

SENATE
STATE OF MINNESOTA
NINETY-FOURTH SESSION

S.F. No. 2778

(SENATE AUTHORS: KUPEC)

DATE
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OFFICIAL STATUS

Introduction and first reading
Referred to Health and Human Services

1.1

A bill for an act

1.2 relating to the Department of Children, Youth, and Families; policy language for
1.3 the Department of Children, Youth, and Families; updating the TEACH early
1.4 childhood program, the great start compensation support payment program, child
1.5 welfare policies, and out-of-home placement plans; modifying provisions to prevent
1.6 foster care placements; exempting the commissioner from electronic benefits
1.7 transfer contract term limits; amending Minnesota Statutes 2024, sections 142A.03,
1.8 by adding a subdivision; 142D.21, by adding a subdivision; 260.65; 260.66,
1.9 subdivision 1; 260.691, subdivision 1; 260.692; 260C.001, subdivision 2; 260C.007,
1.10 subdivision 19; 260C.141, subdivision 1; 260C.150, subdivision 3; 260C.178,
1.11 subdivisions 1, 7; 260C.201, subdivisions 1, 2; 260C.202, subdivision 2, by adding
1.12 subdivisions; 260C.204; 260C.212, subdivisions 1, 1a; 260C.223, subdivisions 1,
1.13 2; 260C.329, subdivisions 3, 8; 260C.451, subdivision 9; 260C.452, subdivision
1.14 4; 260E.09; 260E.20, subdivisions 1, 3; 260E.24, subdivisions 1, 2; proposing
1.15 coding for new law in Minnesota Statutes, chapter 260E.

1.16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

ECONOMIC ASSISTANCE

1.19 Section 1. Minnesota Statutes 2024, section 142A.03, is amended by adding a subdivision
1.20 to read:

1.21 Subd. 35. Electronic benefits transfer; contracting and procurement. Notwithstanding
1.22 chapter 16C, the commissioner is exempt from the contract term limits for the issuance of
1.23 public benefits through an electronic benefit transfer system and related services. These
1.24 contracts may have up to an initial five-year term, with extensions not to exceed a ten-year
1.25 total contract duration.

ARTICLE 2**CHILD CARE PROVIDER PROGRAMS**

Section 1. Minnesota Statutes 2024, section 142D.21, is amended by adding a subdivision to read:

Subd. 11. **Data.** (a) For the purposes of this subdivision, the following terms have the meanings given in this paragraph.

(1) "Great start compensation program support payment data" means data for a specified time period showing that a great start compensation payment under this section was made and the amount of great start compensation payments made to a child care and early learning program.

(2) "Data on children and families" means data about the enrollment and attendance as described in subdivision 3, paragraph (a), clause (2).

(b) Great start compensation program support payment data are public except that:

(1) any data on children and families collected by the great start compensation support payment program that may identify a specific family or child or, as determined by the commissioner, are private data on individuals as defined in section 13.02, subdivision 12;

(2) great start compensation payment data about operating expenses and personnel expenses are private or nonpublic data; and

(3) great start compensation payment data about legal nonlicensed child care providers as described in subdivision 8 are private or nonpublic data.

ARTICLE 3**CHILD WELFARE**

Section 1. Minnesota Statutes 2024, section 260.65, is amended to read:

260.65 NONCUSTODIAL PARENTS; RELATIVE PLACEMENT.

(a) Prior to the removal of an African American or a disproportionately represented child from the child's home, the responsible social services agency must make active efforts to identify and locate the child's noncustodial or nonadjudicated parent and the child's relatives to notify the child's parent and relatives that the child is or will be placed in foster care; and provide the child's parent and relatives with a list of legal resources. The notice to the child's noncustodial or nonadjudicated parent and relatives must also include the information required under section 260C.221, subdivision 2, paragraph (b). The responsible social

3.1 services agency must maintain detailed records of the agency's efforts to notify parents and
3.2 relatives under this section.

3.3 (b) Notwithstanding the provisions of section 260C.219, the responsible social services
3.4 agency must assess an African American or a disproportionately represented child's
3.5 noncustodial or nonadjudicated parent's ability to care for the child before placing the child
3.6 in foster care. If a child's noncustodial or nonadjudicated parent is willing and able to provide
3.7 daily care for the African American or disproportionately represented child temporarily or
3.8 permanently, the court shall order ~~that the child be placed in~~ into the home of the noncustodial
3.9 or nonadjudicated parent pursuant to section 260C.178 or 260C.201, subdivision 1. The
3.10 responsible social services agency must make active efforts to assist a noncustodial or
3.11 nonadjudicated parent with remedying any issues that may prevent the child from being
3.12 ~~placed with the~~ ordered into the home of a noncustodial or nonadjudicated parent.

3.13 (c) The relative search, notice, engagement, and placement consideration requirements
3.14 under section 260C.221 apply under this act.

3.15 Sec. 2. Minnesota Statutes 2024, section 260.66, subdivision 1, is amended to read:

3.16 Subdivision 1. **Emergency removal or placement permitted.** Nothing in this section
3.17 shall be construed to prevent the emergency removal of an African American or a
3.18 disproportionately represented ~~child's parent or custodian~~ child or the emergency placement
3.19 of the child in a foster setting in order to prevent imminent physical damage or harm to the
3.20 child.

3.21 Sec. 3. Minnesota Statutes 2024, section 260.691, subdivision 1, is amended to read:

3.22 Subdivision 1. **Establishment and duties.** (a) The African American Child and Family
3.23 Well-Being Advisory Council is established for the Department of Children, Youth, and
3.24 Families.

3.25 (b) The council shall consist of 31 members appointed by the commissioner and must
3.26 include representatives with lived personal or professional experience within African
3.27 American communities. Members may include but are not limited to youth who have exited
3.28 the child welfare system; parents; legal custodians; relative and kinship caregivers or foster
3.29 care providers; community service providers, advocates, and members; county and private
3.30 social services agency case managers; representatives from faith-based institutions; academic
3.31 professionals; a representative from the Council for Minnesotans of African Heritage; the
3.32 Ombudsperson for African American Families; and other individuals with experience and
3.33 knowledge of African American communities. Council members must be selected through

4.1 an open appointments process under section 15.0597. The terms, compensation, and removal
4.2 of council members are governed by section 15.059.

4.3 (c) The ~~African American Child Well-Being Advisory~~ council must:

4.4 (1) review annual reports related to African American children involved in the child
4.5 welfare system. These reports may include but are not limited to the maltreatment,
4.6 out-of-home placement, and permanency of African American children;

4.7 (2) assist with and make recommendations to the commissioner for developing strategies
4.8 to reduce maltreatment determinations, prevent unnecessary out-of-home placement, promote
4.9 culturally appropriate foster care and shelter or facility placement decisions and settings for
4.10 African American children in need of out-of-home placement, ensure timely achievement
4.11 of permanency, and improve child welfare outcomes for African American children and
4.12 their families;

4.13 (3) review summary reports on targeted case reviews prepared by the commissioner to
4.14 ensure that responsible social services agencies meet the needs of African American children
4.15 and their families. Based on data collected from those reviews, the council shall assist the
4.16 commissioner with developing strategies needed to improve any identified child welfare
4.17 outcomes, including but not limited to maltreatment, out-of-home placement, and permanency
4.18 for African American children;

4.19 (4) ~~assist the Cultural and Ethnic Communities Leadership Council with making~~ make
4.20 recommendations to the commissioner and the legislature for public policy and statutory
4.21 changes that specifically consider the needs of African American children and their families
4.22 involved in the child welfare system;

4.23 (5) advise the commissioner on stakeholder engagement strategies and actions that the
4.24 commissioner and responsible social services agencies may take to improve child welfare
4.25 outcomes for African American children and their families;

4.26 (6) assist the commissioner with developing strategies for public messaging and
4.27 communication related to racial disproportionality and disparities in child welfare outcomes
4.28 for African American children and their families;

4.29 (7) assist the commissioner with identifying and developing internal and external
4.30 partnerships to support adequate access to services and resources for African American
4.31 children and their families, including but not limited to housing assistance, employment
4.32 assistance, food and nutrition support, health care, child care assistance, and educational
4.33 support and training; and

5.1 (8) assist the commissioner with developing strategies to promote the development of
5.2 a culturally diverse and representative child welfare workforce in Minnesota that includes
5.3 professionals who are reflective of the community served and who have been directly
5.4 impacted by lived experiences within the child welfare system. The council must also assist
5.5 the commissioner with exploring strategies and partnerships to address education and training
5.6 needs, hiring, recruitment, retention, and professional advancement practices.

5.7 Sec. 4. Minnesota Statutes 2024, section 260.692, is amended to read:

5.8 **260.692 AFRICAN AMERICAN CHILD AND FAMILY WELL-BEING UNIT.**

5.9 Subdivision 1. **Duties.** The African American Child and Family Well-Being Unit,
5.10 currently established by the commissioner, must:

5.11 (1) assist with the development of African American cultural competency training and
5.12 review child welfare curriculum in the Minnesota Child Welfare Training Academy to
5.13 ensure that responsible social services agency staff and other child welfare professionals
5.14 are appropriately prepared to engage with African American children and their families and
5.15 to support family preservation and reunification;

5.16 (2) provide technical assistance, including on-site technical assistance, and case
5.17 consultation to responsible social services agencies to assist agencies with implementing
5.18 and complying with the Minnesota African American Family Preservation and Child Welfare
5.19 Disproportionality Act;

5.20 (3) monitor individual county and statewide disaggregated and nondisaggregated data
5.21 to identify trends and patterns in child welfare outcomes, including but not limited to
5.22 reporting, maltreatment, out-of-home placement, and permanency of African American
5.23 children and develop strategies to address disproportionality and disparities in the child
5.24 welfare system;

5.25 (4) develop and implement a system for conducting case reviews when the commissioner
5.26 receives reports of noncompliance with the Minnesota African American Family Preservation
5.27 and Child Welfare Disproportionality Act or when requested by the parent or custodian of
5.28 an African American child. Case reviews may include but are not limited to a review of
5.29 placement prevention efforts, safety planning, case planning and service provision by the
5.30 responsible social services agency, relative placement consideration, and permanency
5.31 planning;

6.1 (5) establish and administer a request for proposals process for African American and
6.2 disproportionately represented family preservation grants under section 260.693, monitor
6.3 grant activities, and provide technical assistance to grantees;

6.4 (6) in coordination with the African American Child and Family Well-Being Advisory
6.5 Council, coordinate services and create internal and external partnerships to support adequate
6.6 access to services and resources for African American children and their families, including
6.7 but not limited to housing assistance, employment assistance, food and nutrition support,
6.8 health care, child care assistance, and educational support and training; and

6.9 (7) develop public messaging and communication to inform the public about racial
6.10 disparities in child welfare outcomes, current efforts and strategies to reduce racial disparities,
6.11 and resources available to African American children and their families involved in the
6.12 child welfare system.

6.13 Subd. 2. **Case reviews.** (a) The African American Child and Family Well-Being Unit
6.14 must conduct systemic case reviews to monitor targeted child welfare outcomes, including
6.15 but not limited to maltreatment, out-of-home placement, and permanency of African
6.16 American children.

6.17 (b) The reviews under this subdivision must be conducted using a random sampling of
6.18 representative child welfare cases stratified for certain case related factors, including but
6.19 not limited to case type, maltreatment type, if the case involves out-of-home placement,
6.20 and other demographic variables. In conducting the reviews, unit staff may use court records
6.21 and documents, information from the social services information system, and other available
6.22 case file information to complete the case reviews.

6.23 (c) The frequency of the reviews and the number of cases, child welfare outcomes, and
6.24 selected counties reviewed shall be determined by the unit in consultation with the African
6.25 American Child and Family Well-Being Advisory Council, with consideration given to the
6.26 availability of unit resources needed to conduct the reviews.

6.27 (d) The unit must monitor all case reviews and use the collective case review information
6.28 and data to generate summary case review reports, ensure compliance with the Minnesota
6.29 African American Family Preservation and Child Welfare Disproportionality Act, and
6.30 identify trends or patterns in child welfare outcomes for African American children.

