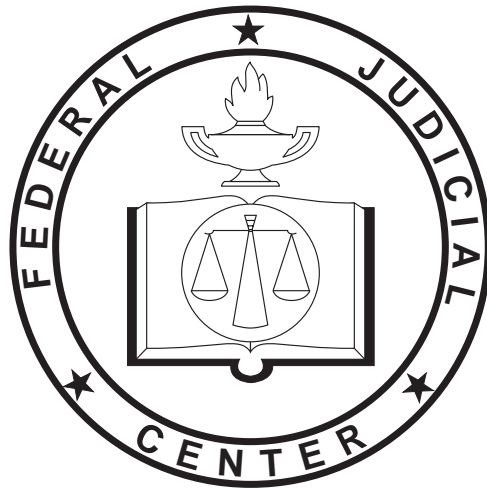


**Numerical and Durational Limitations on Discovery Events
as Adopted in Federal Local Rules and State Practices**



Marie Cordisco Leary

Thomas E. Willging

Federal Judicial Center

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Introduction and Overview

Pursuant to a request from the Advisory Committee on Civil Rules to the Federal Judicial Center, we conducted research on numerical and durational limitations on discovery events as adopted in federal local rules and state practices. The attached tables display in detail the results of that research. This memorandum presents a summary and overview of the results.

In addition, for the section on durational limits on depositions, we used empirical data from the FJC's recent survey of counsel in closed cases to conduct a partial test of the effectiveness of such limits. While the results—presented below at page ten—are difficult to interpret conclusively, the data indicate that durational limits on depositions have not reduced the length of depositions or the number of problems with long depositions to levels experienced by courts without such limits.

For each of the ninety-four federal districts, Table 1 describes the district's local rule or practice regarding numerical limitations on interrogatories (Column 1), numerical limitations on depositions (Column 2), and durational limits on depositions (Column 3). To ensure that our information is as current as possible, we faxed a short questionnaire to each district requesting verification of the rules and/or practices uncovered in our preliminary research. Verification was received either by return fax, mail, or telephone from all districts. Column 4 shows the date of that verification and represents the time limits of this report. Any change made to any rule after that date is beyond the scope of this report.

Table 2 uses the same format to provide examples of state rules or practices limiting interrogatories and depositions as located on Westlaw. These rules or practices have not been verified and Table 2 is not a comprehensive listing of such rules.

Numerical Limits on Interrogatories in Federal District Courts

The 1993 Amendments to the Federal Rules of Civil Procedure placed a maximum limitation of 25 interrogatories per party. *See* Rule 33(a). However, Rule 26(b)(2) allows districts to opt out of the 25 interrogatory limit and either adopt a different numerical limit or have no limitation on the number of interrogatories propounded by parties in civil cases. The first column of Table 1 depicts each district's local rule or practice regarding quantitative limits on interrogatories. We have placed each district's local rules or practices into one—and only one—of the following categories:

- (1) The district opts out of the numerical limitation placed on interrogatories (25) by Federal Rule of Civil Procedure 33(a), and does not provide for a different limitation elsewhere in the rules. These districts do not limit the number of interrogatories permitted in civil cases. Ten districts (11%) are in this category. *See* M.D. Ala., E.D. Ark., W.D. Ark., E.D. Cal., S.D. Fla., N.D. N.Y., S.D. N.Y., W.D. Pa., D. R.I., D. Vt.
- (2) The district's local rule or practice imposes a numerical limitation on interrogatories which is different (either higher or lower) from the numerical limit (25) of Federal Rule of Civil Procedure 33(a). Seventeen districts (18%) are in this category. *See* C.D. Cal.(30) (in process of amending rule to lower limit to 25); D. Del.(50); N.D. Fla.(50); N.D. Ga.(40); D. Idaho(40); N.D. Ind.(30); D. Mont.(50); D. Nev.(40); S.D. Oh.(40); D. S.C.(50); M.D. Tenn.(30); W.D. Tex.(20); D. V.I.(50); E.D. Va.(30); W.D. Wa.(35); E.D. Wis.(15); D. Wyo.(30).
- (3) The district abides by the 25 interrogatory limit established in Federal Rule of Civil Procedure 33(a) either explicitly or implicitly by absence of contradictory provisions. Fifty-five districts (58%) are in this category. Note also that some of the districts in category (5), below, impose limits that appear to be functionally equivalent to the federal rules.
 - (a) The district's local rule or standard form explicitly provides that the numerical limit placed on interrogatories (25) by Federal Rule of Civil Procedure 33(a) applies in the district unless the court orders otherwise, or the district's local rule explicitly imposes a maximum numerical limit on interrogatories of 25. Some rules exempt certain classes of cases such as class actions, and cases transferred to the court under 28 U.S.C. § 1407, or joined with such cases, from this limit. Thirty districts (32%) are in this category. *See* N.D. Ala., N.D. Cal., S.D. Cal., D. Colo., M.D. Fla., M.D. Ga., D. Guam, D. Haw., C.D. Ill., S.D. Ill., D. Kan., E.D. Ky., E.D. La., M.D. La., W.D. La., D. Mass., D. Minn., D. N.H., D. N.M., W.D. N.Y., D. N.D., E.D. Okla., N.D. Okla., M.D. Pa., D. P.R., E.D. Tenn., S.D. Tex., E.D. Wa., N.D. W.Va., S.D. W.Va.
 - (b) The district's local rules make no mention of numerical limitations on interrogatories neither establishing a different numerical limit nor opting out of Federal Rule of Civil Procedure 33(a). We inferred that the district follows the 25 interrogatory limit of Federal Rule of Civil Procedure 33(a). This inference was verified by the questionnaire we received back from districts where we were unable to locate mention of numerical limits on interrogatories in their local rules. Twenty five districts (27%) are in this category. *See* D. Alaska, D. Conn., S.D. Ga., N.D. Ill., S.D. Ind., N.D. Iowa, S.D. Iowa, W.D. Ky., D. Md., E.D. Mich., E.D. Mo., W.D. Mo., D. Neb., D. N.J., E.D. N.Y., E.D. N.C., W.D. Okla., D. Or., E.D. Pa., D. S.D., W.D. Tenn., N.D. Tex., D. Utah, W.D. Va., W.D. Wis.

- (4) The district's local rule requires the parties in all civil cases (unless exemptions are provided to certain classes of cases) to meet and provide a report or propose an order which identifies an agreed upon maximum number of interrogatories by each party to any other party. In most cases the Court must approve the limit and may abolish or alter it at its discretion. One district (1%) is in this category. *See* S.D. Ala.
- (5) The district's local rule sets limits on interrogatories by differentiated case management track assignment. Different maximum limitations on interrogatories apply depending upon the particular track the case is assigned to. For example, the District of Arizona limits cases on the expedited track to 15 interrogatories and limits cases on the standard track to 40 interrogatories. Eleven districts (12%) are in this category. *See also* D. D.C., D. Me., W.D. Mich., N.D. Miss., S.D. Miss., M.D. N.C., W.D. N.C., D. N.Mar.I, N.D. OH., E.D. Tex.

In summary, 55 district courts (58%) abide by the 25 interrogatory limit adopted by Federal Rule of Civil Procedure 33(a) unless the court orders otherwise in a particular case. Seventeen districts (18%) have adopted a different numerical limit with 15 of these districts choosing a limit higher than 25 (ranging from 30 to 50) and two choosing a limit lower than 25 (one chose 20 and the other chose 15). Ten districts (11%) have opted out of Rule 33(a) and have no numerical limitation on interrogatories in their districts. One district (1%) requires the parties to agree upon a maximum number of interrogatories which the court may approve or modify. Finally, 11 districts (12%) set limits on interrogatories based on the case management track a particular case is assigned to. The average number of interrogatories permitted for standard track cases in these districts is 26, ranging from 15 to 40. Thus, the number of districts imposing a limit on interrogatories close to 25 is even higher.

Other Noteworthy Provisions

In addition, we discovered the following noteworthy provisions in various districts' local rules.

- Four districts' rules contained prohibitions against the indiscriminate use of "form" interrogatories or broad contention interrogatories, requiring all questions to be relevant, meaningful in the context of, or tailored to the needs of the individual case in question. *See* M.D. Ala., M.D. Ga., D. Nev., D. N.D.
- Twenty-nine of the districts with numerical limitations on interrogatories include provisions in their rules for allowing parties to submit applications for leave to serve additional interrogatories, often times requiring parties to set forth the additional proposed interrogatories and the reasons establishing good cause for

- their use. *See* C.D. Cal., N.D. Cal., S.D. Cal., N.D. Fla., N.D. Ga., D. Guam, D. Idaho, C.D. Ill., S.D. Ill., N.D. Ind., D. Kan., E.D. La., M.D. La., W.D. La., D. N.H., D. N.M., M.D. N.C., D. N.D., D. N.Mar.I., N.D. Oh., S.D. Oh., M.D. Pa., M.D. Tenn., W.D. Tex., D. V.I., E.D. Va., E.D. Wa., W.D. Wa., D. Wyo. Nine of the districts with these provisions permit counsel to attempt to reach a written stipulation as to a reasonable number of additional interrogatories if they believe that more than the permitted maximum number are needed. *See* N.D. Ga., D. Idaho, C.D. Ill., D. N.H., D. N.M., M.D. N.C., D. N.D., S.D. Oh., M.D. Pa.
- Twenty-three districts' rules contain details as to how separate subparts should be counted to arrive at the maximum number of interrogatories permitted, and some of these rules also require that subparts or subquestions of any interrogatory must relate directly to the subject matter of the interrogatory. *See* S.D. Cal., D. Del., D. D.C., N.D. Ga., D. Guam, D. Idaho, S.D. Ill., N.D. Ind., E.D. La., M.D. La., W.D. La., D. Mass., N.D. Miss., S.D. Miss., D. N.Mar.I., E.D. Okla., N.D. Okla., M.D. Pa., M.D. Tenn., W.D. Tex., D. V.I., E.D. Wis., D. Wyo.
 - Four districts' rules *require* the parties in all civil cases (unless a particular type of case is excepted by the rule) to answer prescribed interrogatories which are set out in the rules. *See* M.D. Ga., S.D. Ga., D. S.C., E.D. Wis. Two of these rules state that the answers provided to these interrogatories are in lieu of the disclosures required by Federal Rule of Civil Procedure 26(a)(1)-(3). *See* M.D. Ga., S.D. Ga. The Western District of Texas provides instructions and questions that a party submitting written interrogatories *may* use if desired.
 - Two districts, the Southern District of New York and the Southern District of Florida, have taken a unique approach by controlling the permissible scope of interrogatories at different stages of discovery. More specifically, in the Southern District of New York, unless otherwise ordered by the court, at the commencement of discovery, interrogatories are restricted to those seeking names of witnesses with knowledge of information relevant to the subject matter of the action, the computation of each category of damage alleged, and the existence, custodian, location and general description of relevant documents, including pertinent insurance agreements, and other physical evidence, or information of a similar nature. During discovery, interrogatories other than those seeking information described in paragraph (a) may only be served (1) if they are a more practical method of obtaining the information sought than a request for production or a deposition, or (2) if ordered by the court. At the conclusion of other discovery, and at least 30 days prior to the discovery cut off date, interrogatories seeking the claims and contention of the opposing party may be served unless the court has ordered otherwise.

**Table 1. Quantitative and Durational Limits on Discovery Events
in the Local Rules of United States District Courts**

District	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Column 3 Duration on Depositions
M.D. Ala.	<p><i>In The United States District Court for the Middle District of Alabama, General Order Civil Misc. No. 2053 (Effective 10/24/97), ¶4: “Pursuant to Rule 26(b)(1), which allows a district court to alter those limitations placed on the number of . . . interrogatories in amended Rule[] 33. . . neither those limits imposed under these . . . rules on the number of . . . interrogatories will be implemented in this district nor will any other limits be placed on the number of . . . interrogatories unless otherwise ordered in a particular case.” (footnote omitted)</i></p> <p><i>See also Local Rules for the M.D. Ala., Appendix B. Guidelines to Civil Discovery Practice (Effective 1/1/98), Section IV.A. Number of Interrogatories: “Because every case is different, this court has not adopted a single procrustean limit on the number of interrogatories in every case. In many cases, though, limits on the amount of permissible discovery may be imposed by order. If a party considers the number or breadth of interrogatories to be burdensome in the context of a particular case, it may of course move for a protective order.”</i></p> <p>Also note: <i>Local Rules for the M.D. Ala., Appendix B. Guidelines to Civil Discovery Practice (Effective 1/1/98), Section IV.B. Form Interrogatories: “The indiscriminate use of ‘form’ interrogatories is inappropriate. Interrogatories should be carefully reviewed to make certain that they are not irrelevant or meaningless in the context of an individual case. Sanctions may be imposed by the court for filing form interrogatories where it reasonably appears that the questions are not relevant to any legitimate inquiry.”</i></p>	<p><i>In The United States District Court for the Middle District of Alabama, General Order Civil Misc. No. 2053 (Effective 10/24/97), ¶4: “Pursuant to Rule 26(b)(1), which allows a district court to alter those limitations placed on the number of depositions. . . in amended Rules 30 [and] 31. . . neither those limits imposed under these . . . rules on the number of depositions. . . will be implemented in this district nor will any other limits be placed on the number of depositions. . . unless otherwise ordered in a particular case.” (footnote omitted)</i></p>	No durational limits on depositions.
N.D. Ala.	<p><i>Local Rules for the N.D. Ala., Local Rule 26.1(b)(2) (Effective 12/1/93): “Unless a different number is fixed by</i></p>	<p><i>Local Rules for the N.D. Ala., Local Rule 26.1(b)(2) (Effective 12/1/93): “Unless a different number is fixed by</i></p>	No durational limits on depositions.

District	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Column 3 Duration on Depositions
	<p>court order or by the parties' stipulation, the maximum number of interrogatories (including all discrete subparts) that a party may serve on another party is 25. . . . Absent a court order, however, there is no limitation on the number of interrogatories. . . . in: (A) Cases brought as class actions under Fed.R.Civ.P. 23; (B) Cases filed in, removed to, or transferred to this court before December 1, 1993; or (C) Cases transferred to this court under 28 U.S.C. § 1407, or joined with cases so transferred."</p>	<p>court order or by the parties' stipulation . . . the maximum number of depositions (whether on oral examination or written questions) that may be taken by the plaintiff(s), by the defendant(s), or by the third-party defendant(s) is 10. Absent a court order, however, there is no limitation on the number of . . . depositions in: (A) Cases brought as class actions under Fed.R.Civ.P. 23; (B) Cases filed in, removed to, or transferred to this court before December 1, 1993; or (C) Cases transferred to this court under 28 U.S.C. § 1407, or joined with cases so transferred."</p>	<p><i>See Local Rules for Appendix I. Civil Justice Delay Reduction Plan Section II.A.2.(b)(1), with the Advisory Group special local rule limiting depositions is being proposed local rules presumptive limits on interrogatories and depositions in the new national model. The Advisory Group had this was needed."</i></p>

<p>S.D. Ala.</p>	<p><i>Local Rules for the S.D. Ala., Local Rule 26.1(d)(4) (Effective 6/1/97):</i> Unless otherwise ordered by the court in a particular action, the parties in all civil actions in this court must meet and provide a report which “shall substantially conform to the format indicated in Local Form 35 attached as an appendix to these Local Rules. . .”</p> <p><i>Local Rule 26.1(d)(1):</i> “The requirement of a meeting and report does not apply in: (A) actions exempted. . . from the requirement that a scheduling order be entered under Fed.R.Civ.P. 16(b) [bankruptcy appeals and withdrawals, condemnation actions, deportation actions, equal access to justice fee award appeals, freedom of information actions, government collection actions, judgments--actions to enforce or register, prisoner petitions, selective service actions, social security reviews, summons/subpoenas--proceedings to enforce/contest government summons and private party depositions, and third party IRS actions]; (B) actions instituted by pro se prisoners; (C) actions consolidated with an action in which the parties have met as provided in subdivision (d) or in which a scheduling order has been entered; and (D) actions transferred to this Court under 28 U.S.C. § 1407 or consolidated with actions so transferred, and actions subject to potential transfer to another court under 28 U.S.C. § 1407 pursuant to a motion pending before the Judicial Panel on Multidistrict Litigation or a conditional transfer order entered by that panel.”</p> <p><i>Appendix I. Local Form For Report of Parties’ Planning Meeting:</i> the parties are required to state the maximum number of interrogatories by each party to any other party.</p>	<p>See Column 1 for the relevant rule.</p> <p><i>Appendix I. Local Form For Report of Parties’ Planning Meeting:</i> the parties are required to state the maximum number of depositions by plaintiffs and defendants.</p>	<p>See Column 1 for th</p> <p><i>Appendix I. Local F Parties’ Planning M</i> required to state the hours each depositio unless extended by a</p>
<p>D. Alaska</p>	<p>The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).</p>	<p><i>Local Rules for the D. Alaska, Local Rule 30.1(a)(2) (Effective 7/17/95):</i> “A party must obtain leave of court. . . if, without the written stipulation of the parties, [A] a proposed deposition would result in more than 3 depositions being taken under this rule [upon oral examination] or D. Ak. LR 31.1 [depositions upon written questions] by the plaintiffs, or by the defendants, or by</p>	<p><i>Local Rules for the . Rule 30.1(d)(2) (Effe</i> “Depositions shall be length. Oral depositi pursuant to stipulatio court order, exceed 6 parties, independent treating physicians, : for other deponents. additional time cons</p>

