

622.31A Evidence — victims of sexual abuse.

1. The provision of **rule of evidence 5.412** involving a victim of sexual abuse shall apply to discovery conducted in a criminal case or in a postconviction relief proceeding under **chapter 822** including but not limited to depositions.

2. If a defendant in a criminal action or an applicant for postconviction relief wishes to conduct discovery involving evidence subject to **rule of evidence 5.412**, the defendant or applicant shall comply with substantially the same procedural requirements for evidence sought to be offered at trial including timelines, offers of proof, service, purpose of proposed discovery, in camera hearings, relevancy, and the balancing of the probative value of the evidence with the danger of unfair prejudice.

3. Discovery, by deposition or otherwise, shall not be permitted for evidence that would not be admissible at trial under **rule of evidence 5.412**.

[2022 Acts, ch 1095, §1](#)

Admissibility of victim's sexual conduct in civil actions, see [§668.15](#)