

§1414. Summons to testify in this State

If a person in any state that by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions or grand jury investigations commenced or about to commence in this State is a material witness in a prosecution pending in a court of record in this State or in a grand jury investigation that has commenced or is about to commence, a judge of the court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. The certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this State to ensure the witness's attendance in this State. This certificate must be presented to a judge of a court of record within whose territorial jurisdiction the witness is found. [RR 2023, c. 2, Pt. D, §60 (COR).]

If the witness is summoned to attend and testify in this State, the witness must be tendered the sum of 10¢ a mile for each mile by the ordinary traveled route to and from the court where the prosecution is pending and \$15 for each day that the witness is required to travel and attend as a witness. In addition, the witness, upon submission of proper vouchers to the court, may be allowed reasonable allowance for meals and lodging at the discretion of the presiding justice. A witness who has appeared in accordance with the summons may not be required to remain within this State a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court. If the witness, after coming into this State, fails without good cause to attend and testify as directed in the summons, the witness must be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this State. [RR 2023, c. 2, Pt. D, §60 (COR).]

SECTION HISTORY

RR 2023, c. 2, Pt. D, §60 (COR).

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