

Sec. 44-10A. —Where Presence of Defendant May Be by Means of an Interactive Audiovisual Device

(a) Unless otherwise ordered by the judicial authority, and in the discretion of the judicial authority, a defendant may be present by means of an interactive audiovisual device for the following proceedings:

- (1) Hearings concerning indigency pursuant to General Statutes § 52-259b;
- (2) Hearings concerning asset forfeiture, unless the testimony of witnesses is required;
- (3) Hearings regarding seized property, unless the testimony of witnesses is required;
- (4) With the defendant's consent, bail modification hearings pursuant to Section 38-14;
- (5) Sentence review hearings pursuant to General Statutes § 51-195;
- (6) Proceedings under General Statutes § 54-56d (k) if the evaluation under General Statutes § 54-56d (j) concludes that the defendant is not competent but is restorable and neither the state nor the defendant intends to contest that conclusion;
- (7) Arraignments, provided that counsel for the defendant has been given the opportunity to meet with the defendant prior to the arraignment;
- (8) A disposition conference held in the judicial district court pursuant to the provisions of Sections 39-11 through 39-17 when it is not reasonably anticipated that an offer for the final disposition of the case will be accepted or rejected upon the conclusion of the conference;
- (9) With the consent of counsel a disposition conference held in the geographical area court pursuant to the provisions of Sections 39-11 through 39-17 when it is not reasonably anticipated that an offer for the final disposition of the case will be accepted or rejected upon the conclusion of the conference;
- (10) The first scheduled court appearance of the defendant in the judicial district court following the transfer of the case from the geographical area court;
- (11) Hearings regarding motions to correct an illegal sentence; and
- (12) Hearings regarding motions for sentence modification.

(b) Such audiovisual device must operate so that the defendant, his or her attorney, if any, and the judicial authority can see and communicate with each other simultaneously. In addition, a procedure by which the defendant and his or her attorney can confer in private must be provided.

(c) Unless otherwise required by law or 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.

(d) Nothing contained in this section shall be construed to establish a right for any person to appear by means of an interactive audiovisual device.

(e) 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.