



# **CERTIFICATION**

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# **TRAINING**

IOWA COALITION AGAINST DOMESTIC VIOLENCE

UPDATED: APRIL 2019

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### Quick Links

ICADV Website: [www.icadv.org](http://www.icadv.org)

ICADV Online Training Center: <https://icadv.talentlms.com/index>

ICADV Training Calendar: <https://www.icadv.org/training>

Certification Application: <http://www.123formbuilder.com/form-4690454/certified-victim-advocate-application>

Supervisor Recommendation: <http://www.123contactform.com/form-2349079/Supervisor-Recommendation>

UPDATED: APRIL 2019



**PURPOSE**

- Provide a method to assure clients, the community, and other members of the domestic violence and sexual abuse profession, that both paid, and unpaid staff have successfully completed training necessary to provide non-judgmental, empowering intervention for victims of sexual abuse and/or domestic violence, their children and significant others.
- Provide a mechanism to recognize the competency of skilled domestic violence and sexual abuse advocates, acquired through a combination of work and life experience, and training.
- Assure continued professional growth.
- Increase community and professional awareness that the fields of domestic violence is specialty areas.
- Assure that Victim Counselors, Certified Victim Advocates adhere to the Code of Ethics.
- Honor and protect a survivor’s confidentiality.

## COMMON TERMS

**ICADV**

Iowa Coalition Against Domestic Violence

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**IowaCASA**

Iowa Coalition Against Sexual Assault

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**Crime Victim Center**

"Crime victim center" means any office, institution, agency or crisis center offering assistance to victims of crime and their families through crisis intervention, accompaniment during medical and legal proceedings and follow-up counseling.

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**Culturally Specific Program**

A crime victim center that provides comprehensive services to culturally specific individuals/communities impacted by violence and intersecting oppression.

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**Non-Culturally Specific Program**

A crime victim center that provides comprehensive services to individuals/communities impacted by violence

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**Advocacy**

Advocacy is based on a philosophy of respect, confidentiality and support. As advocates, we hope to widen clients' possible choices and provide the support necessary to promote safety. This respect allows each individual the right to determine the course of her or his own life.

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**Victim Counselor (VC)**

Minimum status for providing direct service to survivors of domestic, sexual abuse and other violent crime as outlined in Iowa Code to provide confidential victim support. Victim Counselor privilege only applies when trained counselors work for or volunteer with a designated crime victim center.

**Certified Victim Advocate  
(CVA)**

The term Certified Victim Advocate (CVA) describes an advocate who has met the minimum requirements for a Victim Counselor (Twenty-hour online training), completed an additional 40 hours of advanced training and submits a completed application. Once the application is approved, they will be officially considered a Certified Victim Advocate with additional protections for Pro Se advocacy.

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**Client**

Client refers to all persons, including minors, receiving services from domestic violence and/or sexual abuse programs and their agents. Clients include persons variously referred to as “residents,” “participants”, “guests,” “the women, men and youth,” “victims,” and “survivors,” by domestic violence and sexual abuse programs.

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**Counseling**

Counseling provides brief, solution-based peer support in a one-to-one environment.

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**Degree of Consanguinity or Affinity**

Defines how closely someone is related by blood (consanguinity) or marriage (affinity). “To the third degree” includes your parents, children, siblings, in-laws, aunts, uncles, nieces, nephews, grandparents, grandchildren, spouse, and first cousins. For the purposes of setting boundaries, live-ins, common-law partners, and other intimate partners shall be considered the same as spouses.

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**Direct Service**

Contact made by an advocate with an individual victim. Direct service activities may include answering crisis calls, shelter monitoring, court accompaniment, responding to clients in health care settings, individual counseling, support, groups, supervising children’s activities and other activities that bring advocates and clients in personal contact.

## TRAINING & CERTIFICATION REQUIREMENTS

ICADV's training resources are available to anyone interested in increasing and enhancing their skills to better serve individuals and communities impacted by violence, however the certification program is only available to advocates who are employed by or volunteer for an Iowa Coalition Against Domestic Violence (ICADV) member program whose agency designation is a primary-purpose crime victim center.

