

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Judiciary.

HB23-1182 be amended as follows:

1 Amend printed bill, page 3, before line 6 insert:

2       "(b) WHEN ALLOWING REMOTE OBSERVATION, COURTS SHALL  
3 TAKE REASONABLE STEPS TO ENSURE NO AUDIO OR VISUAL TRANSMISSION  
4 OF PRIVILEGED, CONFIDENTIAL COMMUNICATIONS OCCURS. COURTS SHALL  
5 NOTIFY PARTIES AND ATTORNEYS OF THE LOCATION OF MICROPHONES AND  
6 ANY ABILITY TO MUTE MICROPHONES. IF THE COURT BECOMES AWARE  
7 THAT SUCH TRANSMISSIONS OCCURRED, THE COURT SHALL WORK WITH  
8 THE PARTIES AND ATTORNEYS TO PREVENT REOCCURRENCE.

9       (c) IF A PROCEEDING SUBJECT TO A SEQUESTRATION ORDER IS  
10 MADE AVAILABLE FOR PUBLIC REMOTE OBSERVATION, THE COURT SHALL  
11 TAKE REASONABLE STEPS TO ENSURE COMPLIANCE WITH THE  
12 SEQUESTRATION ORDER AND ENSURE THE RIGHT TO A FAIR TRIAL, WHICH  
13 MAY INCLUDE ANNOUNCING THE SEQUESTRATION ORDER AS FREQUENTLY  
14 AS NECESSARY IN OPEN COURT, REQUIRING OBSERVERS TO IDENTIFY  
15 THEMSELVES TO ENSURE NONE ARE POTENTIAL WITNESSES AND THAT ANY  
16 OBSERVERS WHO ARE FORBIDDEN FROM DISCUSSING THE CASE WITH  
17 WITNESSES KNOW OF THAT OBLIGATION, AND TERMINATING REMOTE  
18 OBSERVATION TO PROTECT THE PARTIES' RIGHT TO A FAIR TRIAL OR TO  
19 ENSURE COMPLIANCE WITH THE SEQUESTRATION ORDER."

20 Reletter succeeding paragraph accordingly.

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