**5B.11 LEGAL PROCEEDINGS; PROTECTIVE ORDER.**

(a) If a program participant's address is protected under section 5B.05, no person or entity shall be compelled to disclose the participant's actual address during the discovery phase of or during a proceeding before a court or other tribunal unless the court or tribunal finds that:

(1) there is a reasonable belief that the address is needed to obtain information or evidence without which the investigation, prosecution, or litigation cannot proceed; and

(2) there is no other practicable way of obtaining the information or evidence.

(b) The court must provide the program participant with notice that address disclosure is sought and an opportunity to present evidence regarding the potential harm to the safety of the program participant if the address is disclosed. In determining whether to compel disclosure, the court must find that the potential harm to the safety of the participant is outweighed by the interest in disclosure. In a criminal proceeding, the court must order disclosure of a program participant's address if protecting the address would violate a defendant's constitutional right to confront a witness.

(c) Disclosure of a participant's actual address under this section shall be limited under the terms of the order to ensure that the disclosure and dissemination of the actual address will be no wider than necessary for the purposes of the investigation, prosecution, or litigation.

(d) Before a court or tribunal directs a participant to disclose the participant's address or any portion of the address, the court or tribunal must issue a written order that makes findings addressing the factors in paragraphs (a), (b), and (c). The court or tribunal must serve the order on the secretary of state. The secretary of state has standing to request reconsideration of an order or intervene in a proceeding involving potential disclosure of a program participant's address. An order regarding disclosure of a program participant's address cannot be enforced until at least 30 days after the order is served on the secretary of state. A court may waive the requirements of this paragraph if the court finds in writing that these requirements would violate a defendant's constitutional right to a speedy trial.

(e) Nothing in this section prevents the court or other tribunal from issuing a protective order to prevent disclosure of information other than the participant's actual address that could reasonably lead to the discovery of the program participant's location.

**History:** *2011 c 116 art 1 s 1; 2015 c 65 art 3 s 1; 2026 c 67 s 3*