

**[RULE 27. PUBLICITY AND RECORDING OF PROCEEDINGS.] RESCINDED.**

**[(a) During a hearing or summary trial, the issuing authority shall:**

**(1) Prohibit the taking of photographs and motion pictures of the proceedings or in the hearing room during the proceedings and the transmission of communications by telegraph, telephone, radio, or television, in or from the hearing room; and**

**(2) Prohibit the mechanical recording of the proceedings by anyone for any purpose, provided that the issuing authority, the attorney for the Commonwealth, or the defendant, may cause such a recording to be made as an aid to the preparation of the written record for subsequent use in a case, but such recordings shall not be publicly played or disseminated in any manner unless in a court during a trial or hearing.**

**(b) If it appears to the court that a violation of paragraph (a) has resulted in substantial prejudice to the defendant, the court, upon application by the attorney for the Commonwealth or the defendant, may:**

**(1) Quash the proceedings at the preliminary hearing and order another preliminary hearing to be held before the same issuing authority at a subsequent time without additional costs being taxed therefor;**

**(2) Discharge the defendant on nominal bail if in custody, or continue his bail if at liberty, pending further proceedings;**

**(3) Order all costs of the issuing authority forfeited in the original proceedings; and**

**(4) Adopt any, all, or combination of the remedies herein established as the nature of the case shall require in the interests of justice.]**

**[COMMENT: "Recording" as used in this rule is not intended to preclude the use of recording devices for the preservation of testimony as permitted by Rules 9015 and 9015A.]**

**NOTE: Formerly Rule 143, adopted January 31, 1970, effective May 1, 1970; renumbered Rule 27 September 18, 1973, effective January 1, 1974; amended February 15, 1974, effective immediately; *Comment* revised March 22, 1989, effective July 1, 1989; amended June 19, 1996, effective July 1, 1996 [.] rescinded March 1, 2000, effective April 1, 2001, and replaced by Rule 112.**

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***COMMITTEE EXPLANATORY REPORTS:***

***Final Report explaining the June 19, 1996 amendments published with the Court's Order at 26 Pa.B. 3128 (July 6, 1996).***

***Final Report explaining the March 1, 2000 reorganization and renumbering of the rules published with the Court's Order at Pa.B. ( \_\_\_\_\_, 2000).***