

**IN THE MAGISTRATE COURT OF LIBERTY COUNTY  
STATE OF GEORGIA**

**INFORMATION SHEET FOR SUBPOENAS**

- **Fees:** There shall be a \$5.00 charge per subpoena, except as is provided in O.C.G.A. 15-10-82. A party may also choose to have the Sheriff's Office serve the subpoena for them at an additional cost of \$10.00 per subpoena, except as is provided in O.C.G.A. 15-10-82.
- **Service of a Subpoena:** O.C.G.A. § 24-13-24 provides for service of subpoenas as follows:  
*A subpoena may be served by any sheriff, by his or her deputy, or by any other person not less than 18 years of age. Proof may be shown by return or certificate endorsed on a copy of the subpoena. Subpoenas may also be served by registered or certified mail or statutory overnight delivery, and the return receipt shall constitute prima-facie proof of service. Service upon a party may be made by serving his or her counsel of record.*  
A subpoena must be personally served on the witness or business at least 24 hours before the scheduled court hearing.
- **Costs for Subpoenaing an Out of County Witness:** There are additional costs for servicing a witness subpoena on a witness that resides outside of Liberty County.  
O.C.G.A. § 24-13-25 sets out witness fees and mileage as follows:  
*...the witness fee shall be \$25.00 per diem, and execution shall be issued by the clerk upon affidavit of the witness to enforce payment thereof. The payment of witness fees shall not be demanded as a condition precedent to attendance; but, when a witness resides outside the county where the testimony is to be given, service of the subpoena, to be valid, shall be accompanied by tender of the witness fee for one day's attendance plus mileage of 45 cent(s) per mile for traveling expenses for going from and returning to his or her place of residence by the nearest practical route. Tender of witness fees and mileage may be made by United States currency, postal money order, cashier's check, certified check, or the check of an attorney or law firm. When the subpoena is issued on behalf of the state, or an officer, agency, or political subdivision thereof, or an accused in a criminal proceeding, witness fees and mileage need not be tendered.*
- **Responsibility for payment of Witness fee:** In reference to subpoenas for witnesses within the county; if the witness will not waive the witness fee, you will be responsible for paying the fee upon their demand for compensation for appearing in court.
- **How to obtain a subpoena in blank:** A subpoena in blank can be obtained in the Liberty County Magistrate Court, Justice Center Building, 201 South Main Street, Suite 2100, Hinesville, GA 31313, or on our webpage at [www.libertycountyga.com](http://www.libertycountyga.com).
- **What makes a Subpoena valid:** For a subpoena to be considered valid a person must first pay the subpoena fee to the Liberty County Magistrate Court office in Suite 2100, a Magistrate Court Clerks signature and our Courts seal must be on the subpoena, and you must have a pending case in the Liberty County Magistrate Court.

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Note: Our Clerks can only give general instructions on how to fill out a Subpoena;  
they cannot tell anyone, specifically, what needs to be written on a Subpoena.  
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*I have read and understand the above information, and I further understand that, pursuant to O.C.G.A. 24-13-21(h), if I misuse a subpoena I shall be subject to punishment for contempt of court and shall be punished by a fine of not more than \$300.00 or not more than 20 days' imprisonment, or both.*

\_\_\_\_\_  
Your Signature

\_\_\_\_\_  
Date

**FOR OFFICE USE ONLY:** Case Number(s): \_\_\_\_\_  Witness /  Production of Evidence  
Subpoena-in blank given to \_\_\_\_\_ on \_\_\_\_\_ date by  
\_\_\_\_\_ (Initial here)