

## **BILL/ RESOLUTION REQUEST**

**1. Title:** Changes Denver Revised Municipal Code Section 14-37 (a) and (b) Witness Fees; 14-31 (b) and (c) Service of summons, subpoena and warrant of arrest.

**2. Requesting Agency:** Denver County Court

**3. Contact Person *with actual knowledge of proposed ordinance***

**Name:** Matt McConville

**Phone:** 720-865-7830

**Email:** matt.mcconville@denvergov.org

**4. Contact Person *with actual knowledge of proposed ordinance who will present the item at Mayor Council and who will be available for first and second reading, if necessary***

**Name:** Matt McConville

**Phone:** 720-865-7830

**Email:** matt.mcconville@denvergov.org

**5. Describe the proposed ordinance, including what the proposed ordinance is intended to accomplish, who's involved**

**a. Scope of Work**

The Court is requesting an ordinance change that would: 1) increase the witness fee from \$1.50 to \$5.00 making it consistent with C.R.S. 13-10-111(4); 2) When a subpoena is issued at the request of the defendant for the attendance of a witness or for the production of documentary evidence at trial or hearing, service may be by first class mail, if the person to whom the subpoena is directed waives personal service. If the person does not waive personal service, the issuance and service of a subpoena shall be personally served. The defendant must attach a \$5.00 witness fee check to the copy of the subpoena to be served. 3) Service must be completed no later than 48 hours prior to the appearance date identified on the subpoena. 4) Any police officer, sheriff's deputy, or other officer or employee of the City acting in an official capacity, or anyone 18 years or older and not a party to the case may personally serve the subpoena. 5) Subpoenas may be issued electronically by the clerk or authorized deputy clerks.

**b. Duration**

n/a

**c. Location**

n/a

**d. Affected Council District**

n/a

**e. Benefits**

n/a

**f. Costs**

The changes will clarify and streamline the subpoena process and the witness fee amount will be consistent with state statutes.

**6. Is there any controversy surrounding this ordinance, groups or individuals who may have concerns about it? Please explain.**

No.

**Bill Request Number: BR12-0555**

**Date: 7/17/2012**