

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

STATE OF MINNESOTA,

Plaintiff,

Court File No. 27-CR-18-19274;

27-CR-20-423

v.

Ifrah Abdull Hassan,

**ORDER AUTHORIZING DISCLOSURE
OF RECORDS FOR CONTESTED
RULE 20.01**

Defendant.

Whereas, Minnesota Rules of Criminal Procedure Rule 20.01 provides a framework for determining competency in criminal cases, and subdivision 4 requires the court to appoint an examiner, but also allows the parties to employ qualified examiners, there are sometimes multiple examinations after a motion is made under Rule 20.01; and,

Whereas, DHS Forensic Evaluation Department provides court-ordered competency examinations in the Fourth Judicial District and often gathers records from various sources to complete the reports; and,

Whereas, it is time-consuming and expensive for a party to re-gather records for purposes of developing and supporting a second opinion; and,

Whereas, the attorneys need to review the underlying documents to prepare for examination of the doctor(s);

It is therefore ordered that:

1. DHS Forensic Evaluation Department shall release all documents they have received for competency examinations to the assigned attorneys and/or the attorneys' representatives since the above matters are scheduled for a contested competency hearing.
2. The records shall be shared by the attorneys only with the qualified examiner employed to conduct the second examination and only for purposes of the competency examination of the defendant in these cases.
3. The records shall be used by the recipients only in preparation for and during the contested competency hearing in these cases.
4. This order does not apply to raw test data or examiners' notes; it applies only to records received from outside sources.

Date: April 28, 2020**BY THE COURT:**


Lisa K. Janzen
Judge of District Court