

**3310.2914 SUBPOENAS AND DISCOVERY.**

Subpart 1. **Subpoenas.** The unemployment law judge may issue subpoenas to compel the attendance of witnesses, the production of documents or other exhibits, upon a showing of necessity by the requesting party. Requests for issuance of subpoenas must be made to the chief unemployment law judge, by electronic transmission or mail, sufficiently in advance of the scheduled hearing to allow for the service of the subpoenas. The requesting party must identify the person or documents to be subpoenaed, the subject matter of the evidence requested, and their necessity. A request for a subpoena may be denied if the testimony or documents sought would be irrelevant, immaterial, or unduly cumulative or repetitious.

If a request for a subpoena has been denied, the unemployment law judge must reconsider the request during the hearing and determine whether the request was properly denied. If the unemployment law judge determines that the request for a subpoena was not properly denied, the judge must continue the hearing to allow for service of and compliance with the subpoena.

The unemployment law judge may issue a subpoena even if a party has not requested one.

Subp. 2. **Discovery.** Each party, within five calendar days following request by another party, must disclose the name of the party's attorney or other representative and the names of all witnesses the party intends to have testify at the hearing. The request and the response may be made by mail or by electronic transmission. Any witnesses unknown at the time of the request must be disclosed as soon as they become known. If a party fails to comply with the disclosure requirements, the unemployment law judge may, upon notice to the parties, continue the hearing.

**Statutory Authority:** *MS s 14.386; 14.388; 116J.035; 268.021; 268.10; 268.105*

**History:** *12 SR 2252; 31 SR 285; 39 SR 151*

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