

Information or instructions: ~~Notice of intention to take oral deposition~~

PREVIEW

1. Depositions are governed under TRCP 199.1 For a discussion on the rule changes and copies of the new rules see p 1160- 1163, Texas Bar Journal December 1998- Supreme Court of Texas Misc. Docket No. 98-9196.
2. Depositions may be taken by video tape, non-stenographic means, and may be conducted over the telephone. See Texas Rule of Civil Procedure 199 for the rule applicable to depositions by telephone and/or non-stenographic recording. The deposition taken by telephone will be taken in the district and at the place where the deponent is to answer the questions propounded upon him or her.
3. If a party desires to take a deposition by non-stenographic recording such as video tape, the notice of deposition must afford all parties to the action five (5) days notice prior to the taking of the deposition.
4. The form of notice of intention to take an oral deposition is used to notify by mail the witness and his or her attorney of record of the deposition.
5. If a witness is not represented by counsel, it is best to file the notice with a subpoena.
6. Afford all counsel reasonable notice rather than ten (10) days notice prior to the taking of the deposition and, if the deposition is to be taken by video tape, afford all parties a minimum of five (5) days notice.
7. It is no longer required to file deposition with the court. The court reporter now files a certificate stating that the deposition has been taken.

PLEASE DO NOT COPY

THIS DOCUMENT

Form: Notice of intention to take oral deposition

CAUSE NUMBER _____

**[Name],
PLAINTIFF**

IN THE [Type of Court] COURT

[Court number]

vs.

**[Name],
DEFENDANT**

OF [NAME], COUNTY, TEXAS

THANK YOU

NOTICE OF INTENTION TO TAKE AN ORAL DEPOSITION

To: [Deponent's Name (the name of the party being deposed)] by and through [his or her] attorney

of record [Name and Address of the attorney]:

LegalFormsForTexas.Com

1. Counsel of record for [Client's name] shall take the oral deposition of the following person [Deponent's Name] at the following date, time, and place:

PREVIEW

2. Deponent: [Deponent's Name];

3. Date: [Date];

4. Time: [time];

5. Place: [Firm Name, Address and Telephone Number];

6. The deposition shall begin at the date and time stated above and shall continue day to day until completed.

PLEASE DO NOT COPY

7. You are notified that:

The testimony of the deponent shall be recorded and transcribed by a court reporter;

The transcription of the deposition prepared by the court reporter may be introduced into evidence upon the trial of this lawsuit and

You may obtain a transcript of this oral deposition from [Name of court reporter or reporting service], court reporters upon payment of the requested transcription fee.

THIS DOCUMENT

Respectfully Submitted,

[Law Firm Name]

By _____

THANK YOU
[Attorney's Name]

Attorney for [Plaintiff, Defendant or Movant]
[Attorney's Address]
[Telephone Number]
[Facsimile Number]
[Bar Card Number]

LegalFormsForTexas.Com
CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing pleading or document has been served upon all attorneys of record and any parties who are not represented by an attorney on _____.

PREVIEW

Attorney for: [Other attorney's client's name]

Attorney's name: [Other attorney's name]

Attorney's address [Other attorney's address]

Type of Service:

U.S. Mail, Certified Return Receipt Request No. _____.

U.S. Mail, First Class.

Hand delivery by [name of delivery service]: _____.

Facsimile transmission to _____ [fax number] before 5 p.m.

PLEASE DO NOT COPY

[Attorney's signature]

THIS DOCUMENT

THANK YOU

LegalFormsForTexas.Com