

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

ADMINISTRATIVE ORDER NO. 98-5

RE: VIDEO CONFERENCING

The use of two-way simultaneous audio/video communication is hereby authorized in the Providence County Superior Court for the purpose of conducting hearings in criminal matters, except contested evidentiary hearings, appearing on the daily criminal calendar in which the defendant is incarcerated.

This video conferencing procedure is also authorized in those situations where the defendant, in writing, consents to said procedure for the purpose of waiving indictment or information and the entry of a plea to said charge.

An attorney who appears for a defendant in any matter authorized under the terms of this Order may choose to attend at the holding facility with the defendant or at the courthouse at the attorney's option.

This procedure is authorized, provided the court is able to clearly observe and communicate with the defendant and the defendant is able to clearly observe and communicate with the court and his/her counsel. The defendant shall be provided with a means for confidential telephone communication with his/her attorney during the course of such video proceeding, if defense counsel is not physically present at the correctional facility with the defendant. Facsimile equipment shall be available for the immediate transmission of appropriate papers and documents.

Any and all statements made during the course of such a video proceeding, whether by the court, counsel or defendant, shall be transcribed by an official court reporter or court recorder in the

same manner as if all participants were physically present in the courtroom. This will constitute the official record of the proceedings. In addition, a videotape copy of the hearing shall be made and retained by the court.

The court shall have the authority to suspend a video proceeding, rescheduling a personal appearance by the defendant at the earliest available time, if it deems that justice would best be served thereby.

BY ORDER OF:

JOSEPH F. RODGERS, JR.
PRESIDING JUSTICE

DATED: MARCH 20, 1998

