

San Fernando Valley Bar Association Mandatory Fee Arbitration Program

Procedures for Issuing a Subpoena or Subpoena Duces Tecum

1. Business and Professions Code § 6200(g) states:

In the conduct of arbitrations under this article [Arbitration of Attorneys' Fees] the arbitrator or arbitrators may do all of the following:

(3) Compel, by subpoena, the attendance of witnesses and the production of books, papers, and documents pertaining to the proceeding.

2. Under the San Fernando Valley Bar Association Rules of Procedure for Fee Arbitrations, Rules 30 Subpoenas states:

The Committee Chair may issue subpoenas and/or subpoenas duces tecum at the request of a party. The Committee Chair or Panel Chair shall provide signed, blank subpoenas to the requesting party who shall be responsible for service of the subpoenas. The party requesting subpoenas will be responsible for any witness fees and any costs of service of the subpoenas.

3. A party wanting to subpoena witnesses or documents must obtain the proper Subpoena/Subpoena Duces Tecum from the Fee Arbitration Program. After completing the form, the party must then have the Panel Chair execute the subpoena.
4. The party must then serve the subpoena as provided in the San Fernando Valley Bar Association Rules of Procedure for Fee Arbitrations as cited above.

Summary of Process for obtaining and serving a Subpoena or Subpoena Duces Tecum

- Obtain a Subpoena or Subpoena Duces Tecum form from the Mandatory Fee Arbitration Program.
- Fill out the form and include your Fee Arbitration Case Number.
- Send the form to the Chair of your arbitration panel.
- The Chair of your arbitration panel will sign the form and return it to you.
- Keep a copy of the signed form.
- Serve the Subpoena.