

Page & Line Reference	Stat. Sec. Amended	Section Description
1.4 – 5.26	260.012	<p>DHS policy provision</p> <p>(a) Clarifies that a social services agency’s services and practice must be culturally appropriate when courts provide oversight of social services agencies’ reasonable efforts to prevent child placement, reunite families, and achieve timely permanency for a child.</p> <p>(d) Clarifies that when developing a safety plan as part of an agency’s reasonable efforts to prevent placement, the safety plan must be individualized to a child’s and family’s needs, and it can include support people from extended family, kin, and community.</p> <p>Requires agencies to demonstrate to the court that there were no services or efforts the agency could have made to prevent the child’s removal, if the agency is alleging this, before the court can make findings regarding reasonable efforts to prevent placement.</p> <p>(e) Adds agency efforts to engage relatives and to consider placement with relatives in a specified order to the definition of “reasonable efforts to finalize a permanent plan for the child.”</p> <p>(f) Clarifies that services must be individualized to a child’s and family’s needs, and requires social service agencies to select services for a child and the child’s family in collaboration with them.</p> <p>(g) Expands the social services agency’s burden of demonstrating their reasonable efforts as required in court hearings to include whether the agency: considered or established a safety plan to prevent foster care placement, made reasonable efforts to finalize a permanent plan for the child, and considered relatives for placement in the order specified in statute.</p> <p>(h) Modifies what the court must consider regarding services to a child and family, when determining whether an agency made reasonable efforts, to include whether services were individualized, selected in collaboration with the child and family, and relevant to the child’s well-being, in addition to other considerations.</p>
5.27 – 6.21	260C.001	<p>See SF 3984 (Mathews)</p>
6.22 – 6.27	260C.007, subd. 27	<p>DHS policy provision</p> <p>Amends the definition of “relative” in Chapter 260C to include important friends of the child’s parent or custodian and individuals with significant relationships to the child or child’s parent or custodian.</p>

Page & Line Reference	Stat. Sec. Amended	Section Description
6.28 – 7.6	260C.151, subd. 6	DHS policy provision Clarifies placement preference with relatives when there is a court order for immediate custody.
7.7 – 7.15	260C.152, subd. 5	DHS policy provision Clarifies relatives have a right, rather than opportunity, to be heard in any review or hearing to be held with respect to the child, regardless of whether they are currently providing care to the child, but that this does not require a relative to be made a party to the proceeding based solely on this right.
7.16 – 8.9	260C.175, subd 2	DHS policy provision Requires peace officers to also notify the child, if age 10 or older, when providing notice to a child’s parent or custodian of their ability to request that the child be placed with a relative rather than in shelter care. Requires peace officers to coordinate with local social services agencies when a relative is identified as a placement option and the child is being taken into custody due to their health or welfare being endangered. Deletes references to designated caregivers under chapter 257A, which was repealed in 2000.
8.10 – 8.23	260C.176, subd. 2	DHS policy provision Reorders placement settings so that a relative’s home comes before a shelter care facility.
8.24 – 12.8	260C.178, subd. 1	DHS policy provision Separates foster care placement from noncustodial parent’s care to more clearly distinguish the two possible outcomes following a court’s determination that a child cannot be returned to their custodial parent’s care. Reorders statutory language to place noncustodial parent’s care before foster care placement. Bars the court from finding that an agency made reasonable efforts to prevent placement based on an agency’s claim that no services or efforts could have been made that would allow a child to remain or return home, unless the court is satisfied that the agency has sufficiently met its burden to demonstrate their claim.
12.9 – 12.18	260C.181, subd. 2	DHS policy provision Clarifies that shelter care facilities may only be used if there is no placement available with a relative.

