

**STATE OF MINNESOTA
COUNTY OF BROWN**

**DISTRICT COURT
FIFTH JUDICIAL DISTRICT
JUVENILE DIVISION**
Court File No. 08-JV-22-17
County Attorney File No. 6222-22

IN THE MATTER OF THE CHILDREN OF:

Rasandra Lynn Spencer and Jacob Chirpich Sr.,

PROTECTIVE ORDER

Parent(s).

The above-entitled matter came before the undersigned, Judge of District Court, in chambers, at the Brown County Courthouse, New Ulm, Minnesota, on the 9th day of March, 2022. The County requests a Protective Order pursuant to Minn. R. Juv. Pro. Proc. 17.04 (c) and 17.06, subd. 2, to allow the release of the child's medical records and active law enforcement investigative data, pursuant to Minnesota Statute Section 260E.35, subd. 3(o), to counsel for the parents and the Guardian ad Litem. The records relate to the child's physical injuries and the investigation into their cause. It is appropriate to restrict access to these records to protect the child and the investigation.

Based upon the foregoing, the Court makes the following:

ORDER

1. Counsel for Brown County is hereby authorized to release the child's medical records and active law enforcement investigative data, including police reports, interviews with witnesses, photos, cell phone records, and polygraph reports, to the extent, and subject to the conditions, outlined herein.
2. Counsel for the County may share the child's medical records and active law enforcement investigative data with counsel for the parents and the guardian ad litem.
3. Counsel and the guardian shall be permitted to use the child's medical records and active law enforcement investigative data for the purpose of litigating this action, including any appeals of this case. This includes, but is not limited to: disclosure to other attorneys, experts, consultants, court personnel, court reporters, copy services,

trial consultants, and other persons or entities involved in the litigation process.

4. Before disclosing the child's medical records and active law enforcement investigative data to persons involved in this case, counsel shall inform each person that the aforementioned documents shall not be used or disclosed for any purpose other than litigation of the child protection matter. Counsel shall take all other reasonable steps to assure that persons receiving the child's medical records and active law enforcement investigative data do not use or disclose such information for any purpose other than the litigation of the child protection case.
5. Within 60 days after the conclusion of this case, including appeals, the parties, attorneys and any person or entity in possession of the child's medical records and active law enforcement investigative data received from counsel pursuant to this Order shall return the records to the Court or destroy any and all copies of the records and verify to the Court that all such copies have been returned or destroyed. Counsel are not required to secure the return or destruction of the child's medical records and active law enforcement investigative data that has/have been submitted to the Court by counsel.
6. No copies of the child's medical records or active law enforcement investigative data shall be made, except by specific Order of the Court.

BY THE COURT:

Dated: 03/10/2022

Hon. Robert A. Docherty
Judge of District Court

Orig to: Brown County Court Administrator
Copies to: Jill Jensen
Elizabeth Weinandt, Attorney for Father
Michael Mountain, Attorney for Mother
Heather Schwab, Guardian ad Litem