

DID YOU KNOW?

Did you know a subpoena is a summons that may order you to appear before a court?

If a process server presents with a subpoena, DBH staff should **not** accept service for another individual but must assist the process server with identifying the appropriate person or location to serve the subpoena as detailed below:

- Subpoenas requesting only DBH client **Medical Records** and **Grand Jury requests** are to be directed to DBH Medical Records located at 850 East Foothill Blvd, Rialto.
- Subpoenas requesting only **Billing Records** are to be directed to DBH Business Office located at 303 East Vanderbilt Way, San Bernardino.
- Subpoenas for **individual DBH employees** must be personally served and accepted by the intended person, if the employee is not available the employee's supervisor should be contacted.
- DBH employees who receive a subpoena to testify in court regarding a current or former DBH client need to notify their immediate supervisor who will obtain further guidance from DBH Medical Records or the Office of Compliance.
- **Under no circumstances** are staff to confirm client status and/or provide any information to external parties regarding a client served through the DBH system of care, including those served by DBH contracted agencies.
- All inquiries involving law enforcement are to be immediately reported to Office of Compliance at (909) 388-0879 or Compliance_Questions@dbh.sbcounty.gov.
- All inquiries regarding reproductive health information are to be forwarded to the Medical Records Supervisor/Custodian of Records at (909) 421-9350 or DBH-MedicalRecords@dbh.sbcounty.gov.






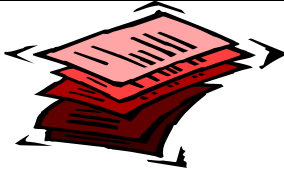


Refer to DBH Subpoena of Medical Records Policy ([COM0902](#)) and the attached job aid for further information

For questions, please contact Medical Records at (909) 421-9350 or the Office of Compliance at (909) 388-0879





Subpoena

Question	If	Then
 <p>Should I accept service of a Subpoena?</p>	<p>DO NOT ACCEPT SERVICE!</p> <p>If the process server is attempting to serve you, do not sign or accept any documents. Inform the process server you will assist him/her to the appropriate person or location to serve the Subpoena.</p>	<p>Ask the process server the name of the subpoenaed individual or entity and direct them to the appropriate location.</p>
 <p>Which DBH employee is named on the Subpoena?</p>	<p>If this request is for a DBH employee and the Subpoena is for "Appearance Only"</p> <p>DO NOT ACCEPT SERVICE</p> <p>*Subpoenas must be personally served to the appropriate person</p>	<p>Refer the process server to the DBH employee. If the DBH employee is absent, refer the process server to the employee's supervisor.</p>
 <p>Is the Subpoena for Medical Records only?</p>	<p>If this request is for Medical Records only</p> <p>DO NOT ACCEPT SERVICE</p>	<p>Refer the process server to Medical Records 850 E. Foothill Blvd. Rialto, CA 92376 909 421-9350</p>
 <p>Is the Subpoena for Appearance and Medical Records?</p>	<p>If this Subpoena is for a DBH employee and Medical Records</p> <p>DO NOT ACCEPT SERVICE</p>	<p>Refer the process server to the DBH employee. The DBH employee shall then forward a copy of the subpoena to Medical Records 850 E. Foothill Blvd. Rialto, CA 92376 909 421-9350</p>
 <p>Is the Subpoena for Fiscal Records only?</p>	<p>If the Subpoena is for Fiscal Records of a DBH client only</p> <p>DO NOT ACCEPT SERVICE</p> <p>Note: if the subpoena is for Fiscal Records and Medical Records and/ or DBH employee</p>	<p>Refer the process server to DBH Fiscal Services located in the Administration Office 550 E. Hospitality Lane San Bernardino, CA 92408</p> <p>Refer the process server to Medical Records</p>
 <p>Is the Subpoena for Other DBH Department Records?</p>	<p>If the Subpoena is for Other DBH records</p> <p>DO NOT ACCEPT SERVICE</p>	<p>Refer the process server to the Office of Compliance located in the Administration Office 550 E. Hospitality Lane San Bernardino, CA 92408</p>
	<p>If you have additional questions refer to COM0902 Subpoena of Medical Records Policy</p> <p>or </p>	<p>Call the Office of Compliance at (909) 388-0879 Or DBH Medical Records At 909 421-9350</p>

Sample Subpoena

SUBP-020	
ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <div style="border: 2px solid red; background-color: yellow; padding: 5px; margin: 5px 0;"> If the Petitioner is represented by an attorney, the attorney name and contact information will appear here. </div> TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF _____	
STREET ADDRESS: _____ MAILING ADDRESS: _____ CITY AND ZIP CODE: _____ BRANCH NAME: _____	
PLAINTIFF/PETITIONER _____ DEFENDANT/RESPONDENT _____	<div style="border: 2px solid red; background-color: yellow; padding: 5px; margin: 5px 0;"> Person who filed court case </div> <div style="border: 2px solid red; background-color: yellow; padding: 5px; margin: 5px 0;"> Person being sued </div>
DEPOSITION SUBPOENA FOR PERSONAL APPEARANCE AND PRODUCTION OF DOCUMENTS AND THINGS	
CASE NUMBER: _____	

THE PEOPLE OF THE STATE OF CALIFORNIA TO (name, address, and telephone number of deponent, if known):

DBH employee name who is being subpoenaed

1. YOU ARE ORDERED TO APPEAR IN PERSON TO TESTIFY AS A WITNESS in this action at the following date, time, and place:

Date	Date to appear	Time	Time to appear	Address	Witness must appear at this address
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a. As a deponent who is not a natural person, you are ordered to designate one or more persons to testify on your behalf as to the matters described in item 4. (Code Civ. Proc., § 2025.230.)

b. You are ordered to produce the documents and things described in item 3.

c. This deposition will be recorded stenographically through the instant visual display of testimony and by audiotape videotape.

d. This videotape deposition is intended for possible use at trial under Code of Civil Procedure section 2025.620(d).

2. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.

3. The documents and things to be produced and any testing or sampling being sought are described as follows:

The Medical Records Supervisor or Designee will produce the records in Court if the Court so orders. Or

 Continued on Attachment 3. **Name of DBH employee for appearance.**

4. If the witness is a representative of a business or other entity, the matters upon which the witness is to be examined are described as follows:

Continued on Attachment 4.

5. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

6. At the deposition, you will be asked questions under oath. Questions and answers are recorded stenographically at the deposition; later they are transcribed for possible use at trial. You may read the written record and change any incorrect answers before you sign the deposition. You are entitled to receive witness fees and mileage actually traveled both ways. The money must be paid, at the option of the party giving notice of the deposition, either with service of this subpoena or at the time of the deposition. Unless the court orders or you agree otherwise, if you are being deposed as an individual, the deposition must take place within 75 miles of your residence or within 150 miles of your residence if the deposition will be taken within the county of the court where the action is pending. The location of the deposition for all deponents is governed by Code of Civil Procedure section 2025.250.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF \$500 AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued: _____

(SIGNATURE OF PERSON ISSUING SUBPOENA)

(TYPE OR PRINT NAME) (Proof of service on reverse) (TITLE) Page 1 of 2

Form Adopted for Mandatory Use
Judicial Council of California
SUBP-020 [Rev. January 1, 2009] Code of Civil Procedure §§ 2020.510,
2025.220, 2025.230, 2025.250, 2025.620;
Government Code, § 68097.1
www.courtinfo.ca.gov

There are several types of Subpoenas. This is the most common type DBH receives.