

SUBPOENA INFORMATION

NOTE: You may not serve this subpoena yourself.

SUBPOENAS MAY BE SERVED BY THE FOLLOWING PEOPLE:

1. The sheriff, deputy sheriff, or other law enforcement officer.
2. A person 18 years of age or older **who is not a party to the action.** This means that the petitioner or the respondent in this action may not serve the subpoena.

SUBPOENAS MAY BE SERVED IN THE FOLLOWING MANNER:

1. By delivering a copy of the subpoena to the person named on the subpoena; or
2. By delivering a copy of the subpoena to an adult who resides in the same household as the witness (such as a spouse or adult child), or to a legal agent of the witness (such as a secretary who is employed and works directly for the witness).

PROOF OF SERVICE OF SUBPOENAS MAY BE MADE IN THE FOLLOWING MANNER:

1. By retaining a photocopy of the subpoena that is served on the witness and completing the "Return of Service" on the back of the subpoena form; or
2. Affidavit of service signed by the server in the presence of a notary.

Note: **Proof of service must be furnished to the party who has requested service of the subpoena. The party must bring the proof of service to the hearing, to be available in the event that a subpoenaed witness does not appear.**

THE WITNESS FEE REQUIRED BY LAW MUST BE FURNISHED TO THE WITNESS:

1. The witness fee required by Rule 45(b), South Carolina Rules of Civil Procedure, must be provided to the witness for each day's appearance at the hearing. It is recommended that the subpoena be accompanied by a check for one day's appearance at the hearing. Under current law, a witness fee of \$25.00 per day is required.