### Victim Counselor

Required for any person providing direct service at a crime victim center to individuals or communities impacted by violence.

Twenty-hours (20) as outlined in [Iowa Criminal Code 915.20A](#), is required as a minimum for any staff or volunteer providing direct client services. This designation provides victim/counselor privilege only if the advocate works/volunteers for a crime victim center.

### Certified Victim Advocate

All paid staff and volunteers of ICADV member programs are eligible for certification by completing 40 hours of training beyond the victim counselor training requirements.

Certified Victim Advocate status is required for anyone at a member program who will be providing pro se legal advocacy. When advocates assist victims of domestic violence as specified in [Rule 37.4](#), domestic violence and sexual assault victim counselors are not engaged in the unauthorized practice of law if designated through certification.

### Reinstatement

Victim counselor status does not expire, however does become inactive once leaving a crime victim center. Certification expires every two years from your original certification date. If your certification expires you must complete a renewal application documenting at least 20 hours of training in the past two years.

## VICTIM COUNSELOR (VC)

### Topics:

#### Oppression

#### Feminism/Privilege

- Hierarchical model of society
- Prevention/Social Change

#### DV Dynamics

- P/C Wheel,
- Causes of abuse,
- Issues regarding persons doing harm
- Barriers

#### Effects on survivors

#### Sexual Assault Dynamics

- Rape Trauma Syndrome
- Rape Culture
- Medical Advocacy

#### The Court System

- DV law: Criminal Code, Civil Options

#### SA Law: Criminal Code, Civil Options

#### Children and Violence

- Effect of DV on kids
- Child Abuse
- Dating Violence, including teens

#### Crisis Intervention & Communication Skills

#### CVAD/Safe at Home/Survivor Resources

#### Suicide Intervention

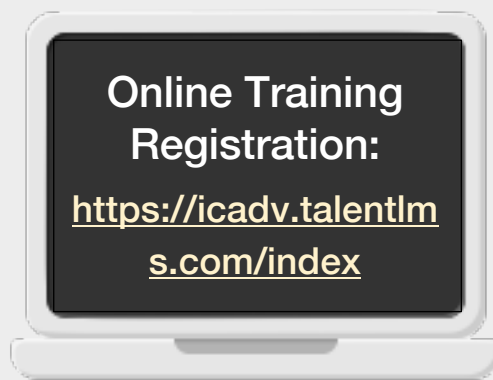
### Requirements:

Twenty (20) hours per

[Iowa Code Section 915.20A](#)

All advocates must complete Victim Counselor training before providing direct service to victims of domestic violence and/or sexual abuse.

Crime Victim Programs may provide Victim Counselor training in-person using the topics outlined to the left or use any or all portions of the online course and in-person training to meet the training objectives. For program providing more than 20 hours of initial training, up to ten additional victim counselor training hours may be applied to the 40-hour requirement for certification.



There is no application necessary for victim counselor. Retain proof of training completion in your personnel or volunteer file. Victim counselor privilege becomes inactive upon exit from your position or volunteer experience at your program of service.

## CERTIFIED VICTIM ADVOCATE (CVA)

### Training Requirements

1. **Twenty-hour** Victim Counselor training.
2. **Forty-hours** of additional training.
  - You may include any training you attend that increases your capacity and knowledge as an advocate including in-person, online or webinar.
  - Visit <https://www.icadv.org/training> for Podcast series you can use for training credit. 2.5 hours per podcast series.
  - Up to five-hours of volunteer service with a social justice organization may be included to meet this requirement. **Five (5) hours of volunteering equals one (1)-hour of training credit.**

In-person, online and webinar training opportunities are listed on ICADV website: [www.icadv.org](http://www.icadv.org)

### Application Requirements

There is no due date. You can apply when you have completed the training hours.

1. Complete online application including documentation of training attendance and/or volunteer hours completed.

**Click here for application:**

<http://www.123formbuilder.com/form-4690454/certified-victim-advocate-application>

2. **Supervisor Recommendation:**

Once you submit your application, your supervisor will receive an email to verify your program employment/volunteer status.