6.31 (e) The unit must review information from members of the public received through the
6.32 compliance and feedback portal, including policy and practice concerns related to individual
6.33 child welfare cases. After assessing a case concern, the unit may determine if further
6.34 necessary action should be taken, which may include coordinating case remediation with

7.1 other relevant child welfare agencies in accordance with data privacy laws, including the
7.2 African American Child and Family Well-Being Advisory Council, and offering case
7.3 consultation and technical assistance to the responsible local social services agency as
7.4 needed or requested by the agency.

7.5 **Subd. 3. Reports.** (a) The African American Child and Family Well-Being Unit must
7.6 provide regular updates on unit activities, including summary reports of case reviews, to
7.7 the African American Child and Family Well-Being Advisory Council, and must publish
7.8 an annual census of African American children in out-of-home placements statewide. The
7.9 annual census must include data on the types of placements, age and sex of the children,
7.10 how long the children have been in out-of-home placements, and other relevant demographic
7.11 information.

7.12 (b) The African American Child and Family Well-Being Unit shall gather summary data
7.13 about the practice and policy inquiries and individual case concerns received through the
7.14 compliance and feedback portal under subdivision 2, paragraph (e). The unit shall provide
7.15 regular reports of the nonidentifying compliance and feedback portal summary data to the
7.16 African American Child and Family Well-Being Advisory Council to identify child welfare
7.17 trends and patterns to assist with developing policy and practice recommendations to support
7.18 eliminating disparity and disproportionality for African American children.

7.19 Sec. 5. Minnesota Statutes 2024, section 260C.001, subdivision 2, is amended to read:

7.20 **Subd. 2. Juvenile protection proceedings.** (a) The paramount consideration in all
7.21 juvenile protection proceedings is the health, safety, and best interests of the child. In
7.22 proceedings involving an American Indian child, as defined in section 260.755, subdivision
7.23 8, the best interests of the child must be determined consistent with sections 260.751 to
7.24 260.835 and the Indian Child Welfare Act, United States Code, title 25, sections 1901 to
7.25 1923.

7.26 (b) The purpose of the laws relating to juvenile protection proceedings is:

7.27 (1) to secure for each child under the jurisdiction of the court, the care and guidance,
7.28 preferably in the child's own home, as will best serve the spiritual, emotional, mental, and
7.29 physical welfare of the child;

7.30 (2) to provide judicial procedures that protect the welfare of the child;

7.31 (3) to preserve and strengthen the child's family ties whenever possible and in the child's
7.32 best interests, removing the child from the custody of parents only when the child's welfare
7.33 or safety cannot be adequately safeguarded without removal;

8.1 (4) to ensure that when removal from the child's own family is necessary and in the
8.2 child's best interests, the responsible social services agency has legal responsibility for the
8.3 child removal either:

8.4 (i) pursuant to a voluntary placement agreement between the child's parent or guardian
8.5 or the child, when the child is over age 18, and the responsible social services agency; or

8.6 (ii) by court order pursuant to section 260C.151, subdivision 6; 260C.178; 260C.201;
8.7 260C.325; or 260C.515;

8.8 (5) to ensure that, when placement is pursuant to court order, the court order removing
8.9 the child or continuing the child in foster care contains an individualized determination that
8.10 placement is in the best interests of the child that coincides with the actual removal of the
8.11 child;

8.12 (6) to ensure that when the child is removed, the child's care and discipline is, as nearly
8.13 as possible, equivalent to that which should have been given by the parents and is either in:

8.14 (i) the home of a noncustodial parent pursuant to section 260C.178 or 260C.201,
8.15 subdivision 1, paragraph (a), clause (1);

8.16 (ii) the home of a relative pursuant to emergency placement by the responsible social
8.17 services agency under chapter 245A; or

8.18 (iii) foster care licensed under chapter 245A; and

8.19 (7) to ensure appropriate permanency planning for children in foster care including:

8.20 (i) unless reunification is not required under section 260.012, developing a permanency
8.21 plan for the child that includes a primary plan for reunification with the child's parent or
8.22 guardian and a secondary plan for an alternative, legally permanent home for the child in
8.23 the event reunification cannot be achieved in a timely manner;

8.24 (ii) identifying, locating, and assessing both parents of the child as soon as possible and
8.25 offering reunification services to both parents of the child as required under sections 260.012
8.26 and 260C.219;

8.27 (iii) inquiring about the child's heritage, including the child's Tribal lineage pursuant to
8.28 section 260.761, and their race, culture, and ethnicity pursuant to section 260.63, subdivision
8.29 10;

8.30 (iii) (iv) identifying, locating, and notifying relatives of both parents of the child according
8.31 to section 260C.221;

9.1 ~~(iv)~~(v) making a placement with a family that will commit to being the legally permanent
9.2 home for the child in the event reunification cannot occur at the earliest possible time while
9.3 at the same time actively supporting the reunification plan; and

9.4 ~~(v)~~(vi) returning the child home with supports and services, as soon as return is safe for
9.5 the child, or when safe return cannot be timely achieved, moving to finalize another legally
9.6 permanent home for the child.

9.7 Sec. 6. Minnesota Statutes 2024, section 260C.007, subdivision 19, is amended to read:

9.8 **Subd. 19. Habitual truant.** "Habitual truant" means a child ~~under the age of 17 who is~~
9.9 at least 12 years old and less than 18 years old who is absent from attendance at school
9.10 without lawful excuse ~~for seven school days per school year if the child is in elementary~~
9.11 ~~school~~ or for one or more class periods on seven school days per school year if the child is
9.12 in middle school, junior high school, or high school or a child who is 17 years of age who
9.13 is absent from attendance at school without lawful excuse for one or more class periods on
9.14 seven school days per school year and who has not lawfully withdrawn from school under
9.15 section 120A.22, subdivision 8. Pursuant to section 260C.163, subdivision 11, habitual
9.16 truant also means a child under age 12 who has been absent from school for seven school
9.17 days without lawful excuse, based on a showing by clear and convincing evidence that the
9.18 child's absence is not due to the failure of the child's parent, guardian, or custodian to comply
9.19 with compulsory instruction laws.

9.20 Sec. 7. Minnesota Statutes 2024, section 260C.141, subdivision 1, is amended to read:

9.21 **Subdivision 1. Who may file; required form.** (a) Any reputable person, including but
9.22 not limited to any agent of the commissioner of children, youth, and families, having
9.23 knowledge of a child in this state or of a child who is a resident of this state, who appears
9.24 to be in need of protection or services or neglected and in foster care, may petition the
9.25 juvenile court in the manner provided in this section.

9.26 (b) A petition for a child in need of protection filed by an individual who is not a county
9.27 attorney or an agent of the commissioner of children, youth, and families shall be filed on
9.28 a form developed by the state court administrator and provided to court administrators.
9.29 Copies of the form may be obtained from the court administrator in each county. The court
9.30 administrator shall review the petition before it is filed to determine that it is completed.
9.31 The court administrator may reject the petition if it does not indicate that the petitioner has
9.32 contacted the responsible social services agency.

10.1 An individual may file a petition under this subdivision without seeking internal review
10.2 of the responsible social services agency's decision. The court shall determine whether there
10.3 is probable cause to believe that a need for protection or services exists before the matter
10.4 is set for hearing. If the matter is set for hearing, the court administrator shall notify the
10.5 responsible social services agency by sending notice to the county attorney.

10.6 The petition must contain:

10.7 (1) a statement of facts that would establish, if proven, that there is a need for protection
10.8 or services for the child named in the petition;

10.9 (2) a statement that petitioner has reported the circumstances underlying the petition to
10.10 the responsible social services agency, and protection or services were not provided to the
10.11 child;

10.12 (3) a statement whether there are existing juvenile or family court custody orders or
10.13 pending proceedings in juvenile or family court concerning the child; and

10.14 (4) a statement of the relationship of the petitioner to the child and any other parties;
10.15 and

10.16 (5) a statement whether the petitioner has inquired of the parent or parents of the child,
10.17 the child, and relatives about the child's heritage, including the child's Tribal lineage pursuant
10.18 to section 260.761 and their race, culture, and ethnicity pursuant to section 260.63,
10.19 subdivision 10.

10.20 The court may not allow a petition to proceed under this paragraph if it appears that the
10.21 sole purpose of the petition is to modify custody between the parents.

10.22 Sec. 8. Minnesota Statutes 2024, section 260C.150, subdivision 3, is amended to read:

10.23 **Subd. 3. Identifying parents of child; diligent efforts; data.** (a) The responsible social
10.24 services agency shall make diligent efforts to inquire about the child's heritage, including
10.25 the child's Tribal lineage pursuant to section 260.761 and their race, culture, and ethnicity
10.26 pursuant to section 260.63, subdivision 10, and to identify and locate both parents of any
10.27 child who is the subject of proceedings under this chapter. Diligent efforts include:

10.28 (1) asking the custodial or known parent to identify any nonresident parent of the child
10.29 and provide information that can be used to verify the nonresident parent's identity including
10.30 the dates and locations of marriages and divorces; dates and locations of any legal
10.31 proceedings regarding paternity; date and place of the child's birth; nonresident parent's full
10.32 legal name; nonresident parent's date of birth, or if the nonresident parent's date of birth is

11.1 unknown, an approximate age; the nonresident parent's Social Security number; the
11.2 nonresident parent's whereabouts including last known whereabouts; and the whereabouts
11.3 of relatives of the nonresident parent. For purposes of this subdivision, "nonresident parent"
11.4 means a parent who does not reside in the same household as the child or did not reside in
11.5 the same household as the child at the time the child was removed when the child is in foster
11.6 care;

11.7 (2) obtaining information that will identify and locate the nonresident parent from the
11.8 county and state of Minnesota child support enforcement information system;

11.9 (3) requesting a search of the Minnesota Fathers' Adoption Registry 30 days after the
11.10 child's birth; and

11.11 (4) using any other reasonable means to identify and locate the nonresident parent.

11.12 (b) The agency may disclose data which is otherwise private under section 13.46 or
11.13 chapter 260E in order to carry out its duties under this subdivision.

11.14 (c) Upon the filing of a petition alleging the child to be in need of protection or services,
11.15 the responsible social services agency may contact a putative father who registered with
11.16 the Minnesota Fathers' Adoption Registry more than 30 days after the child's birth. The
11.17 social service agency may consider a putative father for the day-to-day care of the child
11.18 under section 260C.219 if the putative father cooperates with genetic testing and there is a
11.19 positive test result under section 257.62, subdivision 5. Nothing in this paragraph:

11.20 (1) relieves a putative father who registered with the Minnesota Fathers' Adoption
11.21 Registry more than 30 days after the child's birth of the duty to cooperate with paternity
11.22 establishment proceedings under section 260C.219;

11.23 (2) gives a putative father who registered with the Minnesota Fathers' Adoption Registry
11.24 more than 30 days after the child's birth the right to notice under section 260C.151 unless
11.25 the putative father is entitled to notice under sections 259.24 and 259.49, subdivision 1,
11.26 paragraph (a) or (b), clauses (1) to (7); or

11.27 (3) establishes a right to assert an interest in the child in a termination of parental rights
11.28 proceeding contrary to section 259.52, subdivision 6, unless the putative father is entitled
11.29 to notice under sections 259.24 and 259.49, subdivision 1, paragraph (a) or (b), clauses (1)
11.30 to (7).

12.1 Sec. 9. Minnesota Statutes 2024, section 260C.178, subdivision 1, is amended to read:

12.2 **Subdivision 1. Hearing and release requirements.** (a) If a child was taken into custody
12.3 under section 260C.175, subdivision 1, clause (1) or (2), item (ii), the court shall hold a
12.4 hearing within 72 hours of the time that the child was taken into custody, excluding
12.5 Saturdays, Sundays, and holidays, to determine whether the child should continue to be in
12.6 custody.

12.7 (b) Unless there is reason to believe that the child would endanger self or others or not
12.8 return for a court hearing, or that the child's health or welfare would be immediately
12.9 endangered, the child shall be released to the custody of a parent, guardian, custodian, or
12.10 other suitable person, subject to reasonable conditions of release including, but not limited
12.11 to, a requirement that the child undergo a chemical use assessment as provided in section
12.12 260C.157, subdivision 1.

