

Subpoena of Court Records and Testimony

The regulations governing the subpoena of judiciary personnel testimony and/or judiciary records is governed by Volume 20, Chapter 8 of the Guide to Judiciary Policy. In general, judicial personnel is defined as either present or former appointed officers of the Federal Judiciary. Testimony is defined as any written or oral statements in any form by a witness arising out of the performance of the witness' official duties. Records are defined as any information, records, documents, or materials of any kind, however stored, that are in the custody or control of the Federal Judiciary and were acquired by Federal Judicial personnel in the performance of their official duties or as a result of their official status.

Testimony and/or production of records may only be provided if authorized by the determining officer. In the case of the District of Idaho, the determining officer is the Chief Probation Officer. When a request is made, it will be considered pursuant to Vol.20, Ch. 8, § 850 and a written response will be provided. If you intend to subpoena judiciary records or the testimony of a judiciary employee, which includes U.S. Probation Officers, you are encouraged to contact the Chief Probation Officer directly at (208) 334-9104, prior to submitting a written request.