



Judge overseeing Tiller grand jury meets with attorneys

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A district judge made no ruling Thursday on subpoenas of medical records of one of the few late-term abortion providers in the nation after meeting privately with attorneys in a status conference.

Attorneys say Deputy Sedgwick County District Attorney Ann Swegle told the judge that the grand jury would agree to seek, at least initially, a sample of only 50 records per year for the years on the subpoenas. The original subpoenas had requested records from 2003 to 2008.

Attorney Lee Thompson, who represents Dr. George Tiller, said District Judge Paul Buchanan did not indicate when he would rule on the subpoenas of Tiller's patient records.

"It could be tomorrow," Thompson said. "I don't know. There was no indication."

Thompson said the judge wanted to meet in chambers with Swegle.

Buchanan indicated that revised or new subpoenas might need to be issued, said Dionne Scott, spokeswoman for the Center for Reproductive Rights, a New York-based abortion rights group representing women.

On Tuesday, the Kansas Supreme Court ruled the grand jury could keep investigating Tiller, but limited its power to subpoena his patients' records.

The justices refused to strike down the law that abortion opponents used to force Sedgwick County to convene the grand jury to investigate whether Tiller violated state restrictions on abortion. The high court also declined to quash subpoenas it issued to Tiller and Attorney General Steve Six.

But in its unanimous ruling, the Supreme Court said there are limits on the grand jury's power. The justices set guidelines, returned the case to district court and ordered the presiding judge to follow the new standards in determining whether the subpoenas should be enforced.

The grand jury is seeking all health care records of patients who aborted a fetus determined to be 22 weeks or older from July 1, 2003, through Jan. 18 at Tiller's clinic, Women's Health Care Services in Wichita.

Another subpoena seeks all health care records of each patient who was at least 22 weeks pregnant when she consulted with a physician at the clinic but did not have an abortion.