

1.1 ..... moves to amend H.F. No. 1423, the first engrossment, as follows:

1.2 Page 9, line 15, delete "adoption assistance program" and insert "commissioner"

1.3 Page 9, line 17, after "parent" insert "step parent"

1.4 Page 9, line 19, delete "resides" and insert "resided" and after involvement insert "unless:"

1.5  
1.6 Page 9, after line 19, insert:

1.7 "(i) the child was in the custody of a Minnesota county or tribal agency pursuant to  
1.8 an order under chapter 260C or equivalent provisions of tribal code and the agency had  
1.9 placement and care responsibility for permanency planning for the child; and

1.10 (ii) the child is under guardianship of the commissioner of human services according  
1.11 to the requirements of section 260C.325, subdivision 1, paragraphs (a) and (b), or  
1.12 subdivision 3, paragraphs (a) and (b), or is a ward of a Minnesota tribal court after  
1.13 termination of parental rights, suspension of parental rights, or a finding by the tribal court  
1.14 that the child cannot safely return to the care of the parent;"

1.15 Page 29, line 24, after "placement" insert "according to the requirements of section  
1.16 260C.212, subdivision 2"

1.17 Page 31, line 23, after "chapter" insert ". The requirements of the Minnesota  
1.18 Parentage Act, section 257.51 to 257.74, must be followed unless otherwise specified in  
1.19 this section."

1.20 Page 31, line 24, before "by" insert "(b) An action to establish a parent and child  
1.21 relationship under this chapter must be commenced"

1.22 Page 31, line 24, delete the second "the"

1.23 Page 31, line 25, delete everything before "as" and insert "all required parties under  
1.24 the Minnesota Parentage Act"

1.25 Page 31, line 28, after the period insert "(c)"

1.26 Page 31, line 34, delete "(b)" and insert "(d)"

1.27 Page 31, line 35, delete "when" and insert "unless" and delete the third "of"

2.1 Page 32, delete line 1, and insert "has already been adjudicated under the Minnesota  
2.2 Parentage Act or a recognition"

2.3 Page 32, line 2, delete "section 257.75" and insert "the Minnesota Parentage Act"  
2.4 and after "recognition" insert "of parentage"

2.5 Page 32, line 4, delete everything after "257.66" and insert ". If genetic testing is  
2.6 ordered, a positive"

2.7 Page 32, after line 5, insert:

2.8 "(e) A copy of the order establishing the parent and child relationship shall be filed  
2.9 in family court."

2.10 Page 32, line 16, after "adoption" insert "finalization hearings under section  
2.11 260C.629"

2.12 Page 36, line 8, strike the first "the" and delete "child" and strike "and"

2.13 Page 36, after line 10, insert:

2.14 "(b) At all hearings, the child is entitled to be heard, to present evidence material to  
2.15 the case, and to cross examine witnesses appearing at the hearing."

2.16 Page 36, line 11, delete "(b)" and insert "(c)"

2.17 Page 37, line 7, after "259.41" insert "and section 259.53, subdivision 3a"

2.18 Page 42, after line 4, insert:

2.19 "(d) If the agency's efforts under section 260C.221 are found to be sufficient, the  
2.20 court shall order the agency to continue to appropriately engage relatives who responded  
2.21 to the notice under section 260C.221 in placement and case planning decisions and to  
2.22 appropriately engage relatives who subsequently come to the agency's attention."

2.23 Page 42, line 5, delete "(d)" and insert "(e)"

2.24 Page 42, line 11, delete "(e)" and insert "(f)"

2.25 Page 42, line 13, delete "(f)" and insert "(g)"

2.26 Page 42, line 14, strike "a sibling" and insert "siblings" and strike "are" and insert "  
2.27 were" and delete the new language

2.28 Page 42, line 15, delete the new language

2.29 Page 42, line 19, strike "may" and insert "must"

2.30 Page 42, line 20, strike "review" and insert "order" and strike "agency's" and insert "  
2.31 agency to implement the"

2.32 Page 44, line 11, after "search" insert "and has appropriate engaged relatives who  
2.33 responded to the notice under section 260C.221 and other relatives, who came to the  
2.34 attention of the agency after notice under section 260C.221 was sent, in placement and  
2.35 case planning decisions"

3.1 Page 44, line 13, after "of" insert "an unlicensed relative according to the  
3.2 requirements of section 245A.035," and after "relative" insert a comma

3.3 Page 45, line 24, after the period insert "The court must order the agency to continue  
3.4 to appropriately engage relatives who responded to the notice under section 260C.221  
3.5 in placement and case planning decisions and to engage other relatives who came to the  
3.6 agency's attention after notice under section 260C.221 was sent."

