



How to Serve Out-of-State Papers in Oklahoma

A Practical Guide to UIDDA, Interstate Service,
and Cross-Border Subpoena Enforcement

Covering: 12 O.S. §§ 3250-3257 (UIDDA) · 12 O.S. § 2004(F) · Interstate Discovery

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Version v1.0 · April 20, 2026 · Next review: October 20, 2026

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1. Overview

Serving legal papers across state lines involves two main situations. First, you may need to serve papers on someone who lives in another state. Second, you may need to serve Oklahoma papers on a person or business located outside Oklahoma.

Oklahoma adopted the Uniform Interstate Depositions and Discovery Act (UIDDA) on November 1, 2021. This law is found at 12 O.S. §§ 3250 through 3257. The UIDDA makes it easier to get subpoenas for out-of-state witnesses and records.

This guide covers both directions of interstate service. It uses simple language and cites the actual statutes. Always verify current rules with the court clerk before filing.

Key Terms You Should Know

UIDDA: The Uniform Interstate Depositions and Discovery Act. It lets you use a simple process to get a subpoena in another state without hiring a lawyer there.

Foreign Subpoena: A subpoena issued by a court in another state or jurisdiction. In UIDDA terms, "foreign" means any state other than the one where you need discovery.

Letters Rogatory: A formal request from one court to another court for judicial assistance. This is the old method and takes much longer than UIDDA.

Long-Arm Statute: A law that lets Oklahoma courts reach defendants who live outside the state. Found at 12 O.S. § 2004(F).

2. Required Documents Checklist

For Serving Out-of-State Papers IN Oklahoma (Incoming)

- Foreign subpoena from the issuing court (certified copy)
- UIDDA cover letter to the Oklahoma court clerk
- Names, addresses, and phone numbers of all counsel and unrepresented parties
- Filing fee for the Oklahoma clerk (verify amount with clerk)
- Oklahoma-issued subpoena incorporating the terms of the foreign subpoena
- Proof of service after delivery (affidavit per 12 O.S. § 2004.1)
- Copy of any application for protective order (if needed)

For Serving Oklahoma Papers OUT-of-State (Outgoing)

- Oklahoma-issued subpoena or summons (original)
- Cover letter invoking the target state's UIDDA statute
- Names, addresses, and phone numbers of all counsel and unrepresented parties
- Filing fee for the target state court clerk (verify with that clerk)
- Locally issued subpoena from the foreign state clerk
- Proof of service after delivery (follow the foreign state's rules)
- Return of service affidavit filed with the Oklahoma court

3. Statute-Cited Timeline Table

These deadlines come directly from Oklahoma and federal statutes. Missing a deadline can result in dismissal of your case or action.

Action / Deadline	Time	Statute	Notes
Service of summons after filing petition	180 days	12 O.S. § 2004(l)	Action dismissed without prejudice if missed
Federal court service of complaint	90 days	FRCP Rule 4(m)	Court may extend if good cause shown
UIDDA subpoena issuance by clerk	Promptly	12 O.S. § 3252	Clerk shall promptly issue upon submission
Subpoena service under UIDDA	Per OK rules	12 O.S. § 3253	Served per 12 O.S. § 2004.1 procedures
Response to UIDDA protective order motion	Per OK rules	12 O.S. § 3255	Filed in county where discovery is sought
Secretary of State notice to corporation	3 working days	12 O.S. § 2004(C)(4)	After receiving summons for corporate service
Proof of service return filed	Promptly	12 O.S. § 2004(G)(1)	Within time for person served to respond
Clerk sends copy of return to plaintiff	3 days	12 O.S. § 2004(G)(2)	After sheriff's return is filed

4. UIDDA vs. Other Methods

There are three main ways to get discovery from someone in another state. This table compares them side by side.

Method	How It Works	Best For	Time / Cost
UIDDA	Submit subpoena to clerk in target state. Clerk issues local subpoena. No local lawyer needed in most states.	Discovery in states that adopted UIDDA (most states). Simple subpoenas for records or depositions.	Fast. Low cost.
Letters Rogatory	Formal court-to-court request through channels. Requires filing in both states.	States that did NOT adopt UIDDA. Complex or contested discovery.	Slow. Expensive.
Private Process Server	Hire a licensed server in the target state to deliver papers directly.	Service of summons when personal delivery is needed. Not for subpoenas.	Moderate cost.

