

Victims' Bill of Rights Requirements for Courts

"Court" means the Superior Court, Family Court, Court of Common Pleas and the Justice of the Peace Court. (§ 9401)

All courts have the following requirements under the Victims' Bill of Rights:

- (§9403) A court may not compel a victim or a member of the victim's family testifying in a criminal justice proceeding to disclose a residential address or place of employment on the record unless the court finds that disclosure of the information is necessary.
- (§9404 a) The court shall consider the interest of the victim in a speedy prosecution
- (§9404 b) Proceedings shall be expedited in cases involving a child victim or witness particularly in child abuse and sexual abuse cases.
- (§9406a) The court shall provide a waiting area for victims separate from the defendant, defendant's relatives and defense witnesses if such an area is available and the use of the area is practicable. If a separate waiting area is not available or practical, the court shall provide other available safeguards to minimize the victim's contact with the defendant, defendant's relatives and defense witnesses during court proceedings.
- (§ 9407a) If the victim is present, the court, at the victim's request, shall permit the presence of individual to provide support to the victim, unless the court determines that exclusion of the individual is necessary to protect the defendant's right to a fair trial.
- (§9415) In preparing a presentence report, the presentence officer shall make a reasonable effort to confer with the victim. If the victim is not available or declines to confer, the presentence officer shall record that information in the report. The victim shall have the right to present a victim-impact statement pursuant to § 4331 of this title.