12.13 (c) If the court determines that there is reason to believe that the child would endanger
12.14 self or others or not return for a court hearing, or that the child's health or welfare would be
12.15 immediately endangered if returned to the care of the parent or guardian who has custody
12.16 and from whom the child was removed, the court shall order the child:

12.17 (1) into the care of the child's noncustodial parent and order the noncustodial parent to
12.18 comply with any conditions that the court determines appropriate to ensure the safety and
12.19 care of the child, including requiring the noncustodial parent to cooperate with paternity
12.20 establishment proceedings if the noncustodial parent has not been adjudicated the child's
12.21 father; or

12.22 (2) into foster care as defined in section 260C.007, subdivision 18, under the legal
12.23 responsibility of the responsible social services agency or responsible probation or corrections
12.24 agency for the purposes of protective care as that term is used in the juvenile court rules.
12.25 The court shall not give the responsible social services legal custody and order a trial home
12.26 visit at any time prior to adjudication and disposition under section 260C.201, subdivision
12.27 1, paragraph (a), clause (3), but may order the child returned to the care of the parent or
12.28 guardian who has custody and from whom the child was removed and order the parent or
12.29 guardian to comply with any conditions the court determines to be appropriate to meet the
12.30 safety, health, and welfare of the child.

12.31 (d) In determining whether the child's health or welfare would be immediately
12.32 endangered, the court shall consider whether the child would reside with a perpetrator of
12.33 domestic child abuse.

13.1 (e) The court, before determining whether a child should be placed in or continue in
13.2 foster care under the protective care of the responsible agency, shall also make a
13.3 determination, consistent with section 260.012 as to whether reasonable efforts were made
13.4 to prevent placement or whether reasonable efforts to prevent placement are not required.
13.5 In the case of an Indian child, the court shall determine whether active efforts, according
13.6 to section 260.762 and the Indian Child Welfare Act of 1978, United States Code, title 25,
13.7 section 1912(d), were made to prevent placement. The court shall enter a finding that the
13.8 responsible social services agency has made reasonable efforts to prevent placement when
13.9 the agency establishes either:

13.10 (1) that the agency has actually provided services or made efforts in an attempt to prevent
13.11 the child's removal but that such services or efforts have not proven sufficient to permit the
13.12 child to safely remain in the home; or

13.13 (2) that there are no services or other efforts that could be made at the time of the hearing
13.14 that could safely permit the child to remain home or to return home. The court shall not
13.15 make a reasonable efforts determination under this clause unless the court is satisfied that
13.16 the agency has sufficiently demonstrated to the court that there were no services or other
13.17 efforts that the agency was able to provide at the time of the hearing enabling the child to
13.18 safely remain home or to safely return home. When reasonable efforts to prevent placement
13.19 are required and there are services or other efforts that could be ordered that would permit
13.20 the child to safely return home, the court shall order the child returned to the care of the
13.21 parent or guardian and the services or efforts put in place to ensure the child's safety. When
13.22 the court makes a *prima facie* determination that one of the circumstances under paragraph
13.23 (g) exists, the court shall determine that reasonable efforts to prevent placement and to
13.24 return the child to the care of the parent or guardian are not required.

13.25 (f) If the court finds the social services agency's preventive or reunification efforts have
13.26 not been reasonable but further preventive or reunification efforts could not permit the child
13.27 to safely remain at home, the court may nevertheless authorize or continue the removal of
13.28 the child.

13.29 (g) The court may not order or continue the foster care placement of the child unless the
13.30 court makes explicit, individualized findings that continued custody of the child by the
13.31 parent or guardian would be contrary to the welfare of the child and that placement is in the
13.32 best interest of the child.

14.1 (h) At the emergency removal hearing, or at any time during the course of the proceeding,

14.2 and upon notice and request of the county attorney, the court shall determine whether a

14.3 petition has been filed stating a *prima facie* case that:

14.4 (1) the parent has subjected a child to *egregious harm* as defined in section 260C.007,

14.5 subdivision 14;

14.6 (2) the parental rights of the parent to another child have been *involuntarily terminated*;

14.7 (3) the child is an *abandoned infant* under section 260C.301, subdivision 2, paragraph

14.8 (a), clause (2);

14.9 (4) the parents' *custodial rights* to another child have been *involuntarily transferred* to a

14.10 relative under a juvenile protection proceeding or a similar process of another jurisdiction;

14.11 (5) the parent has committed *sexual abuse* as defined in section 260E.03, against the

14.12 child or another child of the parent;

14.13 (6) the parent has committed an offense that requires registration as a *predatory offender*

14.14 under section 243.166, subdivision 1b, paragraph (a) or (b); or

14.15 (7) the provision of services or further services for the purpose of *reunification* is *futile*

14.16 and therefore *unreasonable*.

14.17 (i) When a petition to terminate parental rights is required under section 260C.301,

14.18 subdivision 4, or 260C.503, subdivision 2, but the county attorney has determined not to

14.19 proceed with a termination of parental rights petition, and has instead filed a petition to

14.20 transfer permanent legal and physical custody to a relative under section 260C.507, the

14.21 court shall schedule a *permanency hearing* within 30 days of the filing of the petition.

14.22 (j) If the county attorney has filed a petition under section 260C.307, the court shall

14.23 schedule a trial under section 260C.163 within 90 days of the filing of the petition except

14.24 when the county attorney determines that the criminal case shall proceed to trial first under

14.25 section 260C.503, subdivision 2, paragraph (c).

14.26 (k) If the court determines the child should be ordered into *foster care* and, the court

14.27 shall inquire about the child's heritage, including the child's Tribal lineage pursuant to section

14.28 260.761; their race, culture, and ethnicity pursuant to section 260.63, subdivision 10; and

14.29 the responsible social services agency's initial relative search efforts. If the child's parent

14.30 refuses to give information to the responsible social services agency regarding the child's

14.31 father or relatives of the child, the court may order the parent to disclose the names, addresses,

14.32 telephone numbers, and other identifying information to the responsible social services

15.1 agency for the purpose of complying with sections 260C.150, 260C.151, 260C.212,
15.2 260C.215, 260C.219, and 260C.221.

15.3 (l) If a child ordered into foster care has siblings, whether full, half, or step, who are
15.4 also ordered into foster care, the court shall inquire of the responsible social services agency
15.5 of the efforts to place the children together as required by section 260C.212, subdivision 2,
15.6 paragraph (d), if placement together is in each child's best interests, unless a child is in
15.7 placement for treatment or a child is placed with a previously noncustodial parent who is
15.8 not a parent to all siblings. If the children are not placed together at the time of the hearing,
15.9 the court shall inquire at each subsequent hearing of the agency's reasonable efforts to place
15.10 the siblings together, as required under section 260.012. If any sibling is not placed with
15.11 another sibling or siblings, the agency must develop a plan to facilitate visitation or ongoing
15.12 contact among the siblings as required under section 260C.212, subdivision 1, unless it is
15.13 contrary to the safety or well-being of any of the siblings to do so.

15.14 (m) When the court has ordered the child into the care of a noncustodial parent or in
15.15 foster care, the court may order a chemical dependency evaluation, mental health evaluation,
15.16 medical examination, and parenting assessment for the parent as necessary to support the
15.17 development of a plan for reunification required under subdivision 7 and section 260C.212,
15.18 subdivision 1, or the child protective services plan under section 260E.26, and Minnesota
15.19 Rules, part 9560.0228.

15.20 (n) When the court has ordered an Indian child into an emergency child placement, the
15.21 Indian child shall be placed according to the placement preferences in the Minnesota Indian
15.22 Family Preservation Act, section 260.773.

15.23 Sec. 10. Minnesota Statutes 2024, section 260C.178, subdivision 7, is amended to read:

15.24 Subd. 7. **Case plan.** (a) When the court has ordered the child into the care of a parent
15.25 under subdivision 1, paragraph (c), clause (1), the child protective services plan under section
15.26 260E.26 must be filed within 30 days of the filing of the juvenile protection petition under
15.27 section 260C.141, subdivision 1.

15.28 (b) When the court orders the child into foster care under subdivision 1, paragraph (c),
15.29 clause (2), and not into the care of a parent, an out-of-home placement plan summary required
15.30 under section 260C.212, subdivision 1, must be filed with the court within 30 days of the
15.31 filing of a juvenile protection petition under section 260C.141, subdivision 1, when the
15.32 court orders emergency removal of the child under this section, or filed with the petition if
15.33 the petition is a review of a voluntary placement under section 260C.141, subdivision 2.

16.1 An out-of-home placement plan shall be prepared and filed with the court within 60 days
16.2 after any child is placed in foster care under section 260C.212, subdivision 1.

16.3 (c) Upon the filing of the child protective services plan under section 260E.26 or
16.4 out-of-home placement plan that has been developed jointly with the parent and in
16.5 consultation with others as required under section 260C.212, subdivision 1, the court may
16.6 approve implementation of the plan by the responsible social services agency based on the
16.7 allegations contained in the petition and any evaluations, examinations, or assessments
16.8 conducted under subdivision 1, paragraph (m). The court shall send written notice of the
16.9 approval of the child protective services plan or out-of-home placement plan to all parties
16.10 and the county attorney or may state such approval on the record at a hearing. A parent may
16.11 agree to comply with the terms of the plan filed with the court.

16.12 (d) The responsible social services agency shall make reasonable efforts to engage both
16.13 parents of the child in case planning. The responsible social services agency shall report
16.14 the results of its efforts to engage the child's parents in the child protective services plan or
16.15 out-of-home placement plan filed with the court. The agency shall notify the court of the
16.16 services it will provide or efforts it will attempt under the plan notwithstanding the parent's
16.17 refusal to cooperate or disagreement with the services. The parent may ask the court to
16.18 modify the plan to require different or additional services requested by the parent, but which
16.19 the agency refused to provide. The court may approve the plan as presented by the agency
16.20 or may modify the plan to require services requested by the parent. The court's approval
16.21 must be based on the content of the petition.

16.22 (e) Unless the parent agrees to comply with the terms of the child protective services
16.23 plan or out-of-home placement plan, the court may not order a parent to comply with the
16.24 provisions of the plan until the court finds the child is in need of protection or services and
16.25 orders disposition under section 260C.201, subdivision 1. However, the court may find that
16.26 the responsible social services agency has made reasonable efforts for reunification if the
16.27 agency makes efforts to implement the terms of the child protective services plan or
16.28 out-of-home placement plan approved under this section.

16.29 Sec. 11. Minnesota Statutes 2024, section 260C.201, subdivision 1, is amended to read:

16.30 **Subdivision 1. Dispositions.** (a) If the court finds that the child is in need of protection
16.31 or services or neglected and in foster care, the court shall enter an order making any of the
16.32 following dispositions of the case:

17.1 (1) place the child under the protective supervision of the responsible social services

17.2 agency or child-placing agency in the home of a parent of the child under conditions

17.3 prescribed by the court directed to the correction of the child's need for protection or services:

17.4 (i) the court may order the child into the home of a parent who does not otherwise have

17.5 legal custody of the child, however, an order under this section does not confer legal custody

17.6 on that parent;

17.7 (ii) if the court orders the child into the home of a father who is not adjudicated, the

17.8 father must cooperate with paternity establishment proceedings regarding the child in the

17.9 appropriate jurisdiction as one of the conditions prescribed by the court for the child to

17.10 continue in the father's home; **and**

17.11 (iii) the court may order the child into the home of a noncustodial parent with conditions

17.12 and may also order both the noncustodial and the custodial parent to comply with the

17.13 requirements of a case plan under subdivision 2; or

17.14 (2) transfer legal custody to one of the following:

17.15 (i) a child-placing agency; or

17.16 (ii) the responsible social services agency. In making a foster care placement of a child

17.17 whose custody has been transferred under this subdivision, the court shall inquire about the

17.18 child's heritage, including the child's Tribal lineage pursuant to section 260.761 and their

17.19 race, culture, and ethnicity pursuant to section 260.63, subdivision 10, and the agency shall

17.20 make an individualized determination of how the placement is in the child's best interests

17.21 using the placement consideration order for relatives and the best interest factors in section

17.22 260C.212, subdivision 2, and may include a child colocated with a parent in a licensed

17.23 residential family-based substance use disorder treatment program under section 260C.190;

17.24 **or**

17.25 (3) order a trial home visit without modifying the transfer of legal custody to the

17.26 responsible social services agency under clause (2). Trial home visit means the child is

17.27 returned to the care of the parent or guardian from whom the child was removed for a period

17.28 not to exceed six months. During the period of the trial home visit, the responsible social

