

Proposed Amendments to Rule 26

Rule 26 is amended as follows:

RULE 26. General Provisions Governing Discovery; Duty of Disclosure

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(b) Discovery Scope and Limits. Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows:

(1) In General. Parties may obtain discovery regarding any matter not privileged, that is relevant to the claim or defense of any party, including the existence, description, nature, custody, condition, and location of any books, documents, or other tangible things and the identity and location of persons having knowledge of any discoverable matter. For good cause, the court may order the discovery of any matter relevant to the subject matter involved in the action. Relevant information need not be admissible at the trial if the discovery appears reasonably calculated to lead to the discovery of admissible evidence. All discovery is subject to the limitations imposed by Rule ~~26(b)(2)(C)~~. ~~26(b)(2)(i), (ii) and (iii).~~

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PRACTICE COMMENT: ~~Pursuant to the renumbering of the Rules, the former Rule 26(h) now will be identified as Rule 26.1.~~

(As amended Oct. 3, 1984, eff. Jan. 1, 1985; July 28, 1988, eff. Nov. 1, 1988; Aug. 29, 2000, eff. Jan. 1, 2001; Dec. 18, 2001, eff. Apr. 1, 2002; Sept. 30, 2003, eff. Jan. 1, 2004; Nov. 27, 2007, eff. Jan. 1, 2008; March 24, 2009, eff. May 1, 2009.)