

Instructions to get an Arizona subpoena issued for a foreign case

When to use these instructions:

- ✓ You have a case in a State other than Arizona, AND
- ✓ You need a subpoena issued for a deposition within Mohave County, AND/OR
- ✓ You need a subpoena issued for production of documents within Mohave County.

Step 1 Prepare the following forms:

1. Foreign Subpoena (already issued by the foreign court) with the following below the "Case Number" field on the first page:
"For issuance of an Arizona Subpoena under Ariz.R.Civ.P. 45.1"
2. Arizona Subpoena that includes:
 - a. the name of the issuing Arizona court;
 - b. the caption and case number of the out-of-state case to which it relates;
 - c. identifies the foreign jurisdiction and court where the case is pending, before the "Case Number" field;
 - d. incorporates the discovery requested in the foreign subpoena;
 - e. contains or is accompanied by the names, addresses, telephone numbers, and email addresses of all counsel of record in the proceeding to which the subpoena relates and of any party not represented by counsel;
 - f. be in the form required by Rule 45(a)(1) of the Arizona Rules of Civil Procedure ("ARCP"); and
 - g. complies with ARCP Rule 45's other requirements.
3. Any other pleadings required under the law of the foreign jurisdiction. Please provide information regarding the law of the foreign jurisdiction that is applicable.

Step 2 Take the original forms to the Clerk of the Superior Court in Kingman, BHC or LHC. The cost is \$35.00 per subpoena issued. The Clerk will sign and date the subpoena and return it to you. If you are requesting the subpoena be issued to you by mail, provide payment of \$35.00 (per subpoena) made out to Clerk of Superior Court along with a self-addressed return stamped envelope to: Clerk of Superior Court, PO Box 7000, Kingman, AZ, 86402. The Clerk will return the subpoena to you by mail.

Important Notes:

- A request for an ARCP Rule 45.1 subpoena does not constitute an appearance in an Arizona court.
- The office of the Clerk of Superior Court is not responsible for the service of subpoenas. A subpoena issued as provided in ARCP Rule 45.1(b) must be served in compliance with ARCP Rule 45(d).
- To obtain a subpoena under ARCP Rule 45.1, a party must present a foreign subpoena to the clerk in the county where the discovery will be conducted.