To view the verification, click here:

<http://www.123contactform.com/form-2349079/Supervisor-Recommendation>

### Renewal Requirements

**CVA Certification must be renewed every two years, from the date of last issue.**

- Twenty (20) hours continued education completed during the two-year period.
- You can count any training that enhances your advocacy work.
- Only the hours spent “in class” count towards continuing education. Lunch-time, breaks and travel do not count towards continuing education.
- Up to five-hours of volunteer service with a social justice organization may be included to meet this requirement. **Five (5) hours of volunteering with a social justice organization equals one (1) hour of training credit.**

Complete the application, attach proof of training attendance and submit.

**Link to application:** <http://www.123formbuilder.com/form-4690454/certified-victim-advocate-application>



## REMOVAL OF CERTIFICATION

### Removal of Certification

Certification may be removed for a violation of the [Code of Ethics](#).

Certification will be removed when the advocate separates from employment or service to the ICADV member program.

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### Complaint Process for Ethical Violation

The party filing a complaint must document concerns in writing and send it to the ICADV Leadership Team. The team will notify the complainant in writing of the final decision once the process has come to a conclusion. The process allows for input and testimony by the Certified Victim Advocate and the complainant. The advocate may be given an opportunity to utilize a corrective action plan. Action plans must sufficiently address the ethical violation and include a component for follow-up or monitoring compliance.

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### Appeal Process

A person may appeal the decision of the Leadership Team within ten business days of the decision. The team will meet to review the appeal within 30 days. Leadership Team members, the sexual assault, domestic violence, or shelter program, the advocate, the complainant or their representatives are invited to attend and speak to the committee. The decision of the Leadership Team is final.

## CODE OF ETHICS

### **I. Victim Counselors/Certified Victim Advocates have an ethical responsibility to adults and children who seek their assistance.**

#### **A. Victim Counselors/Certified Victim Advocates will be competent.**

1. Victim Counselors/Certified Victim Advocates will have knowledge of the field of domestic violence and/or sexual abuse experience and the skills to apply the knowledge.
2. Victim Counselors/Certified Victim Advocates will constantly update their knowledge and skills.
3. Victim Counselors/Certified Victim Advocates will not operate outside the limits of their competence but make referrals or consultations in those areas. Advocates will seek advice and counsel from colleagues and supervisors whenever such consultation is in the best interest of clients.
4. Victim Counselors/Certified Victim Advocates will understand how many cultural and social norms lead to and condone domestic violence/sexual abuse and how those norms impact the individual.

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#### **A. Victim Counselors/Certified Victim Advocates will apprise clients of the following:**

1. The array of services offered by the program;
2. The qualifications of Victim Counselors/Certified Victim Advocates;
3. The expectations of the domestic abuse and/or sexual abuse project;
4. The grievance procedure;
5. The obligation to report child abuse to the Department of Human Services;
6. The limits of confidentiality.

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#### **B. Victim Counselors/Certified Victim Advocates will protect the client's confidentiality within clearly defined limits. These limits will be explained to all clients as follows:**

1. Informed, specific consent may be given to the Victim Counselors/Certified Victim Advocates by the client to obtain services for the client from other service providers.
2. The client will be informed that confidentiality cannot be maintained in the following situations:
  - a. When a dependent adult or child has been abused, exploited or neglected.
  - b. When the client's life may be endangered and she/he cannot give consent.
  - c. When the client makes a probable threat or is violent against another person.
3. The client will be informed that confidentiality may not be maintained when a court issues a court order for specific information.

4. The Victim Counselor will consider the potential for harm to a client when releasing information even with informed consent and consult with a Certified Domestic Abuse or Sexual Abuse Advocate.
5. A client will be given the option to remain anonymous within certain limitations, such as, a crisis calls or support group member.
6. The client has the right to refuse all or part of services to protect her/his anonymity.

