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Texas Adopts the Uniform Interstate Depositions and Discovery Act

Texas has now joined the majority of U.S. jurisdictions in adopting the Uniform Interstate Depositions and Discovery Act (UIDDA). Effective August 31, 2025, the Texas Supreme Court implemented the UIDDA through the new Texas Rule of Civil Procedure 201.3, significantly modernizing the discovery process in Texas for use in civil proceedings pending in other states. With Rule 201.3 now in effect, Texas aligns its practice with a national framework designed to reduce costs, delay, and unnecessary judicial involvement in routine interstate discovery.

The UIDDA was enacted to replace a patchwork of inconsistent state procedures with “an efficient and inexpensive procedure that allows litigants to depose individuals and conduct discovery in a state other than the trial state,” while requiring “minimal judicial oversight.” H.B. 3929, Bill Analysis, House Comm. Report, 88th Leg., R.S. (Tex. 2023). Prior to adoption, parties seeking Texas discovery for out-of-state litigation were required to obtain a mandate, writ, or commission from the foreign court and then initiate a Texas court proceeding to enforce it — a tedious and burdensome process. By contrast, the UIDDA streamlines interstate discovery by making the process simple and administrative, while preserving Texas’ authority to protect witnesses and resolve disputes.

The UIDDA accelerates out-of-state discovery practice by permitting court clerks to issue local subpoenas directly from the foreign subpoenas. Under Rule 201.3, a party to a civil action pending in another state may obtain discovery in Texas by submitting an out-of-state subpoena to the clerk of court in the Texas county where discovery is sought. The clerk is then required to issue a Texas subpoena that incorporates the same terms as the foreign subpoena, without the need for a court order or judicial review. Once issued, the Texas subpoena is served and enforced in accordance with the Texas Rules of Civil Procedure. Although Rule 201.3 simplifies the issuance of subpoenas, all substantive discovery protections remain governed by Texas law. Motions to quash,

modify, enforce, or obtain protective relief brought in Texas courts will be evaluated under Texas standards.

For litigators, Texas's adoption of the UIDDA materially simplifies interstate discovery practice. Texas counsel can now more easily assist non-Texas litigators in obtaining Texas-based discovery in out-of-state lawsuits. Rule 201.3 will lower overall costs, reduce procedural delays, and improve the efficiency of interstate litigation. Even so, the effective use of Rule 201.3 still requires familiarity with Texas discovery rules, service requirements, and enforcement procedures, making Texas counsel a critical resource when disputes arise or compliance is contested.

If you have questions about how Texas' adoption of the UIDDA impacts your case or need guidance on navigating interstate discovery under Rule 201.3, please contact the authors or any attorney with FBT Gibbons' [Business and Commercial Litigation](#) practice group.

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