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Be it enacted by the Legislature of the state of Utah:

Section 1. Section **77-10a-13** is amended to read:

77-10a-13. Location -- Who may be present -- Witnesses -- Witnesses who are subjects -- Evidence -- Contempt -- Notice -- Record of proceedings -- Disclosure.

(1) The managing judge shall designate the place where the grand jury meets. The grand jury may, upon request and with the permission of the managing judge, meet and conduct business any place within the state. Subject to the approval of the managing judge the grand jury shall determine the times at which it meets.

(2) (a) Attorneys representing the state, special prosecutors appointed under Section 77-10a-12, the witness under examination, interpreters when needed, counsel for a witness, and a court reporter or operator of a recording device to record the proceedings may be present while the grand jury is in session.

(b) No person other than the jurors may be present while the grand jury is deliberating.

(3) (a) The attorneys representing the state and the special prosecutors may subpoena witnesses to appear before the grand jury and may subpoena evidence in the name of the grand jury without the prior approval or consent of the grand jury or the court. The jury may request that other witnesses or evidence be subpoenaed.

(b) Subpoenas may be issued in the name of the grand jury to any person located within the state and for any evidence located within the state or as otherwise provided by law.

(c) ~~[A]~~ Except as provided in Subsection (3)(d), a subpoena requiring a minor, who is a victim of a crime, to testify before a grand jury may not be served less than 72 hours before the victim is required to testify.

(d) A subpoena may be served upon a minor less than 72 hours before the minor is required to testify if the managing judge ~~H~~→ [finds] makes a factual finding ←~~H~~ that the minor was intentionally concealed to prevent service or that a shorter period is reasonably necessary to prevent:

(i) a risk to the minor's safety;

(ii) the concealment or removal of the minor from the jurisdiction;

(iii) intimidation or coercion of the minor or a family member of the minor; or

(iv) undue influence on the minor regarding the minor's testimony.

(e) The service requirement in Subsection (3)(c) may be asserted only by or on behalf

59 of the minor and is not a basis for invalidation of the minor's testimony or any indictment
 60 issued by the grand jury.

60a **Ĥ→ (f) The service requirement of Subsection (3)(d) may be asserted by a parent or legal**
 60b **guardian of the minor on the minor's behalf.**

60c **(g) If the managing judge finds it necessary to prevent any of the actions enumerated in**
 60d **Subsections (3)(d)(i) through (iv) or to otherwise protect the minor, the judge may appoint a**
 60e **guardian ad litem to receive service on behalf of the minor, to represent the minor, and to**
 60f **protect the interests of the minor.**

60g **(h) If the minor served under Subsection (3)(d), has no parent, legal guardian, or**
 60h **guardian ad litem with whom to confer prior to the grand jury hearing, the managing judge**
 60i **shall appoint legal counsel to represent the minor at the hearing. ←Ĥ**

60j **Ŝ→ [Ŝ→ (i) For any minor served with a subpoena under this Section, attorneys representing**
 60k **the state, or special prosecutors appointed under Section 77-10a-12, shall interview and**
 60l **prepare the minor in the presence of the minor's parent or legal guardian and guardian ad**
 60m **litem or attorney at least 24 hours prior to the time the minor is required to testify. The**
 60n **provisions of this paragraph requiring the presence of the minor's parent do not apply if:**

60o **—— (A) the parent is the subject of the grand jury investigation: or**

60p **—— (B) the parent is engaged in, or conspires with another, to frustrate the protections and**
 60q **purposes of Subsection (3)(d). ←Ŝ**

60r **(i) For any minor served with a subpoena under this Section, attorneys representing the**
 60s **state, or special prosecutors appointed under Section 77-10a-12, shall interview and prepare**
 60t **the minor in the presence of the minor's parent or legal guardian and their attorney, or a**
 60u **guardian ad litem at least 24 hours prior to the time the minor is required to testify. The**
 60v **provisions of this paragraph requiring the presence of the minor's parent do not apply if:**

60w **(A) the parent is the subject of the grand jury investigation: or**

60x **(B) the parent is engaged in, or conspires with another, to frustrate the protections and**
 60y **purposes of Subsection (3)(d). ←Ŝ**

61 **[(†) Ĥ→ [(†) Ŝ→ [(†) (j) ←Ŝ ←Ĥ** The managing judge may enter any order necessary to
 61a secure compliance with

62 any subpoena issued in the name of the grand jury.

63 (4) (a) Any witness who appears before the grand jury shall be advised, by the attorney
 64 for the state or the special prosecutor, of his right to be represented by counsel.

65 (b) A witness who is also a subject as defined in Section 77-10a-1 shall at the time he
 66 appears as a witness be advised:

67 (i) of his right to be represented by counsel;