		<p>third-party defendants, of witnesses other than [i] parties, which means any individual identified as a party in the pleadings and any individual whom a party claims in its disclosure statements is covered by the attorney-client privilege; [ii] independent expert witnesses expected to be called at trial; [iii] treating physicians; and [iv] document custodians whose depositions are necessary to secure the production of documents or to establish an evidentiary foundation for the admissibility of documents; [B] the person to be examined already has been deposed in the case; or [C] a party seeks to take a deposition before time specified in D. Ak. LR 26.2(d) or D. Ak. LR 26.3(1) unless the notice contains a certification, with supporting facts, that the person to be examined is expected to leave the United States and be unavailable for examination in this country unless deposed before that time.”</p>	<p>LR 26.2(b)(2) if need examination of the deponent or another delays the examination whether to allow additional examination of a deponent, the court account, among other complexity of the case parties likely to examine the extent of relevant possessed by the deponent finds that there has been delay, or other conduct the fair examination may impose upon them an appropriate sanction reasonable costs and incurred by any party thereof.”</p>
D. Ariz.	<p><i>Local Rules for the D. Ariz., Local Rule 2.12(b) (Effective 1/12/94):</i> Limits on interrogatories are set by differentiated case management track assignment. Cases on the expedited track are limited to interrogatories of up to 15 single-part questions; cases on the standard track are limited to interrogatories of up to 40 single-part questions.</p>	<p><i>Local Rules for the D. Ariz., Local Rule 2.12(b) (Effective 1/12/94):</i> Limits on depositions are set by differentiated case management track assignment. Cases on the expedited track are limited to the deposition of the parties and not more than 1 non-party fact witness deposition per party; cases on the standard track are limited to the deposition of the parties and their respective experts, and not more than 8 non-party fact witness depositions per party.</p>	<p>No durational limits depositions.</p>
E.D. Ark.	<p><i>In The United States District Court Eastern District of Arkansas, General Order No. 42 (Effective 2/22/94), In The Matter of Implementing the Amendments to the Federal Rules of Civil Procedure Effective December 1, 1993:</i> “. . . As permitted by Rule 26(b)(2), the court will not, except on a case by case basis limit the number of . . . interrogatories. Thus, the court ‘opts out’ of the provisions of Rule[. . .] 33 which blindly and without consideration of the requirements of the case at hand, limit such discovery. . .”</p>	<p><i>In The United States District Court Eastern District of Arkansas, General Order No. 42 (Effective 2/22/94), In The Matter of Implementing the Amendments to the Federal Rules of Civil Procedure Effective December 1, 1993:</i> “. . . As permitted by Rule 26(b)(2), the court will not, except on a case by case basis limit the number of depositions. . . Thus, the court ‘opts out’ of the provisions of Rules 30 and 31. . . which blindly and without consideration of the requirements of the case at hand, limit such discovery . . .”</p>	<p>No durational limits depositions.</p>
W.D. Ark.	<p><i>In The United States District Court Western District of Arkansas, General Order No. 25 (Effective 2/2/94), In The Matter of Implementing the Amendments to the Federal Rules of Civil Procedure Effective December 1, 1993:</i> “. . . As permitted by Rule 26(b)(2), the court will not, except on a case by case basis, limit the number of . . . interrogatories. Thus,</p>	<p><i>In The United States District Court Western District of Arkansas, General Order No. 25 (Effective 2/2/94), In The Matter of Implementing the Amendments to the Federal Rules of Civil Procedure Effective December 1, 1993:</i> “. . . As permitted by Rule 26(b)(2), the court will not, except on a case by case basis, limit the number of depositions. . . Thus, the</p>	<p>No durational limits depositions.</p>

	the court 'opts out' of the provisions of Rule[. . . 33 which blindly and without consideration of the requirements of the case at hand, limit such discovery."	court 'opts out' of the provisions of Rules 30 and 31. . . which blindly and without consideration of the requirements of the case at hand, limit such discovery."	
C.D. Cal.	<p><i>Local Rules for the C.D. Cal., Local Rule 8.2.1(Effective 10/1/83):</i> "No party shall, without leave of the Court and for good cause shown, serve more than thirty (30) interrogatories (including all subparts) on any other party. An application for leave to serve additional interrogatories shall be made on at least seven (7) days' notice."</p> <p>Note: <i>Local Rule 8.2.1</i> is currently in the process of being amended to state: "No party shall, without leave of the Court and for good cause shown, serve more than twenty-five (25) interrogatories (including all subparts) on any other party. . ." This proposed change was sent out for public comment (deadline was Nov. 1, 1997), and is awaiting adoption by the full court. Tentatively effective 4/1/98.</p>	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
E.D. Cal.	<p><i>Local Rules for the E.D. Cal., Local Rule 26-252(d) (Effective 4/15/97):</i> "Pursuant to the provisions of Fed. R. Civ. P. 26(b)(2), there shall be no presumptive limitations on the number of . . . interrogatories to parties served (see Fed. R. Civ. P. 33(a)) in any action in this Court. If any party believes that any such proposed discovery is burdensome, oppressive or otherwise improper, that party shall have the burden of seeking a protective order against such proposed discovery in accordance with the provisions of Fed. R. Civ. P. 26(c)."</p>	<p><i>Local Rules for the E.D. Cal., Local Rule 26-252(d) (Effective 4/15/97):</i> "Pursuant to the provisions of Fed. R. Civ. P. 26(b)(2), there shall be no presumptive limitations on the number of oral or written depositions taken (see Fed. R. Civ. P. 30(a)(2)(A) and 31(a)(2)(A)). . . in any action in this Court. If any party believes that any such proposed discovery is burdensome, oppressive or otherwise improper, that party shall have the burden of seeking a protective order against such proposed discovery in accordance with the provisions of Fed. R. Civ. P. 26(c)."</p>	No durational limits depositions.
N.D. Cal.	<p><i>Local Rules for the N.D. Cal., Local Civil Rule 33-1(b) (Effective 9/1/95):</i> "No more interrogatories than permitted under FRCivP 33 may be propounded except pursuant to stipulation or order of the court. Any memorandum in support of a motion for leave to propound additional interrogatories shall set forth the additional proposed interrogatories and the reasons for their use."</p>	<p><i>Local Rules for the N.D. Cal., Local Civil Rule 30-1(Effective 9/1/95):</i> "No more depositions than permitted under FRCivP 30(a) may be taken except pursuant to stipulation or order of the court. Any memorandum in support of a motion for leave to take additional depositions shall set forth the additional proposed depositions and the reasons for their being taken."</p>	No durational limits depositions.
S.D. Cal.	<p><i>Local Rules for the S.D. Cal., Local Rule 33.1.a (Effective 8/18/97):</i> No party shall serve on any other party interrogatories which, including subparagraphs, number more than 25 interrogatories without leave of court. Subparagraphs of any interrogatory shall relate directly to the subject matter of the interrogatory. Any party desiring to serve</p>	<p><i>Local Rules for the S.D. Cal., Local Rule 30.1.d (Effective 8/18/97):</i> "Except as specifically ordered by a district or magistrate judge, the following provisions of the F.R.Civ.P. do not apply to civil actions in this court: Rules 30(a)(2)(A) and (C) and Rules 31(a)(2)(A) and (C)."</p>	No durational limits depositions.

	additional interrogatories shall submit to the court a written memorandum setting forth the proposed additional interrogatories and the reasons establishing good cause for their use.		
D. Colo.	<p><i>Local Rules for the D. Colo., Local Rule 29.1 (Effective 4/15/94):</i> A scheduling conference will be convened by a judicial officer to develop a scheduling order which will include a limit on the time for completion of discovery and limits on the number of interrogatories.</p> <p>NOTE: The numerical limit (25) placed on interrogatories by Federal Rule of Civil Procedure 33(a) applies absent modification by the Court in the scheduling order. (See District of Colorado's Forms: <u>Instructions For Preparation of Scheduling Order and Scheduling Order</u>, 6.h(3)).</p>	<p><i>Local Rules for the D. Colo., Local Rule 29.1 (Effective 4/15/94):</i> A scheduling conference will be convened by a judicial officer to develop a scheduling order which will include a limit on the number of depositions.</p> <p>NOTE: The numerical limit (10) placed on depositions by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) applies absent modification by the Court in the scheduling order. (See District of Colorado's Forms: <u>Instructions For Preparation of Scheduling Order and Scheduling Order</u>, 6.h(3)).</p>	NOTE: No duration on depositions absent Court in the scheduled District of Colorado <u>Instructions For Preparation of Scheduling Order</u> and 6.h(2)).
D. Conn.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	<i>Local Rules for the D. Conn., Local Rule 13(d) (Amended effective 5/1/86; 3/15/93; 6/1/95):</i> "Pursuant to Rule 26(b)(2) of the Federal Rules of Civil Procedure, the limitation on the number of depositions as specified in Rules 30 and 31 of the Federal Rules of Civil Procedure shall not be applicable in the District of Connecticut."	No durational limits on depositions.
D. Del.	<i>Local Rules for the D. Del., Local Rule 26.1(b) (Amended Effective 1/1/95):</i> "Unless otherwise ordered by the Court . . . no party shall propound more than 50 interrogatories to any other party. Each subpart shall be counted as a separate interrogatory."	<i>Local Rules for the D. Del., Local Rule 26.1(b) (Amended Effective 1/1/95):</i> "Unless otherwise ordered by the Court, there shall be no limitation upon the permissible number of . . . depositions . . ."	No durational limits on depositions by local rule. NOTE: In some instances the parties may stipulate to limit the number of hours. In other instances the judge may confer with the parties regarding the duration of the deposition hours.
D. D.C.	<i>Local Rules of the D. D.C., Local Rule 207(b) (Effective 8/1/94):</i> "Whether and to what extent limitations shall be placed on the permitted number of interrogatories . . . will be determined by the Court in the scheduling order and may thereafter be changed on motion of the parties or the Court's own motion. When the scheduling order sets limits different from those contained in . . . Rule[] 33(a), Federal Rules of Civil Procedure, the scheduling order shall govern. The following presumptive limits will be applied by the Court unless there appears good reason to depart from them. <i>Fast Track Cases:</i> 12 interrogatories by each	<i>Local Rules of the D. D.C., Local Rule 207(b) (Effective 8/1/94):</i> "Whether and to what extent limitations shall be placed on the permitted number of . . . depositions will be determined by the Court in the scheduling order and may thereafter be changed on motion of the parties or the Court's own motion. When the scheduling order sets limits different from those contained in Rule[] 30(a)(2)(A) . . . Federal Rules of Civil Procedure, the scheduling order shall govern. The following presumptive limits will be applied by the Court unless there appears good reason to depart from them. <i>Fast Track Cases:</i> . . . 3 depositions by each	<i>Local Rules of the D. D.C., Local Rule 207(c) (Effective 8/1/94):</i> presumptive limits on the duration of a deposition shall not be set in terms of hours or days."

	<p>party. . . <i>Standard Track Cases</i>: 25 interrogatories by each party. . . <i>Complex Track cases</i>: 25 interrogatories by each party. . . The numerical limit on interrogatories applies to any discrete question, whether designated as a separate interrogatory or a subpart. . . “</p>	<p>side. <i>Standard Track Cases</i>: . . . 5 depositions by each side. <i>Complex Track Cases</i>: . . . 10 depositions by each side . . . The numerical limit on depositions applies to all plaintiffs as a group, all defendants as a group, and all third-party defendants as a group, unless otherwise provided in the scheduling order. The numerical limit on depositions in this Rule and in Rule 30(a)(2)(A), Federal Rules of Civil Procedure, shall not apply to depositions of experts designated pursuant to Rule 25(a)(2), Federal Rules of Civil Procedure.”</p>	
<p>M.D. Fla.</p>	<p><i>Local Rules for the M.D. Fla., Local Rule 3.03(a) (Amended 2/1/94)</i>: “Unless otherwise permitted by the Court for cause shown, no party shall serve upon any other party, at one time or cumulatively, more than twenty-five (25) written interrogatories pursuant to Rule 33, Fed.R.Civ.P., including all parts and subparts.”</p>	<p><i>Local Rules for the M.D. Fla., Local Rule 3.02(b) (Amended 2/1/94)</i>: “In accordance with Fed.R.Civ.P. 30(a)(2)(A) and 31(a)(2)(A), no more than ten (10) depositions per side may be taken in any case unless otherwise ordered by the Court.”</p>	<p>No durational limits depositions.</p>

N.D. Fla.	<p><i>Local Rules for the N.D. Fla., Local Rule 26.2(C) (Effective 4/1/95):</i> “In any case, the combined total number of interrogatories . . . from one party to another shall not exceed fifty (50) in number, including subparts. For good cause shown, the court may allow a larger number of interrogatories or requests for admission on motion of a party or sua sponte.”</p>	<p>The Court rejected the Advisory Group’s recommendation that the court not implement the deposition limit of Rule 30(a)(2)(A). See <i>Local Rules for the N.D. Fla., Appendix I. Civil Justice Expense and Delay Reduction Plan (Effective 1/1/94)</i>. Therefore, at present the 10 deposition limit of the Federal Rules is in force.</p>	<p>No durational limits on depositions.</p>
S.D. Fla.	<p><i>Local Rules for the S.D. Fla., Local Rule 26.1.G.1 (Effective 1994; Amended 4/15/96):</i> “The presumptive limitation on the number of interrogatories (25 questions including all discrete subparts) which may be served without leave of court or written stipulation, as prescribed by Rule 33(a), Fed.R.Civ.P., shall not apply to actions in this Court. . .”</p> <p><i>See also Appendix I. Discovery Practices Handbook, Section IV.A(6) (Effective 4/15/96):</i> “Local General Rule 26.1.G.1 . . . does not limit the number of interrogatories that may be propounded. If a party considers the number or breadth of interrogatories to be burdensome in the context of a particular case, that party may move for a protective order.”</p> <p><i>Also see Local Rules 26.1.G.2-26.1.G.4:</i> “2. At the commencement of discovery, interrogatories will be restricted to those seeking names of witnesses with knowledge or information relevant to the subject matter of the action, the nature and substance of such knowledge, the computation of each category of damage alleged, and the existence, custodian, location and general description of relevant documents, including pertinent insurance agreements, and other physical evidence, or information of a similar nature. Questions seeking the names of expert witnesses and the substance of their opinions may also be served. 3. During discovery, interrogatories other than those seeking information described in paragraph 2 above may only be served if they are a more practical method of obtaining the information sought than a request for production or a deposition. 4. At the conclusion of each party’s discovery, and prior to the discovery cut-off date, interrogatories seeking the claims and contentions of the opposing party may be served unless the Court has</p>	<p>The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).</p>	<p><i>United State District of Southern District of Administrative Order Pilot Program Imposition Limitation On Deposition Order Or Agreement Non-party Witness (1/1/96):</i> “. . . [i]n all cases commenced on or after 1/1/96, unless otherwise ordered by the court, all depositions shall be agreed to by all parties to the case. . . depositions of non-party witnesses shall be limited to no more than six (6) depositions per party in effect through December 31, 1996.”</p>

	ordered otherwise.”		
M.D. Ga.	<p><i>Local Rules for the M.D. Ga., Local Rule 33.1(Effective 6/1/97): “Except with written permission of the court first obtained, interrogatories may not exceed twenty-five (25) to each party. Form, canned, excessive-in-number interrogatories are not usually approved. The answering party must retype the questions with the answers and/or objections following immediately thereafter.”</i></p> <p><i>See also Local Rule 33.2 Mandatory Interrogatories To Be Answered By All Plaintiffs And Defendants: “In all categories of civil cases, with the exception of those categories enumerated in Local Rule 26c, the parties shall answer the mandatory interrogatories set forth below. [33.2.2: Interrogatories to be answered by all plaintiffs at the time of filing the complaint; 33.2.3: Interrogatories to be answered by all defendants following the filing of an answer.] The answers provided to these interrogatories are in lieu of the disclosures required by Rule 26(a)(1)-(3) of the Federal Rules of Civil Procedure.”</i></p>	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
N.D. Ga.	<p><i>Local Rules for the N.D. Ga., Local Rule 33.1 (Effective 4/15/97) : “A party shall not at any one time or cumulatively serve more than forty (40) interrogatories upon any other party. Each subdivision of one (1) numbered interrogatory shall be construed as a separate interrogatory. If counsel for a party believes that more than forty (40) interrogatories are necessary, counsel shall consult with opposing counsel promptly and attempt to reach a written stipulation as to a reasonable number of additional interrogatories. In the event a written stipulation cannot be agreed upon, the party seeking to submit additional interrogatories shall file a motion with the Court showing the necessity for relief.”</i></p>	<p><i>Local Rules for the N.D. Ga., Local Rule 30.1 (Effective 4/15/97): “. . . The Court, exercising its option under Fed.R.Civ.P. 26(b)(2), does not adopt Fed.R.Civ.P. 30(a)(2)(A) limiting the number of depositions taken by the parties.”</i></p>	<p><i>Local Rules for the . . . 30.1 (Effective 4/15/ otherwise ordered by deposition of any pa last more than six (6</i></p>
S.D. Ga.	<p>The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).</p> <p><i>See also Local Rules for the Southern District of Georgia, Local Rule 26.3 Interrogatories to be</i></p>	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.

	<i>Answered by All Plaintiffs and Defendants (Effective 6/3/96):</i> “In all categories of civil cases, with the exception of those categories enumerated in Local Rule LR 16.1 and in pro se cases, the parties shall answer the following mandatory standard interrogatories in accordance with the rules set forth in Local Rule LR 26.4. The disclosures required by this Local Rule are in lieu of those required by Federal Rule of Civil Procedure 26(a)(1).”		
D. Guam	<i>Local Rules for the D. Guam, Local Rule 33.1(a) (Effective 4/15/97):</i> “No party shall serve more than one set of interrogatories . . . on any other party without leave of court. Interrogatories. . . shall not exceed twenty-five (25) in number, counting any subparts or subquestions as individual questions. Subparts or subquestions of any interrogatory shall relate directly to the subject matter of the interrogatory. Any party desiring to serve additional interrogatories shall submit to the Court a written memorandum setting forth the proposed additional interrogatories for admission and the reasons establishing good cause for their use.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. Haw.	<i>Local Rules for the District of Haw., Local Rule 230-1(b) (Effective 2/15/95):</i> “Unless otherwise ordered by the court in a particular case, the limitations specified in Fed.R.Civ.P. . . . 33 as to the number of . . . interrogatories do not apply in pending cases in which an initial scheduling conference was held on or before November 30, 1993.” Thus, for all pending cases in which an initial scheduling conference was not held on or before November 30, 1993, and all civil cases filed after November 30, 1993, the 25 interrogatory limit of Federal Rule of Civil Procedure 33(a) applies.	<i>Local Rules for the District of Haw., Local Rule 230-1(b) (Effective 2/15/95):</i> “Unless otherwise ordered by the court in a particular case, the limitations specified in Fed.R.Civ.P. 30, [and 31]. . . as to the number of depositions. . . do not apply in pending cases in which an initial scheduling conference was held on or before November 30, 1993.” Thus, for all pending cases in which an initial scheduling conference was not held on or before November 30, 1993, and all civil cases filed after November 30, 1993, the 10 deposition limit of Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) applies.	No durational limits depositions.
D. Idaho	<i>Local Rules for the District of Idaho, Local Rule 33.1 (Effective 6/1/91; Amended Effective 3/1/92; 7/1/94):</i> “No party shall serve upon any other single party to an action more than 40 interrogatories, including subparts, (which will be counted as separate interrogatories), without first obtaining a stipulation of such party to additional interrogatories and obtaining an order of the Court upon showing of good cause granting leave to serve a specific number	<i>Local Rules for the District of Idaho, Local Rule 30.1 (Effective 7/1/94):</i> “In conformance with Federal Rules of Civil Procedure 30, there is a presumption that no more than ten (10) depositions per party will be taken by the parties. The parties should, however, be prepared at the scheduling conference to discuss whether the presumptive level should be decreased or increased due to the nature of the litigation.”	No durational limits depositions.

	of additional interrogatories.”		
C.D. Ill.	<i>Local Rules for the C.D. Ill., Local Rule 33.1(A) (Amended Effective 6/1/97):</i> “In all civil cases the total number of interrogatories propounded by one party to any other party pursuant to F.R.Civ.P. 33 and 26(b)(4) shall be limited to twenty-five (25) including subparts, unless otherwise agreed by the parties. Absent agreement between the parties, additional interrogatories may be propounded only with leave of the Court.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
N.D. Ill.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
S.D. Ill.	<i>Local Rules for the S.D. Ill., Local Rule 13(a) (Effective 3/24/94):</i> “In all civil cases, the total number of interrogatories propounded to each party pursuant to Rule 33 of the Federal Rules of Civil Procedure shall be limited to twenty-five (25). Each subpart shall be counted as an individual interrogatory. Additional interrogatories may be propounded only with leave of Court.”	<i>Local Rules for the S.D. Ill., Local Rule 13.1 (Effective 3/24/94):</i> “This Court has opted out of Rule 30(a)(2)(A) which requires either leave of court or the written stipulation of the parties if a proposed deposition would result in more than 10 depositions being taken under rule 30 or Rule 31 by the plaintiff(s), or by the defendant(s), or by third-party defendant(s). In this District, there are no restrictions placed on the number or length of depositions unless ordered by the Court.”	<i>Local Rules for the S.D. Ill., Local Rule 13.1 (Effective 3/24/94):</i> District, there are no restrictions on the number or length of depositions unless ordered by the Court.”
N.D. Ind.	<i>Local Rules for the N.D. Ind., Local Rule 26.1(b) (Effective 1/1/94; Amended 3/1/95):</i> “No party shall serve on any other party more than thirty (30) interrogatories . . . without leave of court. Interrogatories . . . relating to the authenticity or genuineness of documents are not subject to this limitation. Subparagraphs are not counted as separate interrogatories . . . Subparagraphs shall relate directly to the subject matter of the interrogatory. . . Any party desiring to serve additional interrogatories . . . beyond the first 30 served in the case, shall file a written motion setting forth the proposed additional interrogatories. . . and the reason(s) for their use.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
S.D. Ind.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
N.D. Iowa	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows	No durational limits depositions.

	follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	
S.D. Iowa	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. Kan.	<i>Local Rules for the D. Kan., Local Rule 33.1 (Adopted Effective 10/1/95):</i> “Requests for leave to serve additional interrogatories to those permitted by Fed.R.Civ.P. 33(a) shall be by motion which shall set forth the proposed additional interrogatories and the reasons establishing good cause for their service” District follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
E.D. Ky.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
W.D. Ky.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
E.D. La.	<i>Local Rules for the E.,M. & W.D. La., Local Rule 33.1 (Effective 5/15/97):</i> “No party shall serve on any other party more than 25 interrogatories in the aggregate without leave of court. Each sub-part of an interrogatory shall count as an additional interrogatory. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing good cause for their use.”	The court’s policy on depositions is dictated by the Federal Rules of Civil Procedure, and by relevant sections in the court’s standard <u>Scheduling Conference Minute Entry</u> (“Discovery depositions shall be conducted and limited as required by Federal Rules of Civil Procedure 30(a)(2) and 30(d)”) and the court’s <u>Pretrial Notice Form</u> , both of which are part of the court’s Civil Justice Expense and Delay Reduction Plan.	No durational limits depositions.
M.D. La.	<i>Local Rules for the E.,M. & W.D. La., Local Rule 33.1 (Effective 5/15/97):</i> “No party shall serve on any other party more than 25 interrogatories in the aggregate without leave of court. Each sub-part of an interrogatory shall count as an additional interrogatory. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing good cause for their use.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the Court orders otherwise.	No durational limits depositions.