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**D. Victim Counselors/Certified Victim Advocates will delineate between work and social relationships and will be aware of the inherent privilege and power differences. The Advocate will never exploit relationships with clients for personal advantage.**

1. Prior and/or present social or business relationships with clients require special consideration. The Advocate will, whenever possible, refer these clients to another service provider within the project or the nearest sister project.
2. Because victimization may be a long-term issue, creating personal friendships between an Advocate and a client after receiving services is always inappropriate.
3. Provision of services to persons related by consanguinity or affinity, within the third degree is prohibited.
4. Sexual/romantic relationships with current or former clients is prohibited and is also a crime under [Iowa Code Chapter 709.15](#).

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**E. Victim Counselors/Certified Victim Advocates will work to increase victim safety; will respect the authority and autonomy of the adult victim to direct their own life; and will hold the perpetrator, not the victim, responsible for the abusive behavior and for stopping the abuse.**

1. Victim Counselors/Certified Victim Advocates will treat the client with respect and honesty in both verbal and non-verbal communication.
2. Victim Counselors/Certified Victim Advocates will share knowledge they have with clients as it pertains to the client's situation. This may include but is not limited to the dynamics of domestic violence, sexual abuse, lethality issues, safety planning, effects on children, and the social and political issues that contribute to the continuance of sexual abuse and/or domestic violence.
3. Victim Counselors/Certified Victim Advocates will accept what a client tells them about the abuse.
4. Victim Counselors/Certified Victim Advocates should withdraw services precipitously only under unusual circumstances, giving careful consideration to all factors in the situation and taking care to minimize possible adverse effects.
5. Victim Counselors/Certified Victim Advocates who anticipate termination or interruption of service to clients, should notify those individuals promptly and seek the transfer, referral, or termination of service in relation to the client's needs and preferences.

- F. Victim Counselors/Certified Victim Advocates will fairly distribute time, goods and services among all clients. Advocates will not practice, condone, facilitate or collaborate with any form of discrimination on the basis of sex, race, color, age, sexual orientation, religion, national origin, political beliefs, marital status, mental or physical disability, economic or any other discriminatory basis.**
1. Victim Counselors/Certified Victim Advocates will have knowledge of and respect for cultural backgrounds.
  2. Victim Counselors/Certified Victim Advocates will be knowledgeable and accommodating of disabling conditions.
  3. Should one client's needs conflict with another client's needs, Victim Counselors/Certified Victim Advocates will act with regard to one client only after promptly referring the other to another qualified service provider.
  4. Victim Counselors/Certified Victim Advocates will assess clients to determine the nature of the abuse, the extent of the abuse and the safety needs of the client. Victim Counselors/Certified Victim Advocates will do nothing to increase the danger to or harm the client.
  5. Victim Counselors/Certified Victim Advocates will be aware of and communicate to the client the historical basis for abuse. They will acknowledge that abuse occurs when there is an imbalance or power and that this situation is maintained and reinforced by our culture.

## **II. Victim Counselors/Certified Victim Advocates has an ethical responsibility to keep records.**

- A. Victim Counselors/Certified Victim Advocates will keep records documenting services provided as mandated by funders in accordance with state and federal guidelines.
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- B. Victim Counselors/Certified Victim Advocates will record statistical and factual information, not opinions, speculations, on conclusions.
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- C. Victim Counselors/Certified Victim Advocates will allow clients access to their own records.
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### **III. Victim Counselors/Certified Victim Advocates have an ethical responsibility to themselves.**

- A. Victim Counselors/Certified Victim Advocates with education, training and experience have the right to be called professionals and to be treated professionally.

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- B. Victim Counselors/Certified Victim Advocates have an obligation to join with other professionals to promote and support recognition and fair treatment of the profession.

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- C. Victim Counselors/Certified Victim Advocates have an obligation to join with other professionals to promote and support recognition and fair treatment of the profession.

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- D. Victim Counselors/Certified Victim Advocates will see to their own empowerment and nurturing.

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- E. Victim Counselors/Certified Victim Advocates will recognize when personal circumstances may compromise professional abilities, performance, or judgment and will take steps to resolve those issues.

