



2025 Legislative Updates

Topic		Practice Implications
Endnotes refer to Minnesota Session Laws 2025.		Italicized citations refer to the statute(s) being amended. Links are provided where available. "Eff." refers to the change's effective date, if one is given (if no day is noted, it begins the 1 st of the given month). Otherwise, changes are effective 8/1/2025.
Foster Care Licensing	Definition	<ul style="list-style-type: none">- The Children, Youth, and Families (CYF) licensing statute was modified to expand the definition of an individual who is related. For purposes of family child foster care, the definition of an "individual who is related" was modified to also include, "an individual who, prior to the child's placement in the individual's home for foster care or adoption, is an important friend of the child or of the child's parent or custodian. Important friend means an individual with whom the child has previously resided or had significant contact or who has a significant relationship to the child or the child's parent or custodian." <i>Minn. Stat. § 142B.01, Subd. 15</i>- The Background Study statute was also modified to reflect this new definition. "For purposes of background studies affiliated with child foster care licensure, a person is a relative if the person was known to the child or the child's parent before the child is placed in foster care." <i>Minn. Stat. § 245C.02</i>- If an individual who is related to a child is seeking licensure to provide foster care for the child and the individual has a domestic partner but is not married to the domestic partner, only the individual related to the child must be licensed to provide foster care. The commissioner must conduct background studies on household members according to section 245C.03, subdivision 1- There were numerous changes to Child Foster Care Training requirements including unexpected infant death and abusive head trauma, child passenger restraint systems, and fetal alcohol spectrum disorder. Eff. January 1, 2026.

	Identifying Parents of child	- Minn. Stat. § 260C.150 , Subd. 3 was amended requiring the Agency to make diligent efforts to inquire about a child’s heritage, including the child’s Tribal lineage, race, culture, and ethnicity and identify and locate both parents.
Juvenile Safety	Definitions	- The definition of “habitual truant” was modified to include a child who is at least 12 years old and less than 18 years. Habitual truant also now includes a child under the age of 12 who has been absent from school for seven school days without lawful excuse based on a showing the absence is not due to the failure of the parent, guardian, or custodian. Minn. Stat. § 260C.007 , Subd. 19
Dispositions, Placements & Reviews	Placement Plans	<ul style="list-style-type: none"> - Heritage Inquiry: <ul style="list-style-type: none"> - Requires the court to inquire about the child’s heritage, including Tribal lineage, race, culture and ethnicity and the agency’s initial relative search efforts if the court determines the child should be ordered into foster care. - Disposition & Written Findings: Any order for disposition under § 260C.201 must set forth in writing inquiry about the child’s heritage, including the Tribal lineage pursuant to § 260.761 and the child’s race, culture, and ethnicity pursuant to section 260.63, subd. 10. Minn. Stat § 260C.178, Subd. 1
	Court Reviews	<ul style="list-style-type: none"> - Court Review Prior to 18th Birthday: The court is required to conduct a review during the <i>90-day period prior to the 18th birthday</i> of the child in foster care. - The Agency must file a written report with the court containing nine (9) specific provisions including: <ul style="list-style-type: none"> (1) the child's name, date of birth, race, gender, and current address; (2) whether the child is eligible for EFC and if not, the reason or reasons why the child is not eligible; (3) a written summary describing how the child was involved in creating the child's plan for after their 18th birthday; (4) the date the required EFC eligibility notice in section 260C.451, subdivision 1, was provided and the child's plan after the child's 18th birthday; (5) the child's most recent independent living plan required under section 260C.212, subdivision 1; (6) if the agency's recommendation is to extend jurisdiction up to age 19 under section 260C.193, why the extended jurisdiction is in the child's best interest; (7) if the agency's recommendation is to reunify the child with their parent or legal guardian, why reunification is in the child's best interest; (8) if the agency plans to transition the child into adult services on or after the child's 18th birthday, a summary of the transition plan as required in section 260C.452 and how this plan is in the child's best interest; and

