



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bill 865 (as reported without amendment)
Sponsor: Senator Peter J. Lucido
Committee: Judiciary and Public Safety

CONTENT

The bill would amend the Revised Judicature Act to do the following:

- Allow an individual to possess and use a portable electronic device in a courthouse.
- Specify that the bill would be subject to the authority of the court, clerks of the court, and court administrators to limit or terminate any activity that disrupted court operations, compromised courthouse security, or was contrary to the administration of justice.
- Specify the circumstances under which an individual, juror, witness, party, or attorney would be allowed to use a portable electronic device.
- Specify that the bill would not modify or supersede the guidelines for media coverage of court proceedings set forth by Supreme Court Administrative Order No. 1989-1.
- Specify that a violation of the bill would be punishable by sanctions as determined by the court.

MCL 600.1746

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would not have a direct fiscal impact on the State or local court systems. As noted above, the bill would codify a recent Supreme Court order that amends MCR 8.115 to allow for increased use of electronic devices within courtrooms. The reasoning given by the Supreme Court for the rule change was that it could make access to the courts easier for witnesses, jurors, and litigants without lawyers.

While the bill generally would allow for the use of electronic devices within courts and courthouses, the use of these devices would be subject to the discretion of the presiding judge. Indirectly, the use of electronic devices by attorneys or witnesses in the courtroom could make some judicial proceedings more efficient, creating a potential savings in time or resources for those courts that allowed increased use of electronic devices.

Date Completed: 9-8-20

Fiscal Analyst: Michael Siracuse