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Bainbridge Island Municipal Court

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LIRLJ 3.1

CONTESTED HEARINGS - PRELIMINARY PROCEEDINGS

- (a) Subpoena: The defendant and the plaintiff may subpoena witnesses necessary for the presentation of their respective cases. Witnesses should be served at least 7 days before the hearing. The subpoena may be issued by a judge, a court commissioner, or by a party's lawyer. If the party's lawyer issues a subpoena, a copy shall be filed with the court. 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 CR 45(c), or it may be served by first class mail, postage prepaid, sent to the witness' 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, the judge must approve of the subpoena.
- (i) If the defendant wishes to subpoena a witness, including a law enforcement officer, the defendant shall deliver in person to the court clerk at the Bainbridge Island Municipal Court office located at 10255 NE Valley Road, Bainbridge Island, Washington, or by mail to Bainbridge Island Municipal Court, P O Box 151, Rolling Bay, Washington, 98061, at least 28 days prior to the date of the hearing, a written request for the issuance of the subpoena and for instructions regarding service of the subpoena. The written request must state the case number, date and time of the hearing, the complete address of the location of the hearing and the name and address of the witness to be named in the subpoena. The defendant shall include a self-addressed, stamped envelope along with the written request.

Upon receipt of the written request, the court clerk shall prepare a subpoena and present it to the judge for signature. The clerk shall then mail the subpoena to the defendant in the self-addressed, stamped envelope, together with a return of service form, and instructions regarding service of the subpoena.

[Effective date September 1, 2000]

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