

MINNESOTA GOVERNMENT DATA PRACTICES ACT
2011 Classification of Data

WASHINGTON COUNTY		Responsible Authority Peter Orput County Attorney			Department/Division County Attorney	
Name of Form, Record, File, System or Process	Description <i>(Purpose, what it collects, in terms understandable by general public.)</i>	Data on Individuals Yes No		Classification	Citation for Classification <i>(Statute, Law or Rule)</i>	Designee <i>(Name, Title, Address)</i>
<p>Minn. Stat. 13.393 provides: Notwithstanding the provisions of this chapter and section 15.17, the use, collection, storage, and dissemination of data by an attorney acting in a professional capacity for a government entity shall be governed by statutes, rules, and professional standards concerning discovery, production of documents, introduction of evidence, and professional responsibility; provided that this section shall not be construed to affect the applicability of any statute, other than this chapter and section 15.17, which specifically requires or prohibits disclosure of specific information by the attorney, nor shall this section be construed to relieve any responsible authority, other than the attorney, from duties and responsibilities pursuant to this chapter and section 15.17.</p> <p>Consistent with that statute, <u>McDeid v. Minnesota Department of Human Services</u>, 2007 WL 4303102 (Minn. App. 2007) and Department of Administration Opinions 95-045, 95-048 and 95-049 while some data in the Office of the Washington County Attorney is subject to the data practices, other elements are not. This table reflects the fact that in addition to the listed statutory authority some data may be made not public due to standards of professional conduct including, but not limited to, attorney-client privilege and attorney work product.</p>						
Child Protection – Legal Actions	Child protection referrals and petitions; For children in need of protection or services, termination of parental rights, permanency and review of voluntary placements.	X		Confidential (while pending) Private	MINN. STAT. § 260C.171 MINN. STAT. § 626.556 (10, 11) MINN. STAT. § 13.393 MINN. STAT. § 13.39	Richard Hodsdon Asst. County Attorney 15015 62 nd Street North Stillwater, MN 55082
			X	Confidential (while pending) Private	MINN. STAT. § 13.39 MINN. STAT. § 13.46, SUBD 2 MINN. STAT. § 13.84 MINN. STAT. § 13.82 MINN. STAT. § 13.821 MINN. STAT. § 13.393 MINN. STAT. § 13.39 MINN. STAT. § 13.46 SUBD 2 MINN. STAT. § 626.556 (10, 11)	
Civil File – Miscellaneous	Legal opinions given to County officials, including letters, memos, reports, research and other correspondence.	X		Private	MINN. STAT. § 13.393	
		X		Confidential (while pending)		
			X	Non-Public		
			X	Protected Non-Public(while pending)+		
Commitment	Mentally ill and dangerous	X		Confidential (while pending)	MINN. STAT. § 13.46, SUBD 2	
	Sexual psychopathic personality	X		Private	MINN. STAT. § 13.393	

	Sexually dangerous person (Medical Records) Pre-petition screening	X		Public	MINN. STAT. § 13.39 Civil Commitment Rule 21 MINN. STAT. § 253B.0921 MINN. STAT. § 253B.07(1)(b)	
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		Yes	No			
Commitment	Chemically dependent person Mentally ill person Mentally disabled person (Medical records) Pre-petition screening	X		Confidential (while pending) Private	MINN. STAT. §13.393 MINN. STAT. §13.39 MINN. STAT. §13.46, SUBD 2 Civil Commitment Rule 12 MINN. STAT. § 253B.0921 MINN. STAT. § 253B.07(1)(b)	
Criminal Case Files Contract Information	Pleadings, law enforcement reports, complaints, memos, correspondence and transcripts, court service reports, victim statements, court services reports and reports issued by sexual predator programs.	X		Private	MINN. STAT. § 13.393	
		X	X	Non-Public	MINN. STAT. § 13.82	
				Confidential	MINN. STAT. § 13.87	
				Protected Non-Public	MINN. STAT. § 13.821	
			X		MINN. STAT. § 13.84	
					MINN. STAT. § 609.3471	
					MINN. STAT. § 626.556	
					MINN. STAT. § 626.557	
Criminal Research, attorney work product	Criminal Division opinion letters, memos and briefs.	X		Confidential Protected non-public	MINN. STAT. § 13.03	
		X			MINN. STAT. § 13.393	

