



New South Wales

District Court Rules 1973

FORMS

IN pursuance of Part 47 rule 2 (2) of the District Court Rules 1973, I have approved the following form for use in the Court on and from 1st May 2001.

21st February 2001.

THE HON. JUSTICE R. O. BLANCH,
Chief Judge of the District Court.

Form 58A—Subpoena for Early Production.

To (name)
(address)

You are required to attend and produce the documents and things described in the schedule of this subpoena as are in your possession or control.

The documents are to be produced to the:

(a) District Court;

(b) at

(address of Court where proceedings are to be heard):

(c) on _____, 20____,

at 10 am and until you are excused from further attending.

You may instead of attending, deliver the documents to the Court's registry.

You must produce a copy of this subpoena as the Registry cannot accept your documents without it.

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Where this subpoena requires you to produce a document, you may comply with the subpoena by producing a CLEAN SHARP PHOTOCOPY of the document. If you produce photocopies, please indicate below whether you require the copies to be returned. *[This paragraph may be omitted if it is intended to adduce the original document in evidence.]*

This subpoena was Issued by the Court at the request of (called in this subpoena the issuing party).

(name, address and telephone number), the plaintiff's solicitor (or as the case may be).

Dated:

Registrar.

PROPOSED ACCESS ORDER (Part 29 Rule 6C).

The following access order will be made after the return date for this subpoena unless an objection is made to the issuing party before the return date.

Plaintiff first access for seven days (or such other proposed order. Where a different access order is proposed and not consented to, set out the reasons for the different order eg. "Documents are from the defendant's medical expert").

Note to the issuing party: A copy of this subpoena must be served on each other party to the proceedings. Where there has been a failure to comply with this requirement, the issuing party must appear before the Court on the return date and advise the court of that failure.

Note to other parties: Any objection to the proposed access order must be notified to the issuing party before the return date.

Notes for the Producer:

If you do not comply with this subpoena you may be arrested.

The issuing party must provide you with reasonable expenses. If there is a dispute over the amount of your reasonable expenses you may apply to the Court for a decision on what is reasonable, but you must still comply with the subpoena.

This subpoena must be served on you on or before

[specify a date not later than 5 days before the return day of the subpoena, or, where the Court has fixed another date, that other date.]

If you object to this subpoena, you must notify the issuing party before the return date and appear at the return date.

The issuing party or that party's solicitor may, by written or oral notice to you, excuse you from compliance with this subpoena.

Authorisation for short service.

On the application of the issuing party, the time for service of this subpoena is abridged (enter a date for short service).

Registrar.

NOTICE TO PRODUCER

If photocopies of documents are produced, photocopies should be:

- ☐ Shredded by the Registry
 - or
 - ☐ Returned to the producer.
- At the conclusion of the case.

SCHEDULE

(Description of things to be produced)

BY AUTHORITY