

**SUPREME COURT OF PENNSYLVANIA
CIVIL PROCEDURAL RULES COMMITTEE**

ADOPTION REPORT

Amendment of Pa.R.Civ.P. 4007.1 and 4023

On January 8, 2025, the Supreme Court of Pennsylvania amended Pennsylvania Rules of Civil Procedure 4007.1 and 4023 relating to discovery to correct an outdated reference to a repealed statute. The Civil Procedural Rules Committee has prepared this Adoption Report describing the rulemaking process. An Adoption Report should not be confused with Comments to the rules. See Pa.R.J.A. 103, cmt. The statements contained herein are those of the Committee, not the Court.

The Committee received a rulemaking request to correct an outdated reference set forth in Pa.R.Civ.P. 4007.1(f) and its accompanying note. Subdivision (f) provides:

- (f) An application for an order pursuant to Section 5326(a) of the Judicial Code may be filed only in the county in which the person who is the subject of the order resides, is employed or regularly transacts business in person.

Note: Section 5326 of the Judicial Code, 42 Pa.C.S. § 5326, a part of the Uniform Interstate and International Procedure Act, provides for assistance to tribunals and litigants outside the Commonwealth.

42 Pa.C.S. § 5326, part of the Uniform Interstate and International Procedure Act relating to assistance to tribunals and litigants outside the Commonwealth, was repealed in 2012 and replaced with the Uniform Interstate Depositions and Discovery Act (UIDDA), 42 Pa.C.S. §§ 5331 *et seq.* to govern the issuance of foreign subpoenas.

To correct the outdated statutory reference, Pa.R.Civ.P. 4007.1(f) has been deleted in its entirety and the commentary has been amended to provide a cross-reference to 42 Pa.C.S. §§ 5331 *et seq.* The amended commentary is intended to inform a reader seeking the procedures for the issuance of a foreign subpoena to consult the relevant statutory provisions set forth in the Judicial Code. The text of the rule has also been restyled.

Corollary amendments have been made to the same outdated statutory reference in Pa.R.Civ.P. 4023 and the rule has also been restyled.

The amendments become effective immediately.