

# Claimant/Authorized Representative Request to DSS State Hearings Division for

**SUBPOENA**

Case Number: \_\_\_\_\_

County of Hearing: \_\_\_\_\_

Hearing Date: \_\_\_\_\_

**SUBPEONA DECUS TECUM**

Hearing Time: \_\_\_\_\_

Name of Requestor:

\_\_\_\_\_

Address of Requestor

\_\_\_\_\_

Phone Number of Requestor

Email Address of Requestor

**REQUEST**

\_\_\_\_\_ Name of person being served

Address of person being served: \_\_\_\_\_

\_\_\_\_\_

**Appearance of:** \_\_\_\_\_

\_\_\_\_\_

**The following documents:** \_\_\_\_\_

\_\_\_\_\_

**Reasons for the request:**

\_\_\_\_\_

\_\_\_\_\_

Signature of Requestor

Date of Request

## WHAT TO DO WITH THE SUBPEONA?

After the subpoena or subpoena decus tecum is completed, you should emailed it to:

**Judge Romero, Deputy Director for the State Hearings Division at**  
[manuel.romero@dss.ca.gov](mailto:manuel.romero@dss.ca.gov)

& the Presiding Judge for your county/program/area

### **Northern California**

Michael LeLouis  
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### **Affordable Care Act**

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### **Southern California**

Los Angeles  
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San Diego  
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### **Resource Family Approvals (RFA)**

Patrick Burke  
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**22-051 THE EXAMINATION OF RECORDS AND ISSUANCE OF SUBPOENAS**

**22-051**

- .4 Before the hearing has commenced, the Chief Administrative Law Judge or his/her designee shall be permitted to, upon the written or oral request of the claimant or the CWD, issue a:
  - .41 Subpoena requiring the presence of any witness whose expected testimony has been shown to be relevant, and not cumulative or unduly repetitious.
  - .42 Subpoena duces tecum for the production by a witness of books, papers, correspondence, memoranda, or other records.
    - .421 The person who requests the subpoena duces tecum shall submit a statement under penalty of perjury describing the materials desired to be produced and their relevancy.
    - .422 A witness may comply with the subpoena duces tecum by providing certified copies of the material requested.
- .5 After the hearing has commenced, the Administrative Law Judge assigned to the case shall be permitted to issue a subpoena or subpoena duces tecum as necessary.
- .6 The party requesting the subpoena or subpoena duces tecum shall have the responsibility of having it served. The service of the subpoena shall be made to allow the witness subpoenaed a reasonable time for preparation and travel to the place of attendance.

NOTE: Authority cited: Sections 10553 and 10554, Welfare and Institutions Code. Reference: Sections 10553 and 10554, Welfare and Institutions Code and Code of Civil Procedure Section 1987.

**22-052 WITNESS FEES AND MILEAGE**

**22-052**

- .1 A witness who is subpoenaed at the request of the claimant and who appears at the hearing shall be permitted to demand payment for witness fees and mileage from the Department on a form specified by that Department.
  - .11 The amount of witness fees and mileage paid shall be the same as the amount specified in the Government Code for witness fees and mileage.
- .2 A witness who is subpoenaed at the request of the county and who appears at the hearing shall be permitted to demand payment for witness fees and mileage from the county on a form specified by the county.
  - .21 The amount of witness fees and mileage paid shall be the same as the amount specified in the Government Code for witness fees and mileage.