

Childrens Court of Queensland

Form 24  
Childrens Court Act 1992  
Childrens Court Rules 2016

Registry:  
Number:

**SUBPOENA**

**Child**

Name	
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**Applicant**

Name	
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**First respondent**

Name	
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**Second respondent (delete if not applicable)**

Delete the below box if there is only one respondent. Add additional boxes if there are more than two respondents.

Name	
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**Additional participants (delete if not applicable)**

Sometimes additional people are included in a child protection proceeding as though they are a party (e.g.: a separate representative appointed for a child in a child protection proceeding under section 110 of the Child Protection Act). Put those people's details here. Also, if you are serving a person's guardian because the guardian has filed a notice of address for service under rule 23, put the guardian's details here.

Add additional boxes if there is more than one additional participant in this proceeding. Delete this box if there are no additional participants in this proceeding.

Name	
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Role in proceeding	(e.g.: separate representative, guardian for Ms Jones.)
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You may only name one person in this subpoena. If you want to subpoena more than one person, you must fill in one form 23 request for subpoena and one form 24 subpoena for each person

**This subpoena must be attached to a form 23 'request for subpoena'**

You must complete a form 23 'request for subpoena' and attach it to this subpoena. The request for subpoena is addressed to the registrar and asks the registrar to issue the subpoena to direct the subpoena recipient to do the things that you set out below.

The form 23 'request for subpoena' must be attached to this form and both must be filed in the court.

**NOTICE TO PERSON BEING SUPOENAED:**

Name of person being subpoenaed	
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Address for service of subpoena	
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**You are required to appear *and/or* produce documents**

- **Requirement to appear:**

*Delete this if you are not requiring the subpoena recipient to appear at court.*

You are **required** to attend the Childrens Court **at (state the place) on (date) at (time) to:**  
(insert the thing the subpoena recipient is required to do at court).

- **Requirement to produce document(s) or thing(s)**

*Delete this if you are not requiring the subpoena recipient to produce documents or things to the court.*

You are **required** to attend the Childrens Court **at (state the place) on/by (date) at (time) to**  
produce to the court/registrar the following documents:

- document ABC; and
- thing DEF.

*If the Child Protection Act 1990 section 190 applies you must describe the document as required by that section. If the subpoena recipient is a non-participant and the subpoena is for the production of a document or thing (and does not require the subpoena recipient to give oral evidence) the subpoena recipient may produce the document or the thing to the registry.*

#### **ADDITIONAL INFORMATION ABOUT THIS SUBPOENA:**

- You have the right to apply to the court to have all or part of the subpoena set aside under rule 97 on any sufficient grounds including:
  - Want of relevance;
  - Privilege;
  - Oppressiveness.
- If you wish to apply to the court to have all or part of the subpoena set aside, you may wish to seek legal advice.
- You may be entitled to apply to the court for costs for complying with the subpoena if you are likely to incur substantial costs (except if you are a 'State non-participant' as defined in the *Childrens Court Rules 2016*, schedule 1). If you wish to ask the court that you be paid your costs of complying with the subpoena, you **must advise** the party who requested the subpoena that you are likely to incur substantial costs and an estimate of those costs **before** you comply with the subpoena.
- **If you do not advise the party who requested the subpoena about these substantial costs, the court may decide not to order the party to pay your costs.**
- **Note: If you do not comply with this subpoena the court may issue a warrant for your arrest to compel you to comply.**

\_\_\_\_\_  
Registrar/Magistrate/Judge

Date:

Place:

#### **Details of person on whose behalf subpoena has been issued:**

Full name

<b>Role in proceeding</b> (e.g.: 'separate representative', 'party', 'public guardian')	
<b>Contact person / lawyer</b>	(e.g.: the contact person may be the name of a lawyer representing the person filing this form)
<b>Postal address</b>	
<b>Phone</b>	
<b>Fax</b> <i>(optional)</i>	
<b>Email</b> <i>(optional)</i>	