

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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