

# Subpoena Information

OAH Subpoenas cannot be used in CSLB Arbitrations.

## I want to receive copies of records held by an agency for my administrative hearing. How do I get them?

You may request documents from an agency informally before your hearing.

You may also subpoena records from an agency to be produced at your hearing. A subpoena duces tecum means "bring with you under penalty of law" and compels an agency bring records that they have and to verify to the court that the documents or records have not been altered. The agency may do this by declaration or by direct testimony, as you require.

## The form on the internet is not signed. Can I sign it?

Only the Office of Administrative Hearings or attorneys licensed in California acting on behalf of a party may sign a subpoena. If you are proceeding without an attorney, contact the regional Office of Administrative Hearings closest to you for a form signed by an Administrative Law Judge.

## What laws should I look at before sending a subpoena or a subpoena duces tecum?

Code of Civil Procedure sections 1985-1987

Government Code sections 11450.05-11450.50, 68092.5-68093, and 68096.1-68097.10.

## I have received a subpoena to be a witness in a case. Can I be paid?

Yes, according to Government Code Sections 11450.05 and 11450.50, you may request witness fees and mileage actually traveled both ways. You may request payment in advance of the hearing from the party at whose request the subpoena or subpoena duces tecum is issued. See Government Code sections 11450.05, 11450.50, 68092.5-68093, and 68096.1-68097.10.

## Where do I find the forms?

See <http://www.dgs.ca.gov/oah/GeneralJurisdiction/Forms.aspx> for more information.