

SUBPOENA
Court of Common Pleas, Juvenile Division, Summit County, Ohio

Plaintiff

Case Number

Vs.

Defendant

Action

To: _____

YOU ARE HEREBY COMMANDED on (date) _____ at _____
at (place) Summit County Juvenile Court, 650 Dan Street, Akron Ohio 44310 TO:

- Attend and give testimony at a trial, hearing, or deposition _____
- Produce the following documents or tangible thing at a trial hearing or deposition: _____
- Produce and permit inspection and copying of the following documents that are now in your possession, custody or control: _____
- Produce and permit inspection and copying, testing or sampling of the following tangible things in your possession, custody, or control: _____
- Permit entry upon the following land or other property that is in your possession or control: _____

<u>State of Ohio</u> Issuing Party
_____ Attorney
<u>650 Dan St, Akron Ohio 44310</u> Address
_____ Telephone

JUDGE LINDA TUCCI TEODOSIO
Clerk of Summit County Juvenile Court

By: _____
Deputy Clerk

THIS IS IN COMPLIANCE WITH JUVENILE RULE 17
Process Server: Return This Writ to Clerk of Courts by Appearance Date
RETURN OF SERVICE OTHER THAN SHERIFF

I received this Writ on the _____ day of _____, 20_____, at _____ o'clock _____.m. and served the person named therein on the day and in the manner indicated.

PERSONAL _____

RESIDENTIAL _____

Process Server

JUVENILE RULE 17

(D) Protection of Person Subject to Subpoenas.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take responsible steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)
 - (a) A person commanded to produce under divisions (A) (1) (b) (ii), (iii), (iv), or (v) of this rule need not appear in person at the place of production or inspection unless commanded to attend and give testimony at a deposition, hearing, or trial.
 - (b) Subject to division (E) (2) of this rule, a person commanded to produce under division (A) (1) (b) (ii), (iii), or (iv) of this rule may serve upon the party or attorney designated in the subpoena written objections to production. If objection is made, the party serving the subpoena shall not be entitled to production except pursuant to an order of the court that issued the subpoena. If objection has been made, the party serving the subpoena, upon notice to the person commanded to produce, may move at any time for an order to compel the production. An order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the production commanded.
- (3) On a timely motion, the court from which the subpoena was issued shall quash or modify the subpoena, or order appearance or production only under specified conditions, if the subpoena does any of the following:
 - (a) fails to allow reasonable time to comply;
 - (b) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies;
 - (c) requires disclosure of a fact known or opinion held by an expert not retained or specially employed by any party in anticipation of litigation or preparation for trial if the fact or opinion does not describe specific events or occurrences in dispute and results from study by that expert that was not made at the request of any party; subjects a person to undue burden.
- (4) Before filing a motion pursuant to division (D) (3) (d) of this rule, a person resisting discovery under this rule shall attempt to resolve any claim of undue burden through discussions with the issuing attorney. A motion filed pursuant to division (D)(3)(d) of this rule shall be supported by an affidavit of the subpoenaed person or a certificate of that person's attorney of the efforts made to resolve any claim of undue burden.
- (5) If a motion is made under division (D)(3)(c) or (D)(3)(d) of this rule, the court shall quash or modify the subpoena unless the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated.

(E) Duties in Responding to Subpoena

- (1) A person responding to a subpoena to produce documents shall, at the person's option, produce them as they are kept in the usual course of business or organized and labeled to correspond with the categories in the subpoena. A person producing documents pursuant to a subpoena for them shall permit their inspection and copying by all parties present at the time and place set in the subpoena for inspection and copying.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as a trial preparation materials, the claim shall be made expressly and shall be supported by description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.