W.D. La.	<i>Local Rules for the E.,M. & W.D. La., Local Rule 33.1 (Effective 5/15/97):</i> “No party shall serve on any other party more than 25 interrogatories in the aggregate without leave of court. Each sub-part of an interrogatory shall count as an additional interrogatory. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing good cause for their use.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. Me.	<i>Local Rules for the D. Me., Local Rule 16.1(b)(2) (Effective 3/1/97):</i> Thirty (30) interrogatories per party are permitted in standard track cases (subparts are not permitted). Discovery for cases assigned to administrative, complex, toxic tort, prisoner civil rights, and other specialized tracks is either prohibited or decided upon on a case by case basis.	<i>Local Rules for the D. Me., Local Rule 16.1(b)(2) (Effective 3/1/97):</i> Five (5) depositions per party are permitted in standard track cases. Discovery for cases assigned to administrative, complex, toxic tort, prisoner civil rights, and other specialized tracks is either prohibited or decided upon on a case by case basis.	No durational limits depositions.
D. Md.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. Mass.	<i>Local Rules for the D. Mass., Local Rule 26.1(C) (Adopted Effective 10/1/92; Amended Effective 1/2/95):</i> “Unless the judicial officer orders otherwise, the number of discovery events shall be limited for each side (or group of parties with a common interest) to . . . twenty-five (25) interrogatories. . . For purposes of determining the number of interrogatories propounded, subparts of a basic interrogatory that seek only to obtain specified additional particularized information with respect to the basic interrogatory shall not be counted separately from the basic interrogatory.”	<i>Local Rules for the D. Mass., Local Rule 26.1(C) (Adopted Effective 10/1/92; Amended Effective 1/2/95):</i> “Unless the judicial officer orders otherwise, the number of discovery events shall be limited for each side (or group of parties with a common interest) to ten (10) depositions. . .”	No durational limits depositions.
E.D. Mich.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.

<p>W.D. Mich.</p>	<p><i>Local Rules for the W.D. Mich., Addenda VI. Civil Justice Expense and Delay Reduction Plan (Effective 12/18/91; Amended 8/28/92; 11/16/93; 12/17/93) & Administrative Order 96-053 (eliminated the Non-DCM track) (Adopted 10/28/96):</i> Limits on interrogatories are set by track in the DCM system unless ordered otherwise by the court at the case management conference: 15 single-part questions per party in the voluntary expedited track; 20 single part questions in the expedited track; 30 single part questions in the standard track, 50 single part questions in the complex track, and 15 single part questions per party for civil rights cases in the administrative track. Any limits in the highly complex tracks are determined by the judicial officer.</p> <p>NOTE: The number of interrogatories allowed is established by the court at the first Rule 16 conference, approximately 45 days after the court’s receipt of the last answer or responsive pleading. The limits described above are suggested guidelines only.</p>	<p><i>Local Rules for the W.D. Mich., Addenda VI. Civil Justice Expense and Delay Reduction Plan (Effective 12/18/91; Amended 8/28/92; 11/16/93; 12/17/93) & Administrative Order 96-053 (eliminated the Non-DCM track) (Adopted 10/28/96):</i> Limits on depositions are set by track in the DCM system unless ordered otherwise by the court at the case management conference: 2 fact witness depositions per party in the voluntary expedited track; 4 fact witness depositions in the expedited track; 8 fact witness depositions in the standard track; and 15 fact witness depositions in the complex track. Any limits in the administrative and highly complex tracks are determined by the judicial officer.</p> <p>NOTE: The number of depositions allowed is established by the court at the first Rule 16 conference, approximately 45 days after the court’s receipt of the last answer or responsive pleading. The limits described above are suggested guidelines only.</p>	<p>No durational limits depositions.</p>
<p>D. Minn.</p>	<p><i>Local Rules for the D. Minn., Local Rule 16.2(c)(7) (Effective 11/1/96):</i> “A pretrial schedule shall be issued in every case, and shall include. . . a limitation on the number of interrogatories each party may serve. . .”</p> <p>NOTE: Unless otherwise ordered by the Court or provided for in the Local Rules, the District verified that it abides by the 25 interrogatory limit in Federal Rule of Civil Procedure 33(a).</p> <p><i>See also Local Rule 26.1(b)(2) (Effective 11/1/96):</i> “Unless otherwise ordered by the Court in a particular case, the limitations specified in Fed. R. Civ. P. . . . 33 as to the number of . . . interrogatories do not apply in cases brought as class actions under Fed. R. Civ. P. 23.”</p>	<p><i>Local Rules for the D. Minn., Local Rule 16.2(c)(7) (Effective 11/1/96):</i> “A pretrial schedule shall be issued in every case, and shall include. . . a limitation on the number of depositions each party may take. . .”</p> <p><i>See Local Rule 16.4(c)(1)(Effective 11/1/96):</i> “In advance of a Case Management Conference, the Judge or Magistrate Judge may require parties to prepare a plan to efficiently manage the costs of litigation. Case management techniques may include but are not limited to. . . imposing limitations on the . . . number. . . of depositions. . .”</p> <p>NOTE: Unless otherwise ordered by the Court or provided for in the Local Rules, the District verified that it abides by the 10 deposition limit in Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).</p> <p><i>See also Local Rule 26.1(b)(2) (Effective 11/1/96):</i> “Unless otherwise ordered by the Court in a particular case, the limitations specified in Fed. R. Civ. P. 30 [and] 31. . . as to the number of</p>	<p>No durational limits depositions subject t may be entered in pa</p> <p><i>See Local Rule 16.4(11/1/96):</i> “In advanc Management Confer Magistrate Judge ma prepare a plan to effi costs of litigation. C techniques may incl limited to. . . impos the . . . length. . . of de</p>

		. . . depositions. . . do not apply in cases brought as class actions under Fed. R. Civ. P. 23.”	
N.D. Miss.	<p><i>Local Rules for the N. & S.D. Miss., Local Rule 6(a) (Effective 9/1/96):</i> “Limitation of discovery shall be in accordance with Section 4, Paragraph I.D, of the Uniform Civil Justice Reform Act Plan. In computation of the number of interrogatories or requests propounded, each subpart of a question shall be counted as a separate interrogatory or request.”</p> <p><i>Appendix B. Civil Justice Expense and Delay Reduction Plan (Effective 1/1/94; Amended 7/1/96), Section IV, Part I:</i> The court sets limits by track: 1. Expedited track cases are limited to 15 succinct questions for interrogatories. 2. Standard track cases are limited to 30 succinct questions for interrogatories. 3. Discovery in complex track and mass tort track cases will proceed as needed. 4. There is no discovery in administrative track cases.</p>	<p><i>Local Rules for the N. & S.D. Miss., Local Rule 6(a) (Effective 9/1/96):</i> “Limitation of discovery shall be in accordance with Section 4, Paragraph I.D, of the Uniform Civil Justice Reform Act Plan. . .”</p> <p><i>Appendix B. Civil Justice Expense and Delay Reduction Plan (Effective 1/1/94; Amended 7/1/96), Section IV, Part I:</i> The court sets limits by track: 1. Expedited track cases, requests for production depositions are limited to the parties and 3 fact witnesses; 2. Standard track cases, requests for production depositions are limited to the parties and 5 fact witnesses; 3. Discovery in complex track and mass tort track cases will proceed as needed. 4. There is no discovery in administrative track cases.</p>	No durational limits depositions.

<p>S.D. Miss.</p>	<p><i>Local Rules for the N. & S.D. Miss., Local Rule 6(a) (Effective 9/1/96):</i> “Limitation of discovery shall be in accordance with Section 4, Paragraph I.D, of the Uniform Civil Justice Reform Act Plan. In computation of the number of interrogatories or requests propounded, each subpart of a question shall be counted as a separate interrogatory or request.”</p> <p><i>Appendix B. Civil Justice Expense and Delay Reduction Plan (Effective 1/1/94; Amended 7/1/96), Section IV, Part I:</i> The court sets limits by track: 1. Expedited track cases are limited to 15 succinct questions for interrogatories. 2. Standard track cases are limited to 30 succinct questions for interrogatories. 3. Discovery in complex track and mass tort track cases will proceed as needed. 4. There is no discovery in administrative track cases.</p>	<p><i>Local Rules for the N. & S.D. Miss., Local Rule 6(a) (Effective 9/1/96):</i> “Limitation of discovery shall be in accordance with Section 4, Paragraph I.D, of the Uniform Civil Justice Reform Act Plan. . .”</p> <p><i>Appendix B. Civil Justice Expense and Delay Reduction Plan (Effective 1/1/94; Amended 7/1/96), Section IV, Part I:</i> The court sets limits by track: 1. Expedited track cases, requests for production depositions are limited to the parties and 3 fact witnesses; 2. Standard track cases, requests for production depositions are limited to the parties and 5 fact witnesses; 3. Discovery in complex track and mass tort track cases will proceed as needed. 4. There is no discovery in administrative track cases.</p>	<p>No durational limits depositions.</p>
<p>E.D. Mo.</p>	<p>The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).</p> <p>Note: Limits, if any, are provided for in a judge’s case management order entered after a Rule 16 Conference.</p>	<p>The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).</p> <p>Note: Limits, if any, are provided for in a judge’s case management order entered after a Rule 16 Conference.</p>	<p>No durational limits depositions by local</p> <p>Note: Limits, if any, judge’s case manage after a Rule 16 Conf</p>
<p>W.D. Mo.</p>	<p>The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).</p>	<p>The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).</p>	<p>No durational limits depositions.</p>

D. Mont.	<i>Local Rules for the D. Mont., Local Rule 200-5(c) (Effective 9/1/95):</i> “A party upon whom interrogatories have been served may seek relief from responding to interrogatories which are excessive in number. For the purpose of this rule, more than fifty (50) interrogatories, including subparts, shall be considered excessive, unless the party propounding them can establish that the interrogatories are not unduly burdensome, have been propounded in good faith, have been tailored to the needs of the particular case, and are necessary because of the complexity or other unique circumstances of the case.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. Neb.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. Nev.	<i>Local Rules for the D. Nev., Local Rule 33-1(b) (Adopted Effective 6/1/95):</i> “Unless otherwise ordered by the court or stipulated by the parties, the total number of interrogatories propounded to each party by any other party shall be limited to forty (40), including all discrete subparts. The interrogatories shall be tailored to the needs of the particular case. Failure to comply with the provisions of this rule may result in sanctions.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. N.H.	<i>Local Rules for the D. N.H., Local Rule 26.1(e)(2) (Effective 1/1/96; Amended 1/1/97):</i> “The presumptive limits in Fed. R. Civ. P. . . . 33(a) regarding the number of . . . interrogatories apply to all civil actions in the court, except as otherwise stipulated by the parties in writing or excepted below. (A) These limitations do not apply in: (i) cases brought as class actions under Fed. R. Civ. P. 23; and (ii) cases transferred to this court under 28 USC § 1407 or joined with cases so transferred. (B) Pursuant to Fed. R. Civ. P. 26(b)(2), the court may alter the discovery limits prescribed by the Federal Rules of Civil Procedure. Parties shall discuss issues pertaining to limits on discovery at the planning conference required by LR 26.1(f) and shall attempt to stipulate to exceptions to discovery limits. If the parties do not so stipulate, parties may request exceptions to discovery limits at the preliminary pretrial conference held pursuant to LR	<i>Local Rules for the D. N.H., Local Rule 26.1(e)(2) (Effective 1/1/96; Amended 1/1/97):</i> “The presumptive limits in Fed. R. Civ. P. 30(a) [and] 31(a) . . . regarding the number of depositions. . . apply to all civil actions in the court, except as otherwise stipulated by the parties in writing or excepted below. (A) These limitations do not apply in: (i) cases brought as class actions under Fed. R. Civ. P. 23; and (ii) cases transferred to this court under 28 USC § 1407 or joined with cases so transferred. (B) Pursuant to Fed. R. Civ. P. 26(b)(2), the court may alter the discovery limits prescribed by the Federal Rules of Civil Procedure. Parties shall discuss issues pertaining to limits on discovery at the planning conference required by LR 26.1(f) and shall attempt to stipulate to exceptions to discovery limits. If the parties do not so stipulate, parties may request exceptions to discovery limits at the preliminary pretrial conference held pursuant to LR	No durational limits depositions.

	16.1.”	16.1.”	
D. N.J.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. N.M.	<p><i>Local Rules for the D. N.M., Local Rule 26.5 (Effective 1/1/96):</i> “The Court, sua sponte or on motion by a party, may change the limitations on discovery imposed by federal or local rule and may fashion discovery to meet special circumstances. . . . Unless otherwise ordered by the Court, to serve more interrogatories than are allowed by Fed.R.Civ.P. 33, a party must file a motion in accordance with D. N.M. LR-Civ. 7, which sets forth the proposed interrogatories and explains why they are necessary.”</p> <p>NOTE: District has a standard form “Provisional Discovery Plan” in which counsel may agree to set limits on the maximum number of interrogatories by each party to any other party. However, the Court is not bound by this and may, in its discretion, set its own limits on discovery events.</p>	<p>The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the Court orders otherwise.</p> <p>NOTE: District has a standard form “Provisional Discovery Plan” in which counsel may agree to set limits on the maximum number of depositions by plaintiffs and by defendants. However, the Court is not bound by this and may, in its discretion, set its own limits on discovery events.</p>	<p>No durational limits depositions by local</p> <p>NOTE: District has “Provisional Discovery Plan” in which counsel may agree to set limits on the maximum number of depositions by plaintiffs and by defendants. However, the Court is not bound by this and may, in its discretion, set its own limits on discovery events.</p>
ED. N.Y.	<i>United States District Court for the E.D. N.Y., Administrative Order 97-14 (Adopted 11/25/97):</i> The previous presumptive limit of fifteen interrogatories absent agreement of the parties or court order established by the E.D. N.Y.’s CJRA plan was permitted to expire on December 1, 1997. At present, the district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	<i>United States District Court for the E.D. N.Y., Administrative Order 97-14 (Adopted 11/25/97):</i> The previous presumptive limit of ten depositions absent agreement of the parties or court order established by the E.D. N.Y.’s CJRA plan was permitted to expire on December 1, 1997. At present, the district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
N.D. N.Y.	<p><i>Local Rules for the N.D. N.Y., Appendix I. Local Rules of Civil Procedure regarding Discovery (General Order #40, Filed 12/14/93):</i> “. . . Federal Rule of Civil Procedure . . . 33(a) (insofar as it limits the number of interrogatories), shall not become operative in this District without further order of this court. . .”</p> <p>NOTE: At the initial Rule 16 Conference the assigned magistrate judge will discuss</p>	<p><i>Local Rules for the N.D. N.Y., Appendix I. Local Rules of Civil Procedure regarding Discovery (General Order #40, Filed 12/14/93):</i> “. . . Federal Rule of Civil Procedure. . . 30(a)(2)(A) (insofar as it limits the number of depositions), and 31(a)(2)(A) (insofar as it limits the number of depositions upon written questions). . . shall not become operative in this District without further order of this court. . .”</p>	<p>No durational limits depositions by local</p> <p>NOTE: At the initial Rule 16 Conference the assigned magistrate judge will discuss the time permitted for depositions to become an issue before the court.</p>

	interrogatories and may limit the number on a case-by-case basis.	NOTE: At the initial Rule 16 Conference the assigned magistrate judge will discuss the number of depositions needed and may limit the number on a case-by-case basis.	
S.D. N.Y.	<p><i>Local Rules for E. & S.D. N.Y., Local Rule 33.4(a) (Effective 4/15/97) (Southern District only):</i> “Federal Rule of Civil Procedure 33(a) (only insofar as it limits the number of interrogatories) is not operative in this District.”</p> <p><i>See also Local Rule 33.3:</i> <i>“Interrogatories (Southern District only)</i> (a) Unless otherwise ordered by the court, at the commencement of discovery, interrogatories will be restricted to those seeking names of witnesses with knowledge of information relevant to the subject matter of the action, the computation of each category of damage alleged, and the existence, custodian, location and general description of relevant documents, including pertinent insurance agreements, and other physical evidence, or information of a similar nature. (b) During discovery, interrogatories other than those seeking information described in paragraph (a) above may only be served (1) if they are a more practical method of obtaining the information sought than a request for production or a deposition, or (2) if ordered by the court. (c) At the conclusion of other discovery, and at least 30 days prior to the discovery cut-off date, interrogatories seeking the claims and contention of the opposing part may be served unless the court has ordered otherwise.”</p>	<p><i>Local Rules for E. & S.D. N.Y., Local Rules 30.2(a) & 31.1(a) (Effective 4/15/97) (Southern District only):</i> Federal Rules of Civil Procedure 30(a)(2)(A) & 31(a)(2)(A) are not operative in this District.</p>	No durational limits depositions.
W.D.N.Y.	<p><i>Local Rules for the W.D. N.Y., Local Rule 26(b)(2) (Effective 12/1/94):</i> “In all civil cases filed after the effective date of these rules, unless a different number is provided by court order or by stipulation, the maximum number of interrogatories . . . shall be as provided in Federal Rule[] of Civil Procedure. . . 33. However, there are no limitation on the number of interrogatories. . . in cases certified as class actions under Federal Rule of Civil Procedure 23, unless otherwise provided by court order.”</p>	<p><i>Local Rules for the W.D. N.Y., Local Rule 26(b)(2) (Effective 12/1/94):</i> “In all civil cases filed after the effective date of these rules, unless a different number is provided by court order or by stipulation, the maximum number of. . . depositions shall be as provided in Federal Rules of Civil Procedure 30 [and] 31. . . However, there are no limitation on the number of . . . depositions in cases certified as class actions under Federal Rule of Civil Procedure 23, unless otherwise provided by court order.”</p>	No durational limits depositions.

