

## H.B. 133

# RELEASE OF COURT DOCUMENTS AND CHILD INTERVIEWS

Representative **Lorie D. Fowlke** proposes the following amendments:

1. *Page 2, Line 50 through Page 3, Line 65:*

50           (5) Child victims have the right, once an investigation has been initiated by law  
51 enforcement or the Division of Child and Family Services, to have their investigative  
52 interviews **that are conducted at a Children's Justice center**, including **both** video and audio  
53 recordings, protected. Except as provided in Subsection  
54 (5)(b) and (c), interviews may not be distributed, released, or displayed to anyone without a  
55 court order.  
56           (a) The court order:  
57           (i) shall describe with particularity to whom the interview may be released and prohibit  
58 further distribution or viewing by anyone not named in the order; **and**  
59 (ii) may impose restrictions on access to the materials considered reasonable to protect  
60 the privacy of the child victim ~~{;and}~~ **;**  
61 **{(iii)} (b) Following the conclusion of any legal proceedings in which the recordings or**  
62 **transcripts are used, the court** shall order the recordings and transcripts sealed and preserved **;**  
63 **{following the**  
64 **conclusion of any legal proceedings in which the recordings or transcripts are used:**  
65 ~~(b)}~~ **(c) (i)** The Division of Child and Family Services or law enforcement may distribute a  
66 copy of the interview **;**  
67 **(A)** to the prosecutor's office ~~{;}~~ **;**  
68 **(B)** the Attorney General's child protection  
69 division ~~{;}~~ **;**  
70 **(C) to another law enforcement agency; and**  
71 **(D)** to the attorney for the child who is the subject of the interview.  
72 **(ii)** Any further  
73 distribution, release, or display is subject to this Subsection (5).

\*\*\*Renumber the remaining subsections accordingly.\*\*\*

2. *Page 3, Line 83 through Page 4, Line 91:*

83           78A-2-229. Documents provided to pro se litigants.  
84           (1) Documents **classified as private, protected or sealed by court rule and are** provided to a pro se  
85 litigant in the course of an action or in accordance  
86 with Subsection 63G-2-202(7) may not be distributed, released, or displayed to any other

86 person except the court, the other party and their counsel, or any other person who may be  
87 authorized by the court to inspect the documents.

88 (2) Pro se litigants shall be advised by the court that any **private, protected or sealed** documents  
received by the

89 party that the party would not have received but for the litigation and pro se representation are  
90 confidential and may not be distributed outside the parties or the court without prior  
91 authorization by the court.