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Juvenile File	Includes pleadings, law enforcement reports, citations, petitions, memos, correspondence, briefs, transcripts, Community Services reports, evaluations, test results, treatment records, therapists reports, medical records, written, audio-taped or video-taped information from Community Services, child protection intake or screening notes, Guardian ad Litem reports, victim statements, addresses and phone numbers, court services reports, and reports issued by sexual predator programs.	X X		Private Confidential (while pending)	MINN. STAT. § 260B.163, 260B.171, 260C.171 MINN. STAT. § 13.82 MINN. STAT. § 13.821 MINN. STAT. § 13.84 MINN. STAT. § 626.556	
Litigation Files	Civil investigation litigation involving County, including pleadings, briefs, research, correspondence, attorney work product.	X X	X X	Private Confidential Non-Public Protected Non-Public Private	MINN. STAT. § 13.393 MINN. STAT. § 13.39	
Firearms Permit Litigation	Civil investigation litigation regarding firearm permits issued by the Sheriff, including pleadings, briefs, research, and correspondence	X X		Confidential Non-public protected Non-public	MINN.STAT. § 624.714, SUBD. 12; 13.393 MINN. STAT. § 13.39	

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		Yes	No			
Opinion Files	Legal opinions prepared by County Attorneys Office, including correspondence and research Attorney/client legal opinions.	X X		Private Confidential (while pending) Non-Public	MINN. STAT. § 13.393 MINN. STAT. § 13.39	
Paternity and Child Support Action	Representing public authority for services of child support enforcement, medical support, parentage determination, including all pleadings, memos, correspondence and transcripts.	X	X X	Protected Non-Public(while pending) Private	MINN. STAT. § 13.393 MINN. STAT. § 13.46, SUBD 2 MINN. STAT. § 518.255	
Probate	Developmental disabled, adult protection, need of Conservatorship or guardianship, and restoration to capacity.	X X		Private	MINN. STAT. § 13.393 MINN. STAT. § 13.46, SUBD 2 MINN. STAT. § 626.557, SUBD 12b	
Research Files	Research on miscellaneous topics affecting the County for which no formal answer/opinion is needed, attorney work product.	X X X	X X	Public Private Confidential Non-Public Protected Non-Public	MINN. STAT. § 13.393 MINN. STAT. § 13.39	
Human Services Appeals – Services and Financial	Financial and social services appeals, including denial of MFIP, food stamp appeals, medical assistance appeals, child maltreatment determinations, vulnerable adult determinations, including all pleadings, memos, correspondence, transcripts and attorney work product.	X X X	X	Private Confidential Non-public protected non-public	MINN. STAT. § 13.393 MINN. STAT. § 13.46, SUBD 2 MINN. STAT. § 13.821 MINN. STAT. § 626.556 MINN. STAT. § 626.557	

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Human Services Appeals	Licensing, including day care license, etc., including all pleadings, memos, correspondence, transcripts and attorney work product.	X X		Private Confidential (while pending) Non-public protected non-public	MINN. STAT. § 13.393 MINN. STAT. § 13.41 MINN. STAT. § 13.46, SUBD 2	
Human Services Appeals Reimbursement Action	County seeks reimbursement for worker's comp, payment of medical assistance, Developmental Disability patients, probate; liens, including all pleadings, memos, correspondence, transcripts, and attorney work product.	X X X		Private Confidential (while pending)	MINN. STAT. § 13.46, SUBD 2 MINN. STAT. 13.393	
Personnel Data - General	Administer employment, including employee performance evaluations, personnel information and correspondence.	X		Private	MINN. STAT. § 13.43, SUBD 4	
Personnel Data – Discipline/Misconduct investigations.		X X		Confidential (while pending)	MINN. STAT. § 13.43	