E.D. N.C.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
M.D. N.C.	<i>Local Rules for the M.D. N.C., Local Rule 26.1 (Effective 7/1/97):</i> Presumptive limits on interrogatories (including subparts) are set according to the Differentiated Case Management track, subject to stipulation of the parties or order of the court on good cause shown: 15 by each party in standard track cases, 25 by each party in complex track cases, and 30 by each party in exceptional track cases.	<i>Local Rules for the M.D. N.C.), Local Rule 26.1 (Effective 7/1/97):</i> Presumptive limits on depositions are set according to the Differentiated Case Management track: 4 depositions (including any experts) by the plaintiffs, by the defendants, and by third-party defendants in standard cases, 7 depositions (including any experts) by the plaintiffs, by the defendants, and by third-party defendants in complex track cases ; and 10 depositions (including any experts) by the plaintiffs, by the defendants, and by third-party defendants in exceptional cases.	No durational limits depositions.
W.D. NC.	<i>Local Rules for the W.D. N.C., Civil Justice Expense and Delay Reduction Plan (Approved 9/23/93), Section One, Part II.A:</i> Interrogatories are limited by track in the differentiated case management system: 1. Expedited cases are limited to 15 single-part interrogatories per party; 2. Standard cases are limited to 20 single-part interrogatories per party; 3. Complex cases have limits tailored to the case; 4. Administrative cases are not permitted interrogatories without prior leave of court; and 5. Mass tort cases have limits tailored to the case.	<i>Local Rules for the W.D. N.C., Civil Justice Expense and Delay Reduction Plan (Approved 9/23/93), Section One, Part II.A:</i> Depositions are limited by track in the differentiated case management system: 1. Expedited cases are limited to 1 fact witness deposition per party without prior approval of the court or mutual consent of the parties; 2. Standard cases are limited to 6 fact witness deposition per party without prior approval of the court or mutual consent of the parties; 3. Complex cases have limits tailored to the case; 4. Administrative cases are not permitted depositions without prior leave of court; and 5. Mass tort cases have limits tailored to the case.	No durational limits depositions.
D. N.D.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a). NOTE: District has a standard form "Scheduling/Discovery Plan" in which counsel may agree to set limits on the maximum number of interrogatories by each party (including subparts). Broad contention interrogatories (i.e., "List all facts supporting your claim that . . .") are prohibited, and good cause must be shown for more than the 25 interrogatories allowed by Federal Rule of Civil Procedure 33. The scheduling/discovery plan must be	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A). NOTE: District has a standard form "Scheduling/Discovery Plan" in which counsel may agree to set limits on the maximum number of discovery depositions by each side. Good cause must be shown for more than the 10 depositions allowed by Federal Rule of Civil Procedure 30. The scheduling/discovery plan must be approved by a magistrate judge and may be modified to set its own limits on discovery events.	No durational limits depositions.

	approved by a magistrate judge and may be modified to set its own limits on discovery events.		
D. N.Mar.I.	<p><i>Local Rules for the D. N.Mar.I., Local Rule 26.7(b) (Effective 1/1/97):</i> “Prior to the filing of a responsive pleading, no party shall serve on any other party interrogatories which, including subparagraphs, number more than fifteen (15), without prior leave of court. Subparagraphs of any interrogatory shall relate directly to the subject matter of the main interrogatory. These interrogatories shall be included in the total number of interrogatories allowed by the case’s track assignment. Any party desiring to serve additional interrogatories prior to the filing of a responsive pleading shall submit to the court a written memorandum setting forth the proposed additional interrogatories and the reasons establishing their use.”</p> <p><i>Local Rule 16.2CJ.c.1:</i> Limits are determined by track assignment: (a) Expedited cases: discovery guidelines include interrogatories limited to 15 single-part questions; (b) Standard cases: discovery guidelines include interrogatories limited to 30 single-part questions; and (c) Complex cases: discovery guidelines include interrogatories limited to 50 single-part questions.</p>	<p><i>Local Rules for the D. N.Mar.I., Local Rule 16.2CJ.c (Effective 1/1/97):</i> Limits are determined by track assignment: (a) Expedited cases: discovery guidelines include depositions limited to depositions of the parties, depositions on written questions of custodians of business records for nonparties, and no more than 1 fact witness deposition per party without prior approval of the court; (b) Standard cases: discovery guidelines include depositions limited to depositions of the parties, depositions on written questions of custodians of business records for nonparties, no more than 3 fact witness depositions per party without prior approval of the court; and (c) Complex cases: discovery guidelines include depositions limited to depositions of the parties, depositions on written questions of custodians of business records for nonparties.</p>	No durational limits depositions.
N.D. Oh.	<p><i>Local Rules for the N.D. Oh., Local Rule 33.1(a) (Amended 4/7/97):</i> “. . . Unless otherwise permitted by the Court, for good cause shown, interrogatories propounded by a party shall be limited according to the Case Management Track assigned pursuant to Local Rule 16.2(a).”</p> <p><i>Local Rule 16.2(a)(2) (Amended 4/7/97):</i> (A) Expedited: discovery guidelines include interrogatories limited to 15 single-part questions; and (B) Standard: discovery guidelines include interrogatories limited to 35 single-part questions; (C) Complex: cases in this track will have the discovery cut-off specified in the case management plan; (D) Administrative: no discovery is permitted without prior leave of court; (E) Mass torts: cases on this track will be treated in accordance with the special management plan by the court.</p>	<p><i>Local Rules for the N.D. Oh., Local Rule 16.2(a)(2) (Amended 4/7/97):</i> Limits on depositions are determined by track assignment. (A) Expedited: discovery guidelines include no more than 1 non-party fact witness deposition per party (in addition to party depositions) without prior approval by the court; and (B) Standard: discovery guidelines include no more than 3 non-party fact witness depositions per party (in addition to party depositions) without prior approval by the court. (C) Complex: cases in this track will have the discovery cut-off specified in the case management plan; (D) Administrative: no discovery is permitted without prior leave of court; (E) Mass torts: cases on this track will be treated in accordance with the special management plan by the court.</p>	No durational limits depositions.
S.D. Oh.	<p><i>Local Rules for the S.D. Oh., Local Rule 33.1 (Effective 10/1/91):</i> “Unless there</p>	The district does not place a different numerical limit on depositions by local	No durational limits depositions.

	has been agreement of the responding party or leave of court has first been obtained, no party shall serve more than 40 interrogatories (including all subparts) upon any other party.”	rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	
E.D. Okla.	<i>Local Rules for the E.D. Okla., Local Rule 33.1.A (Effective 10/1/96):</i> “The number of interrogatories served on a party by another party in any one case shall not exceed twenty-five (25) in number. Interrogatories inquiring about the existence, location, and custodian of documents or physical evidence shall be construed as one interrogatory. All other interrogatories, including subdivisions of one numbered interrogatory, shall be construed as separate interrogatories. No further interrogatories may be served unless authorized by the Court.”	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
N.D. Okla.	<i>Local Rules for the N.D. Okla., Local Rule 33.1.A (Effective 1/1/95):</i> “The number of interrogatories served on a party by another party in any one case shall not exceed twenty-five (25) in number. Interrogatories inquiring about the existence, location, and custodian of documents or physical evidence shall be construed as one interrogatory. All other interrogatories, including subdivisions of one numbered interrogatory, shall be construed as separate interrogatories. No further interrogatories may be served unless authorized by the court.”	<i>Local Rules for the N.D. Okla., Local Rule 30.1.G (Effective 1/1/95):</i> “No more than ten (10) depositions per side shall be taken in any case without an order of the court permitting additional depositions.”	<i>Local Rules for the Rule 30.1.F (Effective deposition shall extend in length, beyond 5: on a weekend or holiday agreement in writing interested attorneys (the record by all interested order of the court. E limitation shall be prevented of obstructive conduct on the part of opposing counsel, or interests of justice.”</i>
W.D. Okla.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
D. Or.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
E.D. Pa.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
M.D. Pa.	<i>Local Rules for the M.D. Pa., Local Rule 33.3 (Effective 4/15/97):</i> “Interrogatories to a party, as a matter of right, shall not exceed twenty five (25) in number. Interrogatories inquiring as to the names and locations of witnesses, or the existence, location and custodian of	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	<i>Local Rules for the 30.1 (Effective 4/15/ shall be limited to six deponent, unless the longer period of time</i>

	documents or physical evidence each shall be construed as one interrogatory. All other interrogatories, including subdivisions of one numbered interrogatory, shall be construed as separate interrogatories. If counsel for a party believes that more than twenty five (25) interrogatories are necessary, counsel shall consult with opposing counsel promptly and attempt to reach a written stipulation as to a reasonable number of additional interrogatories. Counsel are expected to comply with this requirement in good faith. In the event a written stipulation cannot be agreed upon, the party seeking to submit additional interrogatories shall file a motion with the court showing the necessity for relief.”		
W.D. Pa.	<i>In The United States District Court for the W.D. Pa., Memorandum Order of Court In Re: 1993 Amendments to Federal Rules of Civil Procedure (12/10/93):</i> The limitations in Federal Rule of Civil Procedure 33(a) on the number of interrogatories “shall not be in effect in this district.”	<i>In The United States District Court for the W.D. Pa., Memorandum Order of Court In Re: 1993 Amendments to Federal Rules of Civil Procedure (12/10/93):</i> The limitations in Federal Rules of Civil Procedure 30(a)(2) and 31(a) on the number of depositions “shall not be in effect in this district.”	No durational limits depositions.
D. P.R.	<i>Local Rules for the D. P.R.. Local Rule 311(16) (Amended 6/16/94):</i> “. . . [L]itigants are reminded that the Federal Rules of Civil Procedure, as amended, govern the limits and use of discovery.”	<i>Local Rules for the D. P.R.. Local Rule 311(16) (Amended 6/16/94):</i> “. . . [L]itigants are reminded that the Federal Rules of Civil Procedure, as amended, govern the limits and use of discovery.”	No durational limits depositions.
D. R.I.	<i>United States District Court for the D. R.I., General Order In The Matter of Local Rules of Civil Procedure (5/9/94):</i> Until further order of this Court, Rule 33(a) of the Federal Rules of Civil Procedure insofar as it limits the number of interrogatories is deemed inoperative in this District.	<i>United States District Court for the D. R.I., General Order In The Matter of Local Rules of Civil Procedure (5/9/94):</i> Until further order of this Court, Rules 30(a)(2)(A) and 31(a)(2)(A) of the Federal Rules of Civil Procedure insofar as they limit the number of depositions are deemed inoperative in this District.	No durational limits depositions.
D. S.C.	<i>Local Civil Rules for the D. S.C., Local Rule 33.01(Effective 2/21/97):</i> “The requirement of Fed.R.Civ.P. 33(a) that leave of Court may be obtained to serve more than 25 interrogatories shall not apply in this District. The number of interrogatories by each party, including sub-parts, without leave of Court, is limited to fifty (50).” <i>See also</i> Rule 26.03. “Interrogatories to be Answered and Documents to be Produced by Each Plaintiff”; Rule 26.06 “Interrogatories To Be Answered and Documents To Be Produced by Each Defendant”; and Rule 26.08 “Rules for Answering Interrogatories and	<i>Local Civil Rules for the D. S.C., Local Rules 30.01 & 31.01(Effective 2/21/97):</i> The requirements of Federal Rule of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) that leave of Court be obtained to take more than 10 depositions shall not apply in this District.	No durational limits depositions.

	Responding to Directives to Produce.”		
D. S.D.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
E.D. Tenn.	<p><i>Local Rules for the E.D. Tenn., Local Rule 26.1(b)(2) (Effective 3/1/94):</i> “Unless otherwise ordered by the court in a particular case, the limitations specified in Fed.R.Civ.P. . . 33 as to the number of interrogatories do not apply in: (A) cases brought as class actions under Fed.R.Civ.P. 23; (B) cases filed in, removed to, or transferred to this court before March 1, 1994; or (C) cases transferred to this court under 28 U.S.C. § 1407, or joined with cases so transferred.”</p> <p><i>Local Rule 33.1 (Effective 3/1/94):</i> “Should it appear to the court, whether by motion or otherwise, that a party has used subparts as a means to circumvent the limitation on number, the party, along with the filing attorney, may be subjected to sanctions. Answers to interrogatories must be supplemented as may be required by the facts and circumstances of the case, and by the Federal Rules of Civil Procedure.”</p>	<p><i>Local Rules for the E.D. Tenn., Local Rule 26.1(b)(2) (Effective 3/1/94):</i> “Unless otherwise ordered by the court in a particular case, the limitations specified in Fed.R.Civ.P. 30 [and] 31. . . as to the number of depositions do not apply in: (A) cases brought as class actions under Fed.R.Civ.P. 23; (B) cases filed in, removed to, or transferred to this court before March 1, 1994; or (C) cases transferred to this court under 28 U.S.C. § 1407, or joined with cases so transferred.”</p>	No durational limits depositions.
M.D. Tenn.	<p><i>Local Rules for the M.D. Tenn., Local Rule 9(a)(2) (Amended 7/12/97):</i> “Interrogatories pursuant to Rule 33, FRCP, shall be limited to thirty (30) such interrogatories. Subparts of a question shall be counted as additional questions for purposes of the overall number. Leave of Court must be obtained to submit interrogatories above thirty (30) in number. The first thirty (30) interrogatories may be submitted in successive sets as long as the aggregate number does not exceed thirty (30). Request for leave shall include copies of such additional interrogatories to be submitted, along with a statement of counsel as to the necessity for such information, its relevance, or likelihood to lead to relevant information, and the fact that it cannot be obtained from other sources.”</p> <p><i>See also Local Rule 11(d)(2) (Amended 3/1/94) Customized case management:</i> All civil cases not exempted from this rule are subject to customized case</p>	<p><i>Local Rules for the M.D. Tenn., Local Rule 11(d)(2) (Amended 3/1/94)</i> <i>Customized case management:</i> All civil cases not exempted from this rule are subject to customized case management. “As soon as practical after the initial case management conference, the case manager will enter the initial case management order, which will, to the extent applicable, provide the following. . . The delineation of the stages of discovery, discovery deadlines, and any limitations on discovery: [number of depositions and interrogatories]. . .”</p> <p>NOTE: The numerical limit (10) placed on depositions by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) does not apply in civil cases in the M.D. Tenn--limits are set by the initial case management order developed on a case-by-case basis.</p>	No durational limits depositions.

	management. "As soon as practical after the initial case management conference, the case manager will enter the initial case management order, which will, to the extent applicable, provide the following . . . The delineation of the stages of discovery, discovery deadlines, and any limitations on discovery: [number of depositions and interrogatories]. . ."		
W.D. Tenn.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A).	No durational limits depositions.
E.D. Tex.	<i>Local Rules for the E.D. Tex., Local Rule CV-26(b) (Effective 1992):</i> Interrogatories are presumptively limited by track assignment: No interrogatories are permitted for Track One and Two cases; 25 interrogatories are permitted for cases assigned to Tracks Three cases; cases assigned to Tracks Five and Six have discovery plans tailored by the judicial officer to fit the special management needs of mass tort and other large groups of similar cases. ". . . These limits shall govern the case and may not be increased by the parties or their attorneys by agreement or otherwise. If any additional change of track number is necessary it should be taken up at the Management Conference at which time the judicial officer to whom the case is assigned may, upon good cause shown, expand or limit the discovery. . ."	<i>Local Rules for the E.D. Tex., Local Rule CV-26(b) (Effective 1992):</i> Depositions are presumptively limited by track assignment: No depositions are permitted for Track One and Two cases; 25 depositions of the parties and 25 depositions on written questions of custodians of business records for third parties are permitted for Track Three Cases; 25 depositions of the parties, 25 depositions on written questions of custodians of business records for third parties, and 3 other depositions per side (i.e., per party or per group of parties with a common interest) are permitted for Track Four cases; cases assigned to Tracks Five and Six have discovery plans tailored by the judicial officer to fit the special management needs of mass tort and other large groups of similar cases. ". . . These limits shall govern the case and may not be increased by the parties or their attorneys by agreement or otherwise. If any additional change of track number is necessary it should be taken up at the Management Conference at which time the judicial officer to whom the case is assigned may, upon good cause shown, expand or limit the discovery. . ."	No durational limits depositions.
N.D. Tex.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the Court orders otherwise in a particular case.	No durational limita depositions.
S.D. Tex.	<i>Local Rules for the S.D. Tex.), Local Rule 5.D (Effective 2/22/94):</i> "No more than twenty five interrogatories (counting sub-parts) may be served without leave of Court."	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the	No durational limita depositions.

