

AN ACT concerning civil law.

**Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:**

Section 1. Short title. This Act may be cited as the Uniform Interstate Depositions and Discovery Act.

Section 2. Definitions. In this Act:

(1) "Foreign jurisdiction" means a state other than this State.

(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, a federally recognized Indian tribe, 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.

Section 3. Issuance of subpoena.

(a) To request issuance of a subpoena under this Section, a party must submit a foreign subpoena to a clerk of court in the county in which discovery is sought to be conducted in this State. A request for the issuance of a subpoena under this Act does not constitute an appearance in the courts of this State.

(b) When a party submits a foreign subpoena to a clerk of court in this State, the clerk, in accordance with that court's procedure, shall promptly issue a subpoena for service upon the person to which the foreign subpoena is directed.

(c) A subpoena under subsection (b) must:

(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.

Section 4. Service of subpoena. A subpoena issued by a clerk of court under Section 3 must be served in compliance with Illinois Supreme Court Rules 204 and 237 and Section 2-1101 of the Code of Civil Procedure.

Section 5. Deposition, production, and inspection. With respect to depositions, production of documents or other tangible items, or inspections of premises, Illinois Supreme Court Rules 204 and 237 and Section 2-1101 of the Code of Civil Procedure apply to subpoenas issued under Section 3.

Section 6. Application to court. An application to the court for a protective order or to enforce, quash, or modify a subpoena issued by a clerk of court under Section 3 must comply with the rules or statutes of this State and be submitted to the court in the county in which discovery is to be conducted.

Section 7. Uniformity of application and construction. In applying and construing this uniform Act, consideration must be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Section 8. Application to pending actions. This Act applies to requests for discovery in cases pending on the effective date of this Act.

Section 9. (Blank).

Section 9.5. Limitation. A subpoena issued under this Act may not require compliance outside a deponent's county of residence in the State of Illinois.