

STATE OF MINNESOTA

IN SUPREME COURT

C4-85-1848

IN RE DEPARTMENT OF HUMAN SERVICES
ACCESS TO SEALED AND CONFIDENTIAL
COMMITMENT RECORDS

WHEREAS, Minn. Stat. § 253B.09, subd. 3a, requires the District Courts to report to the Department of Human Services (DHS) whether an applicant for a firearm has been committed under chapter 253B and, if so, the type of commitment. This information is required to be reported even if the record has been sealed under Minn. Stat. § 253B.23, subd. 9. The District Courts have been providing DHS with access to the statutorily authorized commitment information through a paper process, but the State Court Administrator's Office (SCAO) and DHS desire to fully automate the process. Until an automated data pass limited to the statutorily authorized commitment information becomes possible, and in lieu of the paper process, DHS has requested direct access to both sealed and unsealed commitment records through the Minnesota Court Information System (MNCIS). SCAO is able to provide DHS with access to MNCIS that is limited to all commitment case records, including sealed commitment records. Disclosure of the sealed records to DHS requires authorization by court order. DHS has agreed in writing to limit its use of the sealed commitment records to that permitted by law and to not otherwise disclose the records.

NOW THEREFORE, pursuant to Rule 2 of the Rules of Public Access to Records of the Judicial Branch, and by virtue of and under the inherent power and statutory authority of this Court to regulate public access to records maintained by the Minnesota Judicial Branch,

IT IS HEREBY ORDERED that:

1. Access to all civil commitment records in MNCIS, including those records sealed under Minn. Stat. § 253B.23, subd. 9, shall be made available to the Department of Human Services through MNCIS login accounts, subject to conditions set forth in the Master Nondisclosure Agreement for MNCIS Government Login Accounts between the Department of Human Services and the State of Minnesota, Office of

the State Court Administrator, executed by the parties on May 31, 2007 and June 8, 2007, respectively.

2. This order shall be effective immediately, and shall expire ninety (90) days after integration of MNCIS with the DHS system that will enable reporting of commitment information by an electronic transfer of data as provided in Minn. Stat. § 253B.09, subd. 3a.

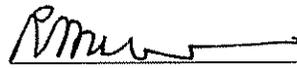
Date: June 21, 2007

BY THE COURT:

OFFICE OF
APPELLATE COURTS

JUN 21 2007

FILED



Russell A. Anderson
Chief Justice