		Court orders otherwise in a particular case.	
W.D. Tex.	<p><i>Local Rules for the W.D. Tex., Local Rule CV-16(c) (Effective 1/1/94):</i> “The District Judges of the United States District Court for the Western District of Texas voted unanimously to ‘opt out’ of the presumptive discovery limits as set out in Rule[] . . . 33 of the Federal Rules of Civil Procedure which became effective on December 1, 1993. . . Local Rule[] . . . CV-33 and not Rule[] . . . 33 of the Federal Rules of Civil Procedure shall apply (regarding . . . presumptive discovery limits) to all civil proceedings unless otherwise ordered by the Court. . .”</p> <p><i>Local Rule CV-33(a)(Effective 1/9/94):</i> “Each party that chooses to submit written interrogatories pursuant to Rule 33, Fed.R.Civ.P., will be initially limited to propounding twenty questions to each adverse party. Each separate paragraph within a question and each sub-part contained within a question which calls for a response shall be counted as a separate question. The Court may permit further interrogatories upon a showing of good cause.”</p> <p><i>Local Rule CV-33(c) (Effective 1/9/94):</i> “Each party that chooses to submit written interrogatories pursuant to Rule 33 of the Federal Rules of Civil Procedure may use the following instructions and questions. . . .” (detailed instructions provided for interrogatories as well as for the content of interrogatories).</p>	<p><i>Local Rules for the W.D. Tex., Local Rule CV-16(c) (Effective 1/1/94):</i> “The District Judges of the United States District Court for the Western District of Texas voted unanimously to ‘opt out’ of the presumptive discovery limits as set out in Rules. . . 30 [and] 31. . . of the Federal Rules of Civil Procedure which became effective on December 1, 1993. . . Local Rules . . . CV-30. . . and not Rules. . .30 [and] 31. . . of the Federal Rules of Civil Procedure shall apply (regarding . . . presumptive discovery limits) to all civil proceedings unless otherwise ordered by the Court. . .”</p> <p>No numerical limitations are placed on depositions in Local Rule CV-30.</p>	No durational limits on depositions.
D. Utah	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a), unless Court orders otherwise in a particular case.	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the Court orders otherwise in a particular case.	No durational limits on depositions, unless otherwise.
D. Vt.	<i>United States District Court for the D. Vt., General Order No. 43 In Re: December 1, 1993 Amendments to the Federal Rules of Civil Procedure, Specifically Civil Rule Nos. 26, 30, 31 and 33 (Retroactively Effective 4/15/97):</i> “. . . Federal Rule[] of Civil Procedure . . . 33(a) [insofar as it limits the number of interrogatories to parties], as amended December 1, 1993, shall <i>not</i> apply within	<i>United States District Court for the D. Vt., General Order No. 43 In Re: December 1, 1993 Amendments to the Federal Rules of Civil Procedure, Specifically Civil Rule Nos. 26, 30, 31 and 33 (Retroactively Effective 4/15/97):</i> “Federal Rules of Civil Procedure 30(a)(2)(A) [insofar as it limits the number of depositions upon oral examination]; and 31(a)(2)(A) [insofar as	No durational limits on depositions.

	the District of Vermont until further order of the court since this District has not experienced the problems which resulted in the adoption of those sections of the Federal Rules in 1993.”	it limits the number of depositions upon written request]. . . as amended December 1, 1993, shall not apply within the District of Vermont until further order of the court since this District has not experienced the problems which resulted in the adoption of those sections of the Federal Rules in 1993.”	
D. V.I.	<i>Local Rules for the D. V.I., Local Rule 33.1 (Effective 7/21/92, Amended Effective 2/19/96): “. . . No party shall serve on any other party more than fifty (50) interrogatories in the aggregate without leave of court. Each subpart of an interrogatory shall count as an additional interrogatory. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing good cause for their use.”</i>	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the Court orders otherwise in a particular case Court indicated that this 10 deposition limit is more honored in breach than observance, and the Court allows depositions that are reasonably necessary.	<i>Local Rules for the . . . 26.2(a) (Effective 7/ . . . Time and participati . . . hour for the direct ex . . . non-party witnesses; direct for party and e . . . an equal amount of t . . . cross-examination, e . . . stipulation of the pai . . . the court.”</i>

E.D. Va.	<p><i>Local Rules for the E.D. Va., Local Rule 26(A)(2) (Effective 1/1/97):</i> “The provisions of. . . Fed. R. Civ. P. 33(a) (that limits the number of written interrogatories to 25 in number including all discrete subparts), will not apply in this District.”</p> <p><i>Local Rule 33 (Effective 1/1/97):</i> “Unless otherwise permitted by the Court for good cause shown, such permission being granted only upon written motion to the Court pursuant to Local Rule 7, no party shall serve upon any other party, at any one time or cumulatively, more than thirty (30) written interrogatories, including all parts and sub-parts. This limit may not be waived by agreement of counsel.”</p>	<p><i>Local Rules for the E.D. Va. Local Rule 26(A)(2) (Effective 1/1/97):</i> “The provisions of. . . Fed. R. Civ. P. 30(a)(2)(A) (that a party must obtain leave of court to take more than 10 depositions). . . will not apply in this District.”</p> <p><i>Local Rules for the E.D. Va., Local Rule 30(I) (Effective 1/1/97):</i> “Unless otherwise permitted by the Court for good cause shown, such permission being granted only upon written motion to the Court pursuant to Local Rule 7, no party shall take more than five (5) depositions of non-party, non-expert witnesses, including depositions to be used at trial pursuant to Fed. R. Civ. P. 32(a)(3), whether upon oral examination pursuant to Fed. R. Civ. P. 30, or upon written questions pursuant to Fed. R. Civ. P. 31. Any party may be deposed. This limit may not be waived by agreement of counsel.”</p>	No durational limits depositions.
W.D. Va.	No different numerical limit is placed on interrogatories by the District’s standing orders (W.D. Va. does not maintain local rules; it does maintain standing orders). The District verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a), unless the Court orders otherwise in a particular case.	No different numerical limit is placed on depositions in District’s standing orders (W.D. Va. does not maintain local rules; it does maintain standing orders). The District verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the Court orders otherwise in a particular case.	No durational limits depositions.
E.D. Wa.	<i>Local Rules for the E.D. Wa., Local Rule 33.1(b) (Effective 9/1/96):</i> “The number of interrogatories which may be propounded to any one party by any adverse party shall be twenty-five, including subparts. Such limitation may be subject to modification by the Court for good cause.”	<i>Local Rules for the E.D. Wa., Local Rule 30.1(a) (Effective 9/1/96):</i> “A party must obtain leave of court, which shall be granted to the extent consistent with the principles stated in Fed. R. Civ. P. 26(b)(2), if the person to be examined is confined in prison or if, without the written stipulation of the parties, a proposed deposition would result in more than ten (10) depositions being taken under this rule or Fed. R. Civ. P. 31 by the plaintiffs, or by the defendants, or by third-party defendants in accordance with Fed. R. Civ. P. 30(a)(2)(A).”	No durational limits depositions.
W.D. Wa.	<i>Local Rules for the W.D. Wa., Local Civil Rule 33(a) (Effective 7/1/97):</i> “Without leave of court or written stipulation, any party may serve upon any other party written interrogatories, not exceeding 35 in number including all discrete subparts, to be answered by the party served or, if the party served is a	<i>Local Rules for the W.D. Wa., Local Civil Rules 30(a) and 31(a) (Effective 7/1/97):</i> A party may take the testimony of any person, including a party, by deposition upon oral examination or upon written questions without leave of court. Leave of court must be obtained only if the person to be examined is confined in	<i>Local Rules for the Civil Rule 30(d)(2) (</i> “By order, the court permitted for the cor but shall allow addit consistently with Ru for a fair examinatio if the deponent or an

	public or private corporation or a partnership or association or governmental agency, by any officer or agent, who shall furnish such information as is available to the party. Leave to serve additional interrogatories shall be granted to the extent consistent with the principles of Rule 26(b)(2).”	prison or if, without the written stipulation of the parties, the person to be examined already has been deposed in the case.	or delays the examir
N.D. W.Va.	<i>Local Rules for the N.D. W.Va., Local Rule Civ P 3.01(c) (Effective 3/1/96):</i> “Unless otherwise ordered or stipulated, discovery under Fed. R. Civ. P. 26(a)(5) shall be limited . . . [to] twenty-five (25) written interrogatories, including all discrete subparts, by any party upon any other party. . .”	<i>Local Rules for the N.D. W.Va., Local Rule Civ P 3.01(c) (Effective 3/1/96):</i> “Unless otherwise ordered or stipulated, discovery under Fed. R. Civ. P. 26(a)(5) shall be limited. . .[to] ten (10) depositions upon oral examination or written questions to all plaintiffs, ten (10) depositions upon oral examination or written questions to all defendants; ten (10) depositions upon oral examination or written questions by all third-party defendants. . .”	No durational limits depositions.
S.D. W.Va.	<i>Local Rules for the S.D. W.Va., Local Rule Civ P 3.01(c) (Effective 9/1/94):</i> “Unless otherwise ordered or stipulated, discovery under FR Civ P 26(a)(5) shall be limited. . . [to] 25 written interrogatories, including all discrete subparts, by any party upon any other party. . .”	<i>Local Rules for the S.D. W.Va., Local Rule Civ P 3.01(c) (Effective 9/1/94):</i> “Unless otherwise ordered or stipulated, discovery under FR Civ P 26(a)(5) shall be limited. . . [to] 10 depositions upon oral examination or written questions to all plaintiffs, 10 depositions upon oral examination or written questions to all defendants; 10 depositions upon oral examination or written questions by all third-party defendants. . .”	No durational limits depositions.
E.D. Wis.	<i>Local Rules for the E.D. Wis., Local Rule 7.03 (Effective 9/1/83):</i> “Any party may serve upon any other party up to 15 written interrogatories. The 15 permissible interrogatories may not be expanded by the creative use of subparts. The interrogatories are to be answered by the party served or, if the party served is a public or private corporation or a partnership or association or governmental agency, by any officer or agent, who shall furnish such information as is available to the party. For the purpose of computing the number of interrogatories served: (a) Parties represented by the same attorney or law firm shall be regarded as one party. (b) Mandatory interrogatories under local rule 7.07 and interrogatories inquiring about the names and locations of persons having knowledge of discoverable information or about the existence, location, or custodian of documents or physical evidence shall not be counted toward the 15 interrogatory limit. . .” <i>See also Local Rule 7.07(a). Mandatory</i>	No different numerical limitation is placed on depositions (for all civil cases in general) by the local rules. The District verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), <i>but see</i> <i>Local Rules for the E.D. Wis., Local Rule 7.07(e) (Effective 9/1/83) :</i> Cases that are not deemed to be complex or lengthy are exempt from the mandatory interrogatories under rule 7.0. “To be excused under this exception, counsel for a party seeking to avoid the requirements of rule 7.07 must sign, serve, and file a declaration stating. . . [t]hat the party will not take more than 3 depositions or seek to obtain answers to more than 15 interrogatories. . .”	<i>Local Rules for the Rule 7.10 (Effective otherwise authorized agreed to by the part examination of any c exceed 6 hours. Add allowed by the court examination of the d consistent with the p rule 26(b)(2), or if th another party has im examination. If the c impediment, delay, c frustrates the fair exa deponent, it may im responsible therefor ; sanction, including t and attorney fees inc as a result thereof.”</i>

	<i>interrogatories for all parties.</i>		
W.D. Wis.	The district does not place a different numerical limit on interrogatories by local rule. The district verified that it follows the 25 interrogatory limit established by Federal Rule of Civil Procedure 33(a).	The district does not place a different numerical limit on depositions by local rule. The district verified that it follows the 10 deposition limit established by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the Court orders otherwise in a particular case.	No durational limits depositions.

<p>D. Wyo.</p>	<p><i>Local Rules for the D. Wyo., Local Rule 33.1(b) & (c)(Adopted 11/30/96)</i> : “No party shall serve on any other party more than one set of thirty (30) interrogatories in the aggregate, including all subparts, without leave of Court. Subparagraphs of any interrogatory shall relate directly to the subject matter of the interrogatory. . . Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing good cause for their use.”</p>	<p><i>Local Rules for the D. Wyo., Local Rules 30.1(i) & 31.1 (Adopted 11/30/96)</i>: Absent good cause shown, there shall be no limit on the number of depositions, either oral or upon written questions.</p>	<p><i>Local Rules for the . . . 30.1(i) & 31.1 (Adopted 11/30/96)</i>: Absent good cause shown, there shall be no limit on the number of depositions, either oral or upon written questions.</p>
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Numerical Limits on Interrogatories in State Courts

We found 35 states with court rules or statutory provisions placing a numerical limitation on interrogatories permitted between the parties in a civil case. As noted above, we derived these rules or practices from Westlaw and have not verified them with the courts. We do not think that Table 2 is a comprehensive listing of such rules. Only one state (Kentucky) places a limit on interrogatories (20) that is lower than the federal limit of 25, and only one state (Indiana) has adopted the limit established by Federal Rule of Civil Procedure 33(a). Seventeen states have adopted a numerical limit of 30 interrogatories, two states have chosen a limit of 35, five states have a limit of 40, seven states limit interrogatories to 50, and one state allows 60 interrogatories.

The states' rules limiting the number of interrogatories are very similar to the federal local rules. Many state and federal rules contain provisions defining what is to be considered a separate interrogatory for counting purposes. For example, Alabama Rules of Civil Procedure 33(a) provides that ". . .any subpart or separable question (whether or not separately numbered, lettered, or paragraphed) propounded under an interrogatory shall be considered a separate interrogatory. . ." In addition, both the state and federal rules contain provisions for allowing parties to obtain leave of court to serve additional interrogatories or stipulate between themselves as to the number of additional interrogatories needed.

Six of the states' rules limiting interrogatories include uniform, pattern, standard, or official form interrogatories that are intended to serve as guides only in particular types of cases. For, example, Arizona has adopted uniform interrogatories for cases involving personal injury, contract litigation, domestic relations, property tax, and medical malpractice. Arizona's rule explicitly states that "[t]he use of Uniform Interrogatories is not mandatory. The interrogatories should serve as a guide only. . . They are not to be used as a standard set of interrogatories for submission in all cases. Each interrogatory should be used only where it fits the particular case. . ." *See* Uniform Rules of Practice of the Superior Court of Arizona, Rule 17(d). *See also* Table 2, Column 1 for California, Colorado, Illinois, Maryland, and South Carolina. We did not find such sets of interrogatories with use that is discretionary and tailored to particular types of civil cases in the local rules of federal district courts.

Four states' rules providing for standard, form, or uniform interrogatories have made their use mandatory in particular types of cases. For example, a Connecticut Superior Court rule limits interrogatories only in certain personal injury actions to those set forth in Practice Book Forms, unless the court determines these interrogatories are inappropriate or inadequate in the particular case. *See also* Table 2, Column 1 for Florida (standard interrogatories must be used in all actions involving personal injury negligence, medical malpractice, or automobile negligence; other interrogatories may be added to the approved forms without leave of court so long as the total number of approved and

additional interrogatories does not exceed 30), Missouri, and New Jersey. These mandatory interrogatories differ from the mandatory interrogatories found in four federal districts' local rules which are tailored to the specific parties in all civil cases (unless a particular type of case is excepted) and are not tailored to specific types of civil cases.

Table 2. Quantitative and Durational Limits on Discovery Events in the State Courts

State	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Duration
Alabama	<p><i>Alabama Rules of Civil Procedure, Rule 33(a) (Amended Effective 10/1/90):</i> “Availability; Procedure for Use. . . A party shall not propound more than forty (40) interrogatories to any other party without leave of court. Upon motion, and for good cause shown, the court may increase the number of interrogatories that a party may serve upon another party. For purposes of this rule, (1) any subpart or separable question (whether or not separately numbered, lettered, or paragraphed) propounded under an interrogatory shall be considered a separate interrogatory, and (2) the word ‘party’ includes all parties represented by the same lawyer or firm. When the number of interrogatories exceeds forty (40) without leave of court, the party upon whom the interrogatories have been served need only answer or object to the first forty (40) interrogatories . . .”</p> <p><i>See also Committee Comments to Amendment to Rule 33(a) (Effective 10/1/90):</i> “At the time of the adoption of these rules, the concern for abuse by the propounding of ‘canned’ interrogatories was considered by the advisory committee. At that time, the appropriate solution for abuse, if perceived, was thought to be reliance upon the filing of motions under Rules 11 and 26(c) by the party from whom discovery was sought, who would have the burden of showing the need for relief. In the years since the effective date of these rules, the extent of misuse (by both sides) of voluminous ‘canned’ interrogatories has grown. The problem has become so pervasive that (1) the number of interrogatories should be limited, and (2) the burden of seeking relief with respect to the number of interrogatories should be shifted to the discovering party, from the responding party. . . Under the revision. . . only 40 interrogatories may be propounded by a party, but the court has authority to extend the number of interrogatories for good cause shown. It is contemplated that the trial court will exercise this discretion to allow litigants in complex cases to propound additional interrogatories. There may also be occasions, even in less complex cases, when the</p>		

State	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Duration
	<p>financial status of a litigant restricts the realistic availability of depositions as a means of discovery. In those instances, the trial court should also reasonably extend the number of allowed interrogatories. It is anticipated that the trial court, when exercising its discretion under Rule 33(a) to expand the number allowable, will do so moderately, only to an extent that will not become burdensome. . .”</p>		
Alaska	<p><i>Alaska Rules of Civil Procedure, Rule 33.A(a) (Amended effective July 15, 1995; July 15, 1997):</i> “. . . Without leave of court or written stipulation, a party may serve only thirty interrogatories upon another party, including all discrete subparts. This limit includes interrogatories served under Rule 26(d)(1). Leave to serve additional interrogatories shall be granted to the extent consistent with the principles of Rule 26(b)(2).”</p>	<p><i>Alaska Rules of Civil Procedure, Rule 30(a)(2)(A) (Amended effective 12/15/86):</i> “A party must obtain leave of court. . . if, without the written stipulation of the parties, (A) a proposed deposition would result in more than three depositions being taken under this rule or Rule 31 [depositions upon written questions] by the plaintiffs, or by the defendants, or by third-party defendants, of witnesses other than (i) parties, which means any individual identified as a party in the pleadings and any individual whom a party claims in its disclosure statements is covered by the attorney-client privilege; (ii) independent expert witnesses expected to be called at trial; (iii) treating physicians; and (iv) document custodians whose depositions are necessary to secure the production of documents or to establish an evidentiary foundation for the admissibility of documents; (B) the person to be examined already has been deposed in the case. . .”</p>	<p><i>Alaska Rule 30(d)(2) (A)</i> “Depositor length. Ora except purs parties or on hours in len expert with and three h deponents. additional t 26(b)(2) if r of the depo: another part examination allow additi examination deponents, account, an complexity parties likel and the exte possessed b finds that th delay, or of frustrated th deponent, it persons resp sanction, in and attorney parties as a</p>
Arizona	<p><i>Arizona Rules of Civil Procedure for the Superior Courts of Arizona, Rule 33.1. Uniform and Non-uniform Interrogatories; Limitations; Procedure (Added 12/20/91; Effective 7/1/92):</i> “(a) Presumptive Limitations. Except as provided in these Rules, a party shall not serve upon any other party more than forty (40) interrogatories, which may be any combination of uniform or non-uniform interrogatories. Any uniform interrogatory and its subparts shall be counted as one interrogatory. Any subpart to a non-uniform</p>		<p><i>Rules of Ci Superior C Length of L Terminate (Amended 1</i> “Depositor length. The or witness, whenever t (4) hours in stipulation motion and The court s</p>

