

SUBPOENA PROCEDURE

Per Ho-Chunk Nation Rules of Civil Procedure, Rule 44 (A) and (B).

Subpoenas may be used to cause a witness to appear and give testimony. If a party wishes to have a subpoena issued by the Court the following procedure will be as follows:

1. He/she shall furnish a properly prepared subpoena, including information necessary for service of process, at least ten (10) calendar days before trial.
2. Service will be completed at least three (3) calendar days prior to hearing or trial.
3. When service has been completed, the Court shall mail proof of service to all parties.
4. When service of the subpoena will not be through the Court, the requesting party shall present the properly prepared subpoena to the Court for signature in time to ensure proper service before the hearing or trial and shall return proof of service to the Court prior to the trial.
5. If a party does not timely request a subpoena, he/she shall not be entitled to a postponement because of the absence of the witness.
6. If the subpoena has been timely issued, the Court may, in its discretion, postpone the hearing or trial.
7. A person who fails to appear after being subpoenaed may be held in contempt of court.

(B) Notice. At all times, the parties shall use diligent efforts to notify witnesses subpoenaed to appear in sufficient time so that they might make arrangements needed to appear.