

131 Livingston Street, Room 201
Brooklyn, NY 11201
Tel: (718) 935-3482
Fax: (718) 935-2528/2932

Subpoena Instructions

This Subpoena Form is provided by the Impartial Hearing office to aid parties in requesting subpoenas. A subpoena is a written command to appear before a hearing and/or to produce documents for a hearing. During the course of an Impartial hearing case, the hearing officer can issue a subpoena at the request of a party.

Process for Requesting Subpoenas

1. **Submit a Completed Subpoena Form:** To obtain a subpoena, the requesting party must submit a completed subpoena form to the assigned Impartial Hearing Office case manager (either by using this form or one's own). The case manager will immediately forward the subpoena form to the hearing officer and to the other party for review/challenges.
2. **Obtain approval of the Hearing Officer:** The hearing officer will review the subpoena, taking into account any challenges to the subpoena from the other party. If the hearing officer approves the subpoena, the officer will sign and date the subpoena and provide a signed copy of the subpoena to the case manager who will forward it to the requesting party.
3. **Deliver the Subpoena to the Witness:**
 - Delivery of subpoenas is solely the responsibility of the requesting party.

Completing this Subpoena Form

- **“To “ line:** Identify the witness in the “To” line at the top of the Subpoena Form, including the person's name and current address.
- **Testimony Section:** If you want the witness to testify at the hearing, mark the first checkbox (next to the command to appear) and fill in (1) the place, date and time of the hearing and (2) the name of the student and the Impartial Hearing Office case number.
- **Documents Section:** If you want the witness to produce documents (in addition to, or instead of, testifying at the hearing), mark the second checkbox (next to the command to produce) and identify the documents to be produced in the space provided. Further:
 - If you want the documents to be delivered at the hearing, mark the first small checkbox (next to “at the above-stated time and place”) and make sure that the place, date and time of the hearing is provided in Testimony Section (the paragraph next to the first checkbox); or
 - If you want the documents to be delivered to another location (for example, to you or your representative), mark the second small checkbox and provide the location and deadline for delivery in the space provided.

SUBPOENA

DEPARTMENT OF EDUCATION, THE CITY OF NEW YORK
131 Livingston Street, Brooklyn, New York 11201

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK:

TO: _____

YOU ARE HEREBY COMMANDED, that, all business and excuses being laid aside, you:

appear and attend before the undersigned Impartial Hearing Officer at _____
_____,
on _____, 20____ at _____ A.M. /P.M., or any such rescheduled
date and time that is announced by said Impartial hearing Officer, to testify and give
evidence in a formal hearing concerning a student by the name of _____,
whose case number is _____;

produce and turn-over the following documents: _____

now in your custody, and all other evidence which you have in your custody concerning
the above named student.

at the above-stated time and place
 to _____

by _____, 20_____.

PLEASE TAKE NOTICE that this Subpoena is issued pursuant to section 200.5(j)(3)(iv) of the Regulations of the Commissioner of Education.

By Order of the Impartial Hearing Officer

Dated: _____, 20_____

IMPARTIAL HEARING OFFICER