

STATE OF MINNESOTA  
Workers' Compensation Court of Appeals

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March 11, 2024  
Rep. Kelly Moller, Chair  
Public Safety Finance and Policy Committee

Re: HF 4326 – Judicial Protection Bill

To the Chair,

The Workers' Compensation Court of Appeals (WCCA) fully supports the amendment of the Minnesota Government Data Practices Act (MGDPA) to protect personal information of judicial officials. The Minnesota Supreme Court has proposed language to accomplish this through amendments to the MGDPA, Chapter 480, and a new provision, section 609.476. The WCCA recognizes the hazards arising from improper disclosure of individuals' personal information and the increasing occurrences of such disclosures. The WCCA recommends extending this important protection to the judges and staff of the three agencies that perform a judicial function as their core mission, the Office of Administrative Hearings, the Tax Court, and the WCCA (the agencies).

The following underlined language is being proposed for addition to the Minnesota Supreme Court's bill to accomplish this end without creating disruption in the existing statutory framework. Thus, the only explicit reference to the agencies is in the MGDPA, while Chapter 480 has only a cross-reference to the new judicial official provision in the MGDPA (section 13.991). In this way, the individuals performing a judicial function, and subject to the risks arising from those duties, are afforded the same protections.

**Section 1. [13.991] JUDICIAL OFFICIAL DATA; PERSONAL INFORMATION.**

- (a) Subject to paragraph (b), the personal information of all judicial officials collected, created, or maintained by a government entity is private data on individuals. For purposes of this section, the terms "personal information" and "judicial official" have the meanings given in section 480.40, subdivision 1. "Judicial official" also includes current and retired judges and current employees of the Office of Administrative Hearings, the Workers' Compensation Court of Appeals, and the Tax Court.

**Sec. 2. [480.40] PERSONAL INFORMATION; DISSEMINATION.**

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have the meanings given.

(b) "Judicial official" means:

\* \* \*

- (3) employees of the Minnesota judicial branch; and
- (4) persons identified in section 13.991(a).


**Sec. 3. [480.45] REMOVAL OF PERSONAL INFORMATION.**

Subdivision 1. **Internet dissemination.** If personal information about a judicial official is posted to the Internet by a person, business, association, or government entity, the judicial official may submit a sworn affidavit to the person, business, association, or government entity requesting that the personal information be removed. The affidavit shall:

- (1) state that the individual whose information was disseminated is a judicial official as defined in section 480.40 or section 13.991(a);

**Sec. 4. [609.476] PUBLISHING PERSONAL INFORMATION OF JUDICIAL OFFICIAL.**

Subdivision 1. **Definitions.** For the purposes of this section, the terms "personal information" and "judicial official" have the meanings given in section 480.40, subdivision 1, and section 13.991(a).



Patricia J. Milun, Chief Judge  
Workers' Compensation Court of Appeals