

Proposal 00-13
(P.R. 0098)
Offered by the Supreme Court Rules Committee

Rule 237. Compelling Appearances of Witnesses at Trial

- (a) **Service of Subpoenas.** (No changes.)
- (b) **Notice of Parties et al. at Trial.** The appearance at the trial of a party or a person who at the time of trial is an officer, director, or employee of a party may be required by serving the party with a notice designating the person who is required to appear. The notice also may require the production at the trial of the originals of those documents or tangible things previously produced during discovery. If the party or person is a nonresident of the county, the court may order any terms and conditions in connection with his or her appearance at the trial that are just, including payment of his or her reasonable expenses. Upon a failure to comply with the notice, the court may enter any order that is just, including any ~~order~~ sanction or remedy provided for in Rule 219(c) that may be appropriate.
- (c) **Notice of Parties at Expedited Hearings in Domestic Relations Cases.** In a Domestic Relations case, the appearance at an expedited hearing of a party may be required by serving the party with a notice designating the party who is required to appear. The notice may also require the production at the hearing of the original documents or tangible things relevant to the issues to be addressed at the hearing. If the party is a non-resident of the county, the court may order any terms and conditions in connection with his or her appearance at the hearing that are just, including payment of his or her reasonable expenses. Upon a failure to comply with the notice, the court may enter any order that is just, including any sanction or remedy provided for in Rule 219(c) that may be appropriate.

Committee Comments

Paragraph (c) of Rule 237 was added to the rule in _____, 200 . Because of the important issues decided in expedited hearings in Domestic Relations cases, including temporary family support, temporary child custody, and temporary restraining orders, a trial court should have the benefit of the attendance of individuals and production of documents and tangible things when time does not otherwise permit.