

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 13.
PROCEDURE GENERALLY.

CHAPTER 4A.
INTERSTATE DEPOSITIONS AND DISCOVERY;
UNIFORM ACT.

2001 Edition

DISTRICT OF COLUMBIA OFFICIAL CODE
CHAPTER 4A. INTERSTATE DEPOSITIONS AND
DISCOVERY; UNIFORM ACT.

TABLE OF CONTENTS

[§ 13-441. Short title.](#)

[§ 13-442. Definitions.](#)

[§ 13-443. Issuance of subpoena.](#)

[§ 13-444. Service of subpoena.](#)

[§ 13-445. Deposition, production, and inspection.](#)

[§ 13-446. Application to Superior Court.](#)

[§ 13-447. Uniformity of application and construction.](#)

[§ 13-448. Application to pending actions.](#)

CHAPTER 4A. INTERSTATE DEPOSITIONS AND DISCOVERY; UNIFORM ACT.

Refs & Annos

jurisdiction	laws	effective date	statutory citation
california	2008, c. 231	1-1-2010	west's ann.cal.c.c.p. §§ 2029.100 to 2029.900.
colorado	2008, c. 68	8-5-2008	c.r.s.a. §§ 13-90.5-101 to 13-90.5-107.
delaware	2010, c. 374	7-12-2010	10 del.c. § 4311.
district of columbia	2010, 18-147	5-22-2010	d.c. official code, 2001 ed. §§ 13-441 to 13-448.
idaho		7-1-2009	i.r.c.p., rule 45(i).
indiana	p.l.57-2010	6-30-2010	west's a.i.c. 34-44.5-1-1 to 34-44.5-1-11.
kansas	laws 2010, ch. 135	7-1-2010	k.s.a. 60-228a.
kentucky	2008, c. 114	7-15-2008	krs § 421.360.
maryland	2008, c. 41	10-1-2008	code, courts and judicial proceedings, §§ 9-401 to 9-407.
mississippi	2011, c. 347	7-1-2011	miss. code ann., §§ 11-59-1 to 11-59-15.
nevada	2011, c. 10	10-1-2011	nrs, §§ 53.100 to 53.200.
new mexico		8-7-2009	nmra, rule 1-045.1.
new york	2010, c. 29	1-1-2011	mckinney's cplr law, § 3119.
north carolina	2011-247	12-1-2011	ncgsa, §§ 1f-1 to 1f-7.
south carolina	2010, act 132	3-30-2010	code 1976, §§ 15-47-100 to 15-47-160.
tennessee	2008, c. 908	7-1-2008	t.c.a. §§ 24-9-201 to 24-9-207.
utah	2008, c. 278	5-5-2008	u.c.a.1953, 78b-17-101 to 78b-17-302.
virginia	2009, c. 701	3-30-2009	code 1950, §§ 8.01-412.8 to 8.01-412.15.
		[FN*]	

[FN*] date of approval.

§ 13-441. SHORT TITLE.

This chapter may be cited as the "Uniform Interstate Depositions and Discovery Act".

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 18-147, the "Uniform Interstate Depositions and Discovery Act of 2010", was introduced in Council and assigned Bill No. 18-426, which was referred to the Committee on Public Safety and the Judiciary. The bill was adopted on first and second readings on February 2, 2010, and March 2, 2010, respectively. Signed by the Mayor on March 18, 2010, it was assigned Act No. 18-330 and transmitted to both Houses of Congress for its review. D.C. Law 18-147 became effective on May 22, 2010.

Uniform Law

This section is based upon § 1 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.

§ 13-442. DEFINITIONS.

For the purposes of this chapter, the term:

- (1) "Foreign jurisdiction" means a state other than the District of Columbia.

(2) "Foreign subpoena" means a subpoena issued under authority of a court of record of a foreign jurisdiction.

(3) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, public corporation, government, or governmental subdivision, agency or instrumentality, or any other legal or commercial entity.

(4) "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any territory or insular possession subject to the jurisdiction of the United States.

(5) "Subpoena" means a document, however denominated, issued under authority of a court of record requiring a person to:

(A) Attend and give testimony at a deposition;

(B) Produce and permit inspection and copying of designated books, documents, records, electronically stored information, or tangible things in the possession, custody, or control of the person; or

(C) Permit inspection of premises under the control of the person.

(6) "Superior Court" means the Superior Court of the District of Columbia.

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-147, see notes following § 13-441.

Uniform Law

This section is based upon § 2 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.

§ 13-443. ISSUANCE OF SUBPOENA.

(a) To request issuance of a subpoena under this section, a party shall submit a foreign subpoena to the Clerk of the Superior Court. A request for the issuance of a subpoena under this chapter does not constitute an appearance in the courts of the District of Columbia.

(b) When a party submits a foreign subpoena to the Clerk of the Superior Court, the clerk, in accordance with the Rules of the Superior Court, shall promptly issue a subpoena for service upon the person to which the foreign subpoena is directed.

(c) A subpoena under subsection (b) of this section shall:

(A) Incorporate the terms used in the foreign subpoena; and

(B) Contain or be accompanied by the names, addresses, and telephone numbers of all counsel of record in the proceeding to which the subpoena relates and of any party not represented by counsel.

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-147, see notes following § 13-441.

Uniform Law

This section is based upon § 3 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.

§ 13-444. SERVICE OF SUBPOENA.

A subpoena issued by a Clerk of Superior Court under § 13-443 shall be served in compliance with § 11-942 and applicable rules of the Superior Court for the service of subpoenas.

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-147, see notes following § 13-441.

This section is based upon § 4 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.

§ 13-445. DEPOSITION, PRODUCTION, AND INSPECTION.

The rules of the Superior Court applicable to compliance with subpoenas to attend and give testimony, produce designated books, documents, records, electronically stored information, or tangible things, or permit inspection of premises apply to subpoenas issued under § 13-443.

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-147, see notes following § 13-441.

Uniform Law

This section is based upon § 5 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.

§ 13-446. APPLICATION TO SUPERIOR COURT.

An application to the Superior Court for a protective order or to enforce, quash, or modify a subpoena issued by a clerk of court under § 13-443 shall comply with the Rules of the Superior Court and laws of the District and shall be submitted to the Superior Court.

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-147, see notes following § 13-441.

Uniform Law

This section is based upon § 6 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.

§ 13-447. UNIFORMITY OF APPLICATION AND CONSTRUCTION.

In applying and construing this uniform act, consideration shall be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-147, see notes following § 13-441.

Uniform Law

This section is based upon § 7 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.

§ 13-448. APPLICATION TO PENDING ACTIONS.

This chapter applies to requests for discovery in cases pending on [May 22, 2010].

(May 22, 2010, D.C. Law 18-147, § 2(b), 57 DCR 2552.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

For Law 18-147, see notes following § 13-441.

Uniform Law

This section is based upon § 8 of the Uniform Interstate Depositions and Discovery Act. See Vol. 13, Pt. II, Uniform Laws Annotated, Master Edition, or ULA Database on Westlaw.