

**State of New Hampshire
Superior Court
Administrative Order 2014-010**

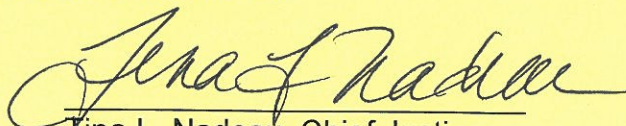
Arraignments of Hospitalized Defendants

This order shall apply to arraignments of defendants in criminal matters who are hospitalized at the time of the scheduled hearing, and is meant to balance the rights of the defendant to have a hearing without unreasonable delay and the rights of the public, including the press, to have public access to court proceedings, as well as to provide a consistent and uniform method of handling these cases in all Superior Courts.

When a defendant is charged with an offense which entitles him or her to an arraignment before a Superior Court judge, and the defendant is hospitalized and unable to physically attend an arraignment at the courthouse, the following procedures shall be followed:

1. The clerk shall schedule the arraignment to be heard before a Superior Court judge, preferably at the location of the Superior Court having jurisdiction over the underlying complaint(s), with a speaker phone in the courtroom with which to connect to the room or the place in the hospital where the defendant is receiving care. Alternatively, if the hospital has video conferencing equipment that is compatible with the court's video arraignment system, the arraignment may be carried out on video.
2. The prosecutor shall be present in the courtroom to represent the interests of the state.
3. The defendant shall participate in the arraignment by telephone or video from the hospital; defense counsel shall be present with the defendant, or may personally appear before the judge on the defendant's behalf.
4. The court shall make a record of the proceedings.
5. The activities of the press shall be governed by Superior Court Rule 204 and Superior Court Administrative Rule 2011-48.

Date: November 13, 2014


Tina L. Nadeau, Chief Justice
New Hampshire Superior Court