

STATE OF GEORGIA
LIBERTY COUNTY

WITNESS SUBPOENA
(In Blank - Issued by Attorney)

TO WITNESS: Name: _____ Address: _____ _____ Phone No. _____	COURT: MAGISTRATE COURT
	DIVISION: ☐ CRIMINAL ☐ CIVIL
	LOCATION: 201 SOUTH MAIN STREET MAGISTRATE COURTROOM, 2 ND FLOOR, HINESVILLE, GA 31313
Case No. _____	Party's: _____ VS. _____
Summoned by: _____	
Summons Date/Time: _____	

SUBPOENA

YOU ARE COMMANDED that, laying all business aside, you be and appear at the court in the division shown above on the date and time and at the location stated above, then and there to be sworn as a witness called by the party(ies) named above. You are required to attend from day to day and from time to time until the matter is disposed of.

HEREIN FAIL NOT, under penalty of law.

If you have questions, contact: Attorney's Name _____ Bar Number _____ Address _____ _____ Phone No. _____	_____ Attorney of Record Issuing Subpoena*
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OATH OF SERVICE

STATE OF GEORGIA
LIBERTY COUNTY

Claim is hereby made for witness fee in the case named above. I hereby swear or affirm that I appeared as a witness in the above-referenced court as a witness on (date) _____, 20____, during a time other than during my regular duty hours and that I have neither received nor claimed any other witness fee upon any other subpoena before this court on this date.

In addition (if applicable), I submit the following claim for miles driven in my personal vehicle to and from court:
Miles claimed: _____ From: _____ To: _____

Sworn to and subscribed before me on this _____ day
of _____, 20_____.

Witness

Notary Public

ATTENDANCE CERTIFICATE

The above-named witness was in attendance of the Court indicated on date(s) shown. Actual service dates were:

Presiding Judge or Prosecutor

LAW ENFORCEMENT AGENTS ONLY

COMPENSATION CERTIFICATE

I hereby certify that the above-named law enforcement agent (witness) has not been nor shall be paid or given additional compensation nor given any time off as a result of services rendered as a witness in the above-captioned case on the days(s) specified. In addition, mileage claimed IS/IS NOT authorized as a bona fide expense for which the officer is entitled to reimbursement.

Title: _____

*Pursuant to O.C.G.A. § 24-13-21(c)-(h), an attorney of record must complete this subpoena form prior to service upon the witness. Any person misusing a subpoena is subject to punishment for contempt of court and may be fined not more than \$300.00 and imprisoned for not more than 20 days, or both. Witnesses may contact the Office of the Liberty County Chief Magistrate Judge (Phone 912-368-2063) to verify that this subpoena was issued for a valid case.

FOR CLERK ONLY - DATE PAID: _____ CHECK NUMBER: _____ AMOUNT PAID \$: _____

RETURN OF SERVICE

CASE NUMBER: _____

FOR DEPUTY SHERIFFS ONLY:

I HAVE THIS DAY SERVED THE WITNESS _____ **PERSONALLY**
(Name of Witness)

WITH AN ORIGINAL/SECOND ORIGINAL OF THE WITHIN FOREGOING WITNESS SUBPOENA.

THIS THE _____ DAY OF _____, 20_____.

DEPUTY SHERIFF

WITNESS SIGNATURE

*****OR*****

FOR CIVILIANS ONLY:

I, _____ HAVE **PERSONALLY** SERVED AN ORIGINAL/
(Person serving subpoena)

SECOND ORIGINAL COPY OF THE WITHIN FOREGOING WITNESS SUBPOENA UPON

(Name of Witness)

THIS THE _____ DAY OF _____, 20_____.

PERSON SERVING SUBPOENA

WITNESS SIGNATURE

*****OR*****

FOR SERVICE BY CERTIFIED MAIL:

I, _____ HAVE BEEN SERVED WITH THE WITHIN FOREGOING
(Name of Witness)

WITNESS SUBPOENA BY CERTIFIED MAIL – RETURN RECEIPT REQUESTED.

(Return Receipt Number: _____)

THIS THE _____ DAY OF _____, 20_____.

(SIGNATURE OF WITNESS RECEIVING SUBPOENA)
PRINT NAME: _____
TITLE: _____

**IN THE MAGISTRATE COURT OF LIBERTY COUNTY
STATE OF GEORGIA**

INFORMATION SHEET FOR SUBPOENAS

- **Fees:** There shall be a \$5.00 charge per subpoena, except as is provided in O.C.G.A. 15-10-82. A party may also choose to have the Sheriff's Office serve the subpoena for them at an additional cost of \$10.00 per subpoena, except as is provided in O.C.G.A. 15-10-82.
- **Service of a Subpoena:** O.C.G.A. § 24-13-24 provides for service of subpoenas as follows:
A subpoena may be served by any sheriff, by his or her deputy, or by any other person not less than 18 years of age. Proof may be shown by return or certificate endorsed on a copy of the subpoena. Subpoenas may also be served by registered or certified mail or statutory overnight delivery, and the return receipt shall constitute prima-facie proof of service. Service upon a party may be made by serving his or her counsel of record.
A subpoena must be personally served on the witness or business at least 24 hours before the scheduled court hearing.
- **Costs for Subpoenaing an Out of County Witness:** There are additional costs for servicing a witness subpoena on a witness that resides outside of Liberty County.
O.C.G.A. § 24-13-25 sets out witness fees and mileage as follows:
...the witness fee shall be \$25.00 per diem, and execution shall be issued by the clerk upon affidavit of the witness to enforce payment thereof. The payment of witness fees shall not be demanded as a condition precedent to attendance; but, when a witness resides outside the county where the testimony is to be given, service of the subpoena, to be valid, shall be accompanied by tender of the witness fee for one day's attendance plus mileage of 45 cent(s) per mile for traveling expenses for going from and returning to his or her place of residence by the nearest practical route. Tender of witness fees and mileage may be made by United States currency, postal money order, cashier's check, certified check, or the check of an attorney or law firm. When the subpoena is issued on behalf of this state, or an officer, agency, or political subdivision thereof, or an accused in a criminal proceeding, witness fees and mileage need not be tendered.
- **Responsibility for payment of Witness fee:** In reference to subpoenas for witnesses within the county; if the witness will not waive the witness fee, you will be responsible for paying the fee upon their demand for compensation for appearing in court.
- **How to obtain a subpoena in blank:** A subpoena in blank can be obtained in the Liberty County Magistrate Court, Justice Center Building, 201 South Main Street, Suite 2100, Hinesville, GA 31313, or on our www.libertycountyga.com.
- **What makes a Subpoena valid:** For a subpoena to be considered valid a person must first pay the subpoena fee to the Liberty County Magistrate Court office in Suite 2100, a Magistrate Court Clerks signature and our Courts seal must be on the subpoena, and you must have a pending case in the Liberty County Magistrate Court.

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Note: Our Clerks can only give general instructions on how to fill out a Subpoena;
they cannot tell anyone, specifically, what needs to be written on a Subpoena.
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I have read and understand the above information, and I further understand that pursuant to O.C.G.A. 24-13-21(h), if I misuse a subpoena, I shall be subject to punishment for contempt of court and shall be punished by a fine of not more than \$300.00 or not more than 20 days' imprisonment, or both.

Your Signature

Date

FOR OFFICE USE ONLY: Case Number(s): _____ ☐ Witness / ☐ Production of Evidence
Subpoena-in blank given to _____ on _____ date by _____
(Initial here)