

Arizona Supreme Court No. R-24-0033
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TO:

Rule 28 Distribution
Lisa M Panahi

ATTACHMENT¹

RULES OF CIVIL PROCEDURE

Rule 16. Scheduling and Management of Actions

(a) [No change]

(b) **Required Early Meeting About Expected Course of Case, Tiering.**

(1) [No change]

(2) *Topics for Early Meeting.* The parties should discuss at least:

(A)-(D) [No change]

(E) the discovery tier to which the case should be assigned under Rule 26.2, and whether the parties wish to stipulate—or any party wishes to move for—assignment to a tier other than that to which the case would be assigned given the amount in controversy; ~~and~~

(F) the subjects set forth in Rule 16(c-); and

(G) whether the parties anticipate holding depositions in person or remotely.

(c)-(j) [No change]

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Rule 30. Depositions by Oral Examination

(a) [No change]

(b) **Notice of a Deposition; Method of Recording; Deposition by Remote Means; Deposition of an Entity; Other Formal Requirements.**

(1) *Notice Generally.* Unless all parties agree or the court orders otherwise, a party who wants to depose a person by oral questions must serve written notice to every other party at least 10 days before the date of the deposition. The notice must state the date, time, and place of the deposition and, if known, the deponent's name and address. The notice must state whether the noticing party intends to take the deposition in person or remotely. If the deponent's name is unknown, the notice must provide a general description sufficient to identify the person or the particular class or group to which the person belongs.

(2)-(3) [No change]

¹ Additions to the text of the rule are shown by underscoring and deletions are shown by ~~strike-through~~.

(4) *By Remote Means*. The parties may agree or the court may order that a deposition be taken by telephone or other remote means. If a deposition is to be held remotely, the parties must confer before the deposition, with sufficient time for the parties to raise any disputes with the court, regarding:

(A) how such deposition will be recorded;

(B) how exhibits will be exchanged and presented to the deponent at the deposition; and

(C) who may attend the deposition and how they may appear.

For the purposes of this rule and Rules 28(a), 37(a)(2), 45(b)(3)(B), and 45(e), the deposition takes place where the deponent answers the questions. If the deponent is not in the officer's physical presence, the officer may nonetheless place the deponent under oath or affirmation with the same force and effect as if the deponent was in the officer's physical presence.

(5)–(6) [No change]

(c)–(g) [No change]