

HOW TO REQUEST A SUBPOENA OR SUBPOENA DUCES TECUM

The Civil Service Commission has the authority to issue Subpoenas, which requires the presence of a person at a hearing to testify and Subpoena Duces Tecum (SDT), which requires the production of documents or materials at the hearing. After the hearing date has been calendared you may make your request by following the steps below. All requests must be in writing – fax and email are acceptable. Please make your request early enough to allow the recipient of the subpoena or SDT a reasonable amount of time to arrange his/her schedule or to gather the requested documents or materials. If you have any questions please feel free to contact the Commission office at 619-531-5751.

PLEASE NOTE: It is the responsibility of the requesting party to serve the subpoena(s) and SDT(s). Commission staff cannot provide advice on how to do so.

Subpoena – requiring the presence of a person at a hearing to testify

- 1) Provide a list of the names of persons you wish to be present at the hearing to testify. Only their name is needed. We do not need their address or any other information. Please be sure to provide the correct spelling of the names.
- 2) Tell us who the contact person should be on the subpoena and what phone number should be listed. (This is typically the requesting party.)
- 3) Civil Service Commission staff will prepare the subpoena(s) and will notify the requester or contact person that they are ready to be picked up at our office.

Subpoena Duces Tecum (SDT) and Declaration – requiring the production of documents or materials at the hearing

- 1) For the SDT, provide the name of the person who is in possession or in control of the documents or materials you are requesting (as well as the name of the department or organization, if applicable). It is best to have the name of a specific person, but if you do not know the person's name who is in possession or in control of the documents or materials you are requesting, we can use a generic term, for example "Custodian of Records, Department of..."
- 2) List the documents or materials you are requesting from the person above. Staff will copy this portion verbatim, so it is very important that you be as specific as possible. Please be sure that your request is stated exactly the way you want it to appear on the SDT. Electronic filing of SDT requests with a long list of documents or materials is appreciated and will make for a quicker turn-around.
- 3) Tell us who the contact person should be on the SDT and what phone number should be listed. (This is typically the requesting party.)
- 4) For the Declaration, provide a short statement summarizing the reason the documents or materials are needed.
- 5) The SDT requires that the documents or materials be brought to the hearing; however, you may request that they be made available to you beforehand so that you can use them to prepare for the hearing. Please let us know what date you would like to receive them. Keep in mind that this is only a request and it cannot be enforced. We encourage all parties to cooperate as much as possible so that we can have an efficient hearing.
- 6) Civil Service Commission staff will prepare the SDT and Declaration and will notify the requester or contact person that they are ready to be picked up at our office.