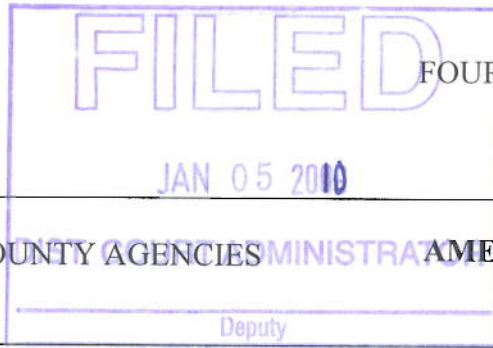


STATE OF MINNESOTA
COUNTY OF HENNEPIN



FOURTH JUDICIAL DISTRICT
JUVENILE DIVISION

SHARED DATA AMONG COUNTY AGENCIES
HAVING JUVENILE CASES

CITY AGENCIES MINISTR

AMENDED STANDING
ORDER

To: The Director of Hennepin County Children, Family, and Adult Services and the Director of Hennepin County Department of Community Corrections

WHEREAS, the Hennepin County Children, Family, and Adult Services Department (HCCFASD), including the Children's Developmental Disabilities Unit, and the Hennepin County Community Corrections Department – Juvenile Division are charged with the responsibility of providing services to children. These services include, but are not limited to:

1. Services relating to the child-safety, placement, education, and mental health needs of children;
2. Recommendations to juvenile court regarding the terms of children's probation;
3. Recommendations to juvenile court regarding appropriate case plans of children in need of protection or services; and

WHEREAS, this Court recognizes that in order to carry out their responsibilities, the above-named agencies have a legitimate interest in juvenile court records of any kind pertinent to the agencies' provision of services to children; and

WHEREAS, for purposes of this Order, "juvenile court records" include documents filed or maintained by juvenile court relating to the status of a child in need of protection or services. As it relates to delinquency matters, "juvenile court records" include all documents filed or maintained by juvenile court relating to the delinquency of a child as well as documents maintained by juvenile probation officers, county home schools, and county detention agencies, pursuant to Rule 30.01, subdivision 1 of the Minnesota Rules of Juvenile Delinquency Procedure; and

WHEREAS, this Court further recognizes that in order to carry out their responsibilities, the above-named agencies have a legitimate interest in welfare data contained in Children's Developmental Disabilities records and HCCFASD records of any kind pertinent to the agencies' provision of services to children; and

WHEREAS, for purposes of this Order, "welfare data" is defined as data on individuals which is collected, maintained, used, or disseminated by the child welfare system. The welfare data contained in such files is private and incorporates data classified as mental health data (Minn. Stat. §13.46, subd. 1, 7).; and

WHEREAS, data classified as private under the Minnesota Data Practices Act may be released by court order pursuant to Minnesota Statute §13.46, subdivision 2(a)(2); and

WHEREAS, welfare data may be released to appropriate parties under a court order pursuant to Minnesota Statute §13.46, subdivision 2(a)(2) or in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the individual or other individuals or persons pursuant to subdivision 2(a)(10); and

WHEREAS, this Court has the authority to issue an order authorizing release of juvenile court records to any person having a legitimate interest in the child or in the operation of the court pursuant to Rule 30.02, subdivision 3(A)(3) of the Minnesota Rules of Juvenile Delinquency Procedure; and

WHEREAS, this Court has the authority to issue a protective order pursuant to Minnesota Statute §260C.171, subdivision 3 to protect confidential data from further disclosure.

IT IS HEREBY ORDERED

1. Upon the request of any authorized Department of Corrections-Juvenile Detention staff, the HCCFASD shall make available to such staff relevant welfare data including child protection records which relate to the child. Any data released pursuant to this order shall be used solely for the purpose of determining appropriate detention placement and conditions of the child's care, relative to such placement.
2. Upon the request of any authorized Department of Corrections-Juvenile Probation staff, the HCCFASD or Children's Developmental Disability Units shall make available to such staff relevant welfare data including child protection records which relate to the child's placement, education, mental health needs and terms of probation. Any data released pursuant to this order shall be used solely for the purpose of providing this Court with recommendations related to a court-ordered probation report, including, but not limited to, determining appropriate placement and conditions of the child's care, and for ongoing supervision of the child by the probation officer.
3. Upon the request of any authorized HCCFASD staff, including Children's Developmental Disability Unit staff, the Hennepin County Corrections-Juvenile Division shall make available to such staff juvenile court records which include data contained in a juvenile probation officer's file. Any data released pursuant to this order shall be used solely for the purpose of making appropriate decisions in providing services to a child including placement, educational, and mental health services.
4. Access to welfare data under this order is limited by the statutory requirement that the name of the reporter of child abuse or neglect is confidential data and other file data is private or non-public data on individuals. Without further order of this Court, staff who have access to data pursuant to this order shall not disclose, and shall not permit others operating under their direction to disclose, to their client or anyone else, the names or any

identifying information about reporters of child abuse or neglect or any private or non-public data on individuals.

5. Access to data contained in the files of the HCCFASD-Children's Mental Health Outpatient Clinic, the Hennepin County Adult Services-Pilot City Mental Health Center, and the Hennepin County Mental Health Center, which are licensed as Rule 29 mental health facilities, is excluded from this order.

Date: 1/5/10

BY THE COURT:


Kathryn Quantance
Presiding Judge of District Court
Juvenile Division