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- F. Victim Counselors/Certified Victim Advocates will avoid relationships or commitments that conflict with the interests of victims/survivors.

### **IV. Victim Counselors/Certified Victim Advocates have an ethical responsibility to employers and colleagues.**

- A. Victim Counselors/Certified Victim Advocates will adhere to the policies and procedures of their employers.

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- B. Victim Counselors/Certified Victim Advocates will treat colleagues with respect, fairness and courtesy.

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- C. Victim Counselors/Certified Victim Advocates should not assume professional responsibility for the clients of another agency or a colleague without appropriate communication with that agency or colleague within the bounds required by confidentiality.

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- D. Victim Counselors/Certified Victim Advocates must clearly distinguish in public statements their personal views from positions adopted by organizations for which they work or are members.

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- E. Victim Counselors/Certified Victim Advocates will report to competent authority any conflict of interest that prevents themselves or a colleague from being able to provide ethical services, work cooperatively with colleagues or allied professionals, or be impartial in the treatment of any client.

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- F. Victim Counselors/Certified Victim Advocates will report violations of the Code of Ethics by fellow Victim Counselors/Certified Victim Advocates to the Certification Committee in a timely manner.

## RELEVANT SECTIONS OF THE IOWA CODE

### 709.15 Sexual Exploitation by a Counselor or Therapist

1. As used in this section:
  - a. "Counselor or therapist" means a physician, psychologist, nurse, professional counselor, social worker, marriage or family therapist, alcohol or drug counselor, member of the clergy, or any other person, whether or not licensed or registered by the state, who provides or purports to provide mental health services.
  - b. "Emotionally dependent" means that the nature of the patient's or client's or former patient's or client's emotional condition or the nature of the treatment provided by the counselor or therapist is such that the counselor or therapist knows or has reason to know that the patient or client or former patient or client is significantly impaired in the ability to withhold consent to sexual conduct, as described in paragraph "f", by the counselor or therapist. For the purposes of paragraph "f", a former patient or client is presumed to be emotionally dependent for one year following the termination of the provision of mental health services.
  - c. "Former patient or client" means a person who received mental health services from the counselor or therapist.
  - d. "Mental health service" means the treatment, assessment, or counseling of another person for a cognitive, behavioral, emotional, mental, or social dysfunction, including an intrapersonal or interpersonal dysfunction.
  - e. "Patient or client" means a person who receives mental health services from the counselor or therapist.
  - f. "Sexual exploitation by a counselor or therapist" occurs when any of the following are found:
    - (1) A pattern or practice or scheme of conduct to engage in any of the conduct described in sub paragraph (2) or (3).
    - (2) Any sexual conduct, with an emotionally dependent patient or client or emotionally dependent former patient or client for the purpose of arousing or satisfying the sexual desires of the counselor or therapist or the emotionally dependent patient or client or emotionally dependent former patient or client, which includes but is not limited to the following: kissing; touching of the clothed or unclothed inner thigh, breast, groin, buttock, anus, pubes, or genitals; or a sex act as defined in section 702.17.
    - (3) Any sexual conduct with a patient or client or former patient or client within one year of the termination of the provision of mental health services by the counselor or therapist for the purpose of arousing or satisfying the sexual desires of the counselor or therapist or the patient or client or former patient or client which includes but is not limited to the following: kissing; touching of the clothed or unclothed inner thigh, breast, groin, buttock, anus, pubes, or genitals; or a sex act as defined in section 702.17.

## 702.17 Sexual Exploitation by a Counselor or Therapist

"*Sexual exploitation by a counselor or therapist*" does not include touching which is part of a necessary examination or treatment provided a patient or client by a counselor or therapist acting within the scope of the practice or employment in which the counselor or therapist is engaged.

