Crim. LR 17 - Subpoenas

Crim. LR 17-1 Subpoena – Issuance Under Federal Rule of Criminal Procedure 17(b)

(a) Witnesses Within the District and Adjacent Washington Counties

(1) Notwithstanding Fed. R. Crim. P. 17(b), defense counsel representing a defendant who is unable to pay process costs or witness fees may file an ex parte request for the issuance of blank subpoenas for unnamed witnesses who may be found within this District or directly adjacent counties to this District in Washington state.

(2) If the Court orders the blank subpoenas to be issued, any process costs or witness fees will be paid in accordance with Fed. R. Crim. P. 17(b). No subpoena so issued may be served outside of this District and the directly adjacent counties to this District in Washington state.

(3) By completing a blank subpoena, defense counsel represents that counsel believes the defendant is unable to pay the witness fees and that the presence of the witness is necessary to an adequate defense.

(b) Witnesses Outside the District and Adjacent Washington Counties

When a witness is outside this District or the directly adjacent counties to this District in Washington state, defense counsel representing a defendant who is unable to pay process costs or witness fees must apply for issuance of a subpoena as prescribed in Fed. R. Crim. P. 17(b).

(c) ~~Pro Se~~Self-Represented Defendants

A defendant who is ~~acting pro se~~self-represented and who is unable to pay process costs or witness fees must apply for the issuance of subpoenas as set forth by Fed. R. Crim. P. 17(b).

Crim. LR 17-2 Subpoena – Nondisclosure of Witnesses

Except as authorized by the Court, appointed attorney, or defendant, the United States Marshal must not disclose the name and address of persons served pursuant to this rule; and returns of service on such witnesses are to be filed and maintained under seal until the witnesses have testified.

Amendment History	
December 1, 2020	
Crim. LR 17	New Rule.
September 3, 2024	

| Crim. LR 17-1(c) | Replaced "Pro Se" with "Self-Represented" in the sub-heading and replaced "acting pro se" with "self-represented" in the body of the rule. |