17.29 services agency:

17.30 (i) shall continue to have legal custody of the child, which means that the agency may

17.31 see the child in the parent's home, at school, in a child care facility, or other setting as the

17.32 agency deems necessary and appropriate;

17.33 (ii) shall continue to have the ability to access information under section 260C.208;

18.1 (iii) shall continue to provide appropriate services to both the parent and the child during

18.2 the period of the trial home visit;

18.3 (iv) without previous court order or authorization, may terminate the trial home visit in

18.4 order to protect the child's health, safety, or welfare and may remove the child to foster care;

18.5 (v) shall advise the court and parties within three days of the termination of the trial

18.6 home visit when a visit is terminated by the responsible social services agency without a

18.7 court order; and

18.8 (vi) shall prepare a report for the court when the trial home visit is terminated whether

18.9 by the agency or court order that describes the child's circumstances during the trial home

18.10 visit and recommends appropriate orders, if any, for the court to enter to provide for the

18.11 child's safety and stability. In the event a trial home visit is terminated by the agency by

18.12 removing the child to foster care without prior court order or authorization, the court shall

18.13 conduct a hearing within ten days of receiving notice of the termination of the trial home

18.14 visit by the agency and shall order disposition under this subdivision or commence

18.15 permanency proceedings under sections 260C.503 to 260C.515. The time period for the

18.16 hearing may be extended by the court for good cause shown and if it is in the best interests

18.17 of the child as long as the total time the child spends in foster care without a permanency

18.18 hearing does not exceed 12 months;

18.19 (4) if the child has been adjudicated as a child in need of protection or services because

18.20 the child is in need of special services or care to treat or ameliorate a physical or mental

18.21 disability or emotional disturbance as defined in section 245.4871, subdivision 15, the court

18.22 may order the child's parent, guardian, or custodian to provide it. The court may order the

18.23 child's health plan company to provide mental health services to the child. Section 62Q.535

18.24 applies to an order for mental health services directed to the child's health plan company.

18.25 If the health plan, parent, guardian, or custodian fails or is unable to provide this treatment

18.26 or care, the court may order it provided. Absent specific written findings by the court that

18.27 the child's disability is the result of abuse or neglect by the child's parent or guardian, the

18.28 court shall not transfer legal custody of the child for the purpose of obtaining special

18.29 treatment or care solely because the parent is unable to provide the treatment or care. If the

18.30 court's order for mental health treatment is based on a diagnosis made by a treatment

18.31 professional, the court may order that the diagnosing professional not provide the treatment

18.32 to the child if it finds that such an order is in the child's best interests; or

18.33 (5) if the court believes that the child has sufficient maturity and judgment and that it is

18.34 in the best interests of the child, the court may order a child 16 years old or older to be

19.1 allowed to live independently, either alone or with others as approved by the court under
19.2 supervision the court considers appropriate, if the county board, after consultation with the
19.3 court, has specifically authorized this dispositional alternative for a child.

19.4 (b) If the child was adjudicated in need of protection or services because the child is a
19.5 runaway or habitual truant, the court may order any of the following dispositions in addition
19.6 to or as alternatives to the dispositions authorized under paragraph (a):

19.7 (1) counsel the child or the child's parents, guardian, or custodian;

19.8 (2) place the child under the supervision of a probation officer or other suitable person
19.9 in the child's own home under conditions prescribed by the court, including reasonable rules
19.10 for the child's conduct and the conduct of the parents, guardian, or custodian, designed for
19.11 the physical, mental, and moral well-being and behavior of the child;

19.12 (3) subject to the court's supervision, transfer legal custody of the child to one of the
19.13 following:

19.14 (i) a reputable person of good moral character. No person may receive custody of two
19.15 or more unrelated children unless licensed to operate a residential program under sections
19.16 245A.01 to 245A.16; or

19.17 (ii) a county probation officer for placement in a group foster home established under
19.18 the direction of the juvenile court and licensed pursuant to section 241.021;

19.19 (4) require the child to pay a fine of up to \$100. The court shall order payment of the
19.20 fine in a manner that will not impose undue financial hardship upon the child;

19.21 (5) require the child to participate in a community service project;

19.22 (6) order the child to undergo a chemical dependency evaluation and, if warranted by
19.23 the evaluation, order participation by the child in a drug awareness program or an inpatient
19.24 or outpatient chemical dependency treatment program;

19.25 (7) if the court believes that it is in the best interests of the child or of public safety that
19.26 the child's driver's license or instruction permit be canceled, the court may order the
19.27 commissioner of public safety to cancel the child's license or permit for any period up to
19.28 the child's 18th birthday. If the child does not have a driver's license or permit, the court
19.29 may order a denial of driving privileges for any period up to the child's 18th birthday. The
19.30 court shall forward an order issued under this clause to the commissioner, who shall cancel
19.31 the license or permit or deny driving privileges without a hearing for the period specified
19.32 by the court. At any time before the expiration of the period of cancellation or denial, the

20.1 court may, for good cause, order the commissioner of public safety to allow the child to
20.2 apply for a license or permit, and the commissioner shall so authorize;

20.3 (8) order that the child's parent or legal guardian deliver the child to school at the
20.4 beginning of each school day for a period of time specified by the court; or

20.5 (9) require the child to perform any other activities or participate in any other treatment
20.6 programs deemed appropriate by the court.

20.7 To the extent practicable, the court shall enter a disposition order the same day it makes
20.8 a finding that a child is in need of protection or services or neglected and in foster care, but
20.9 in no event more than 15 days after the finding unless the court finds that the best interests
20.10 of the child will be served by granting a delay. If the child was under eight years of age at
20.11 the time the petition was filed, the disposition order must be entered within ten days of the
20.12 finding and the court may not grant a delay unless good cause is shown and the court finds
20.13 the best interests of the child will be served by the delay.

20.14 (c) If a child who is 14 years of age or older is adjudicated in need of protection or
20.15 services because the child is a habitual truant and truancy procedures involving the child
20.16 were previously dealt with by a school attendance review board or county attorney mediation
20.17 program under section 260A.06 or 260A.07, the court shall order a cancellation or denial
20.18 of driving privileges under paragraph (b), clause (7), for any period up to the child's 18th
20.19 birthday.

20.20 (d) In the case of a child adjudicated in need of protection or services because the child
20.21 has committed domestic abuse and been ordered excluded from the child's parent's home,
20.22 the court shall dismiss jurisdiction if the court, at any time, finds the parent is able or willing
20.23 to provide an alternative safe living arrangement for the child as defined in paragraph (f).

20.24 (e) When a parent has complied with a case plan ordered under subdivision 6 and the
20.25 child is in the care of the parent, the court may order the responsible social services agency
20.26 to monitor the parent's continued ability to maintain the child safely in the home under such
20.27 terms and conditions as the court determines appropriate under the circumstances.

20.28 (f) For the purposes of this subdivision, "alternative safe living arrangement" means a
20.29 living arrangement for a child proposed by a petitioning parent or guardian if a court excludes
20.30 the minor from the parent's or guardian's home that is separate from the victim of domestic
20.31 abuse and safe for the child respondent. A living arrangement proposed by a petitioning
20.32 parent or guardian is presumed to be an alternative safe living arrangement absent information
20.33 to the contrary presented to the court. In evaluating any proposed living arrangement, the
20.34 court shall consider whether the arrangement provides the child with necessary food, clothing,

21.1 shelter, and education in a safe environment. Any proposed living arrangement that would
21.2 place the child in the care of an adult who has been physically or sexually violent is presumed
21.3 unsafe.

21.4 Sec. 12. Minnesota Statutes 2024, section 260C.201, subdivision 2, is amended to read:

21.5 **Subd. 2. Written findings.** (a) Any order for a disposition authorized under this section
21.6 shall contain written findings of fact to support the disposition and case plan ordered and
21.7 shall also set forth in writing the following information:

21.8 (1) why the best interests and safety of the child are served by the disposition and case
21.9 plan ordered;

21.10 (2) what alternative dispositions or services under the case plan were considered by the
21.11 court and why such dispositions or services were not appropriate in the instant case;

21.12 (3) when legal custody of the child is transferred, the appropriateness of the particular
21.13 placement made or to be made by the placing agency using the relative and sibling placement
21.14 considerations and best interest factors in section 260C.212, subdivision 2, or the
21.15 appropriateness of a child colocated with a parent in a licensed residential family-based
21.16 substance use disorder treatment program under section 260C.190;

21.17 (4) whether reasonable efforts to finalize the permanent plan for the child consistent
21.18 with section 260.012 were made including reasonable efforts:

21.19 (i) to prevent the child's placement and to reunify the child with the parent or guardian
21.20 from whom the child was removed at the earliest time consistent with the child's safety.
21.21 The court's findings must include a brief description of what preventive and reunification
21.22 efforts were made and why further efforts could not have prevented or eliminated the
21.23 necessity of removal or that reasonable efforts were not required under section 260.012 or
21.24 260C.178, subdivision 1;

21.25 (ii) to identify and locate any noncustodial or nonresident parent of the child and to
21.26 assess such parent's ability to provide day-to-day care of the child, and, where appropriate,
21.27 provide services necessary to enable the noncustodial or nonresident parent to safely provide
21.28 day-to-day care of the child as required under section 260C.219, unless such services are
21.29 not required under section 260.012 or 260C.178, subdivision 1. The court's findings must
21.30 include a description of the agency's efforts to:

21.31 (A) identify and locate the child's noncustodial or nonresident parent;

22.1 (B) assess the noncustodial or nonresident parent's ability to provide day-to-day care of
22.2 the child; and

22.3 (C) if appropriate, provide services necessary to enable the noncustodial or nonresident
22.4 parent to safely provide the child's day-to-day care, including efforts to engage the
22.5 noncustodial or nonresident parent in assuming care and responsibility of the child;

22.6 (iii) to inquire about the child's heritage, including the child's Tribal lineage pursuant to
22.7 section 260.761 and their race, culture, and ethnicity pursuant to section 260.63, subdivision
22.8 10, and make the diligent search for relatives and provide the notices required under section
22.9 260C.221; a finding made pursuant to a hearing under section 260C.202 that the agency
22.10 has made diligent efforts to conduct a relative search and has appropriately engaged relatives
22.11 who responded to the notice under section 260C.221 and other relatives, who came to the
22.12 attention of the agency after notice under section 260C.221 was sent, in placement and case
22.13 planning decisions fulfills the requirement of this item;

22.14 (iv) to identify and make a foster care placement of the child, considering the order in
22.15 section 260C.212, subdivision 2, paragraph (a), in the home of an unlicensed relative,
22.16 according to the requirements of section 142B.06, a licensed relative, or other licensed foster
22.17 care provider, who will commit to being the permanent legal parent or custodian for the
22.18 child in the event reunification cannot occur, but who will actively support the reunification
22.19 plan for the child. If the court finds that the agency has not appropriately considered relatives
22.20 for placement of the child, the court shall order the agency to comply with section 260C.212,
22.21 subdivision 2, paragraph (a). The court may order the agency to continue considering
22.22 relatives for placement of the child regardless of the child's current placement setting; and

22.23 (v) to place siblings together in the same home or to ensure visitation is occurring when
22.24 siblings are separated in foster care placement and visitation is in the siblings' best interests
22.25 under section 260C.212, subdivision 2, paragraph (d); and

22.26 (5) if the child has been adjudicated as a child in need of protection or services because
22.27 the child is in need of special services or care to treat or ameliorate a mental disability or
22.28 emotional disturbance as defined in section 245.4871, subdivision 15, the written findings
22.29 shall also set forth:

22.30 (i) whether the child has mental health needs that must be addressed by the case plan;

22.31 (ii) what consideration was given to the diagnostic and functional assessments performed
22.32 by the child's mental health professional and to health and mental health care professionals'
22.33 treatment recommendations;

23.1 (iii) what consideration was given to the requests or preferences of the child's parent or
23.2 guardian with regard to the child's interventions, services, or treatment; and

23.3 (iv) what consideration was given to the cultural appropriateness of the child's treatment
23.4 or services.

23.5 (b) If the court finds that the social services agency's preventive or reunification efforts
23.6 have not been reasonable but that further preventive or reunification efforts could not permit
23.7 the child to safely remain at home, the court may nevertheless authorize or continue the
23.8 removal of the child.

