

SUBSTITUTE FOR
HOUSE BILL NO. 4647

A bill to amend 1961 PA 236, entitled
"Revised judiciary act of 1961,"
(MCL 600.101 to 600.9947) by adding section 2164a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 2164A. (1) IF A COURT HAS DETERMINED THAT EXPERT
2 TESTIMONY WILL ASSIST THE TRIER OF FACT AND THAT A WITNESS IS
3 QUALIFIED TO GIVE THE EXPERT TESTIMONY, THE COURT MAY, WITH THE
4 CONSENT OF ALL PARTIES, ALLOW THE EXPERT WITNESS TO BE SWORN AND
5 TESTIFY AT TRIAL BY VIDEO COMMUNICATION EQUIPMENT THAT PERMITS ALL
6 THE INDIVIDUALS APPEARING OR PARTICIPATING TO HEAR AND SPEAK TO
7 EACH OTHER IN THE COURT, CHAMBERS, OR OTHER SUITABLE PLACE. A
8 VERBATIM RECORD OF THE TESTIMONY SHALL BE TAKEN IN THE SAME MANNER
9 AS FOR OTHER TESTIMONY.
10 (2) UNLESS GOOD CAUSE IS SHOWN TO WAIVE THE REQUIREMENT, A

1 PARTY WHO WISHES TO PRESENT EXPERT TESTIMONY BY VIDEO COMMUNICATION
2 EQUIPMENT UNDER SUBSECTION (1) SHALL SUBMIT A MOTION IN WRITING AND
3 SERVE A COPY OF THE MOTION ON ALL OTHER PARTIES AT LEAST 7 DAYS
4 BEFORE THE DATE SET FOR THE TRIAL.

5 (3) A PARTY WHO INITIATES THE USE OF VIDEO COMMUNICATION
6 EQUIPMENT UNDER THIS SECTION SHALL PAY THE COST FOR ITS USE, UNLESS
7 THE COURT OTHERWISE DIRECTS.

8 Enacting section 1. This amendatory act takes effect January
9 1, 2012 and applies only to actions filed on or after January 1,
10 2012.