

- 615 (ii) administrative law judges employed by the Department of Human Services;  
 616 (iii) Department of Human Services investigators investigating the Division of Child  
 617 and Family Services or investigators authorized to investigate under Section 62A-4a-202.6;  
 618 (iv) an office of the city attorney, county attorney, district attorney, or attorney general;  
 619 (v) a law enforcement agency;  
 620 (vi) a Children's Justice Center established under Section 67-5b-102; or  
 621 (vii) the attorney for the child who is the subject of the interview.

622 (b) In a criminal case or in a juvenile court in which the state is a party:

623 (i) the parties may display and enter into evidence a recording or transcript in the  
 624 course of a prosecution;

625 (ii) the state's attorney may distribute a recording or transcript to the attorney for the  
 626 defendant, pro se defendant, respondent, or pro se respondent pursuant to a valid request for  
 627 discovery;

628 (iii) the attorney for the defendant or respondent may do one or both of the following:

629 (A) release the recording or transcript to an expert retained by the attorney for the  
 630 defendant or respondent if the expert agrees in writing that the expert will not distribute,  
 631 release, or display the recording or transcript to anyone without prior authorization from the  
 632 court; or

633 (B) permit the defendant or respondent to view the recording or transcript, but may not  
 634 distribute or release the recording or transcript to the defendant or respondent; and

635 (iv) the court shall advise a pro se defendant or respondent that a recording or  
 636 transcript received as part of discovery is confidential and may not be distributed, released, or  
 637 displayed without prior authorization from the court.

638 (c) A court's failure to advise a pro se defendant or respondent that a recording or  
 639 transcript received as part of discovery is confidential and may not be used as a defense to  
 640 prosecution for a violation of the disclosure rule.

641 (d) In an administrative case, pursuant to a written request, the Division of Child and  
 642 Family Services may display, but may not distribute or release, a recording or transcript to the  
 643 respondent or to the respondent's designated representative.

643a **§→ (e) (i) Within two business days of a request from a parent or guardian of a child victim,**  
 643b **an investigative agency shall allow the parent or guardian to view a recording after the**  
 643c **conclusion of an interview, unless:**

643d **(A) the suspect is a parent or guardian of the child victim;**

643e **(B) the suspect resides in the home with the child victim; or**

643f (C) the investigative agency determines that allowing the parent or guardian to  
643g view the recording would likely compromise or impede the investigation.

643h (ii) If the investigative agency determines that allowing the parent or guardian  
643i to view the recording would likely compromise or impede the investigation, the parent or  
643j guardian may petition a juvenile or district court for an expedited hearing on whether there is  
643k good cause for the court to enter an order allowing the parent or guardian to view the  
643l recording in accordance with Subsection (5)(c).

643m (iii) A Children's Justice Center shall coordinate the viewing of the recording  
643n described in this Subsection (6)(e). ←§

644 §→ [te] (f) ←§ A multidisciplinary team assembled by a Children's Justice Center or an  
645 interdisciplinary team assembled by the Division of Child and Family Services may view a

646 recording or transcript, but may not receive a recording or transcript.

647 ~~§~~ → [(ff)] (g) ← ~~§~~ A Children's Justice Center:

648 (i) may distribute or display a recording or transcript to an authorized trainer or  
649 evaluator for purposes of training or evaluation; and

650 (ii) may display, but may not distribute, a recording or transcript to an authorized  
651 trainee.

652 ~~§~~ → [(g)] (h) ← ~~§~~ An authorized trainer or instructor may display a recording or transcript  
652a according

653 to the terms of the authorized trainer's or instructor's contract with the Children's Justice Center  
654 or according to the authorized trainer's or instructor's scope of employment.

655 ~~§~~ → [(h)] (i) ← ~~§~~ (i) In an investigation under Section 53A-6-306, in which a child victim  
655a who is the

656 subject of the recording or transcript has alleged criminal conduct against an educator, a law  
657 enforcement agency may distribute or release the recording or transcript to an investigator  
658 operating under UPPAC authorization, upon the investigator's written request.

659 (ii) If the respondent in a case investigated under Section 53A-6-306 requests a hearing  
660 authorized under that section, the investigator operating under UPPAC authorization may  
661 display, release, or distribute the recording or transcript to the prosecutor operating under  
662 UPPAC authorization or to an expert retained by an investigator.

663 (iii) Upon request for a hearing under Section 53A-6-306, a prosecutor operating under  
664 UPPAC authorization may display the recording or transcript to a pro se respondent, to an  
665 attorney retained by the respondent, or to an expert retained by the respondent.

666 (iv) The parties to a hearing authorized under Section 53A-6-306 may display and enter  
667 into evidence a recording or transcript in the course of a prosecution.

668 (7) Except as otherwise provided in this section, it is a class B misdemeanor for any  
669 individual to distribute, release, or display any recording or transcript of an interview of a child  
670 victim conducted at a Children's Justice Center.

671 Section 4. Section **78A-6-317** is amended to read:

672 **78A-6-317. All proceedings -- Persons entitled to be present.**

673 (1) A child who is the subject of a juvenile court hearing, any person entitled to notice  
674 pursuant to Section 78A-6-306 or 78A-6-310, preadoptive parents, foster parents, and any  
675 relative providing care for the child, are:

676 (a) entitled to notice of, and to be present at, each hearing and proceeding held under