

The South Carolina Bar proposes that Rule 45(b)(1), SCRPC, be amended as follows. Additions to the rule are underlined and deletions are shown in strike-through text.

(1) A subpoena may be served by any person who is not a party and is not less than 18 years of age. Service of a subpoena upon a person named therein shall be made in the same manner prescribed for service of a summons and complaint in Rule 4(d) or (j); ~~and, if~~ If the person's attendance is commanded, then that person shall, upon his arrival in accordance with the subpoena, by tendering to that person the be tendered fees for ~~one~~ each day's attendance of \$25.00 and the mileage allowed by law for official travel of State officers and employees from his residence to the location commanded in the subpoena. When the subpoena is issued on behalf of the State of South Carolina or an officer or agency thereof, fees and mileage need not be tendered. Unless otherwise ordered by the court, prior notice in writing of any commanded production of documents and things or inspection of premises before trial shall be served on each party in the manner prescribed by Rule 5(b) at least 10 days before the time specified for compliance.