

STATE OF MINNESOTA

IN SUPREME COURT

#C4-85-1848, C4-99-404

IN RE ACCESS TO CERTAIN WELFARE RECORDS
USED FOR EVALUATION AND ADMINISTRATION OF
EXPEDITED CHILD SUPPORT PROCESS

ORDER

By Order dated June 29, 1999, this Court ensured the confidential treatment of certain welfare records disclosed to the courts for purposes of identifying and evaluating cases in the expedited child support hearing process. Disclosure of additional welfare records is necessary to support the identification and evaluation of these cases.

NOW, THEREFORE, IT IS ORDERED that the June 29, 1999, order is modified, effective immediately, as follows (underlined text equals additions, strikeout text equals deletion):

"WHEREAS, pursuant to 1999 Minnesota Laws, chapter 196, article 1, section 2, this Court created an expedited child support hearing process ("Expedited Process") to handle child support and paternity matters in accordance with federal requirements; and

WHEREAS, in order to conduct and evaluate the Expedited Process, the State Court Administrator's Office (SCAO) and District Court Administrators (DCAs) must be able to obtain verification of Expedited Process status and other relevant information from the Department of Human Services, Child Support Enforcement Division and its local agents ("Public Authority"); and

WHEREAS, SCAO desires to test a verification process by obtaining a sample of court case docket numbers and PRISM file numbers ("test verification records") from the state office of the Public Authority; and

WHEREAS, SCAO and DCAs desire to obtain verification of Expedited Process status by contacting the local office of the Public Authority or by obtaining computer extract files from the state office of the Public Authority to match names and other identifying data on participants ("matching records"); and

WHEREAS, for evaluation purposes, SCAO desires periodic (~~quarterly~~) flat file computer extracts from the state office of the Public Authority, including district court case number, Prism file number, number of dependents, income level of parties, support payment information obligations, guidelines deviation reason code, long arm jurisdiction indicator, name of the attorney for each represented party, and the names, addresses, dates of birth and telephone numbers of the parties, for all Expedited Process cases from July 1 1999 through December 31, 2000, ("evaluation records")

WHEREAS, the test verification records, matching records, and evaluation records are classified as private data under Minnesota Statutes, section 13.46, and the Public Authority is authorized to provide private data to the courts pursuant to 1999 Minnesota Laws, chapter 196, article 1, sections 7 and 8 for purposes of evaluation and determination of whether a case may be processed in the Expedited Process;

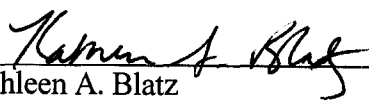
WHEREAS, pursuant to an interagency contract, the Public Authority and this Court have agreed that the Public authority may release the test verification records, matching records, and evaluation records upon assurance from SCAO that the records will not be accessible to the public once they are disclosed to the SCAO, provided that the conclusion that a case may be processed in the Expedited Process is accessible to the public;

NOW, THEREFORE, by virtue of and under the inherent and statutory authority of the court to regulate public access to records of the judicial branch, IT IS HEREBY ORDERED THAT:

1. Test verification records, matching records, and evaluation records provided by the Public Authority to SCAO and District Court Administrators shall not be accessible to the public, provided that the conclusion that a case may be processed in the Expedited Process is accessible to the public; and
2. This order shall not affect public access to similar case records that are independently collected, created, received, maintained or disseminated by the courts without reference to or use of the test verification records, matching records, or evaluation records received from the Public Authority.
3. This order shall be effective immediately.

Dated: August 7, 2000

BY THE COURT:


Kathleen A. Blatz
Chief Justice

OFFICE OF
APPELLATE COURTS

AUG 18 2000

FILED