

1 **Rule 615. Excluding Witnesses; Preventing an Excluded Witness's Access to Trial**
2 **Testimony.**

3 *Effective: 11/1/2023*

4 **(a) Excluding Witnesses.** At a party's request, the court must order witnesses excluded
5 from the courtroom or from a place where they can see or hear the proceedings. ~~so that~~
6 ~~they cannot hear other witnesses' testimony.~~ Or the court may do so on its own. But
7 this rule does not authorize excluding:

8 ~~(a)~~**(1)** a party who is a natural person;

9 ~~(b)~~**(2)** ~~one~~an officer or employee of a party that is not a natural person, ~~after~~
10 ~~being~~if that officer or employee has been designated as the party's representative
11 by its attorney;

12 ~~(c)~~**(3)** ~~a~~any person whose presence a party shows to be essential to presenting
13 the party's claim or defense;

14 ~~(d)~~**(4)** a victim in a criminal proceeding where the prosecutor agrees with the
15 victim's presence;

16 ~~(e)~~**(5)** a victim counselor while the victim is present unless the defendant
17 establishes that the counselor is a material witness in that criminal proceeding; or

18 ~~(f)~~**(6)** a person authorized by statute to be present.

19 **(b) Additional Orders to Prevent Disclosing and Accessing Testimony.** The court may
20 also, by order:

21 (1) prohibit disclosure of trial testimony to excluded witnesses; and

22 (2) prohibit excluded witnesses from accessing trial testimony.

24 2024 Advisory Committee Note. The language of this rule has been amended to clarify
25 from where witnesses are excluded when the exclusionary rule is invoked, and that the
26 court may prohibit an excluded witness from learning about the testimony of other
27 witnesses through any means. The amendments do not affect the inherent powers of the
28 court to enforce orders made under this rule, nor do the amendments intend to limit
29 counsel's or a pro se party's lawful and ethical ability to prepare witnesses.

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31 **2011 Advisory Committee Note.** The language of this rule has been amended as part of
32 the restyling of the Evidence Rules to make them more easily understood and to make
33 class and terminology consistent throughout the rules. These changes are intended to be
34 stylistic only. There is no intent to change any result in any ruling on evidence
35 admissibility.

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