

SUBPOENA

F-2

Self Help Center
1 South Sierra St., First Floor
Reno, NV 89501
775-325-6731
www.washoecourts.com

SUBPOENA

PACKET F-2

Use this packet only if all of the following requirements have been met:

- You wish to command a person to appear or for a person to bring specified documents or records with them to a hearing or trial.
- The witness you wish to subpoena is not the other party.
- The witness is unwilling to attend the hearing or trial voluntarily.

ATTENTION:

Per Nevada Rules of Civil Procedure 45, you are required to pay fees for one day's attendance at a hearing plus mileage traveled to and from court. The fees and mileage must be paid *at the time the subpoena is served on the witness.*

Getting a Witness to Attend the Trial:

If you go to trial or a hearing before a judge, you may wish to have a witness attend the hearing to testify on your behalf or to bring information that is relevant to your case. There are two ways you can get a witness to attend your hearing or bring information that is important for your case:

Ask the witness to attend the hearing voluntarily and/or bring important information to court. *If you are unsure if they will attend, use a subpoena.*

–OR–

Have the Filing Office issue a subpoena and then you arrange service on the witness ordering the witness to appear and testify.

INSTRUCTIONS FOR COMPLETING FORMS

Carefully read all instructions before starting to fill out any of the forms.

Use **black or blue ink only**. Neatly print or type the information requested.

Do not use correction fluid/tape on the forms.

This packet contains the following forms:

1. Subpoena
2. Declaration of Personal Service

Subpoena duces tecum:

If you are requesting that certain documents be made available, you *must* fill in the name of the witness who is to bring the requested documents to court. If you request the production of certain official documents from a government agency, such as a police department, you should fill in “Custodian of Records” for the governmental agency that is involved.

AND

The person you are requesting the subpoena for, and the person(s) or entity that is the other party in the case, must be notified not less than 15 days prior by service.
NRCF 45(b)(1).

The penalty for willfully making a false statement under penalty of perjury is a minimum of 1 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00. N.R.S. §199.145.

INSTRUCTIONS: STEP 1

Complete Page One of the Subpoena as Shown:

1) Print your name, address, telephone number, and email address.

2) Print the name of the Plaintiff, Defendant, the Case No. and Department No. just as they appear on all other documents in this case.

3) Print the name of the person you are subpoenaing. Print "Custodian of Records" if you are requesting certain official documents from a government agency.

4) If you want the person to testify, select this box and fill out the requested information.

-OR-

If you are requesting documents, select this box.

1 Code: 4055
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

7 IN THE FAMILY DIVISION
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF WASHOE

10 _____ Plaintiff / Petitioner, Case No. _____
11 _____ Dept. No. _____
12 vs.
13 _____ Defendant / Respondent.
14 _____

15 SUBPOENA

16
17

18 To _____
19 (Name of person being subpoenaed)

20 YOU ARE HEREBY COMMANDED (Check one or both):

21 Testimony. You are required to attend a hearing to give testimony on the part of
22 _____ at the Second Judicial District Court, State of
23 (Your name)
24 Nevada, Washoe County, at the courtroom of said Court, Department _____ in
25 (Dept. number)
26 Reno, NV, on _____ at _____
27 (Date of hearing) (Time of hearing)

28 Documents / Things. You are required to produce and permit inspection and copying of
designated books, documents or tangible things in your possession, custody or control, or to permit

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1 Code: 4055
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

7 IN THE FAMILY DIVISION
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF WASHOE

10 _____,
11 Plaintiff / Petitioner, Case No. _____
12 vs. Dept. No. _____
13 _____,
14 Defendant / Respondent.
15 _____/

16 SUBPOENA

17
18 To _____
19 (Name of person being subpoenaed)

20 *YOU ARE HEREBY COMMANDED* (Check one or both):

21 **Testimony.** You are required to attend a hearing to give testimony on the part of

22 _____ at the Second Judicial District Court, State of
23 (Your name)

24 Nevada, Washoe County, at the courtroom of said Court, Department _____ in
25 (Dept. number)

26 Reno, NV, on _____ at _____.
27 (Date of hearing) (Time of hearing)

28 **Documents / Things.** You are required to produce and permit inspection and copying of
designated books, documents or tangible things in your possession, custody or control, or to permit

INSTRUCTIONS: STEP 2

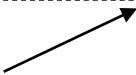
Complete Page Two of the Subpoena as Shown:

1) If you are requesting documents, list the documents that you are requesting.

2) Print the name and address for the documents to be delivered.

3) Print the date the documents need to be received.