23.9 (c) If the child has been identified by the responsible social services agency as the subject
23.10 of concurrent permanency planning, the court shall review the reasonable efforts of the
23.11 agency to develop a permanency plan for the child that includes a primary plan that is for
23.12 reunification with the child's parent or guardian and a secondary plan that is for an alternative,
23.13 legally permanent home for the child in the event reunification cannot be achieved in a
23.14 timely manner.

23.15 Sec. 13. Minnesota Statutes 2024, section 260C.202, subdivision 2, is amended to read:

23.16 **Subd. 2. Court review for a child placed in foster care.** (a) If the court orders a child
23.17 placed in foster care, the court shall review the out-of-home placement plan and the child's
23.18 placement at least every 90 days as required in juvenile court rules to determine whether
23.19 continued out-of-home placement is necessary and appropriate or whether the child should
23.20 be returned home.

23.21 (b) This review is not required if the court has returned the child home, ordered the child
23.22 permanently placed away from the parent under sections 260C.503 to 260C.521, or
23.23 terminated rights under section 260C.301. Court review for a child permanently placed
23.24 away from a parent, including where the child is under guardianship of the commissioner,
23.25 is governed by section 260C.607.

23.26 (c) When a child is placed in a qualified residential treatment program setting as defined
23.27 in section 260C.007, subdivision 26d, the responsible social services agency must submit
23.28 evidence to the court as specified in section 260C.712.

23.29 (d) No later than three months after the child's placement in foster care, the court shall
23.30 review agency efforts to search for and notify relatives pursuant to section 260C.221, and
23.31 order that the agency's efforts begin immediately, or continue, if the agency has failed to
23.32 perform, or has not adequately performed, the duties under that section. The court must
23.33 order the agency to continue to appropriately engage relatives who responded to the notice

24.1 under section 260C.221 in placement and case planning decisions and to consider relatives
24.2 for foster care placement consistent with section 260C.221. Notwithstanding a court's finding
24.3 that the agency has made reasonable efforts to search for and notify relatives under section
24.4 260C.221, the court may order the agency to continue making reasonable efforts to search
24.5 for, notify, engage, and consider relatives who came to the agency's attention after sending
24.6 the initial notice under section 260C.221.

24.7 (e) The court shall review the out-of-home placement plan and may modify the plan as
24.8 provided under section 260C.201, subdivisions 6 and 7.

24.9 (f) When the court transfers the custody of a child to a responsible social services agency
24.10 resulting in foster care or protective supervision with a noncustodial parent under subdivision
24.11 1, the court shall notify the parents of the provisions of sections 260C.204 and 260C.503
24.12 to 260C.521, as required under juvenile court rules.

24.13 ~~(g) When a child remains in or returns to foster care pursuant to section 260C.451 and~~
24.14 ~~the court has jurisdiction pursuant to section 260C.193, subdivision 6, paragraph (e), the~~
24.15 ~~court shall at least annually conduct the review required under section 260C.203.~~

24.16 Sec. 14. Minnesota Statutes 2024, section 260C.202, is amended by adding a subdivision
24.17 to read:

24.18 **Subd. 3. Court review prior to the 18th birthday of a child in foster care.** (a) The
24.19 court must conduct a review during the 90-day period prior to the 18th birthday of a child
24.20 in foster care.

24.21 (b) The responsible social services agency must file a written report with the court
24.22 containing or attaching the following:

24.23 (1) the child's name, date of birth, race, gender, and current address;

24.24 (2) whether the child is eligible for extended foster care and if not, the reason or reasons
24.25 why the child is not eligible;

24.26 (3) a written summary describing how the child was involved in creating the child's plan
24.27 for after their 18th birthday;

24.28 (4) the date the required extended foster care eligibility notice in section 260C.451,
24.29 subdivision 1, was provided and the child's plan after the child's 18th birthday;

24.30 (5) the child's most recent independent living plan required under section 260C.212,
24.31 subdivision 1;

25.1 (6) if the agency's recommendation is to extend jurisdiction up to age 19 under section

25.2 260C.193, why the extended jurisdiction is in the child's best interest;

25.3 (7) if the agency's recommendation is to reunify the child with their parent or legal

25.4 guardian, why reunification is in the child's best interest;

25.5 (8) if the agency plans to transition the child into adult services on or after the child's

25.6 18th birthday, a summary of the transition plan as required in section 260C.452 and how

25.7 this plan is in the child's best interest; and

25.8 (9) if the child's plan is to leave foster care at age 18 and not continue in extended foster

25.9 care, a copy of their 180-day transition plan required in section 260C.452 and the reasons

25.10 the child is not continuing in extended foster care.

25.11 (c) The agency must inform the child and parties to the proceeding of the reporting and

25.12 court review requirements of this subdivision and their right to request a hearing. The child

25.13 or a party to the proceeding may request a hearing if they believe the agency did not make

25.14 reasonable efforts under this subdivision.

25.15 (d) Upon receiving the report, the court must hold a hearing when a party to the

25.16 proceeding or the child requests a hearing. In all other circumstances, the court has the

25.17 discretion to hold a hearing or issue an order without a hearing.

25.18 (e) The court must issue an order with findings including but not limited to the following:

25.19 (1) whether the responsible social services agency provided the notice to the child about

25.20 extended foster care as required in section 260C.451;

25.21 (2) whether the responsible social services agency engaged with the child and

25.22 appropriately planned with the child to transition to adulthood; and

25.23 (3) if the child has decided to not continue in the extended foster care program at age

25.24 18, whether the responsible social services agency informed the child that they can reenter

25.25 extended foster care up to age 21 or that the child is not eligible to reenter and why.

25.26 Sec. 15. Minnesota Statutes 2024, section 260C.202, is amended by adding a subdivision

25.27 to read:

25.28 **Subd. 4. Court reviews for a child over age 18 in foster care.** When a child remains

25.29 in or returns to foster care pursuant to section 260C.451 and the court has jurisdiction

25.30 pursuant to section 260C.193, subdivision 6, paragraph (c), the court must at least annually

25.31 conduct the review required under section 260C.203.

26.1 Sec. 16. Minnesota Statutes 2024, section 260C.204, is amended to read:

26.2 **260C.204 PERMANENCY PROGRESS REVIEW FOR CHILDREN IN FOSTER
26.3 CARE FOR SIX MONTHS.**

26.4 (a) When a child continues in placement out of the home of the parent or guardian from
26.5 whom the child was removed, no later than six months after the child's placement the court
26.6 shall conduct a permanency progress hearing to review:

26.7 (1) the progress of the case, the parent's progress on the case plan or out-of-home
26.8 placement plan, whichever is applicable;

26.9 (2) the agency's reasonable, or in the case of an Indian child, active efforts for
26.10 reunification and its provision of services;

26.11 (3) the agency's reasonable efforts to finalize the permanent plan for the child under
26.12 section 260.012, paragraph (e), and to make a placement as required under section 260C.212,
26.13 subdivision 2, in a home that will commit to being the legally permanent family for the
26.14 child in the event the child cannot return home according to the timelines in this section;
26.15 and

26.16 (4) in the case of an Indian child, active efforts to prevent the breakup of the Indian
26.17 family and to make a placement according to the placement preferences under United States
26.18 Code, title 25, chapter 21, section 1915.

26.19 (b) When a child is placed in a qualified residential treatment program setting as defined
26.20 in section 260C.007, subdivision 26d, the responsible social services agency must submit
26.21 evidence to the court as specified in section 260C.712.

26.22 (c) The court shall ensure that notice of the hearing is sent to any relative who:

26.23 (1) responded to the agency's notice provided under section 260C.221, indicating an
26.24 interest in participating in planning for the child or being a permanency resource for the
26.25 child and who has kept the court apprised of the relative's address; or

26.26 (2) asked to be notified of court proceedings regarding the child as is permitted in section
26.27 260C.152, subdivision 5.

26.28 (d)(1) If the parent or guardian has maintained contact with the child and is complying
26.29 with the court-ordered out-of-home placement plan, and if the child would benefit from
26.30 reunification with the parent, the court may either:

26.31 (i) return the child home, if the conditions that led to the out-of-home placement have
26.32 been sufficiently mitigated that it is safe and in the child's best interests to return home; or

27.1 (ii) continue the matter up to a total of six additional months. If the child has not returned
27.2 home by the end of the additional six months, the court must conduct a hearing according
27.3 to sections 260C.503 to 260C.521.

27.4 (2) If the court determines that the parent or guardian is not complying, is not making
27.5 progress with or engaging with services in the out-of-home placement plan, or is not
27.6 maintaining regular contact with the child as outlined in the visitation plan required as part
27.7 of the out-of-home placement plan under section 260C.212, the court may order the
27.8 responsible social services agency:

27.9 (i) to develop a plan for legally permanent placement of the child away from the parent;

27.10 (ii) to consider, identify, recruit, and support one or more permanency resources from
27.11 the child's relatives and foster parent, consistent with clause (3) and section 260C.212,
27.12 subdivision 2, paragraph (a), to be the legally permanent home in the event the child cannot
27.13 be returned to the parent. Any relative or the child's foster parent may ask the court to order
27.14 the agency to consider them for permanent placement of the child in the event the child
27.15 cannot be returned to the parent. A relative or foster parent who wants to be considered
27.16 under this item shall cooperate with the background study required under section 245C.08,
27.17 if the individual has not already done so, and with the home study process required under
27.18 chapter 142B for providing child foster care and for adoption under section 259.41. The
27.19 home study referred to in this item shall be a single-home study in the form required by the
27.20 commissioner of children, youth, and families or similar study required by the individual's
27.21 state of residence when the subject of the study is not a resident of Minnesota. The court
27.22 may order the responsible social services agency to make a referral under the Interstate
27.23 Compact on the Placement of Children when necessary to obtain a home study for an
27.24 individual who wants to be considered for transfer of permanent legal and physical custody
27.25 or adoption of the child; and

27.26 (iii) to file a petition to support an order for the legally permanent placement plan.

27.27 (3) Consistent with section 260C.223, subdivision 2, paragraph (b), the responsible social
27.28 services agency must not define a foster family as the permanent home for a child until:

27.29 (i) inquiry and Tribal notice requirements under section 260.761, subdivisions 1 and 2,
27.30 are satisfied;

27.31 (ii) inquiry about the child's heritage, including their race, culture, and ethnicity pursuant
27.32 to section 260.63, subdivision 10, has been completed; and

28.1 (iii) the court has determined that reasonable or active efforts toward completing the
28.2 relative search requirements in section 260C.221 have been made.

28.3 (e) Following the review under this section:

28.4 (1) if the court has either returned the child home or continued the matter up to a total
28.5 of six additional months, the agency shall continue to provide services to support the child's
28.6 return home or to make reasonable efforts to achieve reunification of the child and the parent
28.7 as ordered by the court under an approved case plan;

28.8 (2) if the court orders the agency to develop a plan for the transfer of permanent legal
28.9 and physical custody of the child to a relative, a petition supporting the plan shall be filed
28.10 in juvenile court within 30 days of the hearing required under this section and a trial on the
28.11 petition held within 60 days of the filing of the pleadings; or

28.12 (3) if the court orders the agency to file a termination of parental rights, unless the county
28.13 attorney can show cause why a termination of parental rights petition should not be filed,
28.14 a petition for termination of parental rights shall be filed in juvenile court within 30 days
28.15 of the hearing required under this section and a trial on the petition held within 60 days of
28.16 the filing of the petition.

