

Act No. 68
Public Acts of 2012
Approved by the Governor
March 29, 2012
Filed with the Secretary of State
March 29, 2012
EFFECTIVE DATE: June 1, 2012

**STATE OF MICHIGAN
96TH LEGISLATURE
REGULAR SESSION OF 2012**

Introduced by Reps. Heise, Horn, Gilbert, Tyler, McMillin, Walsh, Cotter, Damrow, MacGregor, Scott, Constan and Haveman

ENROLLED HOUSE BILL No. 4647

AN ACT to amend 1961 PA 236, entitled "An act to revise and consolidate the statutes relating to the organization and jurisdiction of the courts of this state; the powers and duties of the courts, and of the judges and other officers of the courts; the forms and attributes of civil claims and actions; the time within which civil actions and proceedings may be brought in the courts; pleading, evidence, practice, and procedure in civil and criminal actions and proceedings in the courts; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies and penalties for the violation of certain provisions of this act; to repeal all acts and parts of acts inconsistent with or contravening any of the provisions of this act; and to repeal acts and parts of acts," (MCL 600.101 to 600.9947) by adding section 2164a.

The People of the State of Michigan enact:

Sec. 2164a. (1) If a court has determined that expert testimony will assist the trier of fact and that a witness is qualified to give the expert testimony, the court may, with the consent of all parties, allow the expert witness to be sworn and testify at trial by video communication equipment that permits all the individuals appearing or participating to hear and speak to each other in the court, chambers, or other suitable place. A verbatim record of the testimony shall be taken in the same manner as for other testimony.

(2) Unless good cause is shown to waive the requirement, a party who wishes to present expert testimony by video communication equipment under subsection (1) shall submit a motion in writing and serve a copy of the motion on all other parties at least 7 days before the date set for the trial.

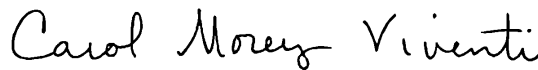
(3) A party who initiates the use of video communication equipment under this section shall pay the cost for its use, unless the court otherwise directs.

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

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor