

1405.1300 SUBPOENAS.

Subpart 1. **Written request for subpoena.** Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge and shall contain a brief statement demonstrating the potential relevance of the testimony or evidence sought and shall identify any documents sought with specificity. The administrative law judge will grant the request for subpoenas only upon a finding of such relevance.

Subp. 2. **Service.** A subpoena shall be served in the manner provided by the Rules of Civil Procedure for the district court of the state of Minnesota unless otherwise provided by law. The cost of service, fees, and expenses of any witness subpoenaed shall be paid by the person at whose request the witness appears. The person serving the subpoena shall make proof of service by filing the subpoena with the administrative law judge, together with affidavit of service.

Subp. 3. **Motion to quash.** Upon motion made promptly, and in any event at or before the time specified in the subpoena for compliance therewith, the administrative law judge may quash or modify the subpoena on finding that it is unreasonable or oppressive.

Statutory Authority: *MS s 116C.66; 216E.16*

History: *L 1984 c 640 s 32; 17 SR 1279*

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