State	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Duration
	<p>interrogatory shall be considered as a separate interrogatory.</p> <p>(b) Stipulations to Serve Additional Interrogatories. If a party believes that good cause exists for the service of more than forty (40) interrogatories upon any other party, that party shall consult with the party upon whom the additional interrogatories would be served and attempt to secure a written stipulation as to the number of additional interrogatories that may be served.</p> <p>(c) Leave of Court to Serve Additional Interrogatories. If a stipulation permitting the service of additional interrogatories is not secured, a party desiring to serve additional interrogatories may do so only by leave of court. Upon written motion or application showing good cause therefore, the court in its discretion may grant to a party leave to serve a reasonable number of additional interrogatories upon any other party. The party seeking leave to serve additional interrogatories shall have the burden of establishing that the issues presented in the action warrant the service of additional interrogatories, or that such additional interrogatories are a more practical or less burdensome method of obtaining the information sought, or other good cause therefor. . .”</p> <p><i>See also Committee Comment to 1991 Amendment:</i> “It is the Committee’s belief that with the mandatory disclosure under Rule 26.1 and the addition of the revised uniform interrogatories for personal injury and wrongful death cases, adequate discovery can take place in the vast majority of civil cases through the use of available uniform interrogatories and the additional non-uniform interrogatories allowed by the rule. As is the case with depositions under Rule 30(a), if there is a reasonable need for additional interrogatories, they may be obtained by stipulation of counsel or by motion to the court on a showing of good cause. Refusing to agree to additional interrogatories which are reasonable and necessary should subject counsel to sanctions under Rule 16(f).”</p> <p><i>See also Uniform Rules of Practice of the Superior Court of Arizona, Rule 17:</i> “Interrogatories. . . (d) Uniform</p>		<p>pursuant to groundless, conduct. . .</p> <p><i>See also Co Amendment with Rule 3 the problem Depositions to four (4) I recognizes, depositions within these presumptive upon stipul who refuse which reasc more than f themselves Rule 6(f). T for good ca the time lin that there be between co necessary le depositions</i></p>

State	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Duration
	<p>Interrogatories. The interrogatories set forth in the Appendix to this rule are denominated as Uniform Interrogatories, and are approved for use as a standard or guide in preparation by counsel of interrogatories under Rule 33, Rules of Civil Procedure. The use of Uniform Interrogatories shall be governed by Rule 33. . . and this rule. The use of Uniform Interrogatories is not mandatory. The interrogatories should serve as a guide only, and may or may not be approved as to either form or substance in a particular case. They are not to be used as a standard set of interrogatories for submission in all cases. Each interrogatory should be used only where it fits the particular case. . .”</p> <p><i>See Uniform Rules of Practice of the Superior Court of Arizona, Appendix to Rule 17: Personal Injury Interrogatories (Adopted 12/20/91; Effective 7/1/92); Contract Litigation Interrogatories; Domestic Relations Interrogatories (Adopted 11/9/89; Effective 1/1/90).</i></p> <p><i>See also Arizona Tax Court Rules of Practice, Appendix One to Rule 30: Uniform Interrogatories For Use in Property Tax Disputes (Added 4/5/93; Effective 6/1/93).</i></p> <p><i>See also Uniform Rules of Practice for Medical Malpractice Cases, Uniform Interrogatories for Use in Medical Malpractice Cases: Set A. Plaintiff to Defendant Individual Health Care Provider; Set B. Plaintiff to Defendant Institutional Health Care Provider; Set C. Defendant to Plaintiff.</i></p>		
California	<p><i>California Code of Civil Procedure § 2030(c) (Effective 7/1/87): “. . .(1) A party may propound to another party (1) 35 specially prepared interrogatories, and (2) any additional number of official form interrogatories, as described in Section 2033.5, that are relevant to the subject matter of the pending action. Except as provided in paragraph (8), no party shall, as a matter of right, propound to any other party more than 35 specially prepared interrogatories. If the initial set of interrogatories does not exhaust this limit, the balance may be propounded in subsequent sets. . . (2) Subject to the right of the responding party to seek a protective order under subdivision (e), any party who</i></p>		

State	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Duration
	<p>attaches a supporting declaration as described in paragraph (3) may propound a greater number of specially prepared interrogatories to another party if this greater number is warranted because of any of the following: (A) The complexity or the quantity of the existing and potential issues in the particular case. (B) The financial burden of a party entailed in conducting the discovery by oral deposition. (C) The expedience of using this method of discovery to provide to the responding party the opportunity to conduct an inquiry, investigation, or search of files or records to supply the information sought. . .”</p> <p><i>See also California Code of Civil Procedure, § 2033.5 (Added 7/1/87; Amended 7/2/87; 4/8/88):</i> “The Judicial Council shall develop and approve official form interrogatories and requests for admission of the genuineness of any relevant documents or of the truth of any relevant matters of fact in any civil action in a state court based on personal injury, property damage, wrongful death, unlawful detainer, breach of contract, family law, or fraud. Use of the approved form interrogatories and requests for admissions shall be optional. In developing the form interrogatories and requests for admission required by this section, the Judicial Council shall consult with a representative advisory committee which shall include, but not be limited to, representatives of the plaintiff’s bar, the defense bar, the public interest bar, court administrators, and the public. The form interrogatories and requests for admission shall be drafted in nontechnical language and shall be made available through the office of the clerk of the appropriate trial court. The Judicial Council also shall promulgate any necessary rules to govern the use of the form interrogatories and requests for admission.”</p> <p><i>Note:</i> Mandatory and optional forms adopted and approved by the Judicial Council are set out in West’s California Judicial Council Forms Pamphlet.</p> <p><i>See also West’s California Local Court Rules Pamphlets and West’s California Rules of Court, Amador County Superior and Municipal Courts, Local Rules for the Amador Superior and Municipal Courts,</i></p>		

State	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Duration
	<p><i>Appendix 8.2</i> Plaintiff/Cross-Complainant Questions (Interrogatories) to be Answered, Filed, and Served at Time Complaint is Filed or Within 10 Days Thereafter; <i>Appendix 8.3</i> Defendant/Cross-Defendant Questions (Interrogatories) to be Answered, Filed, and Served at Time Answer is Filed or Within 10 Days Thereafter.</p>		
Colorado	<p><i>Colorado Rules of Civil Procedure, Rule 33(a) (Amended effective 1/1/95):</i> “. . . Any party may serve upon any other party written interrogatories, not exceeding the number, including all discrete subparts, set forth in the Case Management Order. . . Leave of court must be obtained. . . to serve more interrogatories than the number set forth in the Case Management Order. . .”</p> <p><i>See Committee Comment:</i> “A discovery schedule for the case is required . . . [T]he parties must set forth in the Case Management Order the timing and number of interrogatories. . . There is also the requirement that counsel certify they have advised their clients of the estimated expenses and fees involved in the discovery. Discovery is thus tailored to the particular case. The parties in the first instance and ultimately the Court are responsible for setting reasonable limits and preventing abuse.”</p> <p><i>See also Rule 33(e):</i> “Pattern and Non-Pattern Interrogatories; Limitations. The pattern interrogatories set forth in the Appendix to Chapter 4, Form 20, are approved. Any pattern interrogatory and its subparts shall be counted as one interrogatory. Any subpart to a Non-Pattern interrogatory shall be considered as a separate interrogatory.”</p> <p><i>See Colorado Rules of Civil Procedure, Appendix to Chapters 1 and 17A. Forms, Form 20. Pattern Interrogatories Under Rule 33:</i> The following interrogatories are approved by the Colorado Supreme Court: Identity of persons answering these interrogatories; General background information—individual; General background information—business entity; Insurance; Physical, mental, or emotional injuries; Property damage; Loss of income or earning capacity; other damages; Medical history; Other claims and previous claims;</p>	<p><i>Colorado Rules of Civil Procedure, Rules 30(a)(2)(A) Depositions Upon Oral Examination and Rule 31(a)(2)(A) Depositions Upon Written Questions (Amended effective 7/1/90):</i> “Leave of court must be obtained. . . if. . [a] proposed deposition, if taken, would result in more depositions than set forth in the Case Management Order.”</p> <p><i>See Committee Comment:</i> “A discovery schedule for the case is required . . . [T]he parties must set forth in the Case Management Order the timing and number of depositions. . . Discovery is thus tailored to the particular case. The parties in the first instance and ultimately the Court are responsible for setting reasonable limits and preventing abuse.”</p>	

State	Column 1 Quantitative Limits on Interrogatories	Column 2 Quantitative Limits on Depositions	Duration
	<p>Investigation—General; Investigation—Surveillance; Statutory or regulatory violations; Affirmative defenses; Defendant’s contentions—personal injury; Responses to request for admissions; How the incident occurred—Motor vehicle; Contract.</p> <p><i>See also Colorado Rules of Civil Procedure, Appendix to Chapters 1 and 17A. Forms, Form 20.2. Pattern Interrogatories (Domestic Relations).</i></p>		

<p>Connecticut</p>	<p><i>Connecticut Rules of Practice for the Superior Court, Procedure in Civil Cases, Rule 223(a) (Amended effective 7/1/79; 10/1/81; 9/1/90; 10/1/92; 10/1/97):</i> “. . . In all personal injury actions alleging liability based on the operation or ownership of a motor vehicle or alleging liability based on the ownership, maintenance or control of real property, the interrogatories served shall be limited to those set forth in Practice Book Forms 106.10A, 106.10B, and/or 106.10C, unless upon motion, the court determines that such interrogatories are inappropriate or inadequate in the particular action. Unless the court orders otherwise, the frequency of use of interrogatories in all actions except those for which interrogatories have been set forth in Practice Book Forms 106.10A, 106.10B and 106.10C is not limited.”</p>		
<p>Delaware</p>	<p>No court rules of statutes located limiting number of interrogatories permitted in civil cases.</p> <p><i>Delaware Superior Court Rules of Civil Procedure, Appendix of Forms (Superior Court), Form 30.</i> Interrogatories to be Answered by a Personal Injury Litigation Party (Amended effective 1/1/97).</p>		
<p>District of Columbia</p>	<p><i>District of Columbia Superior Court Rules of Civil Procedure, Rule 33(a):</i> “. . . No party shall serve upon another party, at 1 time or cumulatively, more than 40 written interrogatories, including parts and subparts, unless otherwise ordered by the Court upon motion for good cause shown or upon its own motion, or unless the parties have agreed between themselves to a greater number. . .”</p>		
<p>Florida</p>	<p><i>Florida Rules of Civil Procedure, Rule 1.340(a) (Amended effective 1/1/93):</i> “. . . The interrogatories shall not exceed 30, including all subparts, unless the court permits a larger number on motion and notice and for good cause. If the supreme court has approved a form of interrogatories for the type of action, the initial interrogatories shall be in the form approved by the court. Other interrogatories may be added to the approved forms without leave of court, so long as the total of approved and additional interrogatories does not exceed 30. . .”</p> <p><i>See also Florida Rules of Civil Procedure, Forms for use with Rules of Civil Procedure, Form 1.976:</i> “The forms of Florida standard interrogatories approved by the supreme court shall be used in the actions to which the apply, subject to the requirements of rule</p>		

	<p>1.340.”</p> <p><i>See Florida Rules of Civil Procedure, Forms for use with Rules of Civil Procedure, Appendix Standard Interrogatories Forms (Amended effective 1/1/93):</i> Form 1. General Personal Injury Negligence—Interrogatories to Plaintiff; Form 2. General Personal Injury Negligence—Interrogatories to Defendant; Form 3. Medical Malpractice—Interrogatories to Plaintiff; Form 4. Medical Malpractice—Interrogatories to Defendant; Form 5. Automobile Negligence—Interrogatories to Plaintiff; Form 6. Automobile Negligence—Interrogatories to Defendant.</p> <p><i>See also Florida Family Law Rules of Procedure, Rule 12.340:</i> “Interrogatories to parties shall be governed generally by Florida Rule of Civil Procedure 1.340, with the following exceptions. . . Initial interrogatories to parties shall be those set forth in Family Law Form 12.930(b). . . Ten interrogatories, including subparts, may be sent to a party in addition to the standard interrogatories contained in Family Law Form 12.930(b). A party must obtain permission of the court to send more than ten additional interrogatories.”</p>		
<p>Georgia</p>	<p><i>Georgia Court Rules and Procedure, Civil Practice Act § 9-11-33(a)(1) :</i> “. . . Interrogatories may, without leave of court, be served upon the plaintiff after commencement of the action and upon any other party with or after service of the summons and complaint upon that party; provided, however, that no party may serve interrogatories containing more than 50 interrogatories, including subparts, upon any other party without leave of court upon a showing of complex litigation or undue hardship incurred if such additional interrogatories are not permitted.”</p> <p><i>See also Georgia Court Rules and Procedure, Georgia Uniform Probate Court Rules, Georgia Probate Court Standard Forms and General Instructions : 6. Interrogatories to Witness to Will (Effective 1/86).</i></p>		
<p>Hawaii</p>	<p><i>Rules of the Circuit Courts of the State of Hawaii, Rule 30(b) (Amended effective 3/6/80; 5/1/84):</i> “. . . Two sets of the interrogatories. . . shall be served upon the adverse party. Those interrogatories shall not</p>		

	<p>exceed 60 in number, counting any subparts or subquestions as individual questions, without prior leave of court.”</p>		
Illinois	<p><i>Illinois Supreme Court Rules, Rule 213(c) (Amended effective 5/1/97):</i> “Except as provided in subparagraph (j), a party shall not serve more than 30 interrogatories, including sub-parts, on any other party except upon agreement of the parties or leave of court granted upon a showing of good cause. A motion for leave of court to serve more than 30 interrogatories must be in writing and shall set forth the proposed interrogatories and the reasons establishing good cause for their use.”</p> <p><i>Illinois Supreme Court Rules, Rule 213(j):</i> “The Supreme Court, by administrative order, may approve standard forms of interrogatories for different classes of cases.”</p> <p><i>See also Standard Interrogatories Under Supreme Court Rule 213(j):</i> “. . . The following interrogatories are hereby approved . . . [Motor Vehicle Interrogatories To Plaintiffs; Motor Vehicle Interrogatories To Defendants; Matrimonial Interrogatories]. . . A party may use one or more interrogatories which are part of a form set of interrogatories. Any such interrogatory so used shall be counted as one interrogatory in determining the total number of interrogatories propounded, regardless of any subparts or multiple inquiries therein. A party may combine form interrogatories with other interrogatories, subject to applicable limitations as to number. A party shall avoid propounding a form interrogatory which has no application to the case. . .”</p>		<p><i>Illinois Sup 206(d) (Am</i> “Duration c discovery d witness sha regardless c involved in stipulation o upon showi a lenghtier c</p>
Indiana	<p><i>Marion County Circuit and Superior Courts, Civil Rules of Practice and Procedure, Rule 9A (Adopted effective 3/1/96):</i> “Number Limited. Interrogatories shall be limited to a total of twenty-five (25) including subparts and shall be used solely for the purpose of discovery and shall not be used as a substitute for the taking of a deposition. For good cause shown and upon leave of court additional interrogatories may be propounded.”</p>		
Iowa	<p><i>Iowa Rules of Civil Procedure, Rule 126 (Amended effective 1/3/95):</i> “. . . A party shall not serve more than thirty interrogatories on any other party except upon agreement of the parties or leave of court granted upon a showing of good cause. A motion for leave of court to serve more than thirty interrogatories must be in writing and</p>		

	shall set forth the proposed interrogatories and the reasons establishing good cause for their use.”		
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Kansas	<p><i>Kansas Rules of the Supreme Court, Rules Relating to District Courts Motions, Discovery, Pretrial Procedures, and Related Matters, Rule 135(b) (Amended effective 7/9/87):</i> “In all damage actions the number of interrogatories shall be limited to thirty (30) interrogatories counting subparagraphs unless the court authorizes additional interrogatories upon motion or at the discovery conference.”</p> <p><i>See also Kansas Rules of Civil Procedure for Limited Actions, § 61-1725a.</i> <i>Interrogatories:</i> “(a) Any party to an action may file with the court a motion requesting that the court permit the use of interrogatories. If the court grants such request, any party to the action may serve on any other party up to ten (10) interrogatories. . .”</p>		
Kentucky	<p><i>Kentucky Rules of Civil Procedure, Special Rules of the Circuit Court for the Economical Litigation Docket, CR 93.02 Interrogatories (Effective 10/1/82):</i> “The scope and manner of discovery by means of interrogatories shall be governed by Rule 33, except that the interrogatories to any party shall not exceed twenty (20) in number, each of which shall be limited to a single question.”</p>		
Louisiana	<p><i>Louisiana Code of Civil Procedure, Art. 1457B:</i> “During an entire proceeding, written interrogatories served in accordance with Paragraph A shall not exceed thirty-five in number, including subparts, without leave of court. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing good cause why they should be allowed to be filed. Local rules of court may provide a greater restriction on the number of written interrogatories.”</p>		

<p>Maryland</p>	<p><i>Maryland Rules of Civil Procedure--Circuit Court, Rule 2-421(a) (Amended effective 7/1/96):</i> “Availability; Number. Any party may serve at any time written interrogatories directed to any other party. Unless the court orders otherwise, a party may serve one or more sets having a cumulative total of not more than 30 interrogatories to be answered by the same party. Interrogatories, however grouped, combined, or arranged and even though subsidiary or incidental to or dependent upon other interrogatories, shall be counted separately. Each form interrogatory contained in the Appendix to these Rules shall count as a single interrogatory.”</p> <p><i>Maryland Rules of Civil Procedure--Circuit Court, Appendix of Form Interrogatories:</i> Form No. 3--General Interrogatories; Form No. 5--Domestic Relations Interrogatories; Form No. 7--Motor Vehicle Tort Interrogatories; Form No. 8--Personal Injury Interrogatories.</p> <p>Committee Note: “The following forms have been prepared to facilitate the exchange of meaningful information with a minimum of controversy. They are designed to be appropriate in a large percentage of cases, and the Committee encourages their use. In the context of some cases, however, they may be overly burdensome or otherwise inappropriate. The forms are not designed to limit the parties’ right to frame their own interrogatories. . . It is suggested that when a form contained in this appendix is being used, that fact should be indicated in a parenthetical reference at the end of the form so that opposing counsel and the court may be aware that a form interrogatory is being used.”</p> <p><i>See also Maryland Rules of Civil Procedure--District Court, Rule 3-421(b) (Amended effective 7/1/91):</i> “Availability; Number; Time for Filing. Any party may serve written interrogatories directed to any other party. Unless the court orders otherwise, a party may serve only one set of not more than 15 interrogatories to be answered by the same party. Interrogatories, however grouped, combined or arranged and even though subsidiary or incidental to or dependent upon other interrogatories, shall be counted separately . . .”</p>		
<p>Massachusetts</p>	<p><i>Massachusetts Rules of Civil Procedure,</i></p>		