Page & Line Reference	Stat. Sec. Amended	Section Description
12.19 – 14.9	260C.193, subd. 3	<p>DHS policy provision</p> <p>Expands the best interests policy statement to include considering placement with relatives in a specified order.</p> <p>Expands what the court must review and enter findings on regarding an agency’s efforts around relative search and placement, to include exercising due diligence to notify and engage relatives and to make a placement according to section 260C.212, subd. 2.</p> <p>Clarifies that a court shall order the agency to make reasonable efforts if the court finds the agency has not exercised due diligence.</p> <p>Clarifies that an agency must continue notifying relatives who come to the agency’s attention and engaging relatives who respond to the relative search notice, even after a court has found that the agency has made reasonable efforts to identify and notify relatives.</p> <p>Clarifies that a court cannot waive relative search, notice, and consideration requirements in its entirety (outside of Safe Place for Newborns cases), though if a parent requests that a <i>specific</i> relative not be considered for placement, the court can honor that request when in the best interests of the child and consistent with section 260C.221.</p> <p>Requires siblings to be placed together whenever possible while in foster care, rather than expressing a preference for joint sibling placement, and clarifies that siblings may be separated if joint sibling placement is not in the best interests of <i>one or more</i> of the siblings, rather than <i>all</i> of the siblings. Requires agencies to consider the Foster Care Sibling Bill of Rights in making this determination.</p>
14.10 – 18.6	260C.201, subd. 1	<p>DHS policy provision</p> <p>Clarifies that when making an individualized determination of how a child’s best interests are met in a foster care placement, the responsible social services agency must consider the placement consideration order for relatives as outlined in section 260C.212, subd. 2, in addition to the best interest factors.</p>
18.7 – 20.14	260C.201, subd. 2	<p>DHS policy provision</p> <p>Expands what the court reviews when determining the appropriateness of a child’s placement, to include relative and sibling placement considerations in addition to best interest factors.</p> <p>Adds new requirement that a court order describing reasonable efforts to finalize the permanent plan for the child must include a description of the agency’s efforts to identify and locate a noncustodial or nonresident parent of the child and assess the noncustodial or nonresident parent’s ability to provide care of the child.</p>

Page & Line Reference	Stat. Sec. Amended	Section Description
		Emphasizes that foster care placements are made in consideration of the order specified in section 260C.212, subd. 2 (a), and requires courts to order agencies to consider relatives in the specified order if the court finds an agency did not appropriately consider relatives. Allows courts to order agencies to continue considering relatives regardless of the child’s current placement setting.
20.15 – 21.14	260C.202	<p>DHS policy provision</p> <p>Clarifies that the court must review agency efforts to <i>search for and notify relatives</i> in particular, no later than 3 months after the child is placed in foster care. Allows courts to consider not just whether an agency performed duties under section 260C.221, but also whether such duties were performed adequately. Requires the court to order the agency to continue considering relatives for foster care placement, consistent with section 260C.221.</p> <p>Clarifies that even if a court finds an agency made reasonable efforts under section 260C.221, the court may order the agency to continue making such efforts.</p>
21.15 – 23.17	260C.203	<p>DHS policy provision</p> <p>Clarifies that it is the responsible social services agency that monitors and updates out-of-home placement plans at administrative reviews.</p> <p>Clarifies that reviewing the necessity and appropriateness of a child’s placement includes whether placement is consistent with the child’s best interests, and relative and sibling placement considerations under section 260C.212, subd. 2.</p> <p>Clarifies that when reviewing compliance with the out-of-home placement plan, the review must consider services and resources provided by the agency and others, and whether the out-of-home placement plan is individualized to the needs of the child and parents.</p>
23.18 – 25.27	260C.204	<p>DHS policy provision</p> <p>Clarifies the court determination being based on the parent or guardian making progress on or engaging in services outlined in the out-of-home placement plan in addition to complying with it.</p> <p>Clarifies that efforts to consider, identify, recruit, and support one or more permanency resources from the child's relatives and foster parents to be the legally permanent home for the child must be consistent with the specified placement consideration order and a child’s individualized needs.</p>

