

1969 Assembly Bill 587

Date published:  
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**CHAPTER 304, LAWS OF 1969**

AN ACT to amend 887.12 (4) of the statutes, relating to jurisdiction over out-of-state residents for adverse examinations.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

887.12 (4) of the statutes is amended to read:

887.12 (4) Such examinations shall be taken in counties within this state having a population of 500,000 or more before a court commissioner or judge at chambers and elsewhere before any officer authorized to take depositions by the laws of the state where the deposition is taken on previous notice to all adverse parties or their respective attorneys of at least 5 days. If the person to be examined is a nonresident party to the action or proceeding, or is an officer, director, or managing agent of a corporation that is a party, the court may upon just terms fix the time and place of such examination, and he shall attend at such time and place and submit to the examination, and, if required, attend for the reading and signing of such deposition, without service of subpoenas. Such examination shall not be compelled in any county other than that in which the person examined resides, except that any nonresident subject to examination may be examined in any county of this state in which he is personally served with notice and subpoena. The court may fix another place for such an examination in the case of a person who is physically unable to attend the examination in the county of his residence. When a party has instituted suit in any county of this state, he shall be subject to adverse examination in such county whether he resides in such county or not provided a subpoena is served upon him within such county. *If such party is an out-of-state resident such service of subpoena upon his resident attorney shall confer jurisdiction upon him for purposes of the adverse examination.*

Approved December 10, 1969.

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