28.17 Sec. 17. Minnesota Statutes 2024, section 260C.212, subdivision 1, is amended to read:

28.18 Subdivision 1. **Out-of-home placement; plan.** ~~(a) An out-of-home placement plan shall~~
28.19 ~~be prepared within 30 days after any child is placed in foster care by court order or a~~
28.20 ~~voluntary placement agreement between the responsible social services agency and the~~
28.21 ~~child's parent pursuant to section 260C.227 or chapter 260D.~~

28.22 ~~(b)~~ (a) An out-of-home placement plan means a written document individualized to the
28.23 needs of the child and the child's parents or guardians that is prepared by the responsible
28.24 social services agency using a form developed by the commissioner. The plan must be
28.25 completed jointly with the child's parents or guardians and in consultation with the child's
28.26 guardian ad litem; the child's tribe, if the child is an Indian child; the child's foster parent
28.27 or representative of the foster care facility; and, when appropriate, the child. When a child
28.28 is age 14 or older, the child may include two other individuals on the team preparing the
28.29 child's out-of-home placement plan. The child may select one member of the case planning
28.30 team to be designated as the child's advisor and to advocate with respect to the application
28.31 of the reasonable and prudent parenting standards. The responsible social services agency
28.32 may reject an individual selected by the child if the agency has good cause to believe that
28.33 the individual would not act in the best interest of the child. For a child in voluntary foster

29.1 care for treatment under chapter 260D, preparation of the out-of-home placement plan shall
29.2 additionally include the child's mental health treatment provider. For a child 18 years of
29.3 age or older, the responsible social services agency shall involve the child and the child's
29.4 parents as appropriate. As appropriate, the plan shall be:

29.5 (1) submitted to the court for approval under section 260C.178, subdivision 7;

29.6 (2) ordered by the court, either as presented or modified after hearing, under section
29.7 260C.178, subdivision 7, or 260C.201, subdivision 6; and

29.8 (3) signed by the parent or parents or guardian of the child, the child's guardian ad litem,
29.9 a representative of the child's tribe, the responsible social services agency, and, if possible,
29.10 the child.

29.11 (b) Before an out-of-home placement plan is signed by the parent or parents or guardian
29.12 of the child, the responsible social services agency must provide the parent or parents or
29.13 guardian with a one- to two-page summary of the plan using a form developed by the
29.14 commissioner. The out-of-home placement plan summary must clearly summarize the plan's
29.15 contents under paragraph (d) and list the requirements and responsibilities for the parent or
29.16 parents or guardian using plain language. The summary must be updated and provided to
29.17 the parent or parents or guardian when the out-of-home placement plan is updated under
29.18 subdivision 1a.

29.19 (c) An out-of-home placement plan summary shall be prepared within 30 days after any
29.20 child is placed in foster care by court order or voluntary placement agreement between the
29.21 responsible social services agency and the child's parent pursuant to section 260C.227 or
29.22 chapter 260D. An out-of-home placement plan shall be prepared within 60 days after any
29.23 child is placed in foster care by court order or a voluntary placement agreement between
29.24 the responsible social services agency and the child's parent pursuant to section 260C.227
29.25 or chapter 260D.

29.26 (e) (d) The out-of-home placement plan shall be explained by the responsible social
29.27 services agency to all persons involved in the plan's implementation, including the child
29.28 who has signed the plan, and shall set forth:

29.29 (1) a description of the foster care home or facility selected, including how the
29.30 out-of-home placement plan is designed to achieve a safe placement for the child in the
29.31 least restrictive, most family-like setting available that is in close proximity to the home of
29.32 the child's parents or guardians when the case plan goal is reunification; and how the
29.33 placement is consistent with the best interests and special needs of the child according to
29.34 the factors under subdivision 2, paragraph (b);

30.1 (2) a description of the services offered and provided to prevent removal of the child
30.2 from the home;

30.3 (2) (3) the specific reasons for the placement of the child in foster care, and when
30.4 reunification is the plan, a description of the problems or conditions in the home of the
30.5 parent or parents that necessitated removal of the child from home and the services offered
30.6 and provided to support the changes the parent or parents must make for the child to safely
30.7 return home;

30.8 ~~(3) a description of the services offered and provided to prevent removal of the child~~
30.9 ~~from the home~~ and to reunify the family including:

30.10 (i) the specific actions to be taken by the parent or parents of the child to eliminate or
30.11 correct the problems or conditions identified in clause (2), and the time period during which
30.12 the actions are to be taken; and

30.13 (ii) the reasonable efforts, or in the case of an Indian child, active efforts to be made to
30.14 achieve a safe and stable home for the child including social and other supportive services
30.15 to be provided or offered to the parent or parents or guardian of the child, the child, and the
30.16 residential facility during the period the child is in the residential facility;

30.17 (4) a description of any services or resources that were requested by the child or the
30.18 child's parent, guardian, foster parent, or custodian since the date of the child's placement
30.19 in the residential facility, and whether those services or resources were provided and if not,
30.20 the basis for the denial of the services or resources;

30.21 (5) the visitation plan for the parent or parents or guardian, other relatives as defined in
30.22 section 260C.007, subdivision 26b or 27, and siblings of the child if the siblings are not
30.23 placed together in foster care, and whether visitation is consistent with the best interest of
30.24 the child, during the period the child is in foster care;

30.25 (6) when a child cannot return to or be in the care of either parent, documentation of
30.26 steps to finalize permanency through either:

30.27 (i) adoption as the permanency plan for the child through reasonable efforts to place the
30.28 child for adoption pursuant to section 260C.605. At a minimum, the documentation must
30.29 include consideration of whether adoption is in the best interests of the child and
30.30 child-specific recruitment efforts such as a relative search, consideration of relatives for
30.31 adoptive placement, and the use of state, regional, and national adoption exchanges to
30.32 facilitate orderly and timely placements in and outside of the state. A copy of this

31.1 documentation shall be provided to the court in the review required under section 260C.317,
31.2 subdivision 3, paragraph (b); or

31.3 ~~(7) when a child cannot return to or be in the care of either parent, documentation of~~
31.4 ~~steps to finalize~~ (ii) the transfer of permanent legal and physical custody to a relative as the
31.5 permanency plan for the child. This documentation must support the requirements of the
31.6 kinship placement agreement under section 142A.605 and must include the reasonable
31.7 efforts used to determine that it is not appropriate for the child to return home or be adopted,
31.8 and reasons why permanent placement with a relative through a Northstar kinship assistance
31.9 arrangement is in the child's best interest; how the child meets the eligibility requirements
31.10 for Northstar kinship assistance payments; agency efforts to discuss adoption with the child's
31.11 relative foster parent and reasons why the relative foster parent chose not to pursue adoption,
31.12 if applicable; and agency efforts to discuss with the child's parent or parents the permanent
31.13 transfer of permanent legal and physical custody or the reasons why these efforts were not
31.14 made;

31.15 ~~(8) (7) efforts to ensure the child's educational stability while in foster care for a child~~
31.16 who attained the minimum age for compulsory school attendance under state law and is
31.17 enrolled full time in elementary or secondary school, or instructed in elementary or secondary
31.18 education at home, or instructed in an independent study elementary or secondary program,
31.19 or incapable of attending school on a full-time basis due to a medical condition that is
31.20 documented and supported by regularly updated information in the child's case plan.

31.21 Educational stability efforts include:

31.22 (i) efforts to ensure that the child remains in the same school in which the child was
31.23 enrolled prior to placement or upon the child's move from one placement to another, including
31.24 efforts to work with the local education authorities to ensure the child's educational stability
31.25 and attendance; or

31.26 (ii) if it is not in the child's best interest to remain in the same school that the child was
31.27 enrolled in prior to placement or move from one placement to another, efforts to ensure
31.28 immediate and appropriate enrollment for the child in a new school;

31.29 ~~(9) (8) the educational records of the child including the most recent information available~~
31.30 regarding:

31.31 (i) the names and addresses of the child's educational providers;

31.32 (ii) the child's grade level performance;

31.33 (iii) the child's school record;

32.1 (iv) a statement about how the child's placement in foster care takes into account
32.2 proximity to the school in which the child is enrolled at the time of placement; and
32.3 (v) any other relevant educational information;

32.4 (10) (9) the efforts by the responsible social services agency to ensure support the child's
32.5 well-being by ensuring the oversight and continuity of health care services for the foster
32.6 child and documenting their health record, including:

32.7 (i) the plan to schedule the child's initial health screens;

32.8 (ii) how the child's known medical problems and identified needs from the screens,
32.9 including any known communicable diseases, as defined in section 144.4172, subdivision
32.10 2, shall be monitored and treated while the child is in foster care;

32.11 (iii) how the child's medical information shall be updated and shared, including the
32.12 child's immunizations;

32.13 (iv) who is responsible to coordinate and respond to the child's health care needs,
32.14 including the role of the parent, the agency, and the foster parent;

32.15 (v) who is responsible for oversight of the child's prescription medications;

32.16 (vi) how physicians or other appropriate medical and nonmedical professionals shall be
32.17 consulted and involved in assessing the health and well-being of the child and determine
32.18 the appropriate medical treatment for the child; and

32.19 (vii) the responsibility to ensure that the child has access to medical care through either
32.20 medical insurance or medical assistance; and

32.21 (11) the health records of the child including (viii) information available regarding:

32.22 (i) (A) the names and addresses of the child's health care and dental care providers;

32.23 (ii) (B) a record of the child's immunizations;

32.24 (iii) (C) the child's known medical problems, including any known communicable
32.25 diseases as defined in section 144.4172, subdivision 2;

32.26 (iv) (D) the child's medications; and

32.27 (v) (E) any other relevant health care information such as the child's eligibility for medical
32.28 insurance or medical assistance;

32.29 (12) (10) an independent living plan for a child 14 years of age or older, developed in
32.30 consultation with the child. The child may select one member of the case planning team to
32.31 be designated as the child's advisor and to advocate with respect to the application of the

33.1 reasonable and prudent parenting standards in subdivision 14. The plan should include, but
33.2 not be limited to, the following objectives:

33.3 (i) educational, vocational, or employment planning;

33.4 (ii) health care planning and medical coverage;

33.5 (iii) transportation including, where appropriate, assisting the child in obtaining a driver's
33.6 license;

33.7 (iv) money management, including the responsibility of the responsible social services
33.8 agency to ensure that the child annually receives, at no cost to the child, a consumer report
33.9 as defined under section 13C.001 and assistance in interpreting and resolving any inaccuracies
33.10 in the report;

33.11 (v) planning for housing;

33.12 (vi) social and recreational skills;

33.13 (vii) establishing and maintaining connections with the child's family and community;
33.14 and

33.15 (viii) regular opportunities to engage in age-appropriate or developmentally appropriate
33.16 activities typical for the child's age group, taking into consideration the capacities of the
33.17 individual child;

33.18 ~~(13)~~(11) for a child in voluntary foster care for treatment under chapter 260D, diagnostic
33.19 and assessment information, specific services relating to meeting the mental health care
33.20 needs of the child, and treatment outcomes;

33.21 ~~(14)~~(12) for a child 14 years of age or older, a signed acknowledgment that describes
33.22 the child's rights regarding education, health care, visitation, safety and protection from
33.23 exploitation, and court participation; receipt of the documents identified in section 260C.452;
33.24 and receipt of an annual credit report. The acknowledgment shall state that the rights were
33.25 explained in an age-appropriate manner to the child; and

33.26 ~~(15)~~(13) for a child placed in a qualified residential treatment program, the plan must
33.27 include the requirements in section 260C.708.

33.28 ~~(d)~~(e) The parent or parents or guardian and the child each shall have the right to legal
33.29 counsel in the preparation of the case plan and shall be informed of the right at the time of
33.30 placement of the child. The child shall also have the right to a guardian ad litem. If unable
33.31 to employ counsel from their own resources, the court shall appoint counsel upon the request
33.32 of the parent or parents or the child or the child's legal guardian. The parent or parents may

34.1 also receive assistance from any person or social services agency in preparation of the case
34.2 plan.

34.3 ~~(e) Before an out-of-home placement plan is signed by the parent or parents or guardian
34.4 of the child, the responsible social services agency must provide the parent or parents or
34.5 guardian with a one- to two- page summary of the plan using a form developed by the
34.6 commissioner. The out-of-home placement plan summary must clearly summarize the plan's
34.7 contents under paragraph (c) and list the requirements and responsibilities for the parent or
34.8 parents or guardian using plain language. The summary must be updated and provided to
34.9 the parent or parents or guardian when the out-of-home placement plan is updated under
34.10 subdivision 1a.~~

34.11 (f) After the plan has been agreed upon by the parties involved or approved or ordered
34.12 by the court, the foster parents shall be fully informed of the provisions of the case plan and
34.13 shall be provided a copy of the plan.

34.14 (g) Upon the child's discharge from foster care, the responsible social services agency
34.15 must provide the child's parent, adoptive parent, or permanent legal and physical custodian,
34.16 and the child, if the child is 14 years of age or older, with a current copy of the child's health
34.17 and education record. If a child meets the conditions in subdivision 15, paragraph (b), the
34.18 agency must also provide the child with the child's social and medical history. The responsible
34.19 social services agency may give a copy of the child's health and education record and social
34.20 and medical history to a child who is younger than 14 years of age, if it is appropriate and
34.21 if subdivision 15, paragraph (b), applies.

