

Mary Finegan  
County Clerk

Lisa Weeks  
First Deputy to the County Clerk



## CLERK OF ONEIDA COUNTY OFFICE

County Office Building – 800 Park Avenue – Utica, New York 13501

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### **Foreign Subpoenas Signed by County Clerks**

Please provide **1 ORIGINAL and 1 COPY** of an Oneida County subpoena and **1 ORIGINAL out-of-state subpoena** issued from outside of New York State.

Include a payment payable to the Oneida County Clerk for \$20.00 along with a self-addressed stamped envelope. All information in the Oneida County prepared presented Subpoena must match exactly the information in the out of state court's subpoena, i.e. name and address of who is being served, terms concerning deposition and discovery, etc.

What should be included in content of subpoena:

- Caption must identify proper court — Supreme Court of Oneida County, State of New York and contain the names of the parties as they appear in the originating court. Attorney must prepare and present the document to clerk for signature, the County Clerk does not have prepared forms for the submittal.

- Must be in NYS format and include:

**Name of deponent/recipient**

**Must incorporate the terms used in the out-of-state subpoena**

**Must include the term “Duces Tecum” in the document**

**Date, time and location of deposition and or description of documents to be produced (giving the recipient 20 days or more, from date of service), specify if personal attendance is required at deposition, or if they may provide documents in lieu of personal attendance**

**Consequence of failure to appear must be included**

**Identification of out of state action and recite that it is issued under the Uniform Interstate Deposition and Discovery Act (originating county, court, state, case number)**

**Provide contact information regarding your action including the names, addresses and telephone numbers of ALL counsel of record and any unrepresented parties. Include a signature line under the attorney's signature that state "Oneida County Clerk" for signature**

**\*\* Please note the County Clerk does not service subpoenas, service must be made pursuant to Civil Practice and Rules 2302 & 2303. Mail your subpoena requests to Oneida County Clerk, 800 Park Ave, Utica NY 13501**