	<p><i>Civil Procedure Rule 33(a) (Effective 1/1/82):</i> “Availability: Procedures for Use. No party shall serve upon any other party as of right more than thirty interrogatories, including interrogatories subsidiary or incidental to, or dependent upon, other interrogatories, and however the same may be grouped or combined; but the interrogatories may be served in two or more sets, as long as the total number of interrogatories served does not exceed thirty. The court on motion for good cause shown may allow service of additional interrogatories; or the party interrogated. . . may agree to such service. . .”</p>		
Minnesota	<p><i>Minnesota Rules of Civil Procedure for the District Courts, Rule 33.01(a) (Amended effective 1/1/97):</i> “. . . No party may serve more than a total of 50 interrogatories upon any other party unless permitted to do so by the court upon motion, notice and a showing of good cause. In computing the total number of interrogatories each subdivision of separate questions shall be counted as an interrogatory.”</p>		
Mississippi	<p><i>Mississippi Rules of Civil Procedure, Rule 33(a):</i> “Availability. . . Any party may serve as a matter of right upon any other party written interrogatories not to exceed thirty in number to be answered by the party served or, if the party served is a public or private corporation or a partnership or association or governmental agency, by any officer or agent, who shall furnish such information as is available to the party. Each interrogatory shall consist of a single question. . . Leave of court, to be granted upon a showing of necessity, shall be required to serve in excess of thirty interrogatories.”</p> <p><i>See also Rule 33 Comment:</i> “. . . The thirty interrogatories permitted as of right are to be computed by counting each distinct question as one of the thirty, even if labeled a subpart, subsection, threshold question, or the like. In areas well suited to non-abusive exploration by interrogatory, such as inquiries into the names and locations of witnesses, or the existence, location, and custodians of document or physical evidence, greater leniency may be appropriate in construing several questions as one interrogatory.”</p>		
Missouri	<p><i>Missouri Supreme Court Rules of Civil Procedure Forms, Form No. 13. Interrogatories to Garnishee (Effective 1/1/88).</i></p> <p><i>See also Missouri Rules of the Circuit Court</i></p>		

	<p><i>of the Third Judicial Circuit, Rule 32.2.6 (Effective 1/1/95):</i> “No party shall serve on any other party more than twenty (20) interrogatories in the aggregate in a domestic relation case without leave of court or consent of opposing counsel. No party shall serve on any other party more than thirty (30) interrogatories in the aggregate in all other civil cases without leave of court or consent of opposing counsel. In all civil cases, including domestic relation cases, subparagraphs of any interrogatories shall relate directly to the subject matter of the interrogatory and shall not exceed four (4) in number. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories. Any number of additional interrogatories may be filed and served if attached thereto is the written consent of counsel for the party to which the interrogatories are directed.”</p> <p><i>See also Missouri Rules of the Circuit Court of the Seventh Judicial Circuit Suggested Interrogatories, First Interrogatories (Adopted 4/25/95).</i></p> <p><i>See also Missouri Rules of the Circuit Court of the Eighth Judicial Circuit, Rules Related to Particular Actions, Rule 68 Dissolution of Marriage, Rule 68.5 (Effective 2/11/91):</i> “The form interrogatories contained in Appendix “C” to these rules shall be used as the mandatory opening interrogatories by both parties. Additional or different interrogatories may be submitted only by leave of court.”</p> <p><i>See also rules of the Circuit Court of the Sixteenth Judicial Circuit, Rule 32.2.1 Standard Discovery Interrogatories for use in Vehicular Negligence, Personal Injury or Property Damage Cases Only (Including Forms CIRCT 801 and 802) (Effective 4/7/95):</i> “1. Court en banc approved standard sets of opening discovery interrogatories (forms CIRCT 801 and 802) shall be answered by all parties in vehicular negligence injury or property damage cases and the answered interrogatories served on the opposing party within thirty days from the date the answer is filed. 2. The standard interrogatories shall first be automatically answered by all parties. If additional interrogatories are necessary, they may be utilized, provided no more than forty additional interrogatories, including subparts,</p>		
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	<p>shall be propounded without leave of court.”</p> <p><i>See also Rule 32.1.5 Approved Interrogatories and Approved Requests for Production Applicable to Claims for Money Damages Arising out of Vehicular Collisions or Accidents</i></p> <p><i>See also Missouri Rules of the Circuit Court of the Nineteenth Judicial Circuit Forms: Opening Interrogatories; Rule 68.7 Standard Interrogatories for Family Law Cases & Form No. 5 First Interrogatories</i></p>		
Montana	<p><i>Montana Rules of Civil Procedure, Rule 33(a) (Effective 3/26/96): “. . . Unless otherwise ordered or stipulated, no party may serve on any other party more than 50 interrogatories in the aggregate. Each subpart shall be counted as a separate interrogatory. Additional interrogatories may be submitted for good cause only by leave of court.”</i></p> <p><i>See also Montana Workers’ Compensation Rules, Rule 24.5.323: “(3) No party shall serve on any other party more than 20 interrogatories in the aggregate, inclusive of subparts. Subparts of any interrogatories shall relate directly to the subject matter of the interrogatory. Any party desiring to serve additional interrogatories shall file a written motion setting forth the proposed additional interrogatories and the reasons establishing the necessity for their use.”</i></p>		<i>Montana R. 30(b)(8) (E) otherwise o deposition : hours nor t day. Additi for good ca</i>
Nebraska	<p><i>Nebraska Rules of the Supreme Court/Court of Appeals, Rule 33(a) (Effective 2/14/96): “. . . Unless otherwise permitted by the court for good cause shown no party shall serve upon any other party more than fifty interrogatories. Each question, subquestion, or subpart shall count as one interrogatory. . . .”</i></p>		

<p>Nevada</p>	<p><i>Nevada Local Rules of Civil Procedure, Local Rule 33-1(b) (Effective 6/1/95):</i> “Unless otherwise ordered by the court or stipulated by the parties, the total number of interrogatories propounded to each party by any other party shall be limited to forty (40), including all discrete subparts. The interrogatories shall be tailored to the needs of the particular case. Failure to comply with the provisions of this rule may result in sanctions.”</p>		
<p>New Hampshire</p>	<p><i>New Hampshire Rules of the District and Municipal Courts, Rule 1.10.D:</i> “A party may file more than one set of interrogatories to an adverse party, but the total number of interrogatories shall not exceed thirty, unless the Court otherwise orders for good cause shown after the proposed additional interrogatories have been filed. In determining what constitutes an interrogatory for the purpose of applying this limitation in number, it is intended that each question be counted separately, whether or not it is subsidiary or incidental to or dependent upon or included in another question, and however the questions may be grouped, combined or arranged.”</p>		
<p>New Jersey</p>	<p><i>New Jersey Rules Governing Civil Procedure in the Superior Court, Tax Court and Surrogate’s Courts, Rule 4: 17-1(b)(1):</i> “. . . In all actions seeking recovery for property damage to automobiles and in all personal injury cases other than those involving issues of products liability, toxic torts, professional malpractice other than medical malpractice, or wrongful death, the parties shall be limited to the interrogatories prescribed by Forms A [Uniform Interrogatories to be answered by plaintiff in all personal injury cases: superior court], [Form A(1). Uniform Interrogatories to be answered by plaintiff in medical malpractice cases only: superior court], B [Uniform Interrogatories to be answered by plaintiff: property damage to motor vehicle: superior court] and C [Uniform Interrogatories to be answered by defendant in all personal injury cases: superior court] [and Form C(1). Uniform Interrogatories to be answered by defendant in automobile accident cases only: superior court; Form C(2). Uniform Interrogatories to be answered by defendant in fall down cases only: superior court; Form C(3). Uniform Interrogatories to be answered by defendant physicians in medical malpractice cases only: superior court; Form D. Uniform</p>	<p><i>See Bergen County Civil Project Rules for Differentiated Case Management, Rule 4:14-1(a):</i> “. . . Except as may be otherwise provided by a case management order entered in the case, every party to an action pending in the Chancery Division, General Equity, or assigned to the complex track in the Law Division may, after commencement of the action, take the testimony of any person, including a party, by deposition upon oral examination. If the action is assigned to the standard track in the Law Division, depositions without leave of court may be taken only of a party, an agent of the party. . . an expert witness, or treating physician. If the action is assigned to the expedited track, no depositions shall be taken without leave of court. In no case may the deposition of a person confined in prison be taken except by leave of court upon such terms as the court prescribes. . . .”</p>	

	<p>Interrogatories by defendant in motor vehicle collision case involving property damage: special civil part; Form E. Uniform Interrogatories by plaintiff in motor vehicle collision case: special civil part] of Appendix II, as appropriate, provided, however, that each party may propound ten supplemental questions, without subparts, without leave of court. Any additional interrogatories shall be permitted only by the court in its discretion on motion.”</p> <p><i>See also Rule 4: 17-6 (Amended effective 9/1/94):</i> “Except as otherwise provided by R. 4:17-1(b), the number of interrogatories or of sets of interrogatories to be served is not limited except as required to protect the party from annoyance, expense, embarrassment, or oppression. The party to whom interrogatories are propounded may apply for a protective order in accordance with R. 4:10-3.”</p> <p><i>See also Bergen County Civil Project Rules for Differentiated Case Management, Rule 4:17-6 (Adopted effective 3/3/86):</i> “In actions pending in the Chancery Division, General Equity, and in actions assigned to the complex track in the Law Division, the number of interrogatories or of sets of interrogatories that may be served is not limited except as otherwise provided by a case management order or protective order. In actions assigned to the standard and expedited tracks in the Law Division, each party shall be limited to one set of interrogatories. Where standard interrogatories for the cause of action or for a separable issue thereof are prescribed in an appendix to these rules, the parties shall be limited to those questions, which may be supplemented in standard track actions by no more than 30 additional questions without subparts and, in expedited actions, by no more than 25 additional questions without subparts. If no standard interrogatories are prescribed, the parties shall be limited to 50 single-part questions. No additional or supplemental interrogatories or sets of interrogatories may be propounded in standard and expedited cases without leave of court granted on good cause shown.”</p>		
<p>New Mexico</p>	<p><i>New Mexico Local Rules of the First Judicial District Court, LRI-303.E:</i> “. . . No party shall serve more than fifty (50) interrogatories in the aggregate, including subparts, without leave of court. Subparts of an interrogatory shall relate directly to the subject matter of</p>		

	<p>the interrogatory.”</p> <p><i>See also New Mexico Local Rules of the Second Judicial District Court, LR2-122:</i> “. . . No party shall serve on any other party more than fifty (50) interrogatories, counting all sub-parts, except with leave of the court . . . The following interrogatories shall each be counted as one: (1) The first interrogatory requesting biographical information of the person, corporation, or other entity that is a party to the lawsuit, which may request names, addresses, places of doing business, social security number, age, marriage, children, occupation, and other such pertinent biographical data; (2) An interrogatory on expert witnesses, which may request names, addresses, job titles, qualifications. . . (3) An interrogatory on lay witnesses, which may request names, addresses, job titles, relationship to any party, subject matter, and a summary of the anticipated testimony; and (4) An interrogatory on exhibits, which may request titles, description of contents, identification of any limited purpose for which the exhibit will be offered, and the names, addresses and job titles of authenticating witnesses and current custodians.”</p>		
<p>North Carolina</p>	<p><i>North Carolina Rules of Civil Procedure, Rule 33(a) (Effective 10/1/87):</i> “. . . A party may direct no more than 50 interrogatories, in one or more sets, to any other party, except upon leave granted by the Court for good cause shown or by agreement of the other party. Interrogatory parts and subparts shall be counted as separate interrogatories for purposes of this rule. . .”</p>		
<p>Ohio</p>	<p><i>Ohio Rules of Civil Procedure, CIV R 33(a) (Amended effective 7/1/85):</i> “. . . A party shall not propound more than forty interrogatories to any other party without leave of court. Upon motion, and for good cause shown, the court may extend the number of interrogatories that a party may serve upon another party. For purposes of this rule, any subpart propounded under an interrogatory shall be considered a separate interrogatory. . .”</p> <p><i>See also Local Rules of Practice and Procedure for the General Division of the Montgomery County Common Pleas Court, Rule 2.11(Effective 7/1/93):</i> “. . . In the interest of facilitating informal discovery between litigants, the total number of interrogatories submitted by any one party to another party shall not exceed 40, including</p>		

	<p>subparts. For purposes of this Rule, each question or statement requiring a response shall be considered as one interrogatory . . . Additional interrogatories may be submitted by agreement of the party from who such additional information is sought or upon leave of Court by motion filed by the requesting party, showing good cause . . . Either party may request a hearing or the Court may, on its own, assign the matter for hearing. . . The Court may deny the request for additional interrogatories or may grant same upon conditions which the Court deems appropriate under all of the circumstances and considering the nature of the case. . . As with all discovery, the parties shall attempt to resolve any disputes as to number of interrogatories between themselves prior to involving the Court.”</p>		
<p>Oklahoma</p>	<p><i>Oklahoma Statutes Annotated</i>, § 3233.A (Amended effective 11/1/96): “. . . The number of interrogatories to a party shall not exceed thirty in number. Inquiries inquiring as to the names and locations of witnesses, or the existence, location and custodian of documents or physical evidence shall be construed as one interrogatory. All other interrogatories, including subdivisions of one numbered interrogatory, shall be construed as separate interrogatories. No further interrogatories will be served unless authorized by the court. If counsel for a party believes that more than thirty interrogatories are necessary, he shall consult with opposing counsel promptly and attempt to reach a written stipulation as to a reasonable number of additional interrogatories. Counsel are expected to comply with this requirement in good faith. In the event a written stipulation cannot be agreed upon, the party seeking to submit such additional interrogatories shall file a motion with the court (1) showing that counsel have conferred in good faith but sincere attempts to resolve the issue have been unavailing, (2) showing reasons establishing good cause for their use, and (3) setting forth the proposed additional interrogatories. . .”</p>		
<p>Rhode Island</p>	<p><i>Rhode Island Superior Court Rules of Civil Procedure, Rule 33(b)</i> (Amended effective 9/5/95): “. . . A party may serve more than one set of interrogatories upon another party provided the total number of interrogatories shall not exceed 30 unless the court otherwise orders for good cause shown. . .”</p>		
<p>South Carolina</p>	<p><i>South Carolina Rules of Civil Procedure, Rule 33(b)</i> (Amended effective 9/1/88): “. . . In all cases the following standard</p>		

	interrogatories may be served by one party upon another unless otherwise ordered by the court for good cause shown. . . . In addition to the standard interrogatories authorized by this paragraph, the court may order additional interrogatories for good cause shown in any case. In all actions in which the amount in controversy is not less than \$25,000, and in all actions for declaratory or injunctive relief, a party may serve additional interrogatories including more than one set of interrogatories upon any other party; but the total number of general interrogatories to any one party shall not exceed fifty questions including subpart, except by leave of court upon good cause shown.”		
Tennessee	<p><i>Rules of the Chancery Court of Shelby County, Tennessee, Thirtieth Judicial District, Rule 28:</i> “. . . No party shall serve on any other party more than thirty (30) interrogatories without leave of court. For purposes of this rule a sub-part of an interrogatory shall count as an additional interrogatory. Any motion seeking permission to serve more than thirty interrogatories shall set out the additional interrogatories the party wishes to serve, together with the reasons establishing good cause for the service of additional interrogatories. If a party is served with more than thirty interrogatories, without order of the court, he shall respond only to the first thirty.”</p> <p><i>See also Hamilton County Local Rules of Chancery Practice, § 8.03(a) (Effective 3/15/97):</i> “Written interrogatories, including sub-questions, shall not exceed twenty-five (25) in number without the consent of the parties or approval by the Court.”</p>		
Texas	<i>Texas Rules of Civil Procedure, Rules of Practice in District and County Courts, Rule 168 (Amended effective 9/1/90):</i> “The number of questions including subsections in a set of interrogatories shall be limited so as not to require more than thirty answers. No more than two sets of interrogatories may be served by a party to any other party, except by agreement or as may be permitted by the court after hearing upon a showing of good cause. The court may, after hearing, reduce or enlarge the number of interrogatories or sets of interrogatories if justice so requires. . . .”		
Utah	<i>See Utah Rules of Civil Procedure, Appendix of Forms, Forms 27(b), (d) & (j) Interrogatories to Garnishee.</i>		
Virginia	<i>Rules of the Supreme Court of Virginia, Rule 4:8(g) (Effective 9/1/91):</i> “. . . No party shall	<i>Rules of the Supreme Court of Virginia, Rule 4:6A (Adopted effective 7/1/83):</i>	

	serve upon any other party, at any one time or cumulatively, more than thirty written interrogatories, including all parts and subparts, without leave of court for good cause shown.”	“. . . No party shall take the deposition of more than five witnesses for any purpose without leave of court for good cause shown.”	
Washington	<p><i>Local Rules for the District Court of Kitsap County, Washington, LCRLJ33 (Effective 6/30/97):</i> “Any party may serve upon any other party not more than one (1) set of written interrogatories containing not more than thirty (30) questions without prior permission of Kitsap County District Court. Separate sections, paragraphs or categories contained in one (1) interrogatory shall be considered separate questions for the purpose of this rule. . .”</p> <p><i>See also Local Rules of the District Court of Clark County, State of Washington, LCRLJ 33 (Effective 6/30/97):</i> “. . . In those civil actions in which all parties are represented by counsel, any party may serve upon any other party no more than two sets of written interrogatories containing not more than 20 questions per set without prior permission of the court. Any subsections shall be treated as a question for purposes of the 20 questions limitation. . .”</p>	<i>Local Rules for the District Court of Kitsap County, Washington, LCRLJ 30 (Effective 8/1/94):</i> “. . . A party will be entitled to take one (1) deposition of another party without prior permission of the court, and in accordance with Rule 30 of the Superior Court Civil Rules.”	
Wyoming	<i>Wyoming Rules of Civil Procedure, Rule 33(a):</i> “. . . Without leave of court or written stipulation, any party may serve upon any other party written interrogatories, not exceeding 30 in number including all discrete subparts, to be answered by the party served or, if the party served is a public or private corporation or a partnership or association governmental agency, by any officer or agent, who shall furnish such information as is available to the party. Leave to serve additional interrogatories shall be granted to the extent consistent with the principles of Rule 26(b)(1)(B).”	<i>Wyoming Rules of Civil Procedure, Rule 30(a)(2):</i> “. . . A party must obtain leave of court. . if, without the written stipulation of the parties: (A) A proposed deposition would result in more than 10 depositions being taken under this rule or Rule 31 by the plaintiffs, or by the defendants, or by third-party defendants . . .”	

Numerical Limits on Depositions in the Federal Courts

The 1993 Amendments to the Federal Rules of Civil Procedure limited the permissible number of depositions that may be taken by the plaintiffs, defendants, or third party defendants to ten by each side. *See* Rules 30(a)(2)(A) and 31(a)(2)(A). Rule 26(b)(2) allows districts to opt out of this ten deposition limit and either adopt a different numerical limit or have no limitation on the number of depositions taken by parties in civil cases. The second column of Table 1 depicts each district's local rule or practice regarding quantitative limits on depositions. We have placed each district's local rules or practices into one—and only one—of the following categories.