1	inspection of premises. Items to be produced: _____
2	_____
3	_____
4	_____
5	_____
6	_____
7	_____
8	If more room is needed, attach additional sheets.
9	
10	<i>Unless the "testimony" box is checked, you may mail copies of requested documents on or</i>
11	<i>before the date listed below in lieu of personal appearance. Mail copies of documents to:</i>
12	_____
13	(Name and address where documents should be sent)
14	Documents should be provided by _____
15	(Date documents should be provided)
16	For attending Court in obedience to a Subpoena, you are entitled to witness fees and mileage
17	traveled, as provided by NRS 50.225. This Subpoena must be accompanied by the fees for one
18	day's attendance and mileage, unless issued on behalf of the State or a State Agency.
19	Failure of any person without adequate excuse to obey a Subpoena served upon that person may
20	be deemed in contempt of the Court from which the Subpoena was issued. NRCP 45(e).
21	This document does not contain the personal information of any person as defined by
22	NRS 603A.040.
23	Date: _____
24	
25	JACQUELINE BRYANT
26	CLERK OF THE COURT
27	By: _____
28	Deputy Clerk
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STOP HERE

The filing clerk will fill out the date and sign the subpoena when it is filed.

1 inspection of premises. Items to be produced: _____
2 _____
3 _____
4 _____
5 _____
6 _____
7 _____.

8 If more room is needed, attach additional sheets.

9
10 ***Unless the “testimony” box is checked, you may mail copies of requested documents on or***
11 ***before the date listed below in lieu of personal appearance. Mail copies of documents to:***

12 _____
13 (Name and address where documents should be sent)

14 Documents should be provided by _____.
15 (Date documents should be provided)

16 For attending Court in obedience to a Subpoena, you are entitled to witness fees and mileage
17 traveled, as provided by NRS 50.225. This Subpoena must be accompanied by the fees for one
18 day’s attendance and mileage, unless issued on behalf of the State or a State Agency.

19 Failure of any person without adequate excuse to obey a Subpoena served upon that person may
20 be deemed in contempt of the Court from which the Subpoena was issued. NRCP 45(e).

21 This document does not contain the personal information of any person as defined by
22 NRS 603A.040.

23 Date: _____

24 **JACQUELINE BRYANT**
25 **CLERK OF THE COURT**

26 By: _____
27 Deputy Clerk

INSTRUCTIONS: STEP 3

Issuing and Copying the Subpoena:

- Take the original subpoena to the Filing Office to be issued. The subpoena must be stapled.
 - The Filing Office is located on the first floor of the courthouse at **75 Court Street, Reno, NV**.
- The Clerk will complete the subpoena and then issue the subpoena by imprinting it with a raised seal and return it to you.
- Once the Clerk has issued the subpoena, you should make **two copies** of the imprinted original, one for your records and one copy to personally serve on the witness.
 - A copy machine is available at the Law Library located on the first floor of the courthouse at 75 Court Street, Reno, NV (to the left of the Filing Office). There is a per page charge to use the copy machine. Cash only.
- There may be a filing fee charged when the documents are filed. Fee information is available at the Filing Office, Self Help Center, and online at: www.washoecourts.com. You can call the Filing Office at (775) 328-3110 ext. 7 to confirm the amount of the fee.

INSTRUCTIONS: STEP 4

Completing the Service and Calculating Witness Fees:

You cannot personally serve the subpoena. Service may be completed by:

- the Civil Division of the Sheriff's Office in the County in which service will take place; or
- a responsible adult over the age of 18 years (such as a friend or relative); or
- a private process service.

At the time of service you are also required to pay the witness; the witness fees for one day's attendance and mileage cost traveled to and from the court by the witness. NRCP 45 (b)(1).

The witness fees can be found in NRS 50.255 and the Standard Reimbursement Mileage Rate can be found at www.irs.gov.

After the subpoena has been served on the witness, the person who served the copy on the witness must complete the declaration of personal service.

INSTRUCTIONS: STEP 5

Complete the Declaration of Personal Service as Shown:

The person who serves your subpoena must complete this declaration (*see* Instructions: Step 4).

The person who completes service must fill out the declaration and sign it. It is your responsibility make sure the declaration of service is filed with the court after service is completed. The sheriff's office or a private process server may have their own form.

1) Print your name, address, telephone number, and email.

2) Print your names just as they appear on all other documents in this case. You will also print the Case No. and Department No. that were assigned by the Filing Office.

3) The person who served the document(s) must complete the declaration from this point forward.

4) The person who served the document(s) must sign and date the declaration.

1 Code: 1520
2 Name: _____
3 Address: _____
4 Telephone: _____
5 Email: _____
6 Self-Represented Litigant

7 IN THE FAMILY DIVISION
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF WASHOE

10 _____, Plaintiff / Petitioner,
11 vs. Case No. _____
12 _____, Defendant / Respondent. Dept. No. _____

13
14
15 DECLARATION OF PERSONAL SERVICE
16 (To be filled out and signed by the person who served the Defendant or Respondent.)

