

Sec. 23-68. Where Presence of Person May Be by Means of an Interactive Audiovisual Device

(a) Upon motion of any party, and at the discretion of the judicial authority, any party, counsel, witness, or other participant in [a] any proceeding may appear by means of an interactive audiovisual device at any proceeding scheduled to be heard in-person in any civil matter, including all proceedings within the jurisdiction of the small claims section, or any family matter, including all proceedings within the jurisdiction of the family support magistrate division.

(b) [Upon order of the judicial authority, an incarcerated individual] At the discretion of the judicial authority, any party, counsel, witness or other participant in a proceeding may be required to appear by means of an interactive audiovisual device in any [civil or family matter] civil matter, including all proceedings within the jurisdiction of the small claims section, or any family matter, including all proceedings within the jurisdiction of the family support magistrate.

(c) For purposes of this section, an interactive audiovisual device must operate so that the judicial authority; any party and his or her counsel, if any; and any person appearing by means of an interactive audiovisual device pursuant to a court order under this section can see and communicate with each other simultaneously. In addition, a procedure by which an incarcerated individual and his or her counsel can confer in private must be provided.

(d) Unless otherwise required by law or unless otherwise ordered by the judicial authority, prior to any proceeding in which a person appears by means of an interactive audiovisual device, copies of all documents which may be offered at the proceeding shall be provided to all counsel and self-represented parties in advance of the proceeding.

(e) An officer, as identified in General Statutes § 1-24, may administer an oath by means of an interactive audiovisual device to any party, witness or other participant in a proceeding who appears pursuant to this section, provided such officer can see, hear and clearly identify the participant to whom the oath is to be administered via the audiovisual device.

[(e)] (f) Nothing contained in this section shall be construed to limit the discretion of the judicial authority to deny a request to appear by means of an interactive audiovisual device where, in the judicial authority's judgment, the interest of justice or the presentation of the case require that the party, counsel, witness, or other participant in the proceeding appear in person.

(g) Nothing contained in this section shall be construed to preclude the Judicial Branch, at the discretion of the Chief Court Administrator, from handling any matter remotely.

[(f)] (h) For purposes of this section, judicial authority includes family support magistrates and magistrates appointed by the chief court administrator pursuant to General Statutes § 51-193/.