

schools upon request of the pupil or the pupil's parent under comparable terms as made available to pupils attending public schools. As used in this paragraph, "textbooks" means books; book substitutes, including reusable workbooks; loose-leaf or bound manuals; and computer software materials used as book substitutes.

Approved April 28, 1993

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## CHAPTER 64

### CRIMINAL TRIAL TESTIMONY BY MINORS

*H.F. 79*

**AN ACT** relating to criminal trial testimony by minors and certain victims and witnesses and providing an effective date.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 910A.14, subsection 1, Code 1993, is amended by striking the subsection and inserting in lieu thereof the following:

1. Upon its own motion or upon motion of any party, a court may protect a minor, as defined in section 599.1, from trauma caused by testifying in the physical presence of the defendant where it would impair the minor's ability to communicate, by ordering that the testimony of the minor be taken in a room other than the courtroom and be televised by closed circuit equipment for viewing in the courtroom. However, such an order shall be entered only upon a specific finding by the court that such measures are necessary to protect the minor from trauma. Only the judge, prosecuting attorney, defendant's attorney, persons necessary to operate the equipment, and any person whose presence, in the opinion of the court, would contribute to the welfare and well-being of the minor may be present in the room with the minor during the minor's testimony. The judge shall inform the minor that the defendant will not be present in the room in which the minor will be testifying but that the defendant will be viewing the minor's testimony through closed circuit television.

During the minor's testimony the defendant shall remain in the courtroom and shall be allowed to communicate with the defendant's counsel in the room where the minor is testifying by an appropriate electronic method.

In addition, upon a finding of necessity, the court may allow the testimony of a victim or witness with a mental illness, mental retardation, or other developmental disability to be taken as provided in this subsection, regardless of the age of the victim or witness.

Sec. 2. Section 910A.16, Code 1993, is amended by adding the following new subsection: **NEW SUBSECTION. 4.** To the greatest extent possible, a multidisciplinary team involving the county attorney, law enforcement, community-based child advocacy organizations, and personnel of the department of human services shall be utilized in investigating cases involving a violation of chapter 709 or 726 with a child.

Sec. 3. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 28, 1993