



# Administrative Office of Pennsylvania Courts

## **PRESS RELEASE**

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### **Supreme Court of Pennsylvania Adopts Advanced Communication Technology Rules**

**HARRISBURG, May 10, 2002** — New rule changes adopted by Pennsylvania's Supreme Court will establish more uniform statewide procedures for the use of advanced communication technology (ACT) in certain pre-trial proceedings.

Provisions of an Order entered today affirm that courts may permit the use of audio-visual linkups to conduct preliminary arraignments and arraignments and in procedures used to obtain search and arrest warrants. The rule changes become effective September 1, 2002.

Preliminary arraignments and arraignments are largely administrative pre-trial proceedings during which a defendant is brought before a court to hear the formal criminal charges brought against him or her. The rule changes will reduce delays and costs, and make it clear that when ACT is used, the defendant must be permitted to communicate fully and confidentially with defense counsel immediately prior to and during the proceeding.

In matters involving search and arrest warrants, issuing authorities are authorized to use ACT. The rule changes require that before the affiant transmits to the issuing authority any required documents, the issuing authority must verify the identity of the affiant requesting the warrant and administer an oath to the affiant.

The adoption of the new rules comes amid recognition of widespread interest and growing use of audio-video technology in some criminal case matters. Because current court rules do not specifically address (ACT) procedures, the use of it varies from county to county across the state. The rule changes ensure statewide consistency while protecting the constitutional rights of defendants.

"Adoption of the ACT provisions recognizes the increasingly pervasive and often positive effect that technology can offer in the administration of justice," Chief Justice of Pennsylvania Stephen A. Zappala said. "The ACT provisions attempt to make available all reasonable mechanisms to streamline and expedite the delivery of judicial process."

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In addition to bringing convenience to the parties involved, the rule changes are seen as having the added benefit of increasing efficiency for courts, litigants, counsel and police by reducing costs and unanticipated delays.

The rules require a president judge, or the president judge's designee, to approve of the ACT locations prior to their use. The systems used at the sites must be equipped with two-way simultaneous image and sound communication.

The Supreme Court's Criminal Procedural Rules Committee recommended the rule changes after extensive review that included input from judges, lawyers, court personnel, the public and agencies within the criminal justice system. The committee serves as an advisory body to the court, monitoring developments in criminal procedure to identify areas where criminal rules need to be amended, revised, streamlined or simplified.

*(Copies of the order can be obtained on the Pennsylvania Judiciary's Web Site at:  
[www.courts.state.pa.us](http://www.courts.state.pa.us))*

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