



**United States District Court  
Southern District Of New York**

**Laura Taylor Swain**  
*Chief Judge*

**Ruby J. Krajick**  
*Clerk of Court*

**COURT NOTICE TO THE BAR**

October 26, 2022

**CONTACT:**

Finance, 212-805-0600

**SDNY Announces AO 89 Criminal Subpoenas Now Available Through ECF**

The United States District Court for the Southern District of New York announces a new option for attorneys to request an AO 89 criminal subpoena through the court's ECF system without the need to appear in person at the courthouse. In response, the court will issue criminal subpoena forms through the ECF system. The subpoenas will include the court seal superimposed over the signature of the Clerk of Court but will otherwise be blank in accordance with Federal Rule of Criminal Procedure 17(a).

A new ECF Rule, 13.28, has been added regarding this change (see attached). The complete ECF Rules & Instructions may be found at <https://www.nysd.uscourts.gov/rules/ecf-related-instructions>.

Questions may be directed to the Finance Unit at [nysdml\\_financeadmin@nysd.uscourts.gov](mailto:nysdml_financeadmin@nysd.uscourts.gov), or by calling (212) 805-0600 during business hours.

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United States District Court  
Southern District of New York

New ECF Rule Effective November 1, 2022

Section 13. ECF Basics

**13.28 How can I obtain an AO 89 criminal subpoena form signed and sealed by the Clerk of Court?**

An attorney may submit a request for an AO 89 criminal subpoena form through the court's ECF system. In response to the request, the system will automatically generate a signed AO 89 criminal subpoena form. The subpoena will include the court seal superimposed over the signature of the Clerk of Court but will otherwise be blank in accordance with Federal Rule of Criminal Procedure 17(a).

- Step 1: Connect to the court's ECF system using your log-in and password;
- Step 2: Click on the Criminal tab / Criminal Subpoena Forms / Signed Subpoena Forms;
- Step 3: Download a blank subpoena form in fillable PDF format;
- Step 4: Fill in the blanks and print.

Blank subpoena forms may be requested only when required for use in a pending case. Blank subpoena forms shall not be saved for use in future cases. A request for a subpoena(s) must be submitted for each new case. All forms are subject to change, and a new request will generate the most current version of the subpoena form. The request does not require a case number to be entered in ECF and no evidence of the request will appear on the public docket.

An attorney may continue to obtain a signed criminal subpoena form at the Finance intake window in the Clerk's Office.

*Pro se* litigants must submit any request for a subpoena to the Clerk's Office in paper form.