1. A counselor or therapist who commits sexual exploitation in violation of subsection 1, paragraph "f", sub paragraph (1), commits a class "D" felony.
2. A counselor or therapist who commits sexual exploitation in violation of subsection 1, paragraph "f", sub paragraph (2), commits an aggravated misdemeanor.
3. A counselor or therapist who commits sexual exploitation in violation of subsection 1, paragraph "f", sub paragraph (3), commits a serious misdemeanor. In lieu of the sentence provided for under section 903.1, subsection 1, paragraph "b", the offender may be required to attend a sexual abuse treatment program. 91 Acts, ch 130, § 2; 92 Acts, ch 1163, § 119; 92 Acts, ch 1199, § 2–6

## 915.20 Presence of Victim Counselors

1. As used in this section, unless the context otherwise requires:

- a. "Proceedings related to the offense" means any activities engaged in or proceedings commenced by a law enforcement agency, judicial district department of correctional services, or a court pertaining to the commission of a public offense against the victim, in which the victim is present, as well as examinations of the victim in an emergency medical facility due to injuries from the public offense which do not require surgical procedures. "Proceedings related to the offense" includes, but is not limited to, law enforcement investigations, pretrial court hearings, trial and sentencing proceedings, and proceedings relating to the preparation of a pre-sentence investigation report in which the victim is present.

- b. "Victim counselor" means a victim counselor as defined in section 915.20A.

A victim counselor who is present as a result of a request by a victim shall not be denied access to any proceedings related to the offense.

This section does not affect the inherent power of the court to regulate the conduct of discovery pursuant to the Iowa rules of criminal or civil procedure or to preside over and control the conduct of criminal or civil hearings or trials. 98 Acts, ch 1090, §15, 84 .

## 915.20A: Victim Counselor Privilege

As used in this section:

- a. "Confidential communication" means information shared between a crime victim and a victim counselor within the counseling relationship, and includes all information received by the counselor and any advice, report, or working paper given to or prepared by the counselor in the course of the counseling relationship with the victim. Confidential information is confidential information which, so far as the victim is aware, is not disclosed to a third party with the exception of a person present in the consultation for the purpose of furthering the interest of the victim, a person to whom disclosure is reasonably necessary for the transmission of the information, or a person with whom disclosure is necessary for accomplishment of the purpose for which the counselor is consulted by the victim.
  - b. "Crime victim center" means any office, institution, agency, or crisis center offering assistance to victims of crime and their families through crisis intervention, accompaniment during medical and legal proceedings, and follow-up counseling.
  - c. "Victim" means a person who consults a victim counselor for the purpose of securing advice, counseling, or assistance concerning a mental, physical, or emotional condition caused by a violent crime committed against the person.
  - d. "Victim counselor" means a person who is engaged in a crime victim center, is certified as a counselor by the crime victim center, and is under the control of a direct services supervisor of a crime victim center, whose primary purpose is the rendering of advice, counseling, and assistance to the victims of crime. To qualify as a "victim counselor" under this section, the person must also have completed at least twenty hours of training provided by the center in which the person is engaged, by the Iowa organization of victim assistance, by the Iowa coalition against sexual abuse, or by the Iowa coalition against domestic violence, which shall include but not be limited to, the dynamics of victimization, substantive laws relating to violent crime, sexual assault, and domestic violence, crisis intervention techniques, communication skills, working with diverse populations, an overview of the state criminal justice system, information regarding pertinent hospital procedures, and information regarding state and community resources for victims of crime.
1. A victim counselor shall not be examined or required to give evidence in any civil or criminal proceeding as to any confidential communication made by a victim to the counselor, nor shall a clerk, secretary, stenographer, or any other employee who types or otherwise prepares or manages the confidential reports or working papers of a victim counselor be required to produce evidence of any such confidential communication, unless the victim waives this privilege in writing or disclosure of the information is



compelled by a court pursuant to subsection 7. Under no circumstances shall the location of a crime victim center or the identity of the victim counselor be disclosed in any civil or criminal proceeding.