	Court Reviews, Cont.	<p>(9) if the child's plan is to leave foster care at age 18 and not continue in extended foster care, a copy of their 180-day transition plan required in section 260C.452 and the reasons the child is not continuing in EFC.</p> <ul style="list-style-type: none"> - The Agency must inform the child and parties to the proceeding of the reporting and these court review requirements and their right to request a hearing. - The child or party to the proceeding may request a hearing if they believe the Agency did not make reasonable efforts under these requirements. - Upon receipt of the report, the court must hold a hearing when a party or the child requests it. Otherwise, the court has the discretion to hold a hearing or issue an order without a hearing. - The court must issue an order with findings including, but not limited to, the following: <ul style="list-style-type: none"> (1) whether the responsible social services agency provided the notice to the child about EFC as required in section 260C.451; (2) whether the responsible social services agency engaged with the child and appropriately planned with the child to transition to adulthood; and (3) if the child has decided to not continue in the EFC program at age 18, whether the responsible social services agency informed the child that they can reenter EFC up to age 21 or that the child is not eligible to reenter and why. - Child over 18 in Foster Care: When a child remains in EFC (§ 260C.451) and the court has jurisdiction to age 21 (§ 260C.193, subd. 6), the court must <i>at least annually</i> conduct the review required under 260C.203. Minn. Stat. § 260C.202 - Permanency Progress Review – Six Months: This statute was modified to prohibit the Agency from defining a foster family as the permanent home for the child until they take the following three actions: <ul style="list-style-type: none"> (i) inquiry and Tribal notice requirements under section 260.761, subdivisions 1 and 2, are satisfied; (ii) inquiry about the child's heritage, including the child's race, culture, and ethnicity pursuant to section 260.63, subdivision 10, has been completed; and (iii) the court has determined that reasonable or active efforts toward completing the relative search requirements in section 260C.221 have been made. Minn. Stat. § 260C.204
	Relative Notice Requirements	<ul style="list-style-type: none"> - Agency required to provide additional notices to relatives. Specifically, the Agency must notify relatives of the following new provisions: § 260C.204, Subd. 2:

		<p>(4) the family foster care licensing and adoption home study requirements which now include:</p> <p>(i) how to complete an application and;</p> <p>(ii) how to request a variance from licensing standards that do not present a safety or health risk to the child in the home under section 142B.10 and;</p> <p>(iii) <u>supports that are available for relatives and children who reside in a family foster home, including how to access respite care, strategies for leveraging natural supports for the child and family, and ways to include resource or substitute caregivers in the child's case plan; and</u></p> <p>(iv) <u>a review of licensing requirements and the relative's choice between county or private, community-based agency licensing and services, pursuant to existing contracts and funding; and</u></p> <p>(8) information advising a relative on access to legal services and support.</p> <p>Eff. January 1, 2026</p>
MN African American Family Preservation & Child Welfare Act	<i>Advisory Council Established</i>	- <u>The African American Child and Family Well-Being Advisory Council</u> is established for the DCYF. It will consist of 31 members and must include representatives with lived personal experience within African American communities and members must be selected through an open appointments process.
	<i>Phase-In Program</i>	- Act took effect on Jan. 1, 2025 for Hennepin & Ramsey Counties only. A state-wide implementation plan and best practices must be developed by September 1, 2026. See Minn. Stat. § 260.61 – 260.693
Concurrent Permanency Planning	<i>Program Goals</i>	- <u>Permanency Goals Modified:</u> DCYF has been required to establish a program for concurrent permanency planning for child protection services. Minn. Stat. § 260C.223 , subd. 1 was modified changing one of the three permanency planning goals to establish a FP for a child who will work toward reunification and also serve as a permanent family for children.
		<p>- <u>DCYF Guidelines and Protocols:</u> Minn. Stat. 260C.223, subd. 2 was modified to include the following criteria in the guidelines for conducting concurrent permanency planning:</p> <p>(c) The responsible social services agency must not make a foster family the permanent home for a child until:</p> <p>(1) inquiry and Tribal notice requirements under section 260.761, subdivisions 1 and 2, are satisfied;</p> <p>(2) inquiry about the child's heritage, including the child's race, culture, and ethnicity pursuant to section 260.63, subdivision 10, has been completed; and</p> <p>(3) the court has determined that reasonable or active efforts toward completing the relative search requirements in section 260C.221 have been made.</p>

