

REVENUE: No revenue impact

FISCAL: No fiscal impact

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<b>Action:</b>	Do Pass
<b>Vote:</b>	6 - 0 - 4
<b>Yeas:</b>	Barton, Cameron, Olson, Stiegler, Whisnant, Barker
<b>Nays:</b>	0
<b>Exc.:</b>	Garrett, Krieger, Shields, Smith J.
<b>Prepared By:</b>	Bill Taylor, Counsel
<b>Meeting Dates:</b>	4/14

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**WHAT THE MEASURE DOES:** Allows service of a subpoena on a witness under the age of 14 by delivering a copy to the witness or the witness's parent or guardian or guardian ad litem. Clarifies that a subpoena in a civil or criminal matter must be served upon an agency employing a peace officer 10 days prior to the date that the officer's attendance is required; if service is made to the officer personally, it need not be delivered 10 days prior to the required attendance. Clarifies that whenever a stalking protective order is issued a copy of the order must be made by personal delivery to the person against whom the order is issued.

**ISSUES DISCUSSED:**

- Serving a subpoena on a child can be traumatic for the child

**EFFECT OF COMMITTEE AMENDMENT:** No amendment.

**BACKGROUND:** Currently, a subpoena issued to a witness under the age 14 must be personally served on the witness. There is no provision for making the service on the witness's parents or legal guardian. As currently written, it is unclear whether a person seeking to subpoena a peace officer to testify must serve the officer 10 days prior to the required attendance or must only serve 10 days in advance if service is made on the agency employing the officer. Finally, the stalking statute has no provision requiring service of a copy of the protective order on the person against whom the order is sought.