

# Foreign/Out of State Subpoenas Procedure

Required for all subpoenas:

## 1. Subpoena:

- Three (3) copies to be provided by Attorney or Pro Se party
- Court Style must be formatted with other State information
- Clerk Signature- Must have sufficient space for signature and court seal

## 2. Payment

- \$2.00 per party/subpoena payable to Broward Clerk of Courts
- Form of payment- Attorney operating or trust account. Pro se Money order or cashier's check

## 3. Service Process

- We will forward to BSO if separate payment is provided if we are to forward to them for service. You will have to check with BSO for their fees and what forms of payments they accept.
- we must have instructions from you as to where to forward the issued subpoena and you must provide a self-addressed stamped envelopes if you wish for copies to be sent back to you.

Note: We DO NOT issue a new case for out of state subpoenas.

Payment and subpoenas can be mailed to:

Broward County Clerk of Court  
Circuit Civil Division Room 4130  
201 SE 6<sup>th</sup> Street  
Fort Lauderdale, Fl. 33301

In addition to required list above please see below for specific required docs for these types of subpoenas:

### **Subpoena for Deposition with or w/o Duces Tecum**

- Notice of taking Deposition or w/ Duces Tecum- One (1) copy and it does not need to be certified.

### **Subpoena for Duces Tecum or to Produce Documents**

- Notice of production/notice of intent- One (1) copy and it does not need to be certified

### **Subpoena for Records**

- An Affidavit from the attorney stating they provided notice to the party allowing the party 10 days to compel and they have not.

**\*\*\*Effective July 1, 2019 we are accepting subpoenas without the commission per statute 92.251 and senate bill 7006\*\*\***

**\*\* SB 7006 \*\***

Florida has now joined the Uniform Interstate Depositions and discovery Act (UIDDA)

- Allows the Florida Clerk of Courts to accept the foreign subpoena for
- A deposition
- Produce document in lieu of deposition
- Permit inspection of premises
- When a party submits a foreign subpoena to a clerk of court in this state, the clerk, in accordance with that court's procedure, shall promptly issue a subpoena for service upon the person to which the foreign subpoena is directed.
- No longer require mandate, writ or commission does not apply to criminal cases.
- The subpoena should include:
  - Incorporate the terms used in the foreign subpoena
  - Contain the names, addresses, and telephone number of all counsel of record in the proceeding and any party not represented by counsel.
- If a Florida attorney is taking the deposition in Florida for a foreign proceeding he [or she] can issue the subpoena.
- If the party wants to enforce, quash, or modify the subpoena, they must file a complaint and proceed in the same manner as other civil actions.

**92.251 Uniform Interstate Depositions and Discovery Act.**

- (1) SHORT TITLE.—This section may be cited as the “Uniform Interstate Depositions and Discovery Act.”
- (2) DEFINITIONS.—As used in this section, the term:
  - (a) “Foreign jurisdiction” means a state other than this state.
  - (b) “Foreign subpoena” means a subpoena issued under authority of a court of record of a foreign jurisdiction.
  - (c) “Person” means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, or governmental subdivision, agency or instrumentality, or any other legal or commercial entity.
  - (d) “State” means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, a federally recognized Indian tribe, or any territory or insular possession subject to the jurisdiction of the United States.
  - (e) “Subpoena” means a document, however denominated, issued under authority of a court of record requiring a person to:

1. Attend and give testimony at a deposition;
2. Produce and permit inspection and copying of designated books, documents, records, electronically stored information, or tangible things in the possession, custody, or control of the person; or
3. Permit inspection of premises under the control of the person.

(3) ISSUANCE OF SUBPOENA.—

(a) To request issuance of a subpoena under this section, a party from a foreign jurisdiction must submit a foreign subpoena to a clerk of court in the county in this state in which discovery is sought. A request for the issuance of a subpoena under this act does not constitute an appearance in the courts of this state.

(b) When a party submits a foreign subpoena to a clerk of court in this state, the clerk, in accordance with that court's procedure, shall promptly issue a subpoena for service upon the person to which the foreign subpoena is directed.