2. If a victim is deceased or has been declared to be incompetent, this privilege specified in subsection 2 may be waived by the guardian of the victim or by the personal representative of the victim's estate.
3. A minor may waive the privilege under this section unless, in the opinion of the court, the minor is incapable of knowingly and intelligently waiving the privilege, in which case the parent or guardian of the minor may waive the privilege on the minor's behalf if the parent or guardian is not the defendant and does not have such a relationship with the defendant that the parent or guardian has an interest in the outcome of the proceeding being favorable to the defendant.
4. The privilege under this section does not apply in matters of proof concerning the chain of custody of evidence, in matters of proof concerning the physical appearance of the victim at the time of the injury or the counselor's first contact with the victim after the injury, or where the counselor has reason to believe that the victim has given perjured testimony and the defendant or the state has made an offer of proof that perjury may have been committed.
5. The failure of a counselor to testify due to this section shall not give rise to an inference unfavorable to the cause of the state or the cause of the defendant.
6. Upon the motion of a party, accompanied by a written offer of proof, a court may compel disclosure of certain information if the court determines that all of the following conditions are met:
  - a. The information sought is relevant and material evidence of the facts and circumstances involved in an alleged criminal act which is the subject of a criminal proceeding.
  - b. The probative value of the information outweighs the harmful effect, if any, of disclosure on the victim, the counseling relationship, and the treatment services.
  - c. The information cannot be obtained by reasonable means from any other source.
7. In ruling on a motion under subsection 7, the court, or a different judge, if the motion was filed in a criminal proceeding to be tried in the court, shall adhere to the following procedure:

- a. The court may require the counselor from whom disclosure is sought or the victim claiming the privilege, or both, to disclose the information in chambers out of the presence and hearing of all persons except the victim and any other persons the victim is willing to have present.
  - b. If the court determines that the information is privileged and not subject to compelled disclosure, the information shall not be disclosed by any person without the consent of the victim.
  - c. If the court determines that certain information may be subject to disclosure, as provided in subsection 7, the court shall so inform the party seeking the information and shall order a subsequent hearing out of the presence of the jury, if any, at which the parties shall be allowed to examine the counselor regarding the information which the court has determined may be subject to disclosure. The court may accept other evidence at that time.
  - d. At the conclusion of a hearing under paragraph "c", the court shall determine which information, if any, shall be disclosed and may enter an order describing the evidence which may be introduced by the moving party and prescribing the line of questioning which may be permitted. The moving party may then offer evidence pursuant to the court order. However, no victim counselor is subject to exclusion under Iowa rule of evidence 615.
8. This section does not relate to the admission of evidence of the victim's past sexual behavior which is strictly subject to Iowa rule of evidence 412. 98 Acts, ch 1090, §16, 84

## **Rule 37.4: Domestic Violence and Sexual Assault Victim Counselors**

37.4(1) In all proceedings under Iowa Code chapter 236, a victim counselor, as defined in Iowa Code section 915.20A(1)(d), who is affiliated with a member domestic violence program of the Iowa Coalition Against Domestic Violence or a member of the sexual assault program of the Iowa Coalition Against Sexual Assault, and whose program has registered with the Iowa Coalition Against Domestic Violence or the Iowa Coalition Against Sexual Assault as providing services under this rule, shall be allowed to do the following:

- a. To distribute the pro SE forms prescribed by the department of justice pursuant to Iowa Code section 236.3A and to assist victims of domestic violence in the preparation of such forms.
- b. To describe to victims the proceedings under chapter 236 and to assist them in their role as witnesses.
- c. To accompany victims throughout all stages of proceedings under Iowa Code chapter 236.
- d. To attend all court proceedings, including sitting in chambers and at counsel table, to confer with the plaintiffs, and, at the judge's discretion, to address the court; however, domestic violence and sexual assault victim counselors shall not examine witnesses, make arguments to the court, or otherwise act in a representative capacity for victims of domestic violence. 37.4(2) The Iowa Coalition Against Domestic Violence and the Iowa Coalition Against Sexual Assault shall provide to the state court administrator, on an annual basis and more frequently as necessary, an updated list of its member programs which perform the services provided under this rule.

37.4.3) When they assist victims of domestic violence as specified in this rule, domestic violence and sexual assault victim counselors are not engaged in the unauthorized practice of law. [Court Order October 18, 1993, effective January 3, 1994; November 9, 2001, effective February 15, 2002; June 14, 2002, effective July 1, 2002] 37