3.7 Page 46, line 5, after "delay" insert "and whenever the child must move from or be  
3.8 returned to foster care"

3.9 Page 46, line 6, strike "reasonable and"

3.10 Page 46, line 7, after the period insert "After a finding that the agency has made  
3.11 reasonable efforts to conduct the relative search under this paragraph, the agency has the  
3.12 continuing responsibility to appropriately involve relatives, who have responded to the  
3.13 notice required under paragraph (a), in planning for the child and to continue to consider  
3.14 relatives according to the requirements of section 260C.212, subdivision 2. At any time  
3.15 during the course of juvenile protection proceedings, the court may order the agency to  
3.16 reopen its search for relatives when it is in the child's best interest to do so."

3.17 Page 46, line 8, strike the first "of the child"

3.18 Page 46, line 9, after the period insert "The search shall also include getting  
3.19 information from the child in an age appropriate manner about who the child considers  
3.20 to be family members and important friends with whom the child has resided or had  
3.21 significant contact. The relative search required under this section must fulfill the agency's  
3.22 duties under the Indian Child Welfare Act regarding active efforts to prevent the breakup  
3.23 of the Indian family under 25 USC 1912(d) and to meet placement preferences under  
3.24 25 USC 1915."

3.25 Page 46, line 17, before "relative" insert "potential"

3.26 Page 46, line 21, after "notice" insert ". Participate in the care and planning  
3.27 includes, but is not limited to, participation in case planning for the parent and child,  
3.28 identifying the strengths and needs of the parent and child, supervising visits, providing  
3.29 respite and vacation visits for the child, providing transportation to appointments,  
3.30 suggesting other relatives who might be able to help support the case plan, and to the  
3.31 extent possible, helping to maintain the child's familiar and regular activities and contact  
3.32 with friends and relatives"

3.33 Page 46, line 22, strike "and"

3.34 Page 46, line 26, strike the period and insert "; and"

3.35 Page 46, after line 26, insert:

4.1 "(5) of the relatives' right to ask to be notified of any court proceedings regarding  
4.2 the child, to attend the hearings, and of a relative's right or opportunity to be heard by the  
4.3 court as required under section 260C.152, subdivision 5."

4.4 Page 47, line 28, strike the first "may" and insert "must"

4.5 Page 51, line 27, after "children" insert "taking into consideration the needs of  
4.6 children outline at section 260C.212, subdivision 2, paragraph (b)"

4.7 Page 52, line 7, before "consult" insert "shall " and delete "as needed"

4.8 Page 60, line 19, after the period, insert "The child or the child's guardian ad litem  
4.9 may file a motion asking the court to review the agency's determination within 15 days of  
4.10 receiving the notice. The child shall not be discharged from foster care until the motion  
4.11 is heard."

4.12 Page 60, line 22, delete "appeal the termination under section 256.045" and insert ""  
4.13 have the agency's determination reviewed by the court in the proceeding where the court  
4.14 conducts the reviews required under sections 260C.203, 260C.515, subdivisions 5 or  
4.15 6, or 260C.607, subdivision 4"

4.16 Page 60, line 24, delete everything after "court"

4.17 Page 60, line 25, delete everything before "The"

4.18 Page 66, line 22, delete "may" and insert "must be filed not later than the date for the  
4.19 required admit/deny hearing under section 260C.507; or if the agency's petition is filed  
4.20 under section 260C.503, subdivision 2, the petition must be filed not later than 30 days  
4.21 prior to the trial required under section 260C.509; and"

4.22 Page 66, delete lines 23 to 26

4.23 Page 72, line 36 delete "one of"

4.24 Page 73, line 33, delete "and" and insert "or"

4.25 Page 74, line 3, delete "and"

4.26 Page 74, line 4 delete the period and insert "; and"

4.27 Page 74, after line 4, insert:

4.28 "(8) the child's attorney."

4.29 Page 75, line 5, delete everything after "adoption" and insert "who is a resident  
4.30 of Minnesota"

4.31 Page 75, line 6, delete "motion"

4.32 Page 75, line 25, delete "adoptive" and insert "the execution of the adoption" and  
4.33 after "placement" insert "agreement as required under section 260C.613, subdivision 1."

4.34 Page 78, lines 21, 29, 30, and 33, delete "19" and insert "18"

4.35 Page 79, lines 2 and 5, delete "19" and insert "18"

4.36 Page 81, after line 5, insert:

5.1 "(c) If a request for a communication or contact agreement is made and the agency  
5.2 agrees that communication or contact would be in the child's best interest, if the agency  
5.3 has not already done so, the agency must counsel the adoptive parent regarding the  
5.4 benefits to the child of the continued communication or contact."

5.5 Page 81, line 6, delete "(c)" and insert "(d)"

5.6 Page 81, line 11, delete "(d)" and insert "(e)"

5.7 Page 81, line 15, delete "(e)" and insert "(f)"

5.8 Page 86, line 8, after the period, insert "The first name of the adopted child can only  
5.9 be changed upon the request of the child when the child is age 10 or older."