

## Project Description

July 2020

### BACKGROUND

When children are maltreated in their homes, the government may step in to protect their safety. In some circumstances, this intervention includes removing children from their homes.

In Minnesota, the responsibility for such decisions falls primarily to local governments and district courts. County and tribal human service agencies investigate allegations of child maltreatment. If these agencies determine that removing a child from the home is in the child's best interest, they work with a county or tribal attorney to present a petition requesting removal to a district juvenile or tribal court.

Separately, law enforcement personnel may remove a child from a home on an emergency basis if they believe the child is endangered. If they do, the child must be released back to the family within 72 hours (excluding weekends and holidays), or a judge must issue an order continuing the out-of-home placement.

Once a court has decided to place the child outside the family home (which could include placement with a relative), the local human service agency simultaneously develops two different plans for the child. One plan assumes reunification of the child with the family, and the other assumes permanent separation. During the out-of-home placement, the court periodically reviews progress towards each plan and considers the best interests of the child. If the court's conditions for reunification are not met or the court decides that no conditions will allow for a safe reunification, the court may move toward a permanent separation.

In 2015, the Legislature changed child protection laws in response to concerns that local agencies were not vigorously pursuing maltreatment cases. However, some advocates

have argued that these changes failed to confront Minnesota's history of disproportionately removing children from African-American and American Indian families. Further, substantial human services funding differences among counties were left largely untouched.

### POSSIBLE EVALUATION ISSUES

1. How consistently do local authorities implement state and federal laws regarding the removal of children?
2. What barriers exist to reunification of children with their families, and how do these barriers vary across the state?

### DISCUSSION

Child protection is a complex policy area involving many actors. Any element of the process—for example, reporting, screening, investigation, case management, or placement—could be the subject of its own evaluation.

Based on our conversations with legislators and other stakeholders, we plan to focus our attention on two key decision points: (1) the decision to remove a child from the home, and (2) the setting of conditions for reunification.

Due to the wide scope of our questions and the difficulties of in-person research during the COVID-19 pandemic, we will concentrate our efforts on administrative records collected by the Department of Human Services and the State Court Administrator's Office. However, we plan to supplement our review of files with a survey, data analysis, and numerous interviews.

The evaluation is scheduled to be completed in early 2021. For additional information, contact David Kirchner, evaluation manager, at 651-296-3322 or [david.kirchner@state.mn.us](mailto:david.kirchner@state.mn.us).