

An Act

ENROLLED HOUSE
BILL NO. 1234

By: Sherrer, Hoskin, Walker and
Hickman of the House

and

Burrage of the Senate

An Act relating to courts; creating the Judge Gary Dean Courtroom Technology Act; providing short title; authorizing district courts to use videoconferencing for certain court proceedings; requiring waiver prior to conducting proceedings with videoconferencing technology; providing for the promulgation of rules and procedures; providing for codification; and providing an effective date.

SUBJECT: Videoconferencing in court proceedings

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3004 of Title 20, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Judge Gary Dean Courtroom Technology Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3005 of Title 20, unless there is created a duplication in numbering, reads as follows:

A. Beginning January 1, 2012, district courts may use videoconferencing, including two-way interactive video technology, between a courtroom and a correctional facility of the Department of Corrections or a juvenile detention facility of the Office of Juvenile Affairs to conduct the following proceedings including, but not limited to:

1. Sentence reviews;

2. Post-conviction relief hearings;
3. Delinquent and deprived actions;
4. Custody and adoption proceedings;
5. Commitment proceedings; and
6. Extradition proceedings.

B. A waiver from the defendant or juvenile of the right to be present in the courtroom for a hearing shall be obtained prior to conducting any proceeding using videoconferencing or two-way interactive video technology. The use of videoconferencing or two-way interactive video technology shall be in accordance with any requirements and guidelines established by the Administrative Office of the Courts and all proceedings at which such technology is utilized shall be recorded verbatim by the district court.

C. The Administrative Office of the Courts shall promulgate rules and procedures to implement the provisions of this section.

SECTION 3. This act shall become effective November 1, 2011.

Passed the House of Representatives the 11th day of May, 2011.

Presiding Officer of the House of
Representatives

Passed the Senate the 26th day of April, 2011.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this _____
day of _____, 20____,
at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma the _____ day of
_____, 20____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this _____
_____ day of _____, 20____,
at _____ o'clock _____ M.

By: _____