

## 234 Pa. Code § 119

### Rule 119 - Use of Two-Way Simultaneous Audio-Visual Communication in Criminal Proceedings

(A) The court or issuing authority may use two-way simultaneous audio-visual communication at any criminal proceeding except:

- (1) preliminary hearings;
- (2) proceedings pursuant to Rule 569(A)(2)(b);
- (3) proceedings pursuant to Rules 595 and 597;
- (4) trials;
- (5) sentencing hearings;
- (6) parole, probation, and intermediate punishment revocation hearings; and
- (7) any proceeding in which the defendant has a constitutional or statutory right to be physically present.

(B) The defendant may consent to any proceeding being conducted using two-way simultaneous audio-visual communication.

(C) When counsel for the defendant is present, the defendant must be permitted to communicate fully and confidentially with defense counsel immediately prior to and during the proceeding.

*234 Pa. Code § 119*

*Committee Explanatory Reports:*

*Final Report explaining new Rule 118 published with the Court's Order at 33 Pa.B. 4287 (August 30, 2003) .*

*Final Report explaining the June 30, 2005 renumbering of Rule 118 as Rule 119 and the revision of the second paragraph of the Comment published at 35 Pa.B. 3911 (July 16, 2005) .*

*Final Report explaining the January 27, 2006 amendments adding Rule 569 proceedings as a proceeding for which ACT may not be used published with the Court's Order at 36 Pa.B. 700 (February 11, 2006) .*

*Final Report explaining the May 4, 2009 revision to the Comment adding PCRA hearings as a proceeding to which the defendant may consent to be held using ACT published with the Court's Order at 39 Pa.B. 2434 (May 16, 2009) .*

*Final Report explaining the July 31, 2012 amendment to paragraph (A) adding proceedings under Rule 595 and 597 as a proceedings for which ACT may not be used published with the Court's Order at 42 Pa.B. 5340 (August 18, 2012) .*