



Information for Witnesses



Prepared by
The Santa Clara County
Office of the District Attorney
www.santaclara-da.org

YOU ARE A WITNESS

By receipt of a subpoena and this brochure, you are a witness to be called to testify in a criminal case. This brochure should answer most of your questions concerning your appearance in Court.

WHAT IS A SUBPOENA ?

A subpoena is a legal document requiring a person to appear on a specific date and time in order to provide testimony in a case pending before the court named in the subpoena. A lawfully served subpoena cannot be ignored. To do so may subject a person to arrest. The District Attorney's Office may have chosen to mail you this subpoena rather than have you personally served with one. With your cooperation, the procedures explained in this brochure will work to everyone's advantage.

THE COURT DATE

The criminal case named in your subpoena is scheduled to begin on the date shown in your subpoena. That does not mean that the case will necessarily start on that date. This case is one of many that will appear on the Court's calendar that day. It may be that this case will be continued until all parties are ready to proceed and a courtroom becomes available. It is not unusual for a case to remain in this "standby" status for days or weeks, sometimes longer. That being the case, it is important that you be placed on what is referred to as "telephone standby" by following the instructions contained in this brochure. Doing so will allow you to go about your daily activities until you are actually needed in court.

WHAT IS "TELEPHONE STANDBY?"

"Telephone standby" is an agreement between a subpoenaed witness (you) and the party issuing the subpoena that allows you to appear on a date and time other than the date and time specified in the subpoena. This agreement does not relieve you from your obligation to appear in court when needed; it simply allows you to go about your daily routine until

actually needed to testify. The alternative to "telephone standby" requires that you be personally present in court on the date and time specified in your subpoena and again on any future date to which the Court will order you to return if your testimony cannot be taken on the date that you appeared.

STEPS FOR "TELEPHONE STANDBY" *

"Telephone standby" does not occur automatically. It is important that you take the following steps immediately after receipt of your subpoena in order to be placed on "telephone standby." Contact the District Attorney's Office at the telephone number listed on your subpoena. Please have your driver's license or Department of Motor Vehicles Identification Card available when you make the call. The person receiving your call will take your identifying information and orally place you on "telephone standby." Be prepared to provide us with all of your contact information. We will need to know how to reach you when the time comes for you to appear in court to testify. If you have any special needs or will not be available at certain times, we will need this information as well. ***For subpoenas served by mail: Instead of calling you can complete and mail the standby form that came with your subpoena. Be sure to fill it out completely and sign it.***

* Telephone standby does not apply to all types of subpoenaed court appearances.

YOUR TESTIMONY IN COURT

A Deputy District Attorney has been assigned to prosecute this case. You will have an opportunity to discuss your testimony with a Deputy District Attorney before testifying in Court. Any questions that you have about the case, your testimony, compensation for having to appear as a witness, scheduling concerns, and similar questions should be directed to the Deputy District Attorney assigned to the case.

Other questions about your involvement in the criminal proceedings, such as transportation needs, speaking to your employer about your required court appearance, or recovery of personal property that

was taken from you as a result of this case, should be directed to the District Attorney's Office at the telephone number listed on your subpoena.

STATE COMPENSATION FOR VICTIMS

If you were injured as a result of a crime and have suffered serious financial hardship or are a person who depended on support from a victim who was killed or injured, you may be eligible to receive compensation from the State of California. To receive compensation, you must file a claim. Property loss is not recoverable under this program. Information and the proper forms for such a claim are available at your local police department or the District Attorney's Office. Assistance in completing the forms is available at the Victim Service Unit at 408-295-2656.

PARKING

- If your subpoena directs you to **190 or 200 West Hedding Street, Hall of Justice or 840 Guadalupe**, Juvenile Justice Court, parking is located across the street in the multi-level parking structure. Please take a parking ticket from the gate at the entrance to the parking structure. When you get to the courtroom, ask the Deputy District Attorney for a parking pass. After appearing in court, exit the parking structure by inserting the parking ticket first and then the parking pass that the Deputy District Attorney gave you in court. No payment is required. If you need additional tickets for additional days in court, ask the Deputy District Attorney for additional tickets. The parking structure does not allow in-and-out privileges.
- If your subpoena directs you to **201 N. First Street**, please make arrangements with your assigned Deputy District Attorney for parking.
- If your subpoena directs you to **Palo Alto or Morgan Hill**, you may park for free in the designated visitor locations associated with these courthouses.