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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **2660**

05/11/2017 Authored by Scott, Lesch, Whelan, Thissen, Zerwas and others
The bill was read for the first time and referred to the Committee on Public Safety and Security Policy and Finance

1.1 A bill for an act
1.2 relating to criminal justice; providing for speedy trials for child victims of crime;
1.3 amending Minnesota Statutes 2016, section 611A.033.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2016, section 611A.033, is amended to read:

1.6 **611A.033 SPEEDY TRIAL; NOTICE OF SCHEDULE CHANGE.**

1.7 Subdivision 1. In general. (a) A victim has the right to request that the prosecutor make
1.8 a demand under rule 11.09 of the Rules of Criminal Procedure that the trial be commenced
1.9 within 60 days of the demand. The prosecutor shall make reasonable efforts to comply with
1.10 the victim's request.

1.11 (b) A prosecutor shall make reasonable efforts to provide advance notice of any change
1.12 in the schedule of the court proceedings to a victim who has been subpoenaed or requested
1.13 to testify.

1.14 (c) In a criminal proceeding in which a vulnerable adult, as defined in section 609.232,
1.15 subdivision 11, is a victim, the state may move the court for a speedy trial. The court, after
1.16 consideration of the age and health of the victim, may grant a speedy trial. The motion may
1.17 be filed and served with the complaint or any time after the complaint is filed and served.

1.18 Subd. 2. Child victims; right to speedy trial. Notwithstanding any contrary provision
1.19 in subdivision 1, in all criminal cases that involve a child victim, the court and prosecuting
1.20 attorney shall take all appropriate actions to ensure a speedy trial in order to minimize the
1.21 length of time the child victim must endure the stress of the child's involvement in the
1.22 proceeding. In ruling on any motion or other request for a delay or continuance of any

- 2.1 proceeding, the court shall consider and give weight to any adverse impact that the requested
- 2.2 delay or continuance may have on the well-being of a child victim, and findings of fact shall
- 2.3 be made on this issue.