



Judicial Council of California

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January 19, 2024

Subject Text

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File #: 21-162, **Version:** 1

Title

Rules and Forms | Civil Practice and Procedure: Remote Depositions (Action Required)

Summary

The Civil and Small Claims Advisory Committee recommends amending rule 3.1010 of the California Rules of Court governing remote depositions. The proposed amendments reflect recent statutory changes enacted in Senate Bill 1146 (Stats. 2020, ch. 112, § 3) that (1) removed the requirement that deponents appear in the physical presence of the deposition officer, and (2) eliminated the different treatment for party and nonparty deponents. The revised law also permits any party or attorney of record to be physically present with the deponent during the deposition, and the proposed rule amendment requires notice for a party or attorney to make such an appearance at a remote deposition.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council amend California Rules of Court, rule 3.1010, effective January 1, 2022.