(c) A subpoena pursuant to paragraph (b) shall:

1. Incorporate the terms used in the foreign subpoena; and
2. Contain or be accompanied by the names, addresses, and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of any party not represented by counsel.

(4) SERVICE OF SUBPOENA.—A subpoena issued by a clerk of court under subsection (3) must be served in compliance with the laws of this state and the Florida Rules of Civil Procedure.

(5) DEPOSITION, PRODUCTION, AND INSPECTION.—The laws and rules of this state govern and apply to all subpoenas issued under subsection (3).

(6) APPLICATION TO COURT.—An application to the court for a protective order or to enforce, quash, or modify a subpoena issued by a clerk of court under subsection (3) must comply with the statutes and rules of this state and be submitted to the court in the county in which discovery is to be conducted.

(7) UNIFORMITY OF APPLICATION AND CONSTRUCTION.—In applying and construing this uniform act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

(8) INAPPLICABILITY TO CRIMINAL PROCEEDINGS.—This act does not apply to criminal proceedings.

History.—ss. 1, 2, 3, ch. 59-250; s. 3, ch. 76-237; s. 1, ch. 77-77; s. 22, ch. 78-361; s. 1, ch. 78-379; s. 1, ch. 2019-13.

<sup>1</sup>Note.—Section 2, ch. 2019-13, provides that “[t]his act applies to requests for discovery in all proceedings pending or commenced on or after July 1, 2019.”

Note.—Former s. 90.25.

**\*\* FORMAT SAMPLES ATTACHED \*\***

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF RICHLAND

CIVIL ACTION NO: [REDACTED]

[REDACTED]

Plaintiff,

**NOTICE OF RULE 30(b)(6) DEPOSITION  
OF NORTH MOUNTAIN HEALTHCARE,  
LLC**

v.

[REDACTED]

Defendant.

FEB 20 2020  
9:24 AM

*Sample original  
Court style  
format for  
Dorward (H)*

YOU WILL PLEASE TAKE NOTICE that the Counsel for Defendant [REDACTED] [REDACTED] pursuant to Rule 30(b)(6) of the South Carolina Rules of Civil Procedure, will take the depositions below upon oral examination, before an officer authorized by law to administer oaths, of the designated representative of the entity being deposed who is most knowledgeable regarding the topics set out in this Notice to speak on the entity's behalf. The oral examinations shall continue from time to time and day to day until completed, including any adjournments thereof. You are hereby notified, requested and required to produce said person for examination on oral deposition with that individual to bring any corporate documents necessary to refresh any recollection or fully answer questions as to any topic listed.

**DEPONENT AND TIME:** [REDACTED]

**PLACE OF DEPOSITIONS:** [REDACTED]

**DATE:** Thursday, February 20, 2020

**COURT REPORTER:** Court Reporter to be secured by the undersigned

*Subpoena  
Issued  
Deposition  
PSC/JIN  
TJ/BC/TK  
2/16/20*

**RULE 30(B)(6) TOPICS**

1. Referral forms, intake forms, assignment of benefits, letters of protection, findings by a medical provider, or invoices for services related to any treatment for or services connected to [REDACTED]
2. Agreements, contracts, or arrangements with [REDACTED]  
[REDACTED]
3. Business dealings in South Carolina, to include service agreements, promotional materials, marketing or business relationship correspondence, referral agreements.

[REDACTED]

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[REDACTED]

**Attorney for Defendant**

Columbia, South Carolina  
February 12, 2020

STATE OF SOUTH CAROLINA

ISSUED BY THE COMMON PLEAS COURT IN THE COUNTY OF RICHLAND

[Redacted] Plaintiff

v.

[Redacted] Defendant

SUBPOENA IN A CIVIL CASE

Case Number [Redacted]

Pending in Richland County

FEB 20 2020  
9:20 AM

Sample of  
originals  
Court, Dwyer  
& Bennett  
for Howard  
City.

