Rule 3.1
Contested Hearings - Preliminary Proceedings

(a) Subpoena. The defendant and the plaintiff may subpoena witnesses necessary for the presentation of their respective cases. Subpoena requests must be filed with the court at least fourteen (14) days prior to the contested hearing and witnesses should be served at least 7 days before the hearing. The subpoena may be issued by a judge, court commissioner, or clerk of the court or by a party's lawyer. If a party's lawyer issues a subpoena, a copy shall be filed with the court and with the office of the prosecuting authority assigned to the court in which the infraction is filed on the same day it is sent out for service. A request that an officer appear at a contested hearing pursuant to rule 3.3(c) shall be filed on a separate pleading. A subpoena may be directed for service within their jurisdiction to the sheriff of any county or any peace officer of any municipality in the state in which the witness may be or it may be served as provided in CR45(c), or it may be served by first-class mail, postage prepaid, sent to the witnesses' last known address. Service by mail shall be deemed complete upon the third day following the day upon which the subpoena was placed in the mail. If the subpoena is for a witness outside the county, a judge must approve of the subpoena.

(b) If the defendant who requests a hearing to contest the determination that an infraction was committed has a criminal charge pending, and said criminal charge arises out of the same occurrence as the infraction, the hearing on the infraction may be heard at the same time as the trial on the criminal charge at the request of the defendant, the City Attorney, County Attorney, or the court as authorized by the Infraction Rules for Courts of Limited Jurisdiction.