Which States Have Adopted UIDDA?

As of 2026, most U.S. states have adopted the UIDDA. Oklahoma adopted it through HB 2229, effective November 1, 2021. To verify if a specific state has adopted the UIDDA, check with that state's court clerk or the Uniform Law Commission website.

5. How to Serve Oklahoma Papers Out-of-State

Follow these steps when you have an Oklahoma subpoena or summons that needs to be served in another state.

Step-by-Step: Outgoing Service

Step 1: Confirm the target state adopted UIDDA

Check whether the state where you need service has adopted the UIDDA. If yes, use the UIDDA process. If not, you may need letters rogatory or a private process server.

Step 2: Prepare your Oklahoma subpoena

Make sure your Oklahoma subpoena is properly issued and signed by the court or clerk. Include all terms: witness name, date, time, location, and scope of testimony or documents.

Step 3: Contact the foreign court clerk

Find the clerk of court in the county where the person or records are located. Call ahead to ask about their UIDDA procedure, required fees, and preferred format. Verify with the court.

Step 4: Submit the Oklahoma subpoena to the foreign clerk

Send the Oklahoma subpoena with a cover letter invoking the state's UIDDA statute. Include the names, addresses, and phone numbers of all counsel and any party not represented by counsel. Per 12 O.S. § 3252(C)(2), this request does not constitute an appearance in the foreign state.

Step 5: The foreign clerk issues a local subpoena

The clerk will review your submission and issue a subpoena under that state's rules. The local subpoena must incorporate the same terms used in your Oklahoma subpoena.

Step 6: Arrange service of the local subpoena

The local subpoena is served under the foreign state's rules. This may mean using a sheriff, licensed process server, or other authorized person in that state.

Step 7: Obtain proof of service

After service is made, get a return of service or affidavit from the server. File it with the Oklahoma court to show the subpoena was properly served.

Step 8: Handle any motions to quash or modify

If the person served objects, any motion to quash or modify must be filed in the state where discovery is sought. Per 12 O.S. § 3255, those motions are governed by the rules of the state where discovery is to take place.

6. How to Serve Out-of-State Papers in Oklahoma

Follow these steps when you have a subpoena or summons from another state that needs to be served in Oklahoma.

Step-by-Step: Incoming Service

Step 1: Prepare the foreign subpoena

Get a certified copy of the subpoena from the issuing court. Make sure it is complete and signed.

Step 2: Identify the correct Oklahoma county

Determine which Oklahoma county the person or records are in. You must submit the foreign subpoena to the clerk of that county.

Step 3: Submit the foreign subpoena to the Oklahoma clerk

Take or mail the foreign subpoena to the court clerk in the correct Oklahoma county. Under 12 O.S. § 3252, the clerk shall promptly issue an Oklahoma subpoena for service.

Step 4: Provide required contact information

Include the names, addresses, and telephone numbers of all counsel of record and any party not represented by counsel. Per 12 O.S. § 3252(C)(1-2), the Oklahoma subpoena must incorporate the terms used in the foreign subpoena and include this contact list.

Step 5: The Oklahoma clerk issues a local subpoena

The clerk will issue an Oklahoma subpoena that mirrors the terms of the foreign subpoena. There is no need for an Oklahoma attorney to file a formal appearance.

Step 6: Serve the Oklahoma subpoena

The subpoena must be served under Oklahoma law. Per 12 O.S. § 3253, service follows 12 O.S. § 2004.1. This means any person age 18 or older may serve it. Service by certified mail with return receipt is also allowed.

Step 7: The person served responds under Oklahoma law

Duties of the person served are governed by 12 O.S. § 2004.1(D). They must respond as they would to any Oklahoma subpoena.

Step 8: Handle disputes in Oklahoma courts

If the person served wants to quash or modify the subpoena, they must file in the Oklahoma county where discovery is to be conducted. Per 12 O.S. § 3255, Oklahoma rules and statutes apply to these motions.

7. Interstate Service on Individuals vs. Corporations

The rules for serving individuals and businesses differ. This section explains both.

Serving an Individual Out-of-State

Under 12 O.S. § 2004(F), Oklahoma has long-arm jurisdiction over non-resident individuals who: transact business in Oklahoma, commit a tort in Oklahoma, own or use real property in Oklahoma, or have any other contact with Oklahoma that gives rise to the claim.

