
By: **Senators Giannetti, Miller, Green, Kittleman, and Stone**

Introduced and read first time: February 4, 2005

Assigned to: Judicial Proceedings

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

10 BY adding to

11 Article - Criminal Procedure

12 Section 5-214

13 Annotated Code of Maryland

14 (2001 Volume and 2004 Supplement)

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

17 **Article - Criminal Procedure**

18 5-214.

19 (A) IN THE DISTRICT COURT, IF THE CHIEF JUDGE OF THE DISTRICT COURT
20 HAS APPROVED THE USE OF VIDEO CONFERENCING IN THE COUNTY, A JUDICIAL
21 OFFICER MAY CONDUCT AN INITIAL APPEARANCE UNDER RULE 4-213(A), A REVIEW
22 OF THE COMMISSIONER'S PRETRIAL RELEASE DETERMINATION UNDER RULE
23 4-216(F), OR A PRESENTMENT UNDER RULE 4-212 WITH THE DEFENDANT AND THE
24 JUDICIAL OFFICER AT DIFFERENT LOCATIONS, IF:

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

1 (2) IMMEDIATELY AFTER THE PROCEEDING, ALL DOCUMENTS THAT
2 ARE NOT A PART OF THE DISTRICT COURT FILE AND THAT WOULD BE A PART OF THE
3 FILE IF THE PROCEEDING HAD BEEN CONDUCTED FACE-TO-FACE SHALL BE
4 ELECTRONICALLY TRANSMITTED OR HAND DELIVERED TO THE DISTRICT COURT.

5 (B) THE INITIAL APPEARANCE UNDER RULE 4-213(A), THE REVIEW UNDER
6 RULE 4-216(F), AND THE PRESENTMENT UNDER RULE 4-212 MAY ALL BE CONDUCTED
7 BY VIDEO CONFERENCING.

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