

STATE OF MINNESOTA

IN SUPREME COURT

#C4-85-1848

ORDER AUTHORIZING
DISCLOSURE OF
CHILD SUPPORT RECORDS

WHEREAS, the Minnesota Department of Human Services ("the Department") is required under Minn. Stat. § 518.551, subd. 5c (1998), 42 U.S.C. § 667(a), and 45 C.F.R. § 302.56(e) to conduct a review of Minnesota child support guidelines ("the Study"), and the Study must include an analysis of case data gathered through sampling or other methods; and

WHEREAS, in order to ensure that the sample is reasonably inclusive of all child support cases statewide, the Department will need access to a list (comprised of file number, case type, filing date, status, and case title) of all dissolution, parentage, and other support cases filed in 1997 in twelve Minnesota counties, and access to pleadings, motions, orders, judgments and findings in approximately 300 such cases (collectively referred to herein as "the Records"); and

WHEREAS, social security numbers included in the Records are not accessible to the public under 42 U.S.C. § 405(c)(2)(C)(viii) but are accessible to the Department, for example, for purposes of maintaining the State Case Registry under 42 U.S.C. § 654a(f);

WHEREAS, pursuant to Minn. Stat. § 257.70 (1998), all papers and records, other than the final judgment, pertaining to parentage proceedings, whether part of the permanent record of the court or a file in the Department, are subject to inspection only upon consent of the court and all interested persons, or in exceptional cases only upon an order of the court for good cause shown; and

WHEREAS, the Department has acknowledged in writing that it is bound by Minn. Stat. § 257.70 and 42 U.S.C. § 405(c)(2)(C)(viii), that it will not disclose to any third party, other than Authorized Agents, any information obtained from the Records except as authorized in Minn. Stat. § 257.70, 42 U.S.C. § 405(c)(2)(C)(viii), and in this order, and that it will take all appropriate action, whether by instruction, agreement, or otherwise, to insure the protection, confidentiality and security of the information obtained from the Records; and

WHEREAS, individuals who are independent contractors with the Department and who will have access to the Records have executed a Nondisclosure Agreement with the State Court Administrator's Office, dated May 25, 1999 (referred to in this order as "Authorized Agents"); and

WHEREAS, the Court finds that the Study is an exceptional case, the Department has shown good cause for access to the Records, and appropriate confidentiality safeguards are in place;

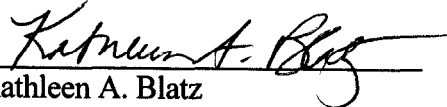
NOW THEREFORE, pursuant to Minn. Stat. § 257.70 and the inherent authority of the Court, IT IS HEREBY ORDERED that:

1. The State Court Administrator and the district courts in Chippewa, Chisago, Cottonwood, Dakota, Houston, Nobles, Polk, Ramsey, St. Louis, Stearns, Steele, and Swift counties ("District Courts") shall make the Records available to the Department's Child Support Division and Authorized Agents as necessary to complete the Study.
2. The District Courts are not required to redact social security numbers from copies of the Records made available under this order.
3. The Department and its Authorized Agents shall not disclose to any third party:
 - a. social security numbers obtained from the Records; and
 - b. any portion of the Records from which the identity of any individual or other characteristic that could uniquely identify any individual is ascertainable.

The requirements of paragraph 3.b. of this order shall not apply to information that is deemed accessible to the public pursuant to Minn. Stat. § 257.70 (1998).

Dated: May 28, 1999

BY THE COURT:


Kathleen A. Blatz
Chief Justice

OFFICE OF
APPELLATE COURTS

JUN 2 - 1999

FILED