
By: **Delegates Menes, Frush, and Moe**
Introduced and read first time: February 9, 2005
Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure - Video Conferencing in District Court**

3 FOR the purpose of authorizing a judicial officer of the District Court to conduct a
4 certain initial appearance or a certain review of the commissioner's pretrial
5 release determination with the defendant and the judicial officer at different
6 locations under certain circumstances; establishing that both the initial
7 appearance and the review may be conducted by video conferencing; and
8 generally relating to video conferencing in District Court.

9 BY adding to
10 Article - Criminal Procedure
11 Section 5-214
12 Annotated Code of Maryland
13 (2001 Volume and 2004 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article - Criminal Procedure**

17 5-214.

18 (A) IN THE DISTRICT COURT, IF THE CHIEF JUDGE OF THE DISTRICT COURT
19 HAS APPROVED THE USE OF VIDEO CONFERENCING IN THE COUNTY, A JUDICIAL
20 OFFICER MAY CONDUCT AN INITIAL APPEARANCE UNDER RULE 4-213(A) OR A
21 REVIEW OF THE COMMISSIONER'S PRETRIAL RELEASE DETERMINATION UNDER
22 RULE 4-216(F) WITH THE DEFENDANT AND THE JUDICIAL OFFICER AT DIFFERENT
23 LOCATIONS, IF:

24 (1) THE VIDEO CONFERENCING PROCEDURE AND TECHNOLOGY ARE
25 APPROVED BY THE CHIEF JUDGE OF THE DISTRICT COURT FOR USE IN THE COUNTY;
26 AND

27 (2) IMMEDIATELY AFTER THE PROCEEDING, ALL DOCUMENTS THAT
28 ARE NOT A PART OF THE DISTRICT COURT FILE AND THAT WOULD BE A PART OF THE

1 FILE IF THE PROCEEDING HAD BEEN CONDUCTED FACE-TO-FACE SHALL BE
2 ELECTRONICALLY TRANSMITTED OR HAND DELIVERED TO THE DISTRICT COURT.

3 (B) BOTH THE INITIAL APPEARANCE UNDER RULE 4-213(A) AND THE REVIEW
4 UNDER RULE 4-216(F) MAY BE CONDUCTED BY VIDEO CONFERENCING.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2005.