

Using This Revisable PDF Form

1. Prepared by party requesting issuance of subpoena.
2. Attachments – the original copy of the papers that start a case.
3. Preparation details
 - a. Data Element No. 3 – telephone numbers aid the clerk in contacting witness if trial is continued or the case is concluded before the witnesses are required to be in court. Lack of telephone numbers will not be used to delay issuance of form DC-326, SUBPOENA FOR WITNESS, or for refusing to accept form DC-325.
 - b. Data Element No. 13 should be dated by the clerk or magistrate receiving this form.
 - c. This subpoena shall be filed at least ten (10) days prior to trial. Supreme Court Rule 7:12.
 - d. In civil cases, service of witness subpoenas will involve a fee. Please contact the clerk's office for further information.
 - e. In completing Data Element No. 3, obtain the name of the jurisdiction in which the witness lives and (if needed) the name of the city or town used in the postal address in parentheses.

Example 1: Urban area straddling a city and one or more counties:

- (a) Bedford City, Bedford County
“Bedford City” or “Bedford County”
- (b) Petersburg City, Prince George County, Dinwiddie County
“Dinwiddie County (Petersburg)”
“Prince George County (Petersburg)”
“Petersburg City”

Example 2: Town straddling or adjacent to a county line where the name of the town is used in the postal address:

- (a) Town of Farmville, Prince Edward County, Cumberland County
“Prince Edward County (Farmville)”
“Cumberland County (Farmville)”
- (b) Town of Fries, Grayson County, Carroll County
“Grayson County (Fries)”
“Carroll County (Fries)”

If the name of the exact jurisdiction is not known to the person preparing this form, insert name of city or town used in postal address.

REQUEST FOR WITNESS SUBPOENA

Commonwealth of Virginia

VA. CODE §§ 8.01-407, 16.1-265, 17.1-617, 19.2-267

Rules 3A:12, 7A:12, 8:13

(PLEASE PRINT)

1

CITY OR COUNTY

- 2** GENERAL DISTRICT COURT (Civil Criminal Traffic)
 JUVENILE AND DOMESTIC RELATIONS DISTRICT COURT

Please subpoena the witnesses below to appear before the Court on the date shown. (See Va. Code § 17.1-617 regarding limitation on compensation of subpoenaed witnesses.) Requests for subpoenas for witnesses should be filed at least ten days prior to trial or hearing.

WITNESSES (IF MAILING ADDRESS IS RFD, P.O. BOX, ETC., PLEASE INDICATE LOCATION WHERE WITNESSES CAN BE FOUND.)

| | |
|---|---|
| NAME (LAST, FIRST, MIDDLE) STREET ADDRESS/LOCATION CITY, STATE, ZIP CODE [] CITY OF [] COUNTY NAME (.....) TELEPHONE NUMBER | NAME (LAST, FIRST, MIDDLE) STREET ADDRESS/LOCATION CITY, STATE, ZIP CODE [] CITY OF [] COUNTY NAME (.....) TELEPHONE NUMBER |
| NAME (LAST, FIRST, MIDDLE) STREET ADDRESS/LOCATION CITY, STATE, ZIP CODE [] CITY OF [] COUNTY NAME (.....) TELEPHONE NUMBER | NAME (LAST, FIRST, MIDDLE) STREET ADDRESS/LOCATION CITY, STATE, ZIP CODE [] CITY OF [] COUNTY NAME (.....) TELEPHONE NUMBER |

CASE NO. **4**

REQUEST FOR WITNESS SUBPOENA

- Commonwealth of Virginia
 CITY COUNTY TOWN of

5

- NAME OF PLAINTIFF(S)/PETITIONER(S) (LAST, FIRST, MIDDLE)
(IN CIVIL CASES ONLY)

v./ In re

6

NAME OF DEFENDANT/CHILD (LAST, FIRST, MIDDLE)
LIST ONLY ONE DEFENDANT

7

Charge: (TRAFFIC OR CRIMINAL CASE)

COURT DATE AND TIME:

8

REQUEST ON BEHALF OF

9

- Commonwealth City, County, Town of
 PLAINTIFF(S) DEFENDANT(S) JUVENILE
 PETITIONER RESPONDENT

REQUESTED BY:

10

PRINTED NAME

11

SIGNATURE

12

(.....) TELEPHONE NUMBER

COURT USE ONLY

DATE RECEIVED

DATE ISSUED

13

14

Data Elements

1. Jurisdiction name (city or county).
2. Check the court to which the case papers will be returned. If returnable to a General District Court that sits in Divisions, check the appropriate division in parentheses.
3. Name, street address and telephone number of each witness to be subpoenaed. See USING THIS FORM, 3.a. and 3.e., preparation details, for further details.
4. Court case number, if you do not know the case number, inquire with the clerk's office or leave blank to be filled in at filing.
5. Name of jurisdiction whose laws are being violated or (in civil cases) plaintiff's name.
6. Name of defendant, or of juvenile in juvenile cases in juvenile and domestic relations district court.
7. Identify charge.
8. Court date and time when witnesses are required to appear. Use separate request forms if groups of witnesses are to appear on different days. If you do not know when the case is to be heard, leave blank or inquire with the clerk's office.
9. Check the category of the party who wants the subpoena to be issued.
10. Print or type name of person requesting subpoena.
11. Signature of person requesting subpoena and date of signature.
12. Telephone number of person requesting subpoena.

For Court Use Only:

13. Date request for subpoena reaches court or magistrate.
14. Date last subpoena issued by court. If issued by magistrate, please complete only if magistrate issues all of the requested subpoenas and add "MAG" next to date.