

FACTSHEET: Indiana Confidentiality Laws and Domestic Violence Victim Advocates

- **FACT: Victim Advocates CAN be allowed to attend proceedings with survivors, sit with survivors and confer with survivors in a supportive role in all civil court hearings.**

Source: 34-60-1-4. Role of victim advocate.

In any civil proceeding, a court may allow a victim advocate to attend the proceeding, sit with the victim, and confer with the victim as necessary. A victim advocate is not considered to be practicing law when performing the services described in this section.

- **FACT: Domestic Violence victim advocates are prohibited from disclosing any information about a client/survivor they may or may not have served absent a release or rare exception.**

Source: IC 35-37-6-17. Indiana's Victim Confidentiality Statute.

*Defendant was not entitled to inspect **victim** advocacy records, because the State's compelling interest in maintaining the confidentiality of information gathered in the course of serving emotional and psychological needs of **victims** of sexual abuse were not outweighed by defendant's right to present a complete defense; neither the Due Process Clause nor the Sixth Amendment required disclosure of information protected by the **victim advocate** privilege in the present case. [State v. Fromme \(In re Crisis Connection, Inc.\), 949 N.E.2d 789, 2011 Ind. LEXIS 519 \(Ind. 2011\).](#)*

- **FACT: Victim Advocates may not be compelled to testify or produce records about any survivor client they may (or may not) have provided services to.**

Source: IC 35-37-6-9 Testimonial Privileges.

*(a) The following persons or entities may not be compelled to give testimony, to produce records, or to disclose any information concerning confidential communications and confidential information to anyone or in any judicial, legislative, or administrative proceeding: (1) A victim.
(2) A victim advocate or victim service provider unless the victim specifically consents to the disclosure in a written authorization that contains the date the consent expires.*

For more information contact ICADV Legal Counsel Kerry Hyatt Bennett, JD

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