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**SUMMARY: LEGISLATIVE PROPOSAL ON DEFENSE SUBPOENAS IN CRIMINAL ACTIONS**

This bill will reduce the abusive tactics used by defense attorneys to bully victims and witnesses out of testifying against their clients and prevent unnecessary expense and delay in criminal matters across the state.

If passed, it accomplishes the following:

* Requires proof of clear and convincing evidence that the evidence sought by the defense attorney is material, necessary, exculpatory, and admissible at trial before a subpoena is granted.
* Does not allow subpoenas for private information of a victim, prosecutor, or any other person.
* Offers court-appointed counsel to any indigent entity or individual served with a defense subpoena.
* Saves the state thousands of dollars by preventing postconviction relief on the basis of ineffective assistance of counsel as a result of evidence obtained through a defense subpoena.

Defense attorneys are always entitled to discovery as set forth in Iowa Code. This bill will introduce efficiency in the judicial process and remove the potential for abusive tactics that don’t help defendants, victims, or prosecutors.