If you have any questions about witness fees or the time or date you are to appear, or to be certain that your presence is required on the date and time specified above, contact the person requesting this subpoena, listed as the contact person for subpoena, before the date that you are commanded to appear, as listed above.

Date Issued

Signature of Authorizing Official

Printed Name

Title

Declaration for Subpoena Duces Tecum

(Any party issuing a subpoena for production of books and/or records must complete this section.)

The undersigned states that the books, papers, documents and/or other things named below and requested by this subpoena are material to the proper presentation of this case, and good cause exists for their production by reason of the following facts:

(Use additional pages, if necessary, and attach them to this subpoena.)

Executed _____ at _____

I declare under penalty of perjury that the foregoing is true and correct.

Signature of Declarant

Method of Delivery of this Subpoena

Personal Service – In accordance with Code of Civil Procedure sections 1987 and 1988, delivery was effected by showing the original and delivering a true copy thereof personally to:

Messenger Service – In accordance with Government Code section 11450.20, an acknowledgement of the receipt of this subpoena was obtained by the sender after it was delivered by messenger to:

Certified Mail, Return Receipt Requested – I sent a true copy of this subpoena via certified mail, return receipt requested to:

At the hour of,

on

City of,

State of,

Signature of Declarant

OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF CALIFORNIA

GENERAL JURISDICTION DIVISION

Privacy Notice

This notice is provided pursuant to the Information Practices Act of 1977 (Civil Code, Section 1798 et seq.).

All information and records submitted to OAH may be subject to disclosure in accordance with the California Public Records Act (Government Code, Section 6250 et seq.), and other applicable authority unless expressly prohibited by law. Proceedings before OAH and records held by OAH are public unless otherwise provided by statute (Government Code, Section 11425.20). For example, the Family Educational Rights and Privacy Act (FERPA 20 United States Code Section 1232(g)) recognizes privacy rights to educational records in certain limited circumstances. It is the obligation of the parties to determine if case filings or proceedings require privacy protections. OAH cannot provide legal advice.

The Information Practices Act requires OAH to provide notice to individuals who submit personal information to OAH.

1) This notice does not apply to information provided by an agency or to routine contact information collected by OAH for the purpose of identification or communication regarding the case.

2) To the extent this form seeks information about a need for accommodation, OAH requests the information for the sole purpose of making a determination about the

accommodation an individual is seeking. An individual seeking an accommodation is not required to use this form; it is provided as a convenience only. OAH can request this information in accordance with the Americans with Disabilities Act (42 United State Code Section 12101 et seq.).

3) Requests for Public Records or information maintained in accordance with the Information Practices Act shall be directed to the OAH Public Records Officer, 2349 Gateway Oaks Drive, Suite 200, Sacramento, CA 95833, (916) 263-0550, or OAHPR@dg.ca.gov.