

# Soberlink Subpoena Instructions

SPI-20-002

## Requesting Records

Soberlink can produce the following types of records without a subpoena\* if the requesting party is listed as an Involved Party\*\* in accordance with the applicable Monitoring Program Agreement:

- Client Detail Reports
- Monitoring Agreements
- Change Order Requests

\*May be subject to additional fees

\*\*Involved Parties include the Monitored Client, Concerned Party, and/or Contact(s) on the Monitoring Program Agreement

## Issuing Subpoenas

Subpoenas must be issued pursuant to the Interstate and International Depositions and Discovery Act (California Code of Civil Procedure Sections 2029.100 -2029.900). In sum, in order to effectuate valid service, you must either request issuance of a subpoena from the California Superior Court of relevant jurisdiction by way of an application drawn in accordance with the applicable California Judicial Council form and pay the appropriate fee to the Clerk of the Court pursuant to California Government Code Section 70626 (Code Civ. Proc., § 2029.300(a)(b)(1) and (2)) or retain local counsel to issue the subpoena and effectuate service. Section 2029.300 states:

- a) To request issuance of a subpoena under this section, a party shall submit the original or a true and correct copy of a foreign subpoena to the clerk of the superior court in the county in which discovery is sought to be conducted in this state. A request for the issuance of a subpoena under this section does not constitute making an appearance in the courts of this state.
- b) In addition to submitting a foreign subpoena under subdivision (a), a party seeking discovery shall do both of the following:
  - 1) Submit an application requesting that the superior court issue a subpoena with the same terms as the foreign subpoena. The application shall be on a form prescribed by the Judicial Council pursuant to Section 2029.390. No civil case cover sheet is required.
  - 2) Pay the fee specified in Section 70626 of the Government Code.

Further, Soberlink objects to the purported service of the subpoena by way of electronic mail. Subpoenas must be personally served. (See California Code of Civil Procedure, § 2029.400.)