

IN THE SUPREME COURT OF THE STATE OF UTAH

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FILED  
UTAH APPELLATE COURTS

JUL 12 2016

In re: Rule 17.5.  
Hearings with Contemporaneous Transmission from a Different Location  
of the UTAH RULES OF CRIMINAL PROCEDURE


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ORDER

IT IS HEREBY ORDERED that the proposed Rule 17.5. Hearings with Contemporaneous Transmission from a Different Location, of the Utah Rules of Criminal Procedure, is adopted and promulgated effective November 1, 2016.

FOR THE COURT:

7-12-16  
Date

  
Matthew B. Durrant  
Chief Justice

**Rule 17.5. Hearings with contemporaneous transmission from a different location.**

(a) The court, in its discretion, may conduct the arraignment, bail hearing, and/or initial appearance with a defendant attending by contemporaneous transmission from a different location without the agreement of the parties or waiver of the defendant's attendance in person.

(b) For any other type of hearing, the court may conduct the hearing with a defendant attending by contemporaneous transmission from a different location only if the parties agree and the defendant knowingly and voluntarily waives attendance in person.

(c) For good cause and with appropriate safeguards the court may permit testimony in open court by contemporaneous transmission from a different location if the party not calling the witness waives the right to confront the witness in person.

(d) Nothing in this rule precludes or affects the procedures in rule 15.5.

Effective November 1, 2016