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25.28 – 31.6	260C.212, subd. 1	<p>DHS policy provision</p> <p>Clarifies that the out-of-home placement plan must be individualized to the needs of the child and the child’s parents.</p> <p>Clarifies that it is the duty of the responsible social services agency to explain the out-of-home placement plan to all persons involved in its implementation.</p> <p>Adds statutory reference to section 260C.605 when describing reasonable efforts to finalize a child’s adoption. Clarifies that relative search and adoption exchanges are child-specific recruitment efforts, and adds consideration of relatives for adoptive placement as an additional child-specific recruitment effort.</p> <p>Adds numbering to final two paragraphs to clarify that they are separate paragraphs within subd. 1, rather than connected to paragraph (d).</p>
31.7 – 33.5	260C.212, subd. 2	<p>DHS policy provision</p> <p>Clarifies that an individualized determination of a child’s needs requires consideration of each paragraph within this section, and that the selected placement is based on being able to serve the <i>current and future</i> needs of the child.</p> <p>Amends the placement consideration order regarding important friends to be consistent with the amended definition of relative.</p> <p>Clarifies that the best interest factors relate to the child’s <i>current and future</i> needs, and revises how the agency considers a child’s relationships to specific individuals to include consideration of current and long-term needs regarding relationships. Bars agencies from using one factor to the exclusion of all others, and requires agencies to consider that each factor may be interrelated.</p>
33.6 – 39.34	260C.221	<p>DHS policy provision</p> <p>Reorganizes existing content into subdivisions and adds new content to relative search section.</p> <p><u>Relative search (subd. 1):</u> Clarifies that relative search also includes identifying and notifying the <i>current caregivers of a child’s sibling</i>, and that placement in a relative’s home does not absolve the agency of initial relative search requirements. Requires agencies to continue searching for, identifying, and notifying relatives unless relieved by the court under subd. 5 (e).</p> <p><u>Relative notice (subd. 2):</u> Clarifies that notice may be oral or written. Requires agencies to document when they provide notice to each relative.</p>

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		<p>Adds the order of placement consideration to the notice requirements so relatives understand the agency’s responsibility to consider relatives in a specific order.</p> <p>Clarifies that a relative who forfeited the right to receive notice by failing to provide a current address to the agency and court may begin receiving notice once they provide a current address.</p> <p>Clarifies that a relative’s decision to not be considered for permanency or participate in planning for a child, regardless of when such a decision is made, will not affect their ability to be considered for placement or as a permanency resource for the child at any time, nor will it be the sole basis for the court to rule out the relative as the child’s placement or permanency resource.</p> <p>Adds adoption home study requirements to the information that must be included in the notice.</p> <p>Deletes “opportunity” to be consistent with modified language in section 260C.152, subd. 5.</p> <p>Requires the notice to explain that regardless of a relative’s response to the notice, the agency is required to establish permanency for the child, and that if a relative responds to the notice, they may receive information about participating in a child’s family and permanency team, should the child be placed in a QRTP.</p> <p>Clarifies that the responsible social services agency shall send notices to relatives who become known to the agency, including after a finding by the court that reasonable search efforts have been made, subject to safety considerations under subd. 5 (b), except for relatives who become known to the agency following full execution of an Adoption Placement Agreement, who are to instead be informed of section 260C.607, subd. 6.</p> <p><u>Relative engagement (subd. 3):</u> Bars limiting a relative’s participation in care and planning for a child based solely on their previous inconsistent or nonexistent participation.</p> <p>Provides additional examples of what participation in care and planning for a child means.</p> <p>Clarifies that a relative of the child or a party to the proceeding may request that the court review the agency’s reasonable efforts to contact and engage relatives, and allows the court to order the agency to make reasonable efforts to contact and engage the relatives if the court finds the agency did not make reasonable efforts as required.</p>

