

FILED

OCT 10 2012

STATE OF MINNESOTA

FOURTH JUDICIAL DISTRICT COURT

COUNTY OF HENNEPIN

JUVENILE COURT DIVISION

In the Matter of:

ORDER

Hennepin County's Crossover Youth Pilot Project

WHEREAS, for purposes of this Order, a "crossover youth" is defined as a child who moves between or is simultaneously involved in the juvenile delinquency and social services systems.

WHEREAS, Hennepin County and the Fourth Judicial District are participating in a pilot project ("Crossover Youth Pilot Project") intended to provide coordinated and improved services to children that have open cases in the social services services and juvenile delinquency systems; and

WHEREAS, the goal of Hennepin County's Crossover Youth Pilot Project is to coordinate case management services and improve family engagement for crossover youth. The pilot will use targeted interventions designed to promote safe and stable environments for children, reduce unnecessary out-of-home placements, and keep children from penetrating deeper into the juvenile delinquency system.

WHEREAS, the following entities are participating in the Crossover Youth Pilot Project: Hennepin County Community Corrections and Rehabilitation ("DOCCR"); Hennepin County Human Services and Public Health Department ("HSPHD"); Hennepin County Attorney's Office ("HCAO"); Hennepin County Public Defender's Office ("Public Defender"); and the Fourth Judicial District ("Court"); and

WHEREAS, to achieve the Crossover Youth Pilot Project's goals, it is necessary for the parties to share data regarding these youth.

WHEREAS, the Minnesota statutes relating to juvenile delinquency, juvenile protection, and the Minnesota Government Data Practices Act contain various restrictions on the ability to share data between the juvenile delinquency and social services systems without a Court Order; and

WHEREAS, the parties to the Crossover Youth Pilot Project entered into a memorandum of understanding ("Crossover Youth MOU") in which they have agreed to share certain data regarding crossover youth, identified in Exhibit A, that is contingent upon a court order; and

WHEREAS, Minn. Stat. § 13.03, subd. 6, Minn. Stat. § 13.46, subd. 2(a)(2), Minn. Stat. § 260B.171, subd. 4(d), Minn. Stat. § 260C.171, subd. 2(c), and Minn. R. Juv. D. P. 30.02, authorize this Court to issue an order providing disclosure of private and confidential data subject to the court's order; and

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The Court finds that the benefit to the individuals whose private and confidential data will be shared and the benefit to the juvenile delinquency and social services systems outweighs any harm to the confidentiality interests of the who are the subject of the data.
2. HSPHD, the HCAO, and the DOCCR may share private and confidential data identified in Exhibit A related to youth that qualify to participate in the Crossover Youth Pilot Project.
3. HSPHD, the HCAO, and the DOCCR may share private and confidential data identified in Exhibit A with one another only for purposes of determining appropriate services and case management for youth who qualify to participate in the Crossover Youth Pilot Project.
4. HSPHD, the HCAO, and the DOCCR may share private and confidential data with contracted service providers in cases where youth (a) are diverted by the HCAO and are eligible to receive services from the HCAO's contracted diversion provider, (b) are receiving services from a contracted provider through HSPHD or DOCCR, or (c) as otherwise ordered by the court.
5. Data may be shared with contracted providers only if the provider has signed a data privacy provision consistent with Minn. Stat. §13.05, subd. 6. Contracted providers that received private or confidential data regarding crossover youth may use the data only for the purposes of determining appropriate services and case management.
6. Data shared in the Crossover Youth Pilot Project retains its original data classification (i.e. public, private or confidential) and cannot be disclosed without a court order or as otherwise authorized by law.
7. This Order shall remain in effect until the completion of the Crossover Youth Pilot Project.

BY THE COURT:

Dated: 10/10/12

A handwritten signature in black ink, appearing to read 'Kathryn Quaintance', written over a horizontal line.

Kathryn Quaintance
Chief Judge, Juvenile Court Division
Hennepin County District Court

Exhibit A

The juvenile delinquency and social services systems within Hennepin County establish the following guidelines for sharing relevant case information between the parties subject to the Court's Crossover Youth Pilot Project orders. Relevant records and information will include, at a minimum, the information in **Table 1** below.

Table 1

Crossover Assessment Basic Expectations List (CABEL)

Documents and Reports to be Routinely Collected and Shared in Crossover Cases

	Assessment/Report*	Department Responsible	Request if done but not in file	Conduct/produce if not yet done
	*The most recent version of each of these documents should be obtained and shared.			
	Multidisciplinary Team (MDT) Report	HSPHD/ DOCCR (Mandatory)		X
1	PIF (Personal Information Form)	DOCCR		
2	CISR (Court Information Summary Report)	DOCCR		
3	Delinquency Petitions/Citations	DOCCR		
4	YLS or YLS Pre Screen	DOCCR		X
5	Pre-plea/Pre-disposition Report	DOCCR		
6	Social History	HSPHD		
7	Placement History (SSIS)	HSPHD		X
8	Case Plan/Out-of-Home Placement Plan	HSPHD		
9	YTC (Youth Transition Conference) Plan	HSPHD		
10	CHIPS Petition	HSPHD		
11	Pre-hearing Report	HSPHD		
12	Mental Health Screening	DOCCR or HSPHD		X
13	Mental Health Assessment ¹	DOCCR or HSPHD	X	
14	Chemical Health Assessment	DOCCR or HSPHD	X	
15	IEP	DOCCR or HSPHD	X	
16	Special Education Assessment Report	DOCCR or HSPHD	X	
17	JDAWG report ²	DOCCR		X

¹Includes Diagnostic Assessments, Psychological Evaluations, Neuropsychological Evaluations, Psychiatric Evaluations, FASD Assessments, etc.

² In development; should be routinely obtained and shared once it becomes available.

All of the documents in Table 1 should be routinely shared if they are present in the youth's DOCCR or HSPHD file, obtained by an outside agency, or generated while the youth is involved with DOCCR or HSPHD.

A Multidisciplinary Team “MDT” Report will be prepared in all crossover cases. The MDT Report will synthesize relevant information from schools, the social services and juvenile delinquency systems, and other juvenile justice stakeholders working with the youth and family. The report will be shared with the pilot participants.

Other documents in the youth’s files that are not on Table 1 may be shared on a case-by-case basis, depending on the specific features of the case. The Crossover Assessment Inventory (attached) lists possible reports that may be shared.