



INTERNATIONAL
DEPO
GUIDE™

OPTIMA  **JURIS**™
THE INTERNATIONAL DEPOSITION AGENCY

A DEPOSITION
GUIDE
FOR CHINA



CHINA DEPO BASICS

When it's time to schedule your deposition of a China-based witness, 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 near China. First, let's answer some of the most important questions:

1 Are there any restrictions on holding a U.S. depo in China?

China does not permit the taking of depositions or witness statements in China for use in foreign courts. Even conducting a deposition in a hotel room with an oath by private persons could result in criminal penalties under Chinese law. The restrictions also extend to telephonic depositions and depositions by videoconference. Beyond being merely frowned upon, participation in unauthorized depositions can result in serious sanctions, from deportation to the arrest and detention of attorneys and other participants.

2 Is there a work-around for depositing a witness based in China?

The best solution is to have your witness travel from mainland China to Hong Kong (or a nearby country like Singapore or Taiwan), and take your deposition there. Depositions are completely legal and there are no restrictions for taking them outside of China.

3 Can depositions in Hong Kong, Singapore, or Taiwan take place at any venue?

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

4 Are there court reporters in Asia for U.S. depositions?

Optima Juris has local court reporters in Hong Kong, Singapore and throughout Asia, which means little to no travel costs for you.

2 Does a U.S. passport holder need a visa to enter Hong Kong, Singapore, or Taiwan?

U.S. passport holders may enter Hong Kong, Singapore, or Taiwan for up to 90 days for tourist or business purposes without a visa.

6 Options for attending your deposition of a China-based witness in Hong Kong, Singapore, or Taiwan.



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.



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.



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.

*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.



Ian Hardy
CEO & Founder

Kimberlee Castro
Director of Scheduling

Scheduling or Questions?

Call Kimberlee directly

949.433.4529

kcastro@optimajuris.com

[Schedule Depo](#)

Useful links

Traveling to Asia for a deposition? Get the most out of your visit with these useful tips.



HOTELS

Agoda [Hong Kong](#) hotel search

Agoda [Taiwan](#) hotel search

Agoda [Singapore](#) hotel search



ELECTRICAL

[Hong Kong](#) electrical requirements

[Taiwan](#) electrical requirements

[Singapore](#) electrical requirements



HOLIDAYS & OBSERVANCES

Complete list of holidays in [Hong Kong](#)

Complete list of holidays in [Taiwan](#)

Complete list of holidays in [Singapore](#)

DEPO CHECKLIST

Optima Juris' comprehensive checklist for your deposition of a China-based witness in Hong Kong, Singapore, or Taiwan.

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.
- 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.

THE INTERNATIONAL DEPO GUIDE™ is protected by copyright, trademark and/or other forms of intellectual property. These laws protect Optima Juris against the unauthorized use of both identical reproductions and also confusingly similar variations and modifications.

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
 - Videoconferencing facility
 - 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!