TO: [Redacted]

YOU ARE COMMANDED to appear in the above-named court at the place, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME , AM

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME, Thursday, February 20, 2020 Starting @ 10:00a.m.
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YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in your possession, custody or control at the place, date and time specified below (list documents of objects:

PLACE	DATE AND TIME AM
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YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME , AM
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ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

Attorney/Issuing Officer's Signature  
Indicate if Attorney for Plaintiff or Defendant  
Attorney's Address and Telephone Number :

2/12/20  
Date

[Redacted]  
Print Name

LYNDA WATERS  
A TRUE COPY  
Clerk of Court

FEB 20 2020

Date

LYNDA WATERS

Print Name

Clerk of Court/Issuing Officer's Signature  
Pro Se Litigant's Name, Address and Telephone Number :

IN THE CIRCUIT COURT  
OF THE 17<sup>th</sup> JUDICIAL CIRCUIT  
IN AND FOR BROWARD COUNTY, FLORIDA

Sample

MARLEM GROSSO

[Redacted]  
Plaintiff,  
vs.  
[Redacted]  
Defendants.

SUBPOENA FOR DEPOSITION

THE STATE OF FLORIDA:  
TO [Redacted]

YOU ARE COMMANDED to appear before a person authorized by law to take depositions at [Redacted], on **TUESDAY APRIL 7, 2020** at **2:00 PM CORAL** [Redacted], for the taking of your deposition in this action. If you fail to appear, you may be in contempt of court. You are subpoenaed to appear by the clerk of the circuit court on behalf of the party indicated below, and unless you are excused from this subpoena by the party indicated below or the court, you must respond to this subpoena as directed.

You are commanded further as follows: The Deponent is commanded to bring with him any and all documents in his possession or control as it pertains to your employment history with BAYVIEW LOAN SERVICINC, LLC, as well as any documentation in your possession or control relied upon in Answering or Responding to the discovery requests in this matter as well as any documentation which supported your Answer or Responses thereto, which is to be sent to Defendant's counsel at [drake@dfirm.com](mailto:drake@dfirm.com) such that they are received by defense counsel by March 31, 2020.

DATED on FEB 10 2020

BRENDA D. FORMAN

MARLEM GROSSO  
DEPUTY CLERK  
A TRUE COPY  
Circuit Court Seal

[Redacted]

Any minor subpoenaed for testimony shall have the right to be accompanied by a parent or guardian at all times during the taking of testimony notwithstanding the invocation of the rule of sequestration of section 90.616, Florida Statutes, except upon a showing that the presence of a parent or guardian is likely to have a material, negative impact on the credibility or accuracy of the minor's testimony, or that the interests of the parent or guardian are in actual or potential conflict with the interests of the minor.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Drake Shunneson at (815) 385-68540 or [drake@dfirm.com](mailto:drake@dfirm.com) or 3431 W. Elm Street, McHenry, IL within two working days of your receipt of this subpoena, if you are hearing or voice impaired, call 711.

IN THE CIRCUIT COURT OF THE TWENTY SECOND JUDICIAL CIRCUIT  
MCHENRY COUNTY, ILLINOIS

[REDACTED]

Plaintiff,

v.

[REDACTED]

Defendants.

18CH340

1914 Orchard Beach Rd.  
McHenry, IL 60050

Sample

NOTICE OF TAKING DEPOSITION

TO: [REDACTED]

DEPONENT: [REDACTED]

You are hereby notified that the undersigned will take the telephonic evidentiary deposition of the above mentioned Deponent before a Notary Public or any other duly authorized officer in the City of Coral Springs, Florida on:

DATE: Tuesday, April 7, 2020

TIME: 1:00 p.m. (CST- ILLINOIS TIME OR 2:00 PM FLORIDA TIME)

LOCATION: [REDACTED]

PLEASE BE ADVISED THAT the Deponent will be commanded to bring with him via subpoena for deposition any and all documents in his possession or control as it pertains to his employment history with BAYVIEW LOAN SERVICING, LLC as well as any documentation in his possession or control relied upon in Answering or Responding to the discovery requests in this matter as well as any documentation which supports his answers thereto, which is to be sent to Defendant's counsel at [drake@difirm.com](mailto:drake@difirm.com) such that they are received by defense counsel by March 31, 2020.

