

IN THE COURT OF COMMON PLEAS, ASHLAND COUNTY, OHIO  
JUVENILE DIVISION

\_\_\_\_\_, : Case No. \_\_\_\_\_  
Plaintiff, :  
vs. :  
\_\_\_\_\_, :  
Defendant. : **PRAECIPE FOR SUBPOENA**

To the Clerk of Court:

Please issue the attached subpoena(s) to the following individual(s) for the hearing scheduled in this case on \_\_\_\_\_ at \_\_\_\_\_.

Name and Address of Witness(es):

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Email: \_\_\_\_\_

Counsel for: \_\_\_\_\_

Supreme Court #: \_\_\_\_\_

IN THE COURT OF COMMON PLEAS, ASHLAND COUNTY, OHIO  
JUVENILE DIVISION

\_\_\_\_\_ Plaintiff : Case No. \_\_\_\_\_  
vs. : **PERSONAL SERVICE REQUESTED**  
\_\_\_\_\_ Defendant :  Subpoena Duces Tecum  
 Subpoena

State of Ohio :  
: ss.  
County of Ashland :

To: \_\_\_\_\_  
(List Name and Address of Person to Serve the Subpoena)

You are commanded to subpoena the below-named person by serving a copy of this subpoena upon that person by personal service, and making due return of that service below.

To: \_\_\_\_\_  
(List Name and Address of the Witness)

You are commanded to appear before the Ashland County Court of Common Pleas, Juvenile Division, 142 West Second Street, Ashland, Ohio 44805 on \_\_\_\_\_ at \_\_\_\_\_ to testify as a witness in the above-identified case, at the request of: \_\_\_\_\_ Telephone No. \_\_\_\_\_.

Further, you are commanded to bring the following items with you to the hearing:

You are required to appear  in person or  remotely by joining the Zoom video conference for the hearing. If you are permitted to appear remotely, you must obtain the Zoom Meeting ID and Passcode for the hearing from the party who subpoenaed you.

A copy of required portions of Juvenile Rule 17 appears on the reverse side of this subpoena.

If the person being subpoenaed resides outside of Ashland County, Ohio, the witness fee for one day attendance and for mileage in the amount of \$ \_\_\_\_\_ is being tendered with this subpoena.

**FAILURE TO APPEAR AND TESTIFY MAY RESULT IN YOUR BEING HELD IN CONTEMPT OF COURT.**

Karen DeSanto Kellogg, Judge and Ex Officio  
Clerk of Court

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

**RETURN OF SERVICE**

I received this writ on \_\_\_\_\_ (date) at \_\_\_\_\_ (time), and on \_\_\_\_\_ (date and time) at \_\_\_\_\_ (location where served), I served the same on the above-named person by personal service.

**FEES:**  
Service: \$ \_\_\_\_\_  
Mileage: \$ \_\_\_\_\_  
Total: \$ \_\_\_\_\_

By: \_\_\_\_\_  
Title: \_\_\_\_\_

## **Juvenile Rule 17**

### **(D) Protection of persons subject to subpoenas.**

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena.
- (2)(a) A person commanded to produce under division (A)(1)(b)(ii), (iii), or (iv) of this rule is not required to appear in person at the place of production or inspection unless commanded to attend and give testimony at a trial, hearing, proceeding, or deposition.
- (2)(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. The objections must be served within fourteen days after service of the subpoena or before the time specified for compliance if that time is less than fourteen days after service. 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 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;
  - (d) 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 the documents 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 trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.