SB 296   STAFF MEASURE SUMMARY

Senate Committee On Veterans and Emergency Preparedness

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Meeting Dates:	2/4

WHAT THE MEASURE DOES:

Authorizes Chief Justice and presiding judges in circuit courts to manage court proceedings during periods of statewide emergency, defined to include 60 days following declaration. Allows Chief Justice to manage time frames and deadlines applicable to specified proceedings upon a finding of good cause, with some exceptions. Allows Chief Justice to permit remote court appearances and provides for presiding judges to order in-person appearance instead, upon determination of particular need or constitutional right at the request of a party. Allows Chief Justice to permit remote interviews conducted by court appointed visitors in protective proceedings. Allows presiding judge in circuit court to postpone criminal trial and extend custody of defendant beyond applicable limits that would otherwise compel release, upon a finding of good cause on its own motion or the request of a party. Prohibits such extension if pretrial custody exceeds 180 days, unless defendant is charged with a violent felony or person crime: the required findings must be made that are applicable to release determinations for persons charged with violent felonies; and for those charged with person crimes, pretrial custody may be extended up to 240 days based on good cause and circumstances of the emergency along with a finding of specified danger, by clear and convincing evidence, not capable of mitigation otherwise. Allows appearances more than 30 days from issuance of criminal citation. Allows presiding judge in circuit court to postpone all proceedings on criminal citations. Declares emergency, effective upon passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

SB 296 allows Chief Justice to permit remote appearances, manage time frames and deadlines applicable to specified proceedings upon a finding of good cause, with some exceptions.