

**Government of the District of Columbia
Office of the Chief Financial Officer**



Natwar M. Gandhi
Chief Financial Officer

MEMORANDUM

TO: The Honorable Vincent C. Gray
Chairman, Council of the District of Columbia

FROM: Natwar M. Gandhi
Chief Financial Officer 

DATE: January 7, 2010

SUBJECT: Fiscal Impact Statement – “Uniform Interstate Depositions and
Discovery Act of 2009”

REFERENCE: Bill Number 18-426, As Introduced

Conclusion

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the proposed legislation.

Background

The proposed legislation would insert a new chapter, Chapter 52, (Interstate Depositions and Discovery; Uniform Act) into Title 16 (Particular Actions, Proceedings and Matters) that would simplify and standardize the process for the District of Columbia Courts to issue subpoenas for out-of-state dispositions and discovery. Under the proposed legislation, a party with an out-of-state subpoena for a person living in the District would only need to present the subpoena to the Clerk of the Superior Court and the Clerk would then promptly issue a new subpoena for the person that would be valid in the District. Under current law, judges of the Superior Court have to hold proceedings in order to issue a new subpoena. The proposed legislation also would require that such new subpoenas comply with the current rules of the Superior Court.

Similar legislation was adopted by the Uniform Law Commission in 2007 and has been adopted by 10 states, including Virginia and Maryland.¹

¹ As of November 23, 2009.

Financial Plan Impact

Funds are sufficient in the FY 2010 through FY 2013 budget and financial plan to implement the proposed legislation. There would be no fiscal impact for District Government to standardize and simplify the way District of Columbia Courts issue out-of-state subpoenas. However, this change is likely to result in a decrease in costs for District of Columbia Courts, which are federally funded, and for out-of-state parties that need to subpoena individuals in the District.