34.22 Sec. 18. Minnesota Statutes 2024, section 260C.212, subdivision 1a, is amended to read:

34.23 Subd. 1a. **Out-of-home placement plan update.** (a) Within 30 days of placing the child
34.24 in foster care, the agency must complete the child's out-of-home placement plan summary
34.25 and file it with the court. Within 60 days of placing the child in foster care, the agency must
34.26 file the child's initial out-of-home placement plan with the court. After filing the child's
34.27 initial out-of-home placement plan, the agency shall update and file the child's out-of-home
34.28 placement plan with the court as follows:

34.29 (1) when the agency moves a child to a different foster care setting, the agency shall
34.30 inform the court within 30 days of the child's placement change or court-ordered trial home
34.31 visit. The agency must file the child's updated out-of-home placement plan summary and
34.32 out-of-home placement plan with the court at the next required review hearing;

35.1 (2) when the agency places a child in a qualified residential treatment program as defined
35.2 in section 260C.007, subdivision 26d, or moves a child from one qualified residential
35.3 treatment program to a different qualified residential treatment program, the agency must
35.4 update the child's out-of-home placement plan within 60 days. To meet the requirements
35.5 of section 260C.708, the agency must file the child's out-of-home placement plan along
35.6 with the agency's report seeking the court's approval of the child's placement at a qualified
35.7 residential treatment program under section 260C.71. After the court issues an order, the
35.8 agency must update the child's out-of-home placement plan to document the court's approval
35.9 or disapproval of the child's placement in a qualified residential treatment program;

35.10 (3) when the agency places a child with the child's parent in a licensed residential
35.11 family-based substance use disorder treatment program under section 260C.190, the agency
35.12 must identify the treatment program where the child will be placed in the child's out-of-home
35.13 placement plan prior to the child's placement. The agency must file the child's out-of-home
35.14 placement plan summary and out-of-home placement plan with the court at the next required
35.15 review hearing; and

35.16 (4) under sections 260C.227 and 260C.521, the agency must update the child's
35.17 out-of-home placement plan summary and out-of-home placement plan and file the child's
35.18 out-of-home placement plan with the court.

35.19 (b) When none of the items in paragraph (a) apply, the agency must update the child's
35.20 out-of-home placement plan summary and out-of-home placement plan no later than 180
35.21 days after the child's initial placement and every six months thereafter, consistent with
35.22 section 260C.203, paragraph (a).

35.23 Sec. 19. Minnesota Statutes 2024, section 260C.223, subdivision 1, is amended to read:

35.24 **Subdivision 1. Program; goals.** (a) The commissioner of children, youth, and families
35.25 shall establish a program for concurrent permanency planning for child protection services.

35.26 (b) Concurrent permanency planning involves a planning process for children who are
35.27 placed out of the home of their parents pursuant to a court order, or who have been voluntarily
35.28 placed out of the home by the parents for 60 days or more and who are not developmentally
35.29 disabled or emotionally disabled under section 260C.212, subdivision 9. The responsible
35.30 social services agency shall develop an alternative permanency plan while making reasonable
35.31 efforts for reunification of the child with the family, if required by section 260.012. The
35.32 goals of concurrent permanency planning are to:

35.33 (1) achieve early permanency for children;

36.1 (2) decrease children's length of stay in foster care and reduce the number of moves
36.2 children experience in foster care; and
36.3 (3) ~~develop a group of families~~ establish a foster parent for a child who will work towards
36.4 reunification and also serve as a permanent families family for children.

36.5 Sec. 20. Minnesota Statutes 2024, section 260C.223, subdivision 2, is amended to read:

36.6 Subd. 2. **Development of guidelines and protocols.** (a) The commissioner shall establish
36.7 guidelines and protocols for social services agencies involved in concurrent permanency
36.8 planning, including criteria for conducting concurrent permanency planning based on relevant
36.9 factors such as:

36.10 (1) age of the child and duration of out-of-home placement;
36.11 (2) prognosis for successful reunification with parents;
36.12 (3) availability of relatives and other concerned individuals to provide support or a
36.13 permanent placement for the child; and
36.14 (4) special needs of the child and other factors affecting the child's best interests.

36.15 (b) In developing the guidelines and protocols, the commissioner shall consult with
36.16 interest groups within the child protection system, including child protection workers, child
36.17 protection advocates, county attorneys, law enforcement, community service organizations,
36.18 the councils of color, and the ombudsperson for families.

36.19 (c) The responsible social services agency must not make a foster family the permanent
36.20 home for a child until:

36.21 (1) inquiry and Tribal notice requirements under section 260.761, subdivisions 1 and 2,
36.22 are satisfied;

36.23 (2) inquiry about the child's heritage, including their race, culture, and ethnicity pursuant
36.24 to section 260.63, subdivision 10, has been completed; and

36.25 (3) the court has determined that reasonable or active efforts toward completing the
36.26 relative search requirements in section 260C.221 have been made.

36.27 Sec. 21. Minnesota Statutes 2024, section 260C.329, subdivision 3, is amended to read:

36.28 Subd. 3. **Petition.** (a) The following individuals may file a petition for the reestablishment
36.29 of the legal parent and child relationship:

36.30 (1) county attorney;

37.1 (2) a parent whose parental rights were terminated under a previous order of the court;

37.2 (3) a parent whose voluntary consent to adoption was accepted by the court and:

37.3 (i) the identified prospective adoptive parent did not finalize the adoption; or

37.4 (ii) the adoption finalized but subsequently dissolved and the child returned to foster

37.5 care and guardianship of the commissioner;

37.6 (4) a child who is ten years of age or older;

37.7 (5) the responsible social services agency; or

37.8 (6) a guardian ad litem ~~may file a petition for the reestablishment of the legal parent and~~

37.9 child relationship.

37.10 (b) A parent filing a petition under this section shall pay a filing fee in the amount

37.11 required under section 357.021, subdivision 2, clause (1). The filing fee may be waived

37.12 pursuant to chapter 563. A petition for the reestablishment of the legal parent and child

37.13 relationship may be filed when:

37.14 (1) the parent has corrected the conditions that led to an order terminating parental rights;

37.15 (2) the parent is willing and has the capability to provide day-to-day care and maintain

37.16 the health, safety, and welfare of the child;

37.17 (3) the child has been in foster care for at least 24 months after the court issued the order

37.18 terminating parental rights;

37.19 (4) the child ~~has~~ is not currently adopted; and

37.20 (5) the child is not the subject of a written adoption placement agreement between the

37.21 responsible social services agency and the prospective adoptive parent, as required under

37.22 Minnesota Rules, part 9560.0060, subpart 2.

37.23 Sec. 22. Minnesota Statutes 2024, section 260C.329, subdivision 8, is amended to read:

37.24 **Subd. 8. Hearing.** The court may grant the petition ordering the reestablishment of the

37.25 legal parent and child relationship only if it finds by clear and convincing evidence that:

37.26 (1) reestablishment of the legal parent and child relationship is in the child's best interests;

37.27 (2) the child ~~has~~ is not currently adopted;

37.28 (3) the child is not the subject of a written adoption placement agreement between the

37.29 responsible social services agency and the prospective adoptive parent, as required under

37.30 Minnesota Rules, part 9560.0060, subpart 2;

38.1 (4) at least 24 months have elapsed following a final order terminating parental rights
38.2 and the child remains in foster care;

38.3 (5) the child desires to reside with the parent;

38.4 (6) the parent has corrected the conditions that led to an order terminating parental rights;

38.5 and

38.6 (7) the parent is willing and has the capability to provide day-to-day care and maintain
38.7 the health, safety, and welfare of the child.

38.8 Sec. 23. Minnesota Statutes 2024, section 260C.451, subdivision 9, is amended to read:

38.9 **Subd. 9. Administrative or court review of placements.** (a) The court shall must
38.10 conduct reviews at least annually to ensure the responsible social services agency is making
38.11 reasonable efforts to finalize the permanency plan for the child.

38.12 (b) The responsible social services agency must file a written report with the court
38.13 containing or attaching the following:

38.14 (1) the child's name, date of birth, race, gender, and current address;

38.15 (2) a written summary describing planning with the child, including supports and services
38.16 to ensure the child's safety, housing stability, well-being needs, and independent living
38.17 skills;

38.18 (3) the child's most recent out-of-home placement plan and independent living plan
38.19 required under section 260C.212, subdivision 1;

38.20 (4) if the child's plan is to not continue in extended foster care or if the child will reach
38.21 age 21 before the next review, a copy of their 180-day transition plan as required in section
38.22 260C.452, subdivision 4; and

38.23 (5) if the agency plans to transition the child into adult services, a summary of the
38.24 transition plan as required in section 260C.452, subdivision 4, and how this plan is in the
38.25 child's best interest.

38.26 (b) (c) The court shall must find that the responsible social services agency is making
38.27 reasonable efforts to finalize the permanency plan for the child when the responsible social
38.28 services agency:

38.29 (1) provides appropriate support to the child and caregiver or foster care provider parent
38.30 to ensure continuing stability and success in placement;

39.1 (2) works with the child to plan for transition to adulthood and assists the child in
39.2 demonstrating progress in achieving related goals;

39.3 (3) works with the child to plan for independent living skills and assists the child in
39.4 demonstrating progress in achieving independent living goals; and

39.5 (4) prepares the child for independence according to sections 260C.203, paragraph (d),
39.6 and 260C.452, subdivision 4.

39.7 ~~(e)~~ (d) The responsible social services agency must ensure that an administrative review
39.8 that meets the requirements of this section and section 260C.203 is completed at least six
39.9 months after each of the court's annual reviews.

39.10 Sec. 24. Minnesota Statutes 2024, section 260C.452, subdivision 4, is amended to read:

39.11 Subd. 4. **Administrative or court review of placements.** (a) When the youth is 14 years
39.12 of age or older, the court, in consultation with the youth, shall review the youth's independent
39.13 living plan according to section 260C.203, paragraph (d).

39.14 (b) The responsible social services agency shall file a copy of the notification of foster
39.15 care benefits for a youth who is 18 years of age or older according to section 260C.451,
39.16 subdivision 1, with the court. If the responsible social services agency does not file the
39.17 notice by the time the youth is 17 1/2 years of age, the court shall require the responsible
39.18 social services agency to file the notice.

39.19 (c) When a youth is 18 years of age or older, the court shall ensure that the responsible
39.20 social services agency assists the youth in obtaining the following documents before the
39.21 youth leaves foster care: a Social Security card; an official or certified copy of the youth's
39.22 birth certificate; a state identification card or driver's license, Tribal enrollment identification
39.23 card, ~~green~~ permanent resident card, or school visa; health insurance information; the youth's
39.24 school, medical, and dental records; a contact list of the youth's medical, dental, and mental
39.25 health providers; and contact information for the youth's siblings, if the siblings are in foster
39.26 care.

39.27 (d) For a youth who will be discharged from foster care at 18 years of age or older
39.28 because the youth is not eligible for extended foster care benefits or chooses to leave foster
39.29 care, the responsible social services agency must develop a personalized transition plan as
39.30 directed by the youth during the 180-day period immediately prior to the expected date of
39.31 discharge. The transition plan must be as detailed as the youth elects and include specific
39.32 options, including but not limited to:

39.33 (1) affordable housing with necessary supports that does not include a homeless shelter;

40.1 (2) health insurance, including eligibility for medical assistance as defined in section
40.2 256B.055, subdivision 17;

40.3 (3) education, including application to the Education and Training Voucher Program;

40.4 (4) local opportunities for mentors and continuing support services;

40.5 (5) workforce supports and employment services;

40.6 (6) a copy of the youth's consumer credit report as defined in section 13C.001 and
40.7 assistance in interpreting and resolving any inaccuracies in the report, at no cost to the youth;

40.8 (7) information on executing a health care directive under chapter 145C and on the
40.9 importance of designating another individual to make health care decisions on behalf of the
40.10 youth if the youth becomes unable to participate in decisions;

40.11 (8) appropriate contact information through 21 years of age if the youth needs information
40.12 or help dealing with a crisis situation; and

40.13 (9) official documentation that the youth was previously in foster care.

