

**MINNESOTA GOVERNMENT DATA PRACTICES ACT**  
**2016 INVENTORY OF NOT PUBLIC DATA ON INDIVIDUALS**

Brown County	Responsible Authority - Charles Hanson Brown County Attorney		Department/Division Attorney	
Name of Form, Record, File, System, or Process	Description <i>(Purpose, what it collects, in terms understandable by general public)</i>	Classification	Citation for Classification (Statute, Law, or Rule)	Designee (Name, Title)
<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, 95-049, and 12-017 while some data in the Office of the Brown County Attorney is subject to the Data Practices Act, 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> <p>Data is often classified as confidential data on individuals if criminal, civil, or administrative investigation or litigation is pending. Upon completion the data classification will then change to public or private unless it retains its confidential classification under other provisions of law similar to Minn. Stat. 13.82, subd. 7 related to confidential law enforcement data.</p>				
Adult case prosecution declined letters	Adult case prosecution declination letters	Confidential or Private, in part <i>(depending on content)</i>	M.S. 13.393 M.S. 13.82	Charles Hanson County Attorney
Checking account numbers	Copies of checks tendered to various payments to the County Attorney's Office and in case files	Private	M.S. 13.37	Charles Hanson County Attorney

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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	Confidential ( <i>while pending</i> )  Private	M.S. 260C.171 M.S. 626.556 (10, 11) M.S. 13.393 M.S. 13.39 M.S. 13.46, subd. 2 M.S. 13.84 M.S. 13.82 M.S. 13.821 M.S. 13.393 M.S. 13.46, subd. 2 M.S. 626.556 (10, 11)	Charles Hanson County Attorney
Civil commitments	Mentally ill and dangerous Sexual psychopathic personality Sexually dangerous person (Medical records) Pre-petition screening	Confidential ( <i>while pending</i> )  Private	M.S. 13.46, subd. 2 M.S. 13.393 M.S. 13.39 Civil Commitment Rule 21 M.S. 253B.0921 M.S. 253B.07 (1) (b)	Charles Hanson County Attorney
Civil commitments	Chemically dependent person Mentally ill person Mentally disabled person (Medical records) Pre-petition screening	Confidential ( <i>while pending</i> )  Private; confidential (depending on content)	M.S. 13.46, subd. 2 M.S. 13.393 M.S. 13.39 Civil Commitment Rule 12 M.S. 253B.0921 M.S. 253B.07 (1) (b)	Charles Hanson County Attorney

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Civil files - miscellaneous	Legal opinions and advice given to county officials, including letters, memos, reports, research, and all other correspondence	Confidential ( <i>while pending</i> )  Private; Confidential ( <i>depending on content</i> )	M.S. 13.393	Charles Hanson County Attorney
Civil litigation files	Civil investigation litigation involving county, including but not limited to pleadings, briefs, research, correspondence, attorney work product.	Private, in part (depending on content) Confidential ( <i>while pending</i> )	M.S. 13.393 M.S. 13.39	Charles Hanson County Attorney
Criminal case files	All data related to active and closed investigations, cases, appeals, and post-convictions, including but not limited to pleadings, law enforcement reports, complaints, memos, correspondence and transcripts, court service reports, victim statements, court services reports and reports issued by sexual predator programs	Private, in part (depending on content) Confidential ( <i>while pending</i> )	M.S. 13.393 M.S. 13.82 M.S. 13.87 M.S. 13.821 M.S. 13.84 M.S. 609.3471 M.S. 626.556 M.S. 626.557 M.S. 609A.03 (if ordered sealed by Court)	Charles Hanson County Attorney
Criminal and juvenile research, attorney work product	Criminal and Juvenile Divisions opinion letters, memos, and briefs	Confidential	M.S. 13.393	Charles Hanson County Attorney

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Expungement letter	Letter confirming receipt of expungement order	Private	M.S. 609A.03, subd. 8	Charles Hanson County Attorney
Firearms permit litigation and investigations	Civil investigation litigation regarding firearm permits issued, refused or revoked by the Sheriff, including, but not limited to, pleadings, briefs, research, and correspondence	Private Confidential ( <i>while pending</i> )	M.S. 624.714, subd. 12 M.S. 13.393 M.S. 13.39	Charles Hanson County Attorney
Human Services appeals - services and financial	Financial and social services appeals, including denial of benefits, child maltreatment determinations, vulnerable adult determinations, including but not limited to all pleadings, memos, correspondence, transcripts and attorney work product	Private Confidential ( <i>while pending</i> )	M.S. 13.393 M.S. 13.46, subd. 2 M.S. 13.821 M.S. 626.556 M.S. 626.557	Charles Hanson County Attorney
Human Services appeals	Licensing, including day care license, etc., including but not limited to all pleadings, memos, correspondence, transcripts and attorney work product	Confidential ( <i>while pending</i> )  Private (depending on content)	M.S. 13.393 M.S. 13.41 M.S. 13.46, subd. 2	Charles Hanson County Attorney
Human Services appeals reimbursement action	County seeks reimbursement for worker's compensation, payment of medical assistance, developmental disability patients, probate; liens, including but not limited to all pleadings, memos, correspondence, transcripts, and attorney work product	Confidential ( <i>while pending</i> )  Private (depending on content)	M.S. 13.46, subd. 2 M.S. 13.393	Charles Hanson County Attorney

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Juvenile files	All data related to active and closed investigations, cases, appeals, and post adjudication, including but not limited to pleadings, law enforcement reports, citations, petitions, memos, correspondence, briefs, transcripts, Community Services' reports, evaluations, test results, treatment records, therapist's 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	Confidential ( <i>while pending</i> )  Private (depending on content)	M.S. 260C.171 M.S. 13.393 M.S. 13.82 M.S. 13.821 M.S. 13.84 M.S. 260B.163 M.S. 260B.171 M.S. 626.556	Charles Hanson County Attorney
Opinion files	Legal opinions prepared by County Attorney's office, including correspondence in any form and research Attorney/client legal opinions (depending on content)	Confidential  Private	M.S. 13.393 M.S. 13.39	Charles Hanson County Attorney
Paternity and child support actions	Representing public authority for services of child support enforcement, medical support, parentage determination, including but not limited to all pleadings, memos, correspondence and investigative file transcripts	Private Confidential	M.S. 13.393 M.S. 13.46, subd. 2 M.S. 518.255	Charles Hanson County Attorney
Personnel data - general	Administer employment, including employee performance evaluations, personnel data, and correspondence; data on dependents	Private	M.S. 13.43, subd. 4	Charles Hanson County Attorney

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Personnel data - discipline/misconduct investigations	All data related to allegations of employee misconduct that does not result in disciplinary action	Confidential ( <i>while pending</i> )  Private	M.S. 13.43, subd. 4 M.S. 13.393	Charles Hanson County Attorney
Probate matters and files	Data related to developmental disabled, adult protection, need of conservatorship or guardianship, and restoration to capacity	Private (depending on content) Confidential ( <i>while pending</i> )	M.S. 13.393 M.S. 13.46, subd. 2 M.S. 626.557. subd. 12b	Charles Hanson County Attorney
Research files	Research on miscellaneous topics affecting the county for which no formal answer/opinion is needed, attorney work product	Private Confidential ( <i>depending on content</i> )	M.S. 13.393 M.S. 13.39	Charles Hanson County Attorney