

STATE OF MINNESOTA

IN SUPREME COURT

C8-90-2693

OFFICE OF
APPELLATE COURTS

MAY 1 1991

FILED

ORDER REGARDING ACCESSIBILITY TO
RECORDS OF THE RACIAL BIAS TASK FORCE

WHEREAS, the Racial Bias Task Force will from time to time receive comments from various sources for the purposes of evaluating racial bias in the courts and developing recommendations for educational programs and integrated components to address race-based myths, biases, stereotypes, and their consequences in the judicial setting; and

WHEREAS, the integrity and success of the evaluation process requires that the identity of persons supplying comments to the Task Force be inaccessible to the public and to the court personnel being evaluated; and

WHEREAS, sound public policy, reflected in section 13.43 of the Minnesota Statutes and Rule 5, subdivisions 1 and 2, of the Rules of Public Access to Records of the Judicial Branch, requires that the identities of court personnel being evaluated be inaccessible to the public;

NOW, THEREFORE, pursuant to the inherent authority of the Minnesota Supreme Court to regulate access to records maintained by the judicial branch, IT IS HEREBY ORDERED that the following provisions apply to records collected, created, received, maintained, or disseminated by the Racial Bias Task Force:

1. Comments collected, created, received, maintained, or disseminated by the Racial Bias Task Force for use in

evaluating racial bias in the courts, including questionnaires or other solicited or unsolicited comments, shall be inaccessible to the public; provided, however, that information contained in the comments that does not identify the commentator or any court personnel being evaluated may be made accessible to the public at the discretion of the Task Force.

2. The identities of commentators shall not be disclosed to any court personnel being evaluated; provided, however, that this information may be disclosed to Task Force members and staff where such disclosure is necessary to the work of the task force as determined by the Task Force Chairperson.
3. The Task Force shall implement appropriate safeguards to ensure the confidentiality provided by this order.

Dated May 1, 1991

BY THE COURT



A. M. Keith
Chief Justice