**THE KING'S BENCH**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Centre**

BETWEEN:

plaintiff/applicant/

 petitioner

- and -

 respondent/

 defendant

**SUBPOENA TO WITNESS**

|  |
| --- |
|  |
|  |
|  |

*(Name, address, and telephone number of party filing)*

**THE KING'S BENCH**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Centre**

BETWEEN:

plaintiff/applicant/

 petitioner

- and –

 respondent/

 defendant

**SUBPOENA**

TO: *(name and address of witness)*

YOU ARE REQUIRED TO ATTEND TO GIVE EVIDENCE IN COURT at the hearing of this

proceeding on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ at \_\_\_\_\_\_\_\_\_ a.m./p.m. at

 *(day) (date) (time)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,

*(address of court office)*

 and to remain until your attendance is no longer required.

YOU ARE REQUIRED TO BRING WITH YOU and produce at the hearing the following documents and things: *(Set out the nature and date of each document and particulars sufficient to identify each document and thing.)*

ATTENDANCE MONEY for \_\_\_\_\_\_\_ day(s) of attendance is served with this subpoena, calculated in accordance with "Tariff B" of the *King's Bench Rules*, as follows:

Attendance allowance of $ \_\_\_\_\_\_ per ½ day $ \_\_\_\_\_\_\_\_\_\_\_\_\_

Travel allowance $ \_\_\_\_\_\_\_\_\_\_\_\_\_

Overnight accommodation and meal allowance $ \_\_\_\_\_\_\_\_\_\_\_\_\_

TOTAL: $ \_\_\_\_\_\_\_\_\_\_\_\_\_

If further attendance is required, you will be entitled to additional attendance money.

IF YOU FAIL TO ATTEND OR TO REMAIN IN ATTENDANCE AS REQUIRED BY THIS SUBPOENA, A WARRANT MAY BE ISSUED FOR YOUR ARREST.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Issued by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Deputy Registrar

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 *(address of court office)*

This subpoena was issued at the request of, and inquiries may be directed to: *(name, address and telephone of party serving subpoena)*

**FEES FOR WITNESSES**

Attendance money actually paid to a witness who is entitled to attendance Money, to be calculated as follows, as indicated under Tariff B of the Court of King’s Bench Rules:

[1](https://web2.gov.mb.ca/laws/rules/kbr2e.php#tb)           Unless otherwise directed by the court, the amount of disbursements in a proceeding shall be determined as follows:

1. attendance money actually paid to a witness who is entitled to attendance money, to be calculated as follows:

(i) for each half-day of necessary attendance $36.25,

(ii) travel allowance, where the hearing or examination is held,

1. in the centre in which the witness resides, for each day of necessary attendance $4.35,
2. within 300 kilometres of where the witness resides, for each kilometre each way between the witness' residence and the place of the hearing or examination $0.35,
3. more than 300 kilometres from where the witness resides, the minimum return air fare plus for each kilometre each way from the witness' residence to the airport and from the airport to the place of hearing or examination $0.35,

(iii) overnight accommodation and meal allowance, where the witness resides elsewhere than the place of hearing or examination and is required to remain overnight, for each overnight stay $109;

The above applies to a witness from inside Manitoba. To subpoena a witness from outside Manitoba contact the Court Registry Office for advice on procedure.