



THE UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT

- A Summary -

The Uniform Law Commission promulgated the Uniform Interstate Depositions and Discovery Act (UIDDA) in 2007. The goal of UIDDA is to make it more efficient and inexpensive to depose out-of-state individuals and to produce discoverable materials located out of the trial state.

Under UIDDA, litigants can present a clerk of the court located in the state where discoverable materials are sought with a subpoena issued by a court in the trial state. Once the clerk receives the foreign subpoena, the clerk will issue a subpoena for service upon the person or entity on which the original subpoena is directed. The terms of the issued subpoena must incorporate the same terms as the original subpoena and contain the contact information for all counsel of record and any party not represented by counsel.

The Act requires minimal judicial oversight and eliminates the need for obtaining a commission or local counsel in the discovery state, letters rogatory, or the filing of a miscellaneous action during the discovery phase of litigation. Discovery authorized by the subpoena must comply with the rules of the state in which the discovery occurs. In addition, motions to quash, enforce, or modify a subpoena issued pursuant to the Act shall be brought in and governed by the rules of the discovery state.

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