

## Rule 610

### SUBPOENAS

- (a) **Subpoena for Investigation.** After a complaint is referred to the Examiner, the Examiner may compel by subpoena for purposes of investigation the attendance of the judge or witnesses and the production of documents, electronically stored information, or tangible things. Subpoenas issued before formal proceedings should clearly state they are issued in connection with a confidential investigation under these rules. A person subpoenaed may consult with his or her attorney without committing a breach of confidentiality.
- (b) **Subpoena for Deposition or Hearing.** After formal proceedings are filed, the Examiner and the respondent may compel by subpoena for a deposition or a hearing the attendance of witnesses and the production of documents, electronically stored information, or tangible things.
- (c) **Enforcement of Subpoena.** Upon application, a district court judge of any judicial district where the attendance or production is required must enforce the attendance and testimony of any witness and the production of any documents or materials subpoenaed.
- (d) **Quashing or Modifying Subpoenas.** The Inquiry or Hearing Panel handling the matter must consider and decide any motion to quash or modify a subpoena.
- (e) **Issuance of Subpoenas.** The Secretary issues all subpoenas.
- (f) **Fees and Costs.** Subpoena and witness fees and costs are the same as those provided for in proceedings in civil matters in Kansas district courts.
- (g) **Service.** K.S.A. 60-245(b) controls service of any subpoena permitted by these rules.

[**History:** New rule adopted effective May 1, 2019.]