

How to use the Uniform Interstate Depositions and Discovery Act

First, review the law in the state in which you wish to conduct discovery. The discovery state must have enacted the uniform act. For purposes of this example, State X is the trial state and State Y is the discovery state. State Y has enacted the uniform act.



1

Issue subpoena in State X, the trial state

2



Obtain copy of appropriate subpoena form from the discovery state, State Y



3

Prepare State Y subpoena incorporating same terms from State X subpoena

4



Process server takes the two documents (completed and executed State X subpoena and prepared State Y subpoena) to the clerk's office in State Y

5



Clerk issues identical subpoena for use in State Y, the discovery state

6



Process server (or other agent of party) pays fees and serves State Y subpoena on the deponent per State Y law