- (1) The district opts out of the numerical limitation placed on depositions (10) by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) and does not provide for a different limitation elsewhere in the rules. These districts do not limit the number of depositions permitted in civil cases. Eighteen districts (19%) are in this category. *See* M.D. Ala., E.D. Ark., W.D. Ark., E.D. Cal., S.D. Cal., D. Conn., D. Del., N.D. Ga., S.D. Ill., N.D. N.Y., S.D. N.Y., W.D. Pa., D. R.I., D. S.C., W.D. Tex., D. Vt., W.D. Wa., D. Wyo.
- (2) The district's local rule or practice imposes a numerical limitation on depositions which is lower than the numerical limit (10) of Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A). Two districts (2%) are in this category. *See* D. Alaska (limit of 3 depositions of witnesses except for parties, independent experts to be called at trial, treating physicians, and document custodians); E.D. Va. (no party shall take more than 5 depositions of non-party, non-expert witnesses; counsel cannot stipulate to waive rule). No district sets a limit higher than 10 depositions.
- (3) The district follows the 10 deposition limit established in Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) either explicitly by stating so in its local rule or implicitly by absence of any contradictory provisions. Sixty-one districts (65%) are in this category. Note also that some of the districts in category (5), below, impose limits that appear to be functionally equivalent to the federal rules.
 - (a) The district's local rule or standard form explicitly provides that the numerical limit placed on depositions (10) by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A) applies in the district unless the court orders otherwise, or the district's local rule explicitly imposes a maximum numerical limit on depositions of 10. Some rules exempt certain classes of cases such as class actions, and cases transferred to the court under 28 U.S.C. § 1407, or joined with such cases, from this limit. Nineteen districts (20%) are in this category. *See* N.D. Ala., N.D. Cal., D. Colo., M.D. Fla., N.D. Fla., D. Haw.,

D. Idaho, E.D. Ky., E.D. La., D. Mass., D. Minn., D. N.H., W.D. N.Y., N.D. Okla., D. P.R., E.D. Tenn., E.D. Wa., N.D. W.Va., S.D. W.Va.

- (b) The district's local rules make no mention of numerical limits on depositions, neither establishing a different numerical limit than 10 nor opting out of Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A). We inferred that the district follows the 10 deposition limit of Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A). This inference was verified by the questionnaire faxed back to us from districts where we were unable to locate any mention of numerical limits on depositions in their local rules. Forty-two districts (45%) are in this category. *See* C.D. Cal., S.D. Fla., M.D. Ga., S.D. Ga., D. Guam, C.D. Ill., N.D. Ill., N.D. Ind., S.D. Ind., N.D. Iowa, S.D. Iowa, D. Kan., W.D. Ky., M.D. La., W.D. La., D. Md., E.D. Mich., E.D. Mo., W.D. Mo., D. Mont., D. Neb., D. Nev., D. N.J., D. N.M., E.D. N.Y., E.D. N.C., D. N.D., S.D. Oh., E.D. Okla., W.D. Okla., D. Or., E.D. Pa., M.D. Pa., D. S.D., W.D. Tenn., N.D. Tex., S.D. Tex., D. Utah, D. V.I., W.D. Va., E.D. Wis., W.D. Wis.
- (4) The district's local rule requires the parties in all civil cases (unless exemptions are provided for certain classes of cases) to meet and provide a report or a proposed order which identifies an agreed upon maximum number of depositions by each party to any other party. In most cases the court must approve this limit and can abolish or alter it at its discretion. Two districts (2%) are in this category. *See* S.D. Ala., M.D. Tenn.
- (5) The district's local rule sets limits on depositions by differentiated case management track assignment. Different maximum limitations on depositions apply depending upon the particular track the case is assigned to. For example, the District of Arizona permits one fact witness deposition per party for expedited track cases, and eight fact witness depositions per party are permitted for standard track cases. Eleven districts (12%) are in this category. *See also* D. D.C., D. Me., W.D. Mich., N.D. Miss., S.D. Miss., M.D. N.C., W.D. N.C., D. N.Mar.I., N.D. Oh., E.D. Tex.

In summary, at present 61 federal courts (65%) abide by the ten interrogatory limit adopted by Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), unless the court orders otherwise in a particular case. Only two districts have chosen a different numerical limit. Although both of these districts chose a number lower than ten, these limits (D. Alaska (3) and E.D. Va.(5)) only apply to depositions taken of non-parties, and non-expert witnesses. Therefore, there are no limitations in these districts on depositions of parties to the case as well as expert witnesses (*see* E.D. Va.), treating physicians, and document custodians (*see* D. Alaska).

Eighteen districts (19%) have chosen to “opt out” of Federal Rules of Civil Procedure 30(a)(2)(A) and 31(a)(2)(A), thus having no numerical limit on depositions in their districts.

Two (2%) districts require the parties to agree upon a maximum number of depositions which the court may approve or modify.

Finally, 11 districts (12%) set limits on depositions based upon the case management track a particular case is assigned to. The average number of depositions of parties permitted for standard track cases in these districts is ten, with a range from 4 to 30. Therefore, the number of districts imposing a 10 deposition limit is even higher.

Other Noteworthy Provisions

In addition, we discovered the following noteworthy provisions in local rules imposing limitations on depositions.

- Six districts exempt certain classes of cases from their deposition limitation (e.g., class actions, cases transferred under 28 U.S.C. § 1407). *See* N.D. Ala., S.D. Ala., D. Minn., D. N.H., W.D. N.Y., E.D. Tenn.
- Eight districts apply their deposition limitation only to depositions of certain types of witnesses (e.g., non-parties, non-experts) thus permitting unlimited depositions of the parties and expert witnesses. For example, six districts apply their deposition limit only to non-party fact witnesses, thus permitting unlimited depositions of the parties and non-fact witnesses. *See*, D. Ariz., W.D. Mich., N.D. Miss., S.D. Miss., N.D. Oh., E.D. Va. The District of Alaska permits the plaintiffs, defendants or third-party defendants to take no more than three depositions of witnesses other than (1) parties defined as “. . . any individual whom a party claims in its disclosure statements is covered by the attorney-client privilege. . .”; (2) independent expert witnesses expected to be called at trial; (3) treating physicians; or (4) document custodians. Local Rule 30.1(a)(2). The District of Columbia established presumptive limits on depositions based on track assignment that apply to all plaintiffs as a group, all defendants as a group, and all third-party defendants as a group, unless otherwise provided in the scheduling order. These limits do not apply to the deposition of experts. Local Rule 207(b).

Numerical Limits on Depositions in State Courts

We found only four state rules or statutes placing a numerical limit on depositions permitted in civil cases. One state (Wyoming) allows the same number of depositions as permitted under Federal Rules of Civil Procedure 30 and 31 (10). All four states allow more depositions with leave of court. Alaska only permits three depositions of witnesses who are not either parties to the case, independent experts expected to be called at trial, treating physicians, or document custodians. The Supreme Court of Virginia allows parties to take depositions of only five witnesses. A district court in the state of

Washington only permits a party to take one deposition of one other party. Although an explicit numerical limit is not provided by the rule, Colorado requires the parties to set forth the agreed upon number of depositions for the case in a Case Management Order. This number can not be exceeded without leave of court. See Table 2, Column 2 for a more detailed description of these rules.

Durational Limits on Depositions in the Federal Courts

The Advisory Committee on Civil Rules considered, but did not adopt, an hour limitation for individual depositions as part of the 1993 Amendments to the Federal Rules of Civil Procedure. However, Fed. R. Civ. P. 26(b)(2) allows districts by order or local rule to limit the length of depositions upon oral examination.

At present, only seven districts (7% of all federal districts) impose a specific durational limit on depositions by local rule or order: D. Alaska, S.D. Fla., N.D. Ga., N.D. Okla., M.D. Pa., D. V.I., and E.D. Wis. (**Column 2 in Table 3, below (next page)**). Note, however, that there were no data from the Virgin Islands). Five of these districts limit depositions of parties or witnesses to six hours absent court order or agreement of the parties otherwise. *See* S.D. Fla., N.D. Ga., N.D. Okla., M.D. Pa., E.D. Wis. The District of Alaska limits oral depositions to six hours for parties, independent expert witnesses and treating physicians, but only allows three hours for other deponents. The District of the Virgin Islands allows one hour for direct and cross examination of non-party witnesses, and three hours for direct examination of party and expert witnesses and three hours for cross examination. All of the above rules apply the limits to the individual witness, not to plaintiffs, defendants, or third parties as a group.

Three of these local rules contain provisions allowing the court to provide additional time if needed for fair examination of deponents or if another party impedes or delays the examinations. *See, e.g.,* D. Alaska, N.D. Okla., E.D. Wis. Two rules also provide for imposition of appropriate sanctions, including reasonable attorney fees, if the court finds that the deponent or another party has impeded or delayed the examination or engaged in other conduct that frustrates the fair examination of the deponent. *See, e.g.,* D. Alaska, E.D. Wis.

In addition, some districts with no presumptive limits for the duration of a deposition have local rules or standard forms (some modeled on Form 35, part 3, Fed. R. Civ. P.) that

- permit or encourage parties to stipulate a limit on total deposition hours, or
- permit the courts in their scheduling order or otherwise to provide that a deposition shall not exceed a set number of hours or days.

See D. Colo., D. D.C., S.D. Ill., D. Minn., D. N.M., W.D. Wa., D. Wyo. (**Column 3 in Table 3, below**). One district (S.D. Ala.) *requires* parties to meet and establish a maximum time limit for each deposition (which they can later agree to extend). Although several districts did not report having a local rule or standard form, court officials in a number of districts indicated that parties may stipulate to limit depositions or that the

court may impose specific limits in particular cases. *See, e.g.*, S.D. Ala., D. Colo., D. Del., D. D.C., D. Minn., E.D. Mo., D. N.M., N.D. N.Y., D. Utah, W.D. Wa.

Empirical Data on Application of Durational Limits on Depositions

In the Federal Judicial Center's survey of attorneys' experiences with discovery¹ we asked a national sample of attorneys about depositions and problems with depositions in a recently terminated federal case. These survey data give us some systematic information about the operation of durational limits on depositions, but we were unable to find evidence that such limits have achieved their intended effects.

Table 3 presents the attorneys' estimates of the length of the longest deposition in the survey cases, grouped according to the type of rule or order in effect in the district where the case was litigated: a local rule or general order imposing a specific durational limit (column 2), a local rule or general order allowing the court to impose durational limits at its discretion (column 3), or no local rule on point (column 4).²

Table 3
Attorneys' estimates of length of longest deposition (hours) by
presence or absence of local rules or orders limiting deposition length*

(1) Type of rule/ Length (hours)	(2) Courts with local rules imposing durational limits on depositions (N = 7)	(3) Courts with local rules granting discretion to impose durational limits on depositions (N = 7)	(4) Courts without local rules governing durational limits on depositions (N = 72)	(5) All courts in study (N = 86)
Median	5	4	4	4
75th percentile	8	8	6	7
90th percentile	12	17	10	
Number of estimates	33	60	479	572

* None of the differences in this table are statistically significant.

¹ Thomas E. Willging, John Shapard, Donna Stienstra, and Dean Miletich, *Discovery and Disclosure Practice, Problems, and Proposals for Change* (FJC 1997).

² Data on the frequency and length of depositions in the survey as a whole can be found at Willging, et al, *supra* note 1 at 32-33.

Table 3 shows that there are no significant differences between districts that impose durational limits and other districts. Does this mean that these local rules are ineffective? We cannot tell because we do not know what the length of the longest depositions might have been in the absence of such a rule. It seems likely that the impetus for adopting a rule was the presence of—or the perception of—an excessive number of lengthy depositions. If that was the case, local rules may have been effective in bringing the length of depositions closer to the norms in other courts.

Table 3 also shows that courts with presumptive time limits—generally six hours—have at least 25% of their depositions exceeding that limit and at least 10% doubling the limit. We do not know, however, whether those differences resulted from authorized exceptions, agreement of the parties, or lack of enforcement.

Table 4 shows the percentage of attorneys who reported that “some or all depositions were too long,” broken down according to whether the court had a local rule addressing deposition duration. The rate of reported problems in the districts with local rules designed to address such problems is roughly double the rate of problems in districts without such rules. It is important to note that the rate of problems in both types of districts is relatively low, with 10% being the high rate.

Table 4
Attorneys’ reporting of problems with deposition length by
presence or absence of a local rule limiting deposition length*

	Courts with local rules empowering judge to impose durational limits on depositions (mandatory or discretionary) <i>(N = 14)</i>	Courts without local rules empowering judge to impose durational limits on depositions (mandatory or discretionary) <i>(N = 72)</i>
Reported problem	20 (10%)	52 (5%)
No reported problem	186 (90%)	920 (95%)
Number of attorney reports	206	972

* The differences reported in this table are statistically significant.

As with Table 3, the data in Table 4 can be interpreted in at least two ways. One interpretation would be that the rules are ineffective in addressing the problem of excessive deposition length. Another interpretation would suggest that the districts that adopted the rules may have had extensive problems with lengthy depositions and the lack of baseline data about those problems prevents us from drawing firm conclusions about the effects of the rules. It is also conceivable that the local rules may have led to increased reports of depositions that are “too long” because the local rule provides a bright-line standard, six hours, for measuring the appropriate ceiling that may be shorter than the standard in other districts. The only firm conclusion we can reach is that the local rules have not reduced the problems to the levels experienced in other courts.

The Southern District of Florida's Pilot Program

To give the Discovery Subcommittee a closer look at one district's experience, we gathered anecdotal information about the Southern District of Florida's pilot program. On June 17, 1996, the Southern District of Florida adopted a "pilot program imposing a six-hour limitation on depositions absent court order or agreement of the parties and non-party witness." [Administrative Order 96-26]. The order is modeled on the Northern District of Georgia's local rule limiting depositions in civil cases to six hours. The Southern District's Federal Judicial Bar and Community Liaison Committee and its Advisory Committee on Rules and Procedures recommended its adoption.

Based on input from parties and attorneys on their experiences with the pilot program, the advisory committee voted to extend the pilot program beyond its scheduled expiration on December 31, 1997 and to recommend adoption of the six-hour limitation on depositions as a local rule. The advisory committee received eight letters from attorneys, two in favor of the limit and six opposed to its continuance. We summarize these letters below. The committee has embarked on a further round of comments and plans to conduct a hearing in the first half of 1998 before deciding whether to adopt the proposed local rule.

Objectors emphasized the need for longer depositions in more complex cases, the possibility of increased motions practice, and the incentives the rule might give for lawyers to obstruct the smooth operation of a deposition and then object to an extension. They tend to prefer that judges use sanctions to deal with objectionable deposition conduct.

Proponents of the program emphasized the adequacy of the six-hour limit for attorneys who prepare their case. Further, proponents assert that the rule has streamlined depositions and reduced costs to litigants.

Responses from individual practitioners opposing continuation of the six-hour durational limit are summarized below:

- An attorney from a Miami law firm felt that an arbitrary six-hour limit does not take into account the multiple parties involved and the complex, often international, scope of civil cases in the Southern District of Florida. Depositions are necessarily lengthened because counsel for all parties are entitled to examine deponent; interpreters must translate questions, answers, objections, and sometimes documents. If a deponent is foreign, a deposition may be only the opportunity to obtain trial testimony. Time is needed to read each document. This practitioner also finds that an arbitrary six-hour limit encourages deponents to filibuster depositions by giving unnecessarily lengthy responses. Finally, he pointed out that the Southern District of Florida's Local Rule 30.1 already provides sanctions for abusive deposition conduct: "If counsel for a party or a deponent believes that the length of a deposition is abusive, counsel can notify the attorney taking the deposition and seek sanctions . . . if counsel do not agree to extend the deposition, a party seeking waiver of the rule may not obtain relief for several months. Such a rule contributes to increased motion practice, as well as discovery delays."

- Another Miami attorney who regularly conducts multi-day depositions of key witnesses in complex securities cases thinks the six-hour limit is not appropriate in such cases: complex cases should be exempt. He points out that in his experience defense counsel do not object to lengthy depositions of witnesses who are central to the claims asserted.
- An associate in the bankruptcy department of another Miami law firm commented on the impact of a six-hour limit on discovery in bankruptcy and civil cases. Even though it does not apply, many opposing attorneys have attempted to invoke the rule in bankruptcy cases. This attorney had conducted more than ten depositions over the past year; the majority of them have exceeded six hours and have been extremely confrontational, with opposing attorneys utilizing numerous delay tactics. A six-hour rule permits attorneys who do not participate in depositions in good faith to “run the clock.” In his opinion, unrestricted depositions are the best device for verifying, gathering, and exploring relevant information while simultaneously assessing the demeanor of a prospective witness and the strengths and weaknesses of a case. Thus, he believes that the six-hour rule would have an adverse impact on parties with cases involving complex transactions and relationships that require proof through information obtained via depositions. Finally, if delay tactics have consumed the allotted six hours for a deposition, and an attorney is unable to obtain the consent of the opposing attorney to extend the time, the deposing attorney is forced to file a motion with the court. Attorneys and parties will spend more time and money trying to circumvent the six-hour rule.
- Another attorney from a Miami law firm stated that while a deposition limit of six hours in one day for a witness is reasonable, a six-hour limit on the total length that a witness can be deposed is arbitrary, especially in complicated disputes. Further, he believes that existing sanctions for abuses of the discovery process are sufficient.
- A defendants’ attorney from another Miami firm (who claims to have attended “probably over 100 depositions” since the first suggestion of implementing the pilot program) said that depositions exceed reasonable time limits only when the deponent is not cooperating or the opposing attorney is using tactics to delay. Abuse of the deposition process could be best handled by the court enforcing— on a case-by-case basis—the existing rules against abusive practice.
- Finally, the head of the litigation section of a major Miami law firm strongly opposed the permanent adoption of Administrative Order 96-26. He argues that there are adequate rules already in place against abusive practice and that imposing an absolute limit is not necessary. This type of rule does not even exist in most federal courts. He thinks that the rule may contribute to increased motion practice as well as discovery delays if counsel do not agree to extend a deposition and a party has to seek a waiver of the rule. Complex cases, such as antitrust class actions, will suffer the most from the six-hour limit, especially if multiple attorneys are involved. He asserts that “a per se

time limit encourages incivility, evasiveness, and lack of cooperation among attorneys and witnesses . . . witnesses may be encouraged to be evasive and dilatory to restrict information revealed within the six-hour time limit.”

Finally, in his experience, the majority of depositions have not taken longer than six hours unless the additional time was necessary for full development of the case.

Responses from individual practitioners supporting continuation of the six-hour durational limit are summarized below:

- A practitioner of a Miami firm who has litigated in state and federal courts since 1970 says that, with adequate preparation, it should never take more than three hours, or in exceptional situations, four hours to depose a witness in any case, whether civil or criminal. This practitioner would also bar all objections during depositions, but would allow the witness to refuse to answer a question that threatens to invade a privilege.
- Another practitioner, who generally represents plaintiffs in employment law cases in federal district court, has found the six-hour rule extremely beneficial because defendants “get to the point” quickly and use the time properly. This practitioner cited a case where the defendant requested a further deposition of the plaintiff due to recently acquired information. His firm agreed because it was appropriate that the defendant obtain the information. Further, this practitioner feels that the rule should become permanent because it has added quality to the process, and reduced the cost of lawyer attendance time and transcript costs to the litigants.

At present, the Court is publishing notice of the proposed local rule amendments, providing another opportunity for public and written comments and for a public hearing.

Durational Limits on Depositions in State Courts

We found only four states placing durational limits on depositions. Alaska prohibits oral depositions to exceed six hours in length for parties, independent expert witnesses, and treating physicians, and three hours in length for other deponents, unless the parties stipulate or the court orders otherwise. Arizona Supreme Court limits oral depositions of any party or witness to four hours unless the parties stipulate or the court orders otherwise. The Illinois Supreme Court places a three hour limit on discovery depositions of parties and witnesses, unless the parties stipulate or the court orders otherwise. And Montana prohibits a deposition from lasting more than eight hours and from taking place on more than one day, unless otherwise ordered or stipulated. See Column 3 of Table 2 for a more detailed description of these rules.