

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 1212

H.P. 876

House of Representatives, March 12, 2019

An Act To Adopt the Uniform Interstate Depositions and Discovery Act

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARDONE of Bangor.
Cosponsored by Senator CARPENTER of Aroostook and
Representative: HARNETT of Gardiner.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 14 MRSA c. 15** is enacted to read:

3 **CHAPTER 15**

4 **UNIFORM INTERSTATE DEPOSITIONS AND DISCOVERY ACT**

5 **§401. Short title**

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

8 **§402. Definitions**

9 As used in this chapter, unless the context otherwise indicates, the following terms
10 have the following meanings.

11 **1. Foreign jurisdiction.** "Foreign jurisdiction" means a state other than this State.

12 **2. Foreign subpoena.** "Foreign subpoena" means a subpoena issued under authority
13 of a court of record of a foreign jurisdiction.

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

18 **4. State.** "State" means a state of the United States, the District of Columbia, Puerto
19 Rico, the United States Virgin Islands, a federally recognized Indian tribe or any territory
20 or insular possession subject to the jurisdiction of the United States.

21 **5. Subpoena.** "Subpoena" means a document, however denominated, issued under
22 authority of a court of record requiring a person to:

23 A. Attend and give testimony at a deposition;

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

27 C. Permit inspection of premises under the control of the person.

28 **§403. Issuance of subpoena**

29 The issuance of a subpoena is governed by this section.

30 **1. Request issuance.** To request issuance of a subpoena under this section, a party
31 must submit a foreign subpoena to the clerk of a District Court in the district or to the
32 clerk of the Superior Court of the county in which the discovery is to be conducted. A
33 request for the issuance of a subpoena under this Act does not constitute an appearance in
34 the courts of the State.

