

# Senate Judiciary Committee

*Brendan Bunnell 271-4063*

**HB 1489**, relative to interstate depositions and discovery.

**Hearing Date:** April 21, 2026

**Time Opened:** 1:12 p.m.

**Time Closed:** 1:19 p.m.

**Members of the Committee Present:** Senators Altschiller, Reardon and Gannon

**Members of the Committee Absent:** Senators Abbas and Carson

**Bill Analysis:** This bill makes changes to the appointment of deposition commissioners and the uniform foreign depositions law.

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**Sponsors:**

Rep. Lynn

Rep. Berch

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**Who supports the bill:** Representative Bob Lynn, Charles Mooney, Susanne R. White, and Rowalo A. White.

**Who opposes the bill:** None.

**Who is neutral on the bill:** None.

**Summary of the testimony presented:**

**Representative Bob Lynn** introduced the bill as the prime sponsor and stated that this bill is non-controversial. He explained that this bill would adopt the Uniform Interstate Depositions and Discovery Act (UIDDA) into New Hampshire Law.

- He stated that this was designed to replace the existing system which required out of state cases seeking discovery to go through a process that involved appointing a commissioner.
- He explained that this new system would do away with that and allow parties to approach the New Hampshire Clerk of the Superior Court to issue a New Hampshire subpoena, which would be consistent with the subpoena issued in the originating state. He argued that this new system will streamline litigation.

**Professor Charles Mooney** of the University of Pennsylvania Law School, introduced himself as one of the two Uniform Law Commissioners in the state of New Hampshire.

- He informed the committee that the Uniformed State Law Commission has existed for 134 years with state and volunteer support.
- He stated that the Uniform Interstate Depositions and Discovery Act (UIDDA) modernizes and streamlines some aspects of discovery and litigation. He said that it is the result of a multi-year process with input from experts in litigation and civil procedure.
- He explained that under this act, an out of state litigant can present the Superior Court with a subpoena issued by a court in the foreign state and then have the subpoena be issued in New Hampshire while being subject to all of the conditions of the original subpoena.
- He made it clear to the committee that these subpoenas are still subject to New Hampshire law.
- He stated that if the legislature passes this bill New Hampshire will become the 48th state to enact the Uniform Depositions and Discovery Act.
- Senator Reardon stated that she thought there was no need for a commissioner anymore but there still are commissioners created in the law. She then asked if this was a standing list of commissioners or if they are appointed as necessary.
  - Mr. Mooney responded that the commissioners are used for when someone in New Hampshire wishes to take a deposition outside of the state, which remains unchanged and in the law. He stated that they used the same RSA chapter when preparing the bill so that those provisions follow the uniform law and so that at least everything relating to cross-border discovery is covered under one chapter.
- Senator Reardon followed up and asked if the function was still the same even though it was moved from RSA 517 to RSA 517:A.
  - Mr. Mooney confirmed that this was true.