

SUBPOENA

(ORDER TO APPEAR)

PORTAGE COUNTY MUNICIPAL COURT

RAVENNA BRANCH
203 W. MAIN STREET
RAVENNA, OHIO 44266
330-297-3639 CRIMINAL
330-297-3635 CIVIL

KENT BRANCH
303 EAST MAIN STREET
KENT, OHIO 44240
330-678-9100 CRIMINAL
330-678-9170 CIVIL

IN THE STATE OF OHIO)
)
PORTAGE COUNTY)

TO THE BAILIFF OF SAID COURT:
YOU ARE COMMANDED TO SUBPOENA:

CASE NUMBER: _____
ISSUER: _____

TO ATTEND AND TESTIFY AS A WITNESS BEFORE SAID MUNICIPAL COURT ON THE

_____ DAY OF _____, 20 _____, AT _____ O'CLOCK ____ M.

IN THE PORTAGE COUNTY MUNICIPAL COURT, () RAVENNA DIVISION () KENT DIVISION
IN BEHALF OF THE () STATE () PLAINTIFF () DEFENDANT IN A CERTAIN CAUSE
PENDING IN SAID COURT, ENTITLED:

VS

WITNESS MUST REPORT TO CLERK EACH DAY OF ATTENDANCE

() SUBPOENA DUCES TECUM:

AND TO PRODUCE AT THE TIME AND PLACE AFORESAID CERTAIN RECORDS TO WIT:

WITNESS MY SIGNATURE AND SEAL OF SAID COURT THIS _____ DAY OF _____ 20 _____.

JILL FANKHAUSER, CLERK OF COURTS

DEPUTY CLERK

WHITE/BAILIFF

YELLOW/COPY TO SERVE

PINK/FILE

GOLD/ISSUER

RETURN

Received this writ on the _____ day of _____, 20____, at _____ O'clock _____ M.
and pursuant to its command I served the same on the _____ of _____ 20____

BAILIFF'S FEES	DOLLARS	CENTS
SERVICE AND RETURN NAMES		
1ST NAME		
ADDITIONAL NAMES		
1ST MILE		
MILEAGE		
ADDITIONAL MILES		
TOTAL		

by delivering a true and certified copy thereof, and of the endorsement thereon, to _____
the defendant _____

BAILIFF

CIV R 45

COURT RULES

JULY 1, 1993 AMENDMENT

(C) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.

(2)(a) A person commanded to produce and permit inspection and copying of designated books, papers, documents, or tangible things, or inspection of premises, need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing, or trial.

(b) Subject to division (D)(2) of this rule, a person commanded to produce and permit inspection and copying may, within fourteen days after service of the subpoena or before the time specified for compliance if such time is less than fourteen days after service, serve upon the party or attorney designated in the subpoena written objections to inspection and copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) On timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:

- (a) Fails to allow reasonable time to comply;
- (b) Requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
- (c) Requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party;
- (d) Subjects a person to undue burden.

(4) Before filing a motion pursuant to division (C)(3)(d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (C)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.

(5) In cases under division (C)(3)(c) or (C)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

(D) Duties in responding to a subpoena.

(1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand. A person producing documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.

(2) When information subject to a subpoena is withheld on a claim that is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communication, or things not produced that is sufficient to enable the demanding party to contest the claim.