



OPTIMA  JURIS™
THE INTERNATIONAL DEPOSITION AGENCY

HOW TO SCHEDULE **A DEPOSITION** IN AUSTRALIA



AUSTRALIA DEPO BASICS

When it's time to schedule your deposition in Australia, we want you to have the most comprehensive information available at your fingertips. That is why our experts have put together this easy-to-follow guide on setting up a deposition in Australia. First, let's answer some of the most important questions:

1

Are depositions permitted in Australia?

Good news — taking U.S. depositions in Australia is permissible and in general, you can depose willing witnesses in Australia without any special formalities or involvement of foreign courts.

2

Where can the deposition take place?

Depositions in Australia can take place at the venue of your choosing, whether that be a hotel room, law firm office, conference room, or videoconferencing facility.

3

How early should we plan?

Give yourself about 4 weeks to plan. The further you plan ahead, the more likely it is that you'll be able to locate and book the right locally-based professional for your deposition.

4

Are there local resources?

Yes! We have locally-based court reporters in Australia, which means minimal travel costs for you.

5

Is a visa required for the attorney traveling?

Most U.S. passport holders traveling to Australia for business purposes for less than 90 days can obtain an Electronic Travel Authority (ETA). The ETA is an electronic label-free visa and can be obtained at the ETA website for a small service fee. **Contact us** for more details.

6

Depo Options: should the attorney attend the deposition in person or remotely?



Attending Deposition In-Person

Attorneys, court reporters, legal videographers, and/or deposition interpreters travel to the location of the witness.

Advantages:

Typically this an ideal scenario to get the clearest record and you are less likely to encounter technical issues.

Disadvantages:

Travel costs can add up quickly.



DepoAnywhere™ Web-based Videoconferencing

Attorneys participate remotely via a web-based videoconference solution that connects on any laptop, smartphone or tablet.*

Advantages:

Cost-effective solution for minor witnesses, sworn statements, or when your budget is really tight. DepoAnywhere™ includes a backup telephone dial-in feature, and an Optima Juris team member to monitor your connection to provide real-time help.

Disadvantages:

Remote connections can be prone to pauses, interruptions, and/or connection lost due to network issues.



Videoconference Facility

Attorneys participate remotely at a videoconference facility. Reporter, videographer, and interpreter should attend deposition with the witness.

Advantages:

Videoconferencing offers the most reliable remote connection and allows attorneys to see the witness while not having to travel to the deposition destination.

Disadvantages:

Videoconference facilities are expensive. Costs typically fall within the USD \$400 per-hour range.

*For the best and clearest record we always recommend that the court reporter, videographer and interpreter be physically present with the witness.

7

How can we swear in a witness outside of the U.S.?

When attorneys need to swear in witnesses abroad, the time-honored solution is for both sides to stipulate on the record that the court reporter can swear in the witness. Using a U.S. certified court reporter is not enough, because notary powers do not apply when they venture outside of U.S. territory. Stipulating on the record is an excellent solution and it works in all cases, with both U.S. certified and foreign certified reporters (i.e.: British or Canadian reporters). Stipulating on the record is the easiest way to assure the admissibility of your witness's testimony.

[WATCH VIDEO](#)

Every situation, covered

Whether you're an attorney, paralegal, or a court reporting firm looking to set up an international depo, we've got your back.



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Scheduling or Questions?

Call Kimberlee directly

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[Schedule Depo](#)

Essential travel information for Australia

Traveling to Australia for a deposition? Get the most out of your visit by brushing up on the culture with these useful travel tips.



CURRENCY

Australia uses the Australian dollar. Before you leave, notify your bank, credit card company, or other financial institutions that you are going overseas.



GENERAL TIPPING

At restaurants 10–15% is customary. At hotels \$1 per bag and \$1–\$5 per day to the housekeeper. \$5 for cabdrivers and \$25–\$50 per day for a private driver.



MAJOR AIRPORTS

Adelaide Airport, ADL
Brisbane Airport, BNE
Gold Coast Airport, OOL
Melbourne Airport, MEL
Perth Airport, PER
Sydney Airport, SYD

AUSTRALIA DEPO CHECKLIST

Optima Juris' comprehensive checklist for your deposition in Australia.

When scheduling an international deposition, we ideally recommend getting started four to six weeks in advance. Of course, it's possible to work within a much shorter timeframe, just keep in mind you need to allow sufficient time for noticing your witness, arranging for resources on the ground (like court reporters, interpreters, conference rooms), and planning travel.

Getting there

3-1 weeks before your deposition

- If the attorney is traveling, be sure to make all travel arrangements, including air, hotel, and any travel insurance or special shipping arrangements for the deposition exhibits. The earlier you book your travel, the cheaper it will be.
- Obtain an Electronic Travel Authority (ETA). The ETA is an electronic label-free visa and can be obtained at the ETA website for a small service fee.
- Prepare and send your deposition notices.
- Submit any relevant documents to the case that you would like the team to review prior to the deposition.



DISCLAIMER: The authors of this guide are not attorneys. The information set forth in the guide is merely an overview based solely on the author's practical experience and should not be considered legal advice. Optima Juris is not responsible for any information, advice, guidance, or suggestions offered on our guide, or by our employees or contractors. Such information is provided "as is" and does not constitute expert legal opinion. Attorneys and their representatives must do the necessary legal research before making any decisions or binding arrangements with respect to depositions or any Optima Juris services they may hire.

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Plan ahead

4-6 weeks before your deposition

- Determine whether the witness in question is willing to be deposed. If the witness is willing, mutual stipulation of the parties can allow for depositions to be planned quickly. If the witness is unwilling, contact us for your options.
- Determine which deposition services will be required:
 - Court reporter (realtime or standard delivery)
 - Legal videographer
 - Deposition interpreter (determine language pair needed)
- Determine where your deposition will take place:
 - Hotel or conference room
 - Web-based videoconferencing (Optima Juris DepoAnywhere™)
- Contact Optima Juris to book your reporter and any other depositions services you require.

That's it

Everything has been set...

- Upon conclusion of the deposition, the attorney will place their orders with the court reporter for the transcript and/or video copies.
- Submit payment for transcripts and video, and await the arrival of your order.
- You deserve a pat on the back - your international depo went off without a hitch. Bravo!