

February 18, 2009

S 241. ALT. TESTIMONY/CHILDREN AND ADULTS WITH DISAB. Filed 2/18/09. *TO PROVIDE FOR ALTERNATIVE MEANS OF TESTIMONY FOR CHILDREN AND ADULTS WITH DISABILITIES AS RECOMMENDED BY THE JOINT STUDY COMMITTEE ON AUTISM SPECTRUM DISORDER AND PUBLIC SAFETY.*

Adds a new Rule 616 to GS Chapter 8C, Article 6, permitting, in certain circumstances, closed circuit testimony by a witness who is under the age of 16 or a developmentally disabled or mentally retarded witness. In a criminal case, requires the court to find that the witness will suffer emotional harm such that he or she could not reasonably communicate with the finder of fact if required to testify in open court. In a civil case, requires the court to find that such testimony is necessary to serve the best interest of the witness or to enable the witness to communicate with the finder of fact. Effective December 1, 2009, and applicable to any testimony given on or after that date.

Intro. by Purcell.

GS 8C