Service on an individual in another state is typically made by: personal delivery by a sheriff or licensed process server in that state; certified mail with return receipt requested (if the person will sign); or substituted service by leaving copies at their dwelling with a person age 15 or older who resides there.

Serving a Corporation Out-of-State

Under 12 O.S. § 2004(C)(4), service on a domestic or foreign corporation may be made by serving the Oklahoma Secretary of State as the corporation's agent. The Secretary of State must then send notice by certified mail to the corporation at its registered office within three working days.

For corporations that do business in Oklahoma but are headquartered elsewhere, you may also serve: an officer of the corporation; a managing or general agent; or any other agent authorized by appointment or by law to receive service.

Entity Type	Service Method	Key Statute
Individual (out-of-state)	Personal delivery, certified mail, or substituted service at dwelling	12 O.S. § 2004(C)(1)(c), FRCP 4(e)
Corporation (foreign)	Serve Secretary of State; or serve officer/agent in target state	12 O.S. § 2004(C)(4), FRCP 4(h)
Inmate (out-of-state DOC)	Serve through warden or superintendent of the facility	12 O.S. § 2004(C)(1)(c)(3)

8. Common Reasons Service Fails

These are the most common mistakes that cause out-of-state service to fail. Avoid them by following the checklist and timeline above.

Common Mistake	Why It Fails	How to Fix It
Missing the 180-day deadline	Action dismissed without prejudice per 12 O.S. § 2004(I)	Track deadlines carefully. Request extension if needed.
Wrong county for UIDDA submission	Clerk may reject the subpoena	Confirm the person's location before filing.
Incomplete contact information	12 O.S. § 3252(C)(2) requires counsel list	Include all counsel addresses and phone numbers.
Not verifying target state adopted UIDDA	May need letters rogatory instead	Check the Uniform Law Commission website or call the clerk.
Serving without proper license in target state	Service may be invalid; server could face charges	Use a sheriff or licensed process server in that state.
Forgetting proof of service	Court cannot confirm valid service	File the return or affidavit promptly.
Ignoring motions to quash	Subpoena may be unenforceable	Respond to motions in the state where discovery is sought.
Using uncertified foreign subpoena	Clerk may refuse to issue local subpoena	Always submit a certified copy from the issuing court.

9. Hague Service Convention

The Hague Service Convention is an international treaty that governs service of process between member countries. If you need to serve papers in a foreign country, this treaty may apply.

As of 2026, over 80 countries are members of the Hague Service Convention. The United States is a member. Each member country designates a Central Authority to receive and execute requests for service.

To serve under the Hague Convention: fill out the Model Form (USM-94) in English and the language of the destination country; send the form, summons, petition, and translations to the Central Authority of the destination country; and wait for the Certificate of Service to be returned.

The Hague process typically takes two to four months. Some countries allow service by mail under the treaty. Others require service through their Central Authority only. Verify the rules for the specific country before attempting service.

If the destination country is NOT a Hague member, you may need to use letters rogatory through diplomatic channels or consult the U.S. Department of State for guidance.

10. Important Reminders

Key Points to Remember:

- ▶ The UIDDA applies to subpoenas for discovery. It does NOT apply to service of summons to start a lawsuit.
- ▶ Service of a summons on an out-of-state defendant must follow 12 O.S. § 2004 or FRCP Rule 4 (in federal court).
- ▶ Oklahoma's 180-day service deadline applies even when the defendant is out of state. Track this deadline closely.
- ▶ A foreign attorney requesting a UIDDA subpoena in Oklahoma does not make a formal appearance in Oklahoma courts.
- ▶ Any dispute about a UIDDA subpoena must be resolved in the state where discovery is to take place.
- ▶ Always verify filing fees and procedures with the specific court clerk before submitting documents.
- ▶ Keep copies of everything: subpoenas, cover letters, proof of service, and clerk receipts.

Disclaimer

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This document provides procedural information only. It is not legal advice. Laws change. Always verify current rules with the court clerk or a licensed attorney before taking action.

About This Document

This guide was prepared by Just Legal Solutions to help attorneys, paralegals, and self-represented parties understand the process of serving out-of-state papers in Oklahoma and Oklahoma papers in other states.

All statutes and deadlines cited are sourced from CITATIONS.json as of April 20, 2026. Verify with the court before relying on procedural details.

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