

- Minnesota nonprofit corporations are not eligible to apply. If a nonprofit corporation is under contract with a Minnesota state or local agency, the agency may apply and allow the nonprofit to use its account for government purposes only. The agency must submit the application and oversee usage of any accounts used by nonprofit corporations under contract. Nonprofit agencies that are deemed a criminal defense corporation as described in M.S. §611.216 may use the accounts issued to the State Board of Public Defense.
- Tribal agencies are eligible but must contact MJCMNCISGovtAccessProcedural@courts.state.mn.us to request a special agreement for tribal agencies that waives sovereign immunity with regard to the agreement.

2. Offerings – Case Record Categories

Eligible agencies must specify in their application the case record categories needed (in Section 4 of the Request Form and the Change Request Form). This section describes the case record categories available to eligible agencies.

Public vs. Confidential Case Records. Requesting agencies must consider whether they need public case records and/or confidential case records as described in Section 4 of the Request Form and Change Request Form. If confidential case records are needed, agencies should evaluate whether they are authorized by court rule to access confidential records or whether they may need to obtain a court order. Public Access Rule 8, subd. 4(b) is the only source of authorization for government agency access to confidential court case records. It authorizes Minnesota county attorneys, Minnesota state public defenders, Minnesota state and local corrections agencies, and Minnesota state and local social services agencies to obtain access to the following confidential case record categories: Juvenile, Parent/Child Relationship (CHIPS), and Civil Domestic Violence (pre-service) case records.

Agencies should consider their needs for case record types at the business unit level, and not request broader access for a business unit than needed. Multiple accounts may be requested to serve the needs of different business units. Please also read Section 3 which explains certain features and limitations of the two account types, MPA and OA.

2.1. Statewide Public Case Records

All eligible agencies may request statewide public case records, which includes all records classified as accessible to the public under Public Access Rule 4, Accessibility to Case Records. This offering does not require a court order or other special authorization to view public case record data.

Document Access Options. Beginning in July 2010, the Court will begin adding public document access options to Section 4 of the Request Form (and Change Request Form). The first one is described below.

- **CPC Imaged Citations (Statewide).** This option is **only** available to county prosecutors, city prosecutors, and public defenders who work on cases in district courts that have transitioned to using the Minnesota Court Payment Center (CPC) for citation entry. It provides the user with view access to all payable and mandatory citations that have been imaged in CPC Citation Entry counties, excluding in-custody and juvenile (JV) citations. Prosecutors and public defenders will receive notice when this option is available to them. **Do not select this option** if you have not received a notice. Please contact MJCMNCISGovtAccessProcedural@courts.state.mn.us if you have questions.

2.2. Confidential Case Records – Authority & Jurisdiction Information

Authority. Confidential case records are offered on a more restricted basis than public case records. Eligible agencies should evaluate whether they have authority to access confidential records under Public Access Rule 8, subd 4(b), or whether a court order is needed. A specific discussion of authority is included under each confidential offering, below. Applications that request confidential records for

which they have no authority or for which authority may be difficult to obtain, may be significantly delayed and possibly rejected. *Tip:* Begin by requesting only those offerings that appear to be easily available to your agency, and later submit one or more Change Request Forms to attempt to obtain offerings that appear more difficult to obtain. If you have questions, contact your State Access Representative or send an email to: MJCMNCISGovtAccessProcedural@courts.state.mn.us.

Jurisdiction. When confidential case records are needed, agencies must also request the jurisdiction, according to the jurisdiction categories offered: a single county, multiple counties **within one district**, or all counties “statewide.” If records are needed from more than one county that is not in the same district and the statewide option is too broad, special instructions exist in Section 5.2 on how to make this request.

The requested jurisdiction may affect an agency’s ability to get a court order, if needed, to authorize access to the requested confidential records. Do not select “statewide” unless you are authorized under court rule, have discussed the possibility of obtaining a Supreme Court order, or are willing to wait a significant amount of time while your request is considered (you may be asked to submit more information).

2.2.1. Juvenile/Parent-Child Relationships/Civil Domestic Violence (prior to service) Case Records

This offering provides access to case records that are classified as confidential and that fall under the major classifications of Juvenile, Parent-Child Relationships, and Civil Domestic Violence. It should be noted that Civil Domestic Violence cases are accessible to the public and available under the Statewide Public Access offering above in Section 2.1, except for specific cases that have not yet been served and are therefore deemed confidential.

Authority. Rule 8, subd. 4(b) of the Rules of Public Access to Records of the Judicial Branch provides the authority for Minnesota county attorneys, Minnesota state public defenders, Minnesota state and local corrections agencies, and Minnesota state and local social services agencies to obtain access to these records on a statewide basis, subject to the execution of a nondisclosure agreement and a determination by the State Court Administrator that the disclosure of such records will not compromise the confidentiality of any of the records.

Alternatively, if Rule 8, subd. 4(b) does not apply the requesting agency must obtain a court order authorizing access to these records. Your State Access Representative will assist in this process if the request is for single-county records or multiple counties within one district, and if the request is properly documented and justified on the Request Form. Requests for statewide records that are not authorized under Rule 8 subd 4(b) require a Supreme Court order and may take a significant amount of time to process. We suggest you submit such requests separately on the Change Request Form after you have received your account information, to prevent delay in processing your request for public records and other offerings for which you may be authorized.

2.2.2. Civil Domestic Violence (prior to service) Case Records

This offering provides access to civil domestic violence case records that have not yet been served. After service, civil domestic violence case records are public and available through the Statewide Public Case Records offering.

Authority. Rule 8, subd. 4(b) of the Rules of Public Access to Records of the Judicial Branch provides the authority for Minnesota county attorneys, Minnesota state public defenders, Minnesota state and local corrections agencies, and Minnesota state and local social services agencies to obtain access to these records on a statewide basis, subject to the execution of a nondisclosure agreement and a determination by the State Court Administrator that the