17 I, _____, declare:
18 (Name of person who completed service)

19 1. I am not a party to this action and am over 18 years of age.
20 2. I am not a licensed process server; I am a natural person serving legal process without
21 compensation, not more than three times per year, on behalf of a litigant who is a natural
22 person, and therefore I am not required to be licensed pursuant to NRS 648.063(2).
23 3. I was able to complete service.
24 4. I personally delivered and left the document(s) with:
25 The person to the case (Defendant / Respondent), I served the document(s) on the
26 party at the location below.
27 _____
28 (Name of person served)

(Street Address, City, State, and Zip Code of where served)

REV 6/2018 JCB 1 DECLARATION OF PERSONAL SERVICE

1 Code: 1520

2 Name: _____

3 Address: _____

4 Telephone: _____

5 Email: _____

6 Self-Represented Litigant

7 IN THE FAMILY DIVISION
8 OF THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
9 IN AND FOR THE COUNTY OF WASHOE

10 _____,

11 Plaintiff / Petitioner,

Case No. _____

12 vs.

Dept. No. _____

13 _____,

14 Defendant / Respondent.

15 DECLARATION OF PERSONAL SERVICE

16 (To be filled out and signed by the person who served the Defendant or Respondent.)

17 I, _____, declare:
18 (Name of person who completed service)

- 19 1. I am not a party to this action and am over 18 years of age.
- 20 2. I am not a licensed process server; I am a natural person serving legal process without
- 21 compensation, not more than three times per year, on behalf of a litigant who is a natural
- 22 person, and therefore I am not required to be licensed pursuant to NRS 648.063(2).
- 23 3. I was able to complete service.
- 24 4. I personally delivered and left the document(s) with:

25 **The person to the case (Defendant / Respondent).** I served the document(s) on the
26 party at the location below.

27 _____
(Name of person served)

28 _____
(Street Address, City, State, and Zip Code of where served)

1 **A person who lives with the person to the case.** I served the document(s) on a person
2 of suitable age and discretion who lives with the party at the location below.

3 _____
4 (Name of person served)

5 _____
6 (Street Address, City, State, and Zip Code of where served)

7 5. I served the following document(s): (check all that apply)

8 Subpoena;

9 Motion to _____;
10 (Name of motion)

11 Other: _____.

12 6. Service was completed on ____/____/____, at the hour of _____ **A.M.** -OR- **P.M.**

13
14 This document does not contain the personal information of any person as defined by NRS
15 603A.040.

16 I declare under penalty of perjury under the law of the State of Nevada that the foregoing
17 statements are true and correct. *

18
19
20 Date: _____

Signature: _____
(Signature of person who completed service)

21
22 Printed Name: _____
23 (Name of person who completed service)

24
25 * The penalty for willfully making a false statement under penalty of perjury is a minimum of 1
26 year, and a maximum of 4 years in prison, in addition to a fine of not more than \$5,000.00.
27 N.R.S. § 199.145.

INSTRUCTIONS: STEP 6

Electronically Filing the Documents

You will need to upload the original documents to eFlex. EFlex is available online at <https://wcefex.washoecourts.com/>, and at the Second Judicial District Court.

Sign into your eFlex account using the username and password you created and electronically file the:

- Subpoena; and
- Declaration of Personal Service.

Make sure to keep the original documents you file for your personal records. File-stamped copies of your documents are available through your eFlex account.

Scanners are available at the Second Judicial District Court.

Legal Assistance

The information in this packet is provided as a courtesy only. This packet is not a substitute for the advice of an attorney. Counsel is always recommended for legal matters.

If you do not have an attorney, you are encouraged to seek the advice of a licensed attorney or visit the Family Division Self Help Center which is located at One South Sierra Street, Reno, NV. The Self Help Center cannot give legal advice but can give information regarding court procedures.

You may also wish to speak with a family law lawyer at no cost through the Law Library's "Lawyer in the Library" program, or to seek assistance from other free or reduced-cost legal resources in the area, to include:

LAWYER IN THE LIBRARY

First Floor (to the left of the filing office) of the courthouse located at:
75 Court Street, Reno, NV.
(775) 328-3250

www.washoecourts.com/lawlib

Tuesday Evenings - Arrive by 4:25 p.m.

Please Note The program is limited to 10 participants each evening.

NEVADA LEGAL SERVICES

204 Marsh Avenue Reno, NV 89509
(775) 284-3491– leave message if necessary

<http://nlslaw.net>

WASHOE LEGAL SERVICES

299 S. Arlington Avenue Reno, NV 89501
(775) 329-2727– leave message if necessary

<http://www.washoelegalservices.org>