

West's Annotated Code of Maryland
Maryland Rules (Refs & Annos)
Title 3. Civil Procedure--District Court
Chapter 400. Discovery

MD Rules, Rule 3-401

RULE 3-401. GENERAL PROVISIONS GOVERNING DISCOVERY

Currentness

(a) Discovery Methods. Except as otherwise provided in this Title, a party may obtain discovery by written interrogatories and, if a written stipulation is filed in the action, by deposition upon oral examination or written questions. The taking and use of a deposition permitted under this Rule shall be in accordance with Chapter 400 of Title 2.

(b) Discovery Materials.

(1) *Defined.* For purposes of this section, the term “discovery material” means a notice of deposition, an objection to the form of a notice of deposition, the questions for a deposition upon written questions, an objection to the form of the questions for a deposition upon written questions, a deposition transcript, interrogatories, and a response to interrogatories.

(2) *Not to Be Filed With Court.* Except as otherwise provided in these rules or by order of court, discovery material shall not be filed with the court. Instead, the party generating the discovery material promptly shall file with the court a notice stating (A) the type of discovery material served, (B) the date and manner of service, and (C) the party or person served. The party generating the discovery material shall retain the original and shall make it available for inspection by any other party. This section does not preclude the use of discovery material at trial or as exhibits to support or oppose motions.

Cross reference: [Rule 3-311 \(c\)](#).

Committee note: Rule 1-321 requires that the notice be served on all parties. Rule 1-323 requires that it contain a certificate of service.

Source: This Rule is derived as follows:

Section (a) is derived from former M.D.R. 401 b and 405.

Section (b) is new.

Credits

[Adopted April 6, 1984, eff. July 1, 1984. Amended March 22, 1991, eff. July 1, 1991; Oct. 31, 2002, eff. Jan. 1, 2003; April 5, 2005, eff. July 1, 2005.]

MD Rules, Rule 3-401, MD R RCP DIST CT Rule 3-401
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