

STATE OF SOUTH CAROLINA)
)
THIRTEENTH JUDICIAL CIRCUIT)
)
In re the use of Video Conference)
Equipment for Guilty Plea Hearings)
_____)

IN THE COURT OF GENERAL SESSIONS

ADMINISTRATIVE ORDER

FILED
2002 MAR 14 PM 1:17
CLERK OF COURT
PALLIN

The purpose of this Order is to set forth procedures to be used in this Circuit for Guilty Plea hearings when the Defendant is not present in the Courtroom, but will appear at the hearing by video conference. This Order is effective only on approval of the Supreme Court.

1. No Guilty Plea may take place in this Circuit unless the Defendant consents in writing and orally on the record during the hearing to appear at the hearing by video conference, rather than in person. Defendant must be represented by counsel, and counsel must consent to the appearance of the Defendant by video conference. Defense counsel's participation in the hearing is sufficient to show his or her consent.
2. A video camera and a display monitor shall be present at the location of the Defendant, and in the courtroom. The Defendant shall remain on camera at all times and the Defendant's image shall be on display in the courtroom at all times during the hearing. There shall be a camera in the courtroom showing to the Defendant at all times the proceedings in the courtroom. It shall be sufficient to have one camera controlled by Court personnel so as to move around the courtroom to show the person speaking at any particular time.
3. There shall be a constant audio connection so that everything said in the courtroom may be heard by the Defendant, and everything said by the Defendant may be heard in the courtroom.
4. There shall be fax machines present in the courtroom and at the Defendant's location

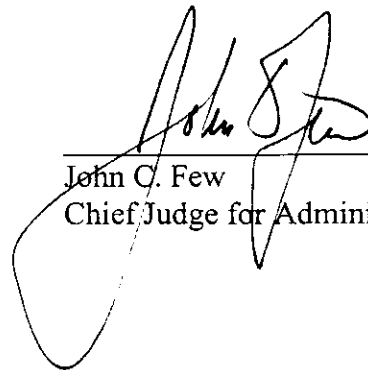


capable at all times of transmitting faxes back and forth. The Defendant's signature on the sentencing sheet may be made at the Defendant's location, and faxed to the courtroom.

5. Facilities shall be available at both locations for private telephone conversations between the Defendant and counsel if either requests a conference during the hearing.
6. The circuit court judge must verify written and oral waiver of defendant's right to personal appearance at the commencement of any hearing.
7. A court reporter must be present throughout any hearing in order to preserve the official record of the hearing.
8. The hearing shall be videotaped. A copy of the videotape of the hearing shall be made upon written request of the defendant or prosecution, provided such request is received by the Court within 30 days of the date of the hearing. The original videotape may be destroyed 30 days after the date of the hearing.

IT IS SO ORDERED.

March 14, 2002


John C. Few
Chief Judge for Administrative Purposes

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JAMES
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