



## INDIAN AFFAIRS COUNCIL

## RESOLUTION 02202024\_01

### **Amendments to Minnesota Laws Affecting Custody of Indian Children**

**WHEREAS**, the Minnesota Indian Affairs Council Membership consists of representatives of the federally-recognized Indian Tribes located within the State of Minnesota, members of the legislature, commissioners from the state departments, and

**WHEREAS**, the Minnesota Indian Affairs Council is a liaison between the state and local units of government in the delivery of services to American Indians in the State of Minnesota, and

**WHEREAS**, Indian children are important to the welfare of their extended families, their communities, their tribes, and the State of Minnesota, and

**WHEREAS**, the federal Indian Child Welfare Act of 1978 was enacted to address severely disproportionate rates of out of home placement and adoption of American Indian and Alaskan Native children and youth by setting minimal standards petitioners must meet, and

**WHEREAS**, the State of Minnesota enacted the Minnesota Indian Family Preservation Act (MIFPA) in 1985, with amendments in 2015 and 2023, to strengthen and enhance the protections of the ICWA for Indian children and their families in state court proceedings, and

**WHEREAS**, compliance with both ICWA and MIFPA has been deficient resulting in continuation of severely disproportionate rates of out of home placement and adoption of Indian children and youth, and

**WHEREAS**, a work group comprised of representatives from the Tribes in Minnesota, the Minnesota County Attorney's Association, Minnesota Association of County Social Service Administrators, Association of Minnesota Counties, organizations that provide services and support to Indian families, and others met to continue to identify areas for improvement and create legislation to further protect Indian children and families, and


**WHEREAS**, the work group has proposed changes to the Minnesota Indian Family Preservation Act (Minn. Stat 260.), Minnesota Juvenile Protection Provisions of the Juvenile Court Act (Minn. Stat. 260C), and other areas of Minnesota law including chapters 257C, 259, 260D, 260E, and 524-201 to 524.5-211, and

**WHEREAS**, the Minnesota Indian Affairs Council Membership has reviewed and supports the proposed legislative changes,

**THEREFORE, BE IT RESOLVED**, that the Minnesota Indian Affairs Council does support legislation amending and improving the Minnesota Indian Family Preservation Act (Minn. Stat 260.), Minnesota Juvenile Protection Provisions of the Juvenile Court Act (Minn. Stat. 260C), and other areas of Minnesota law as authored by Senator Mary Kunesh and Representative Alicia Kozlowski.

**CERTIFICATION:** We do hereby certify that the foregoing resolution was duly presented and acted upon by a vote of 6 For, 0 Against, 1 Silent at Regular Meeting of the Minnesota Indian Affairs Council, a quorum present, held on February 20, 2024, at Tower, Minnesota.

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Robert. L Larsen, Chairman  
Minnesota Indian Affairs Council

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Robert Deschampe, Vice Chairman  
Minnesota Indian Affairs Council