

## Cal Rules of Court, Rule 3.1010

This document reflects first and last orders received through August 3, 2022. Rules are current through August 3, 2022.

*CA - California Local, State & Federal Court Rules > CALIFORNIA RULES OF COURT > Title 3. Civil Rules > Division 10. Discovery > Chapter 2. Conduct of Discovery*

### **Rule 3.1010. Oral depositions by telephone, videoconference, or other remote electronic means**

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**(a) Taking depositions** Any party may take an oral deposition by telephone, videoconference, or other remote electronic means, provided:

- (1) Notice is served with the notice of deposition or the subpoena;
- (2) That party makes all arrangements for any other party to participate in the deposition in an equivalent manner. However, each party so appearing must pay all expenses incurred by it or properly allocated to it;
- (3) Any party or attorney of record may be physically present at the deposition at the location of the deponent with written notice of such appearance served by personal delivery, email, or fax, at least five court days before the deposition, and subject to Code of Civil Procedure section 2025.420. An attorney for the deponent may be physically present with the deponent without notice.

(Subd (a) amended effective January 1, 2022.)

**(b) Appearing and participating in depositions** Any party, other than the deponent, or attorney of record may appear and participate in an oral deposition by telephone, videoconference, or other remote electronic means, provided:

- (1) Written notice of such appearance is served by personal delivery, e-mail, or fax at least five court days before the deposition;
- (2) The party so appearing makes all arrangements and pays all expenses incurred for the appearance.

(Subd (b) amended effective January 1, 2022; previously amended effective January 1, 2007, and January 1, 2016.)

**(c) Deponent's appearance** A deponent must appear as required by statute or as agreed to by the parties and deponent.

(Subd (c) amended effective January 1, 2022.)

**(d) Court orders** On motion by any person, the court in a specific action may make such other orders as it deems appropriate.

(Subd (d) relettered effective January 1, 2022; adopted as Subd (e) effective 2003; previously amended effective January 1, 2007.)

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## History

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Rule 3.1010 amended effective January 1, 2022; adopted as rule 333 effective January 1, 2003; previously amended and renumbered as rule 3.1010 effective January 1, 2007; previously amended effective January 1, 2016.

Deering's California Codes Annotated

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