Family Reunification	<i>Reestablishment of Legal Parent & Child Relationship</i>	<ul style="list-style-type: none"> - Petition: Individuals who may file a petition for the reestablishment of the legal parent and child relationship was expanded as follows: <ul style="list-style-type: none"> (1) county attorney,; (2) a parent whose parental rights were terminated under a previous order of the court,; (3) <u>a parent whose voluntary consent to adoption was accepted by the court and:</u> <ul style="list-style-type: none"> (i) the identified prospective adoptive parent did not finalize the adoption; or (ii) the adoption finalized but subsequently dissolved and the child returned to foster care and guardianship of the commissioner; (4) a child who is ten years of age or older,; (5) the responsible social services agency,; or (6) a GAL
Foster Care Benefits	<i>Benefits Past Age 18</i>	<ul style="list-style-type: none"> - Permanency Plan Review: <u>Minn. Stat. § 260C.451</u>, Subd. 9 requires the court to conduct reviews at least annually to ensure the Agency is making reasonable efforts to finalize the permanency plan for the child. New language was added to this statutory provision requiring the Agency to file a written report with the court including the following information: <ul style="list-style-type: none"> (1) the child's name, date of birth, race, gender, and current address; (2) a written summary describing planning with the child, including supports and services to ensure the child's safety, housing stability, well-being needs, and independent living skills; (3) the child's most recent out-of-home placement plan and independent living plan required under section <u>260C.212</u>, subdivision 1; (4) if the child's plan is to not continue in EFC or if the child will reach age 21 before the next review, a copy of their 180-day transition plan as required in section <u>260C.452</u>, subdivision 4; and (5) if the agency plans to transition the child into adult services, a summary of the transition plan as required in section <u>260C.452</u>, subdivision 4, and how this plan is in the child's best interest.

Reporting of Maltreatment	Neglect	- Language was added to the definition of neglect under Minn. Stat. 260E.03 , subd. 15 to clarify that, <i>[n]othing in this chapter shall be construed to mean that a child who has a mental, physical, or emotional condition is neglected solely because the child remains in an emergency department or hospital setting because services, including residential treatment, that are deemed necessary by the child's medical or mental health care professional or county case manager are not available to the child's parent, guardian, or other person responsible for the child's care, and the child cannot be safely discharged to the child's family."</i>
	Heritage	- The Agency will be required to ask a reporter if the reporter is aware of the of the child's heritage, including the child's Tribal lineage pursuant to section 260.761 and the child's race, culture, and ethnicity pursuant to section 260.63, subdivision 10. Minn. Stat. § 260E.09
	Training	- Training requirements for mandatory reporters under 260E.065 were modified to require that at least half of the training time be spent on how to identify signs of suspected maltreatment or abuse as defined in 260E.055 , subd. 1, paragraph (b) and cover the definition of each maltreatment type. See Minn. Sess. Law Ch. 13
Screening & Assessment or Investigation	Sexual and Physical Abuse	- Requires the Agency to investigate allegations of sexual abuse, neglect or physical abuse including if the alleged abuse occurred in another state or country but the child's residence is in Minnesota. Minn. Stat. § 260E.14 , subds. 2 and 3.
	Agency Investigation Duties	- Noncaregiver human trafficking assessment was added to the general duties for the Agency to investigate, assess, and collect information in coordination with local law enforcement. Additionally, when conducting the assessment, the Agency shall ask about the child's heritage. Minn. Stat. § 2603.20 , subd. 1
Reporting School Attendance	Reports Required	- Mandatory reporters under Minn. Stat. Chapter 260E must report to the Agency, Tribal social services or designated partner if they know or have reason to believe a child required to be enrolled in school has at least seven unexcused absences in a school year and is at risk of educational neglect under Minn. Stat. § 260C.163 , subd. 11. The Agency must provide a child welfare response and offer services to the child and the child's family to address the school attendance concerns. Failure by the family to engage with services results in a report of educational neglect and response path assignment determined pursuant to § 260E.17 .
Children's Mental Health Act	Terminology	- Minn. Stat. 245.4871 was modified to replace the terms "emotional disturbance" and "severe emotional disturbance" with "mental illness" and serious mental illness." This legislation also removes the term "out-of-home-placement" and replaces it with "residential treatment and therapeutic foster care" throughout the children's mental health act. See Minn. Sess. Law Ch. 38 .

Other	- <i>Child Welfare Information System:</i> DCYF must acquire and implement a data-driven comprehensive child welfare information system that complies with federal and state laws and regulations. Status reports on procurement are due to the legislature on March 15, 2026, August 15, 2026 and each January 15 and July 15 thereafter.
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Table of Abbreviations

Agency	Responsible social services agency	FP	Foster Parent
EFC	Extended Foster Care (18-21)	GAL	Guardian ad litem

Sources

Note that all provisions were included in Minn. Sess. Law Chapter 3 unless otherwise noted.

1) [Minn. Sess. Law Ch. 3, Special Session](#)

2) [Minn. Sess. Law Ch. 13, Regular Session](#)

3) [Minn. Sess. Law Ch. 38, Regular Session](#)

Please do not hesitate to contact CLC with any questions or concerns.