40.14 Sec. 25. Minnesota Statutes 2024, section 260E.09, is amended to read:

40.15 **260E.09 REPORTING REQUIREMENTS.**

40.16 (a) An oral report shall be made immediately by telephone or otherwise. An oral report
40.17 made by a person required under section 260E.06, subdivision 1, to report shall be followed
40.18 within 72 hours, exclusive of weekends and holidays, by a report in writing to the appropriate
40.19 police department, the county sheriff, the agency responsible for assessing or investigating
40.20 the report, or the local welfare agency.

40.21 (b) Any report shall be of sufficient content to identify the child, any person believed
40.22 to be responsible for the maltreatment of the child if the person is known, the nature and
40.23 extent of the maltreatment, and the name and address of the reporter. The local welfare
40.24 agency or agency responsible for assessing or investigating the report shall accept a report
40.25 made under section 260E.06 notwithstanding refusal by a reporter to provide the reporter's
40.26 name or address as long as the report is otherwise sufficient under this paragraph. The local
40.27 welfare agency or agency responsible for assessing or investigating the report shall ask the
40.28 reporter if the reporter is aware of the child or family heritage, including the child's Tribal
40.29 lineage pursuant to section 260.761 and their race, culture, and ethnicity pursuant to section
40.30 260.63, subdivision 10.

40.31 (c) Notwithstanding paragraph (a), upon implementation of the provider licensing and
40.32 reporting hub, an individual who has an account with the provider licensing and reporting

41.1 hub and is required to report suspected maltreatment at a licensed program under section
41.2 260E.06, subdivision 1, may submit a written report in the hub in a manner prescribed by
41.3 the commissioner and is not required to make an oral report. A report submitted through
41.4 the provider licensing and reporting hub must be made immediately.

41.5 Sec. 26. Minnesota Statutes 2024, section 260E.20, subdivision 1, is amended to read:

41.6 **Subdivision 1. General duties.** (a) The local welfare agency shall offer services to
41.7 prevent future maltreatment, safeguarding and enhancing the welfare of the maltreated child,
41.8 and supporting and preserving family life whenever possible.

41.9 (b) If the report alleges a violation of a criminal statute involving maltreatment or child
41.10 endangerment under section 609.378, the local law enforcement agency and local welfare
41.11 agency shall coordinate the planning and execution of their respective investigation and
41.12 assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews.
41.13 Each agency shall prepare a separate report of the results of the agency's investigation or
41.14 assessment.

41.15 (c) In cases of alleged child maltreatment resulting in death, the local agency may rely
41.16 on the fact-finding efforts of a law enforcement investigation to make a determination of
41.17 whether or not maltreatment occurred.

41.18 (d) When necessary, the local welfare agency shall seek authority to remove the child
41.19 from the custody of a parent, guardian, or adult with whom the child is living.

41.20 (e) In performing any of these duties, the local welfare agency shall maintain an
41.21 appropriate record.

41.22 (f) In conducting a family assessment, noncaregiver human trafficking assessment, or
41.23 investigation, the local welfare agency shall gather information on the existence of substance
41.24 abuse and domestic violence.

41.25 (g) If the family assessment, noncaregiver human trafficking assessment, or investigation
41.26 indicates there is a potential for abuse of alcohol or other drugs by the parent, guardian, or
41.27 person responsible for the child's care, the local welfare agency must coordinate a
41.28 comprehensive assessment pursuant to section 245G.05.

41.29 (h) The agency may use either a family assessment or investigation to determine whether
41.30 the child is safe when responding to a report resulting from birth match data under section
41.31 260E.03, subdivision 23, paragraph (c). If the child subject of birth match data is determined
41.32 to be safe, the agency shall consult with the county attorney to determine the appropriateness
41.33 of filing a petition alleging the child is in need of protection or services under section

42.1 260C.007, subdivision 6, clause (16), in order to deliver needed services. If the child is
42.2 determined not to be safe, the agency and the county attorney shall take appropriate action
42.3 as required under section 260C.503, subdivision 2.

42.4 (i) When conducting any assessment or investigation, the agency shall ask the child, if
42.5 age appropriate; parents; extended family; and reporter about the child's family heritage,
42.6 including the child's Tribal lineage pursuant to section 260.761 and the child's race, culture,
42.7 and ethnicity pursuant to section 260.63, subdivision 10.

42.8 Sec. 27. Minnesota Statutes 2024, section 260E.20, subdivision 3, is amended to read:

42.9 Subd. 3. **Collection of information.** (a) The local welfare agency responsible for
42.10 conducting a family assessment, noncaregiver human trafficking assessment, or investigation
42.11 shall collect available and relevant information to determine child safety, risk of subsequent
42.12 maltreatment, and family strengths and needs and share not public information with an
42.13 Indian's Tribal social services agency without violating any law of the state that may
42.14 otherwise impose a duty of confidentiality on the local welfare agency in order to implement
42.15 the Tribal state agreement.

42.16 (b) The local welfare agency or the agency responsible for investigating the report shall
42.17 collect available and relevant information to ascertain whether maltreatment occurred and
42.18 whether protective services are needed.

42.19 (c) Information collected includes, when relevant, information regarding the person
42.20 reporting the alleged maltreatment, including the nature of the reporter's relationship to the
42.21 child and to the alleged offender, and the basis of the reporter's knowledge for the report;
42.22 the child allegedly being maltreated; the alleged offender; the child's caretaker; and other
42.23 collateral sources having relevant information related to the alleged maltreatment.

42.24 (d) Information relevant to the assessment or investigation must be requested, and may
42.25 include:

42.26 (1) the child's sex and age; prior reports of maltreatment, including any maltreatment
42.27 reports that were screened out and not accepted for assessment or investigation; information
42.28 relating to developmental functioning; credibility of the child's statement; and whether the
42.29 information provided under this clause is consistent with other information collected during
42.30 the course of the assessment or investigation;

42.31 (2) except in a noncaregiver human trafficking assessment, the alleged offender's age,
42.32 a record check for prior reports of maltreatment, and criminal charges and convictions;

43.1 (3) collateral source information regarding the alleged maltreatment and care of the
43.2 child. Collateral information includes, when relevant: (i) a medical examination of the child;
43.3 (ii) prior medical records relating to the alleged maltreatment or the care of the child
43.4 maintained by any facility, clinic, or health care professional and an interview with the
43.5 treating professionals; and (iii) interviews with the child's caretakers, including the child's
43.6 parent, guardian, foster parent, child care provider, teachers, counselors, family members,
43.7 relatives, and other persons who may have knowledge regarding the alleged maltreatment
43.8 and the care of the child; and

43.9 (4) information on the existence of domestic abuse and violence in the home of the child,
43.10 and substance abuse.

43.11 (e) Nothing in this subdivision precludes the local welfare agency, the local law
43.12 enforcement agency, or the agency responsible for assessing or investigating the report from
43.13 collecting other relevant information necessary to conduct the assessment or investigation.

43.14 (f) Notwithstanding section 13.384 or 144.291 to 144.298, the local welfare agency has
43.15 access to medical data and records for purposes of paragraph (d), clause (3).

43.16 Sec. 28. **[260E.215] REPORTING OF SCHOOL ATTENDANCE CONCERNS.**

43.17 Subdivision 1. Reports required. (a) A person mandated to report under this chapter
43.18 must immediately report to the local welfare agency or designated partner if the person
43.19 knows or has reason to believe that a child required to be enrolled in school under section
43.20 120A.22 has at least seven unexcused absences in the current school year and is at risk of
43.21 educational neglect or truancy under section 260C.163, subdivision 11.

43.22 (b) Any person may make a voluntary report if the person knows or has reason to believe
43.23 that a child required to be enrolled in school under section 120A.22 has at least seven
43.24 unexcused absences in the current school year and is at risk of educational neglect or truancy
43.25 under section 260C.163, subdivision 11.

43.26 (c) An oral report must be made immediately. An oral report made by a person required
43.27 to report under paragraph (a) must be followed within 72 hours, exclusive of weekends and
43.28 holidays, by a report in writing to the local welfare agency. A report must sufficiently
43.29 identify the child and the child's parent or guardian, the actual or estimated number of the
43.30 child's unexcused absences in the current school year, the efforts made by school officials
43.31 to resolve attendance concerns with the family, and the name and address of the reporter.
43.32 A voluntary reporter under paragraph (b) may refuse to provide their name or address if the
43.33 report is otherwise sufficient, and the local welfare agency must accept such a report.

44.1 **Subd. 2. Local welfare agency.** (a) The local welfare agency or partner designated to
44.2 provide child welfare services must provide a child welfare response for a report that alleges
44.3 a child enrolled in school has seven or more unexcused absences. When providing a child
44.4 welfare response under this paragraph, the local welfare agency or designated partner must
44.5 offer services to the child and the child's family to address school attendance concerns or
44.6 may partner with a county attorney's office, a community-based organization, or other
44.7 community partner to provide the services. The services must be culturally and linguistically
44.8 appropriate and tailored to the needs of the child and the child's family. This section is
44.9 subject to the requirements of the Minnesota Indian Family Preservation Act under sections
44.10 260.751 to 260.835 and the Minnesota African American Family Preservation and Child
44.11 Welfare Disproportionality Act under sections 260.61 to 260.693.

44.12 (b) If the unexcused absences continue and the family has not engaged with services
44.13 under paragraph (a) after the local welfare agency or partner designated to provide child
44.14 welfare services has made multiple varied attempts to engage the child's family, a report of
44.15 educational neglect must be made regardless of the number of unexcused absences the child
44.16 has accrued. The local welfare agency must determine the response path assignment pursuant
44.17 to section 260E.17 and may proceed with the process outlined in section 260C.141.

44.18 Sec. 29. Minnesota Statutes 2024, section 260E.24, subdivision 1, is amended to read:

44.19 **Subdivision 1. Timing.** The local welfare agency shall conclude the family assessment,
44.20 the noncaregiver human trafficking assessment, or the investigation within 45 days of the
44.21 receipt of a report. The conclusion of the assessment or investigation may be extended to
44.22 permit the completion of a criminal investigation or the receipt of expert information
44.23 requested within 45 days of the receipt of the report.

44.24 Sec. 30. Minnesota Statutes 2024, section 260E.24, subdivision 2, is amended to read:

44.25 **Subd. 2. Determination after family assessment or a noncaregiver human trafficking
44.26 assessment.** After conducting a family assessment or a noncaregiver human trafficking
44.27 assessment, the local welfare agency shall determine whether child protective services are
44.28 needed to address the safety of the child and other family members and the risk of subsequent
44.29 maltreatment. The local welfare agency must document the information collected under
44.30 section 260E.20, subdivision 3, related to the completed family assessment or noncaregiver
44.31 human trafficking assessment in the child's or family's case notes.

45.1 **Sec. 31. REVISOR INSTRUCTION.**

45.2 The revisor of statutes shall change paragraphs to subdivisions, clauses to paragraphs,
45.3 and items to clauses in Minnesota Statutes, sections 260C.203 and 260C.204. The revisor
45.4 shall make any necessary grammatical changes or changes to sentence structure necessary
45.5 to preserve the meaning of the text as a result of the changes. The revisor of statutes must
45.6 correct any statutory cross-references consistent with the changes in this section.

45.7 **ARTICLE 4**

45.8 **TRANSFERS TO DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES**

45.9 **Section 1. TRANSFERS TO THE DEPARTMENT OF CHILDREN, YOUTH, AND**
45.10 **FAMILIES IN UNCODIFIED LAW.**

45.11 Any power, duty, or responsibility given to the commissioner of human services or the
45.12 Department of Human Services in an uncodified section of Laws of Minnesota that is a part
45.13 of, necessary for, or in service of a power, duty, or responsibility transferred in Laws 2023,
45.14 chapter 70, article 12, section 30, or Laws 2024, chapter 80, transfers to the commissioner
45.15 of children, youth, and families or the Department of Children, Youth, and Families upon
45.16 the notice of transfer of the underlying power, duty, or responsibility required in Laws 2023,
45.17 chapter 70, article 12, section 30, subdivision 1. This section applies to uncodified sections
45.18 of Laws of Minnesota enacted before and after Laws 2023, chapter 70, including but not
45.19 limited to Laws 2024, chapter 117, sections 16 to 22.

APPENDIX
Article locations for 25-01793

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