

21 NCAC 17 .0512 SUBPOENAS

(a) A party shall file and serve a request for a subpoena, attaching a proposed subpoena. The Board may issue the subpoena in accordance with G.S. 150B-39(c). Issued subpoenas must be signed by the Presiding Officer, the Board's Executive Director, the Board's legal counsel, or a Board staff member designated by the Executive Director.

(b) Subpoenas shall be served as permitted by Rule 45 of the North Carolina Rules of Civil Procedure, as set forth in G.S. 1A-1.

(c) After service of the subpoena, the party serving the subpoena shall file and serve sworn proof of the method of service, demonstrating compliance with G.S. 150B-39(c).

(d) G.S. 150B-39(c) governs the recipients' duties in responding to subpoenas. A party to the case or person subject to the subpoena may object to a subpoena. Any objection to a subpoena shall be served on the party who requested the subpoena simultaneously with the filing of the objection with the Board. Motions to override an objection or quash or modify a subpoena shall be filed in accordance with G.S. 150B-39(c). The Board shall hear and rule on motions to override an objection or quash or modify a subpoena as provided in G.S. 150B-39(c).

History Note: *Authority G.S. 90-356; 150B-39;*
 Eff. January 1, 2023.