

Alabama Rules of Criminal Procedure

Rule 17. Subpoenas.

Rule 17.5. Proceedings upon failure of subpoenaed witness to attend and remain.

Any witness who, after being subpoenaed, fails to appear at the time and the place as required by the subpoena, or who fails to remain until released, may be attached by order of the court.

Committee Comments

Rule 17.5 implements the attachment power that is available to the trial court under Ala.Code 1975, § 12-21-182(a), to enforce compliance with subpoenas. Provisions for contempt for failure to comply with a subpoena are now governed by Rule 33 of these rules, and those provisions correspond to Rule 45(f), A.R.Civ.P.