[Signature]

[REDACTED]



SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

Case No.: 21STCV06681

  
Claimant,

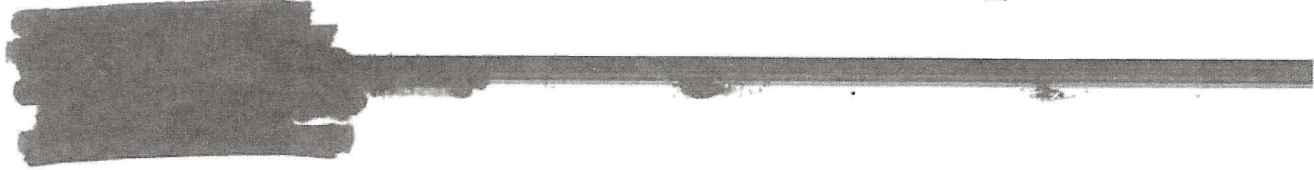
vs.

  
Defendant.

CLERK, SUPERIOR COURT  
COUNTY OF LOS ANGELES  
2021 SEP 14 PM 2:25  
CIRCUIT CIVIL


**NOTICE OF PRODUCTION FROM NONPARTY**


TO:



YOU ARE NOTIFIED that, after 10 days from the date of service of this notice, the undersigned will apply to the clerk of this Court for issuance of the attached subpoena directed to WESTSIDE REGIONAL MEDICAL CENTER, who is not a party, to produce the items listed at the time and place specified in the subpoena. Objections to the issuance of this subpoena must be filed with the clerk of the circuit court within 10 days.

I certify that a copy of this document was [ / one only] (X) mailed ( ) faxed and mailed ( ) hand delivered to the person(s) listed below on 4/16/2020.

Signature of Party 

Attorney for Defendant 

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact

\_\_\_\_\_ {address} \_\_\_\_\_  
\_\_\_\_\_ {telephone} \_\_\_\_\_ within 2 working  
days of your receipt of this subpoena. If you are hearing or voice impaired, call TDD 1-800-955-8771.

SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

Case No.: 21STCV06681

[REDACTED]  
Claimant,

vs.

[REDACTED]  
Defendant.

**SUBPOENA FOR PRODUCTION OF DOCUMENTS FROM NONPARTY**

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THE STATE OF FLORIDA

TO:

[REDACTED]  
Fort Lauderdale, FL 33315

YOU MUST go to:

[REDACTED]  
LONG BEACH, CA 90809-3010  
TELEPHONE: [REDACTED]

On: SEPTEMBER 30, 2021 AT 8:00 A.M. and bring with you at that time and place the following:

**SEE ATTACHMENT 3.**

You may obey this subpoena by providing readable copies of the items to be produced to the party or his/her attorney whose name appears on this subpoena on or before the scheduled date of production. You may condition the preparation of the copies upon payment in advance of the reasonable cost of preparation. If you mail or deliver the copies to the attorney whose name appears on this subpoena before the date indicated above, you do not have to appear in person.

**You may be in contempt of court if you fail to: (1) appear as specified; (2) furnish The records instead of appearing as provided above; or (3) object to this subpoena.**

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact

\_\_\_\_\_ (address)

\_\_\_\_\_ (telephone)

\_\_\_\_\_ within 2 working days of your receipt of this subpoena. If you are hearing or voice impaired, call TDD 1-800-955-8771.

You can only be excused by the person whose name appears on this subpoena and, unless Excused by that person or the Court, you shall respond as directed.

Dated: -----

SEP 14 2021 BREANDA D. FORMAN

Brenda D. Forman  
CLERK OF THE CIRCUIT COURT  
(SEAL)

By: \_\_\_\_\_  
Deputy Clerk

DEBORAH A LEWIS  
A TRUE COPY  
Circuit Court Seal

[Redacted Signature]

Signature of Party

[Redacted Name]

Telephone  
Attorney for Defendant

[Redacted Telephone Number]

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact

{address} \_\_\_\_\_

{telephone} \_\_\_\_\_, within 2 working

days of your receipt of this subpoena. If you are hearing or voice impaired, call TDD 1-800-955-8771.