

**Rules of Procedure for Fee Arbitrations and the Enforcement of Awards
by the State Bar of California**

Proposed Modification

RULE 31.0 Subpoenas.

~~[deleted text begins here]The Presiding Arbitrator may issue subpoenas and/or subpoenas duces tecum at the request of a party. The Program 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.[deleted text ends here]~~

In this rule, “subpoena” includes a subpoena duces tecum. A party seeking to have a subpoena issued shall submit a completed but unsigned Judicial Council subpoena form to the Presiding Arbitrator, with proof of service on all parties. Upon a showing of good cause, the Presiding Arbitrator may issue a subpoena requested by a party. In the event the Presiding Arbitrator approves the issuance of a subpoena, the Presiding Arbitrator will sign the submitted subpoena and provide any executed subpoena to the requesting party, who shall be responsible for service of the subpoena. The party requesting a subpoena will be responsible for any witness fees and any cost of service of the subpoena. No subpoenas may be served on any party or third party unless it has been approved and signed by the Presiding Arbitrator pursuant to this rule.