

Rule 203. Where Depositions May be Taken

Unless otherwise agreed, depositions shall be taken in the county in which the deponent resides or is employed or transacts business in person, or, in the case of a plaintiff-deponent, in the county in which the action is pending. However, the court, in its discretion, may order a party or a person who is currently an officer, director, or employee of a party to appear at a designated place in this State or elsewhere for the purpose of having the deposition taken. The order designating the place of a deposition may impose any terms and conditions that are just, including payment of reasonable expenses.

Amended June 26, 1987, effective August 1, 1987; amended June 1, 1995, effective January 1, 1996.

Committee Comments

(Revised June 1, 1995)

This rule is derived from former Rule 19-8(3). There is one change of substance. The phrase “or a nonresident for whose benefit the action is brought” has been added to require that not only the nominal plaintiff but the person for whose benefit the action is brought must present himself for the taking of his deposition.

Supreme Court Rule 203 was amended contemporaneously with the change in 206(a) in 1987 to protect nonparty witnesses from unwarranted interference with their business and/or personal lives which might otherwise occur when Rule 206(a) is employed.

The only revision which has been made to this rule is one of form, which makes the rule gender-neutral.