

63G-2-207 Subpoenas -- Court ordered disclosure for discovery.

- (1) Subpoenas and other methods of discovery under the state or federal statutes or rules of civil, criminal, administrative, or legislative procedure are not written requests under Section 63G-2-204.
- (2)
 - (a)
 - (i) Except as otherwise provided in Subsection (2)(c), in judicial or administrative proceedings in which an individual is requesting discovery of records classified private, controlled, or protected under this chapter, or otherwise restricted from access by other statutes, the court, or an administrative law judge shall follow the procedure in Subsection 63G-2-202(7) before ordering disclosure.
 - (ii) Until the court or an administrative law judge orders disclosure, these records are privileged from discovery.
 - (b) If, the court or administrative order requires disclosure, the terms of the order may limit the requester's further use and disclosure of the record in accordance with Subsection 63G-2-202(7), in order to protect the privacy interests recognized in this chapter.
 - (c) Unless a court or administrative law judge imposes limitations in a restrictive order, this section does not limit the right to obtain:
 - (i) records through the procedures set forth in this chapter; or
 - (ii) medical records discoverable under state or federal court rules as authorized by Subsection 63G-2-302(3).

Renumbered and Amended by Chapter 382, 2008 General Session