

STATE OF MINNESOTA
COUNTY OF HENNEPIN



DISTRICT COURT
JUVENILE DIVISION
FOURTH JUDICIAL DISTRICT

In Re: The Release of Delinquency Records Deputy **STANDING ORDER**

WHEREAS, Minnesota Statutes §260B.171, subdivision 1 requires juvenile court to release copies of records regarding a child, including records concerning the adjudication(s) of a that child, to another juvenile court that has jurisdiction of the juvenile and to a requesting adult court for the purposes of sentencing;

WHEREAS, Minnesota Statutes §260B.171, subdivision 1 authorizes juvenile court to release copies of records concerning delinquency adjudications, on request, to probation officers and corrections agents if the court finds that providing these records serves public safety or is in the best interests of the child;

WHEREAS, Rule 30.02, subdivision 2(C) of the Minnesota Rules of Delinquency Procedure requires juvenile court to release juvenile court records for inspection, copying, and release to the prosecuting attorney, and whereas the comment to this rule states that the phrase “prosecuting attorney” includes adult court prosecuting attorneys;

WHEREAS, Minnesota Statutes §245C.08, subdivision 4(c) requires the juvenile court to assist in background studies conducted by the Commissioner of Human Services by releasing certain juvenile court records to the Commissioner and/or its agents;

THEREFORE, THE FOLLOWING SHALL BE THE STANDING ORDER OF THE COURT:

1. Upon completing an Affidavit and Order Requesting Access to Juvenile Records, or upon the provision of a document containing equivalent information, the juvenile court records clerk is authorized to release copies of juvenile records as follows:
 - a. Another Juvenile Court: Copies of records concerning delinquency adjudications of a particular child.
 - b. Requesting Adult Court for the Purposes of Sentencing: Copies of records concerning delinquency adjudications of a particular child.
 - c. Probation Officers and Corrections Agents:
 - i. Probation Officers: The Court finds that it is in the interest of public safety to release copies of records concerning delinquency adjudications of a particular child to probation officers conducting presentencing investigations.
 - ii. Corrections Agents: The Court finds that it is in the interest of public safety to release copies of records concerning delinquency adjudications of a particular child to corrections agents conducting investigations for the Sexual Psychopath Personality/Sexually Dangerous Person Review Team.

- d. Hennepin County Attorney's Office: Copies of any records requested.
- e. Commissioner of Human Services Agent: Copies of records relating to delinquency proceedings held within either the five years immediately preceding the background study or the five years immediately preceding the child's 18th birthday, whichever is longer.

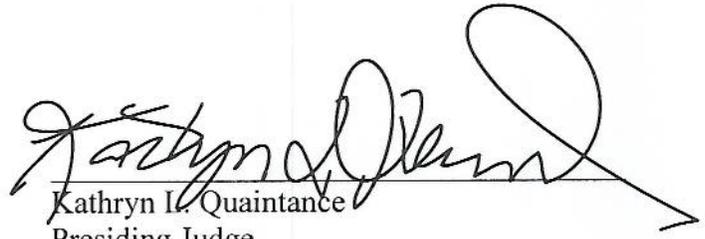
2. Definitions:

- a. Records Concerning Delinquency Adjudications: petitions, plea petitions, and disposition orders for cases where the child was *adjudicated delinquent*. (Note: This does not include records regarding adjudications for petty or traffic offenses or cases where the child was alleged to be delinquent but was never adjudicated as such.)
- b. Records Relating to Delinquency Proceedings: petitions, plea petitions, and disposition orders for cases where the child was alleged to have committed a delinquency offense. (Note: This does not include records regarding citations or petitions for petty or traffic offenses.)

- 3. Those receiving the aforementioned records shall be responsible for the costs associated with producing the copies in accordance with the 4th District fee schedule.

Dated:

1/18/12



Kathryn L. Quaintance
Presiding Judge
Hennepin County Juvenile Court