



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB5351

Introduced 2/5/2010, by Rep. Patricia R. Bellock - Sandra M. Pihos - Barbara Flynn Currie - Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

405 ILCS 5/3-806.1 new

Amends the Mental Health and Developmental Disabilities Code. Provides that the Illinois Supreme Court or any circuit court of this State may adopt rules permitting the use of video conferencing equipment in all court hearings, subject to certain criteria. Provides that any court may permit any witness, including a psychiatrist, to testify by video conferencing equipment from any location in the absence of a court rule specifically prohibiting such testimony.

LRB096 19873 KTG 35332 b

1 AN ACT concerning health.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Mental Health and Developmental
5 Disabilities Code is amended by adding Section 3-806.1 as
6 follows:

7 (405 ILCS 5/3-806.1 new)

8 Sec. 3-806.1. Video conferencing.

9 (a) Notwithstanding the provisions in Section 3-806, the
10 Illinois Supreme Court or any circuit court of this State may
11 adopt rules permitting the use of video conferencing equipment
12 in all hearings under this Chapter subject to the following
13 provisions:

14 (1) Such hearings are permitted if the parties,
15 including the respondent, and their lawyers, including the
16 State's Attorney, are at a mental health facility, or some
17 other location to which the respondent may be safely and
18 conveniently transported, and the judge and any court
19 personnel are in another location.

20 (2) Such hearings are permitted if the respondent and
21 his or her counsel are at a mental health facility or some
22 other location to which the respondent may be safely and
23 conveniently transported, and all of the other

1 participants including the judge are in another location,
2 if, and only if, agreed to by the respondent and the
3 respondent's counsel.

4 (3) Video conferencing under this subsection (a) shall
5 not be permitted in a jury trial under Section 3-802 of
6 this Article.

7 (b) Notwithstanding the above provisions, any court may
8 permit any witness, including a psychiatrist, to testify by
9 video conferencing equipment from any location in the absence
10 of a court rule specifically prohibiting such testimony.