

STATE OF MINNESOTA
COUNTY OF HENNEPIN



DISTRICT COURT – JUVENILE DIVISION
FOURTH JUDICIAL DISTRICT
JUVENILE COURT

In re the Sharing of Government Data on
Individuals in the Juvenile Justice System
in Hennepin County, Minnesota

STANDING ORDER

This matter came before the Court on the Motion of Thomas Arneson, Assistant County Attorney, on behalf of the Juvenile Data Access Web Gateway (JDAWG) project sponsored by the Hennepin County Criminal Justice Coordinating Committee.

BACKGROUND

In November 2000, a motion was submitted by Assistant County Attorney, Peter Cahill, asking for a court order which governed the Juvenile Network (JNET) and was in compliance with Minnesota data practice and privacy laws. The order, signed by Judge Robert Blaeser on November 27, 2000, authorized the sharing of data through JNET and was in effect through December 31, 2001. The order was extended through December 31, 2003, by Judge Blaeser, and then by Judge Denise Reilly on December 22, 2003. The following order will be in effect until further order of the court. The JNET system is more than 10 years old and is in the process of being replaced with a new data sharing system JDAWG. This order shall replace the previous order dated December 22, 2003, signed by Judge Reilly and will be in effect until further order of the court.

CONCLUSIONS OF LAW

Government data on juvenile individuals is governed by a variety of state and federal statutes, rules and regulations including but not limited to Minn. Stat. § 13.01 *et seq.* (Minnesota

Government Data Practices Act), Minn. Stat. § 13.82 (Educational data), Minn Stat. § 13.82 (Law Enforcement Data), Minn. Stat § 13.84 (Court Services Data, Minn. Stat. § 13.85 (Corrections and Detention data), Minn. Stat § 13.90 (Judiciary data), Minn. Stat. § 260B.171 (Court and Peace officer records of children), Minn. Stat. § 260C.171 (Children in need of protection services records) and Minn. Stat. § 626.556 (Child abuse and neglect data). School data is also governed by 20 U.S.C. § 1232g *et.seq.* (Family Educational Rights and Privacy Act, “FERPA”).

Under these statutes and other applicable law, juvenile data that is not public, private or confidential may be shared by agencies if permitted by court order.

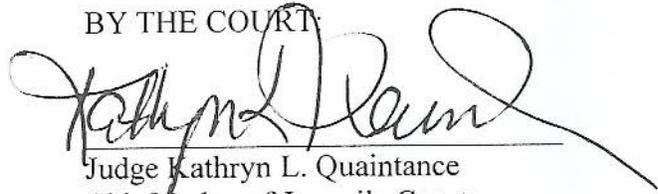
ORDER

1. Agencies that sign the JDAWG Sharing Agreement may share data on individual juveniles in the juvenile justice system by use of the JDAWG data warehouse to the extent and according to the terms and limitations of the JDAWG Sharing Agreement.
2. Agencies that may sign the agreement, and share information as permitted by this Order, shall be limited to law enforcement agencies, schools and school districts, child protection agencies, county and state corrections agencies, juvenile and criminal prosecution agencies, mental health collaboratives that serve juvenile offenders, Minnesota courts, city or county-operated juvenile assessment centers, and the Minneapolis curfew and truancy center.
3. Access to JDAWG shall be administered by Hennepin County Information Technology staff. Support and maintenance of JDAWG shall be performed by persons, vendors or agencies designated by Juvenile Accountability Incentive Block Grant (“JAIBG”) Steering Committee or the Hennepin County Criminal Justice Coordinating Committee.
4. Policies governing JDAWG may be determined by the JAIBG Steering Committee, but the District Court shall maintain ultimate authority and jurisdiction over the administration and

scope of shared data in JDAWG. Accordingly, data contained in the JDAWG data warehouse shall be considered data of the judiciary under Minn. Stat. § 13.90. The source data from individual agencies' database from which JDAWG data is extracted shall remain the data of those agencies.

5. Public School Districts in Hennepin County may release identifying data on students and student attendance records to JDAWG participants. JDAWG data may not be shared with any agency or agency employees unless and until the agency's representative has signed the Sharing Agreement. Data may only be shared to the extent permissible under the Sharing Agreement or any applicable state or federal law.
6. This order shall be effective until further order of the Court.

BY THE COURT:



Judge Kathryn L. Quaintance
Chief Judge of Juvenile Court
Fourth Judicial District

Date: 1/12/13