

AMENDMENTS TO LB 90

Introduced by Lathrop, 12.

1 1. Insert the following new sections:

2 Section 1. Section 29-4204, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 29-4204 The audiovisual communication system and the
5 facilities for an audiovisual court appearance shall:

6 (1) Operate so that the detainee or prisoner and the
7 judge or magistrate can see each other simultaneously and converse
8 with each other verbally and documents can be transmitted between
9 the judge or magistrate and the detainee or prisoner;

10 (2) Operate so that the detainee or prisoner and his
11 or her counsel, if any, are both physically in the same location
12 during the audiovisual court appearance; or if ~~the detainee or~~
13 ~~prisoner waives the right to have counsel physically present and~~
14 the detainee or prisoner and his or her counsel are in different
15 locations, operate so that the detainee or prisoner and counsel
16 can communicate privately and confidentially and be allowed to
17 confidentially transmit papers back and forth; and

18 (3) Be at locations conducive to judicial proceedings.
19 Audiovisual court proceedings may be conducted in the courtroom,
20 the judge's or magistrate's chambers, or any other location
21 suitable for audiovisual communications. The locations shall be
22 sufficiently lighted for use of the audiovisual equipment. The
23 location provided for the judge or magistrate to preside shall be

1 accessible to the public and shall be operated so that interested
2 persons have an opportunity to observe the proceeding.

3 Sec. 2. Original section 29-4204, Reissue Revised
4 Statutes of Nebraska, is repealed.

5 2. Renumber the remaining section accordingly.