

Part 1 General Provisions

78B-17-101 Title.

This chapter is known as the "Utah Uniform Interstate Depositions and Discovery Act."

Enacted by Chapter 278, 2008 General Session

78B-17-102 Definitions.

As used in this chapter:

- (1) "Foreign jurisdiction" means a state other than Utah.
- (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.

Enacted by Chapter 278, 2008 General Session

78B-17-103 Scope -- Unauthorized practice of law prohibited -- Reciprocity required.

- (1) Except as provided in Subsection (3), this chapter applies only to issuance, service, and enforcement of subpoenas as provided in this chapter.
- (2) Except as provided in Subsection 78B-17-201(1)(b), nothing in this chapter may be construed to exempt an attorney from another state from complying with statutes and rules governing unauthorized practice of law or from the requirements contained in the Utah Rules of Civil Procedure governing limited appearance.
- (3) Parties resident in another state may use the provisions of this chapter for issuance, service, or enforcement of subpoenas only if the other state has enacted this uniform act or enacted provisions substantially similar to this uniform act.

Enacted by Chapter 278, 2008 General Session