

Subpoenaed Records Department

GENERAL INFORMATION

Photo identification is required to view and copy records. Subpoenaed records may be viewed and copied by a party or their attorney. A representative of an attorney appearing in the action may only view or copy the records with a signed letter from the attorney of record giving that specific individual permission to view and or copy records. Unless removed to a courtroom for trial, subpoenaed records must remain in the records room.

SUBPOENAING RECORDS TO THE COURT

Absent a court order, records shall not be subpoenaed to the court unless a **Note of Issue has been filed AND the case is ready for trial**. Accordingly, the subpoenaed records room will only accept subpoenaed documents that relate to matters that are scheduled on the STP, 3T, or MMT calendars, or are actually scheduled for trial, hearing or inquest before a Justice of the Court.

All subpoenaed documents must be accompanied by an original subpoena with the index number and the date that the matter is scheduled to appear on the calendar clearly listed.

Due to limited storage space in the subpoenaed records department, documents received prior to the time as specified herein will be returned to the subpoenaed parties at the expense of counsel who subpoenaed the records.

SETTLED AND DISCONTINUED CASES

Records will be returned to the party who subpoenaed the records immediately after settlement or discontinuance, unless otherwise directed by the court. Unclaimed records will be destroyed after thirty (30) days.

DISMISSED CASES

Records on dismissed cases will be retained for one (1) year after the dismissal unless the court directs otherwise. Thereafter, the records will be destroyed if not picked up by the issuing party prior thereto.

VERDICT CASES

Once a case has come to verdict, the attorney that subpoenaed the records shall pick them up in five (5) business days unless the case is to be appealed. If a case is to be appealed, the subpoenaed records department must be notified within five (5) business days.

Records on appealed cases shall be held for two (2) years unless additional proof that the appeal is still pending is submitted. Any request for the return of records upon the denial of an appeal must be made in writing within the two year period or any extension thereof.

All records on verdict cases that are not appealed will be destroyed after thirty (30) days if not picked up prior thereto.