



Judicial Council of California

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January 19, 2024

Subject Text

Meeting materials
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File #: 22-001, Version: 1

Title

Judicial Council-Sponsored Legislation | Authorization for Remote Appearances and Expansion of Defendant Personal Presence Provisions in Criminal Proceedings (Action Required)

Summary

The Legislation Committee and the Criminal Law Advisory Committee (CLAC) recommend that the Judicial Council sponsor legislation to amend Penal Code sections 977, 1043, 1043.5, 1148, and 1193, and to enact Penal Code section 977.3. The proposed legislation would provide statutory authority for remote criminal proceedings, provide statutory authority for courts to order the physical presence of a misdemeanor defendant, and expand a defendant's right to waive their physical and remote presence in a felony case.

Recommendation

The Legislation Committee and the Criminal Law Advisory Committee recommend that the Judicial Council sponsor legislation to amend Penal Code sections 977, 1043, 1043.5, 1148, and 1193, and to enact Penal Code section 977.3. The new statute would provide authority for remote criminal proceedings; the amendments would authorize courts to order the physical presence of a misdemeanor defendant, and would expand a defendant's right to waive their physical and remote presence in a felony case.