

**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](http://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. (found on our website, [www.waed.uscourts.gov](http://www.waed.uscourts.gov) along with instructions)
- 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.