

1 HB14  
2 126771-4  
3 By Representative Beckman  
4 RFD: Judiciary  
5 First Read: 07-FEB-12  
6 PFD: 09/15/2011

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8 SYNOPSIS: Under existing law, a court may conduct  
9 certain pretrial proceedings in criminal cases by  
10 means of audio-video telecommunications, but there  
11 is no law specifically authorizing pretrial matters  
12 in civil cases to be conducted in this manner.

13 This bill would authorize the presiding  
14 judge of the circuit court to authorize motion  
15 hearings in civil matters to be conducted by  
16 telephone or other audio-video telecommunications  
17 means.

18 This bill would also provide that the  
19 presiding judge would establish written guidelines  
20 for the holding of the hearings.

21  
22 A BILL  
23 TO BE ENTITLED  
24 AN ACT

25  
26 To authorize the presiding circuit judge of each  
27 judicial circuit to create guidelines providing for certain

1 pretrial proceedings in civil or probate cases to be conducted  
2 by telephone conferencing or other audio-video  
3 telecommunications means.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. (a) The presiding judge of each judicial  
6 circuit may authorize pretrial motion hearings in civil  
7 matters in the circuit courts and probate courts to be  
8 conducted by telephone conferencing or other audio-video  
9 telecommunications means. The presiding judge shall develop  
10 and publish procedures for the conduct of the civil hearings  
11 in the circuit courts and probate courts in his or her  
12 judicial circuit.

13 (b) The telephone or audio-video telecommunications  
14 device used in the hearing shall enable the judge and all  
15 parties to converse simultaneously with each other.

16 Section 2. This act shall become effective on  
17 January 1 of the year following its passage and approval by  
18 the Governor, or its otherwise becoming law.