

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

Fact Witness Quick Reference

- It is the responsibility of each attorney to e-file a motion and proposed order in CM/ECF for issuance of subpoenas at government expense and service by the U.S. Marshal Service.
- Counsel must provide the U.S. Marshal Service with a copy of the court order when witness fees and accommodations are requested, regardless of whether or not the witness resides within the district.
- The court order shall be in compliance with Rule 17(b) of the Federal Rules of Criminal Procedure and must name the witnesses who are subpoenaed.
- As soon as the attorney determines that a particular witness' testimony is necessary, the attorney must obtain a copy of the appropriate court order, attach it to the witness' subpoena and forward it to the U.S. Marshals Service for service of said subpoena.
- If the witness is unable to provide for their own transportation, the attorney must notify the U.S. Marshal's Office and supply them with a copy of the court order and the subpoena. The U.S. Marshals Service will make the necessary travel arrangements.
- If a witness cannot afford his or her expenses, the attorney can get a list of authorized hotels from the Clerk's Office (509-458-3400). The witness should receive the government rate. It is imperative that these reservations be made well in advance. For detailed travel information and procedures, see the Fact Witness Guidelines at www.waed.uscourts.gov.
- When the presence of the fact witness is no longer required, the CJA attorney must complete a Fact Witness Voucher, Form DOJ-3, with the assistance of the witness. (Contact the Clerk's Office for the form)
- Upon completion of the Fact Witness Voucher (DOJ-3), the attorney should take the court order, subpoena, voucher, and all reimbursable receipts to the U.S. District Court Clerk's Office.
- The U.S. Marshals Service will process the voucher and payment will be mailed to the witness.