

The Minnesota Fathers & Families Network is introducing legislation this session that would:

- clarify the definition of parent in child protection cases;
- give all parents, including noncustodial parents, a right to be heard in court hearings;
- give the court discretion to allow the child protection agency to allow visitation between a noncustodial parent and child prior to the full vetting of a parent as the temporary place for the child to live, on a case-by-case basis;
- while a child in need of protection or services (CHIPS) petition is pending, allows county workers to contact a putative father who registered late on the Minnesota Fathers' Adoption Registry (later than 30 days after the birth of the child).

Why is this needed?

- **Minnesota, as well as several other states, is under a Program Improvement Plan with the federal government for not meeting important criteria on father engagement measures in child protection cases.** Statutory and policy changes are needed, along with other measures, to clarify and improve work with fathers in child protection cases.
- **Child protection workers, county attorneys and judges need to know who is and isn't a legal parent.** Our changes would clarify who is a legal parent, consistent with the paternity statutes, and remove a confusing statutory reference in the parent definition that was added in 2009.
- **To remove barriers to full involvement of noncustodial parents in CHIPS matters.** It is important that noncustodial parents have rights to speak in court. Currently a noncustodial parent is treated as a "participant" and does not have these rights. Because almost all noncustodial parents in CHIPS cases are fathers, this status contributes to the perception that the father is a 'second class' parent. Our language would give all parents, including noncustodial parents, the right to be heard in any review or child protection hearing regarding their child.
- **To remove barriers to fathers' visitation with their children.** A 2009 law does not give judges the discretion to allow interim visitation while the child protection agency is making a full investigation of a noncustodial parent's ability to care for the child at home, for a parent who previously had no or limited visitation leading up to the court's involvement. While this may sound reasonable, there are many situations in which children still have an important connection and bond with their father, despite having lost contact with him. Judges should have the discretion on a case-by-case basis to allow agencies to determine visitation in these cases.
- **To clarify what happens when the agency learns of a putative father who registered late on the Minnesota Fathers' Adoption Registry (MFAR).** MFAR was primarily created to protect the rights of putative fathers in adoption cases, but has become a source of locating fathers in child protection cases. Searching the registry prior to a permanency related adoption is not discretionary; what happens, though, when a late registration is discovered is not currently clear. The new language makes it clear that it is *permissible*, in a CHIPS proceeding, for the county agency to contact a putative father who registered late on MFAR for the purposes of seeking the putative father (and potentially his relatives) as a possible placement option for a child.

How does this benefit children?

- **Nonresident father involvement in child protection cases is associated with positive outcomes.** This includes a higher likelihood of reunification and lower likelihood of an adoption outcome. Children with highly involved fathers are discharged from foster care more quickly and have a substantially lower likelihood of a subsequent maltreatment allegation.

How does this benefit the state and county?

- **When fathers are more involved, they can serve as a temporary or permanent place for the child to live, which saves money and fosters the parent-child bond.** (It also prevents mothers from losing their parental rights.) On average, placing a young child with a father instead of in foster care could save \$12,800 *per child*.

Leading Minnesota's campaign for healthy fatherhood.



Current
information
as of 3/1/10

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— 2008 U.S. Health and Human Services Dept. study

Our mission

The Minnesota Fathers & Families Network enhances healthy father-child relationships by promoting initiatives that inform public policy and further develop the field of fatherhood practitioners statewide.

Minnesota Fathers & Families Network
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