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		<p><u>Placement (subd. 4):</u> Clarifies when agencies must consider placing children with relatives, and that such consideration must be in the specified order in section 260C.212, subd. 2 (a) and be based on a child’s best interests.</p> <p>Requires the agency to document how they considered relatives in the child’s case record.</p> <p>Clarifies that any relative who requests to be a placement option has the right to be considered, subject to safety considerations under subd. 5 (b).</p> <p>Clarifies that when adoption is a child’s permanency goal, the agency must also consider adoptive placement with relatives according to the specified order in section 260C.212, subd. 2 (a).</p> <p><u>Data disclosure and court review (subd. 5):</u> Requires agencies to use other resources to identify relatives if a parent refuses to provide information.</p> <p>Bars courts from waiving or relieving agencies of reasonable efforts to fulfill relative search, notification, engagement, and consideration requirements, except in Safe Place for Newborns cases.</p> <p>Modifies the agency’s requirement to inform the court about its decision regarding relative placement by requiring the agency to explain why it decided against relative placement and how the agency has engaged relatives as required.</p> <p>Clarifies that a reasonable efforts finding under this section does not relieve the agency of ongoing relative engagement and consideration requirements, and that agencies have an ongoing duty to continue these efforts. Bars the court from using a reasonable efforts finding to rule out any of the child’s relatives from consideration as a foster care or permanent placement resource.</p> <p>Removes the agency’s ability to:</p> <ul style="list-style-type: none"> • ask the court to relieve or modify the agency’s duty to send the permanency notice to relatives when the agency determines reunification is no longer an option. • forego sending the required permanency notice to relatives when the child is placed with a relative or foster parent who has committed to permanency for the child, and the agency has approved the placement. <p>Clarifies that the permanency notice must be sent to relatives <i>who responded to the notice at any time</i>, and that failure to respond to the permanency notice is not a basis for ruling out the relative as a permanency resource should the relative request to be considered for permanent placement later.</p>

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40.1 – 40.21	260C.513	See SF 3984 (Mathews)
40.22 – 42.27	260C.605, subd. 1	<p>DHS policy provision</p> <p>Requires agencies to consider a child’s preference for an adoptive family when making reasonable efforts to finalize the child’s adoption.</p> <p>Removes the requirement that relatives must have previously indicated an interest in adopting the child to receive notice of the child’s need for an adoptive home, or have been identified as an adoptive resource for the agency to engage them to be the child’s adoptive parent.</p> <p>Clarifies that agencies must follow a specific order when considering relatives for a child’s adoptive placement.</p>
42.28 – 43.10	260C.607, subd. 2	<p>DHS policy provision</p> <p>Removes the requirement that relatives can only receive notice of a child’s post-permanency review hearings if they had indicated willingness to provide an adoptive home for the child. Removes an exception to notice requirements for relatives who were previously ruled out by the court as a suitable foster parent.</p>
43.11 – 43.27	260C.607, subd. 5	<p>DHS policy provision</p> <p>Clarifies that an adoption petition for a child under guardianship of the commissioner cannot be filed unless the child has been legally placed for adoption according to statutory requirements (which require the child’s responsible social services agency, the adopting parent/s, and the commissioner to fully execute an adoptive placement agreement).</p>
43.27 – 46.9	260C.607, subd. 6	<p>DHS policy provision</p> <p>Allows relatives and a child’s foster parents to file a motion for adoptive placement if they do not have an adoption home study, provided they file an affidavit attesting to adoption home study efforts that is signed by the relative or foster parent and the agency with whom they are working. Currently, statute requires them to have already obtained an adoption home study.</p> <p>For hearings involving a contested adoptive placement:</p> <ul style="list-style-type: none"> • Requires the court to consider the agency’s efforts to support a child’s relationship with the moving party when the agency presents evidence regarding the child’s relationship with the identified adoptive placement resource. • Requires the court to review and enter findings regarding whether the agency made an adoptive placement decision consistent with relative placement and consideration and assessment requirements outlined in section 260C.212, subd. 2.

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		<ul style="list-style-type: none"> Specifies procedures, timeframes, and requirements for granting the moving party’s motion for adoptive placement, including regular court reviews to check on progress in obtaining an approved adoption home study and when the court may dismiss the order if it is determined the moving party cannot obtain an approved adoption home study within 180 days. <p>Requires agencies to assist the moving party with the adoption home study process as part of making reasonable efforts to obtain a fully executed Adoption Placement Agreement, if the court orders the agency to make an adoptive placement under this section.</p>
46.10 – 46.27	260C.613, subd. 1	<p><i>DHS policy provision</i></p> <p>Requires agencies to consider a child’s future needs, not just current needs, when making an adoptive placement decision. Clarifies that agencies must consider adoptive placement with relatives according to a specified order in statute.</p>
46.28 – 47.7	260C.613, subd. 5	<p><i>DHS policy provision</i></p> <p>Requires agencies to include the agency’s consideration of relatives in the statute-specified order as part of the agency’s reasons for a child’s adoptive placement decision, in the child’s permanent adoption records the agency is required by law to maintain.</p>