

February 14, 2023

Representative Pinto, Chair
Children and Families Finance and Policy
503 State Office Building
St. Paul, MN 55155

RE: HF 1071/SF 667 – Minnesota Indian Family Preservation Act

Dear Chair Pinto and Members of the Children and Families Finance and Policy Committee:

The Association of Minnesota Counties (AMC) and the Minnesota Association of County Social Service Administrators (MACSSA) recognize that the Indian Child Welfare Act (ICWA) and the Minnesota Indian Family Preservation Act (MIFPA) represent important standards for how we support Indian children and families and conduct child protection.

We value the work of Senator Kunesch, Representative Keeler, the work of the eleven sovereign tribes in Minnesota, the work of the Tribal workgroup – led by Rebecca McConkey – Greene and the many others involved, for these needed policy changes. AMC and MACSSA appreciate the opportunity to work with our Minnesota tribes, the tribal workgroup and to be invited and involved in this process.

We also recognize that strong, collaborative relationships with our tribes is critical and integral to our continued ICWA/MIFPA work. In times of program scarcity, increased mental health and substance use needs, workforce shortages and woefully inadequate information systems it is critical to make investments in both tribes and counties to foster more partnership, establish upstream services, and build strong relationships and coordination.

As S.F. 667/H.F. 1071 moves forward, we believe it is important to continue dialog in two important areas:

(1) the definition of imminent physical damage or harm, and (2) qualified expert witness testimony for transfer of custody petitions, temporary custody to the agency petitions, and permanent custody to the agency petitions.

MACSSA agrees with the concerns raised by the Minnesota County Attorney's Association (MCAA) regarding the current proposed definition of imminent physical damage or harm which could unnecessarily leave children in unsafe situations or at risk because their circumstances would not rise to the higher standard created with this definition.

MACSSA also supports the concerns raised by MCAA regarding the proposed requirements for qualified expert witness testimony. MACSSA agrees that QEW testimony from the child's Indian tribe is integral and supports clarification of this provision to limit ambiguities, which could lead to discrepancies in practice.

We greatly appreciate the time and effort that has gone into this legislation and look forward to continued conversations as the bill moves forward.

Sincerely,



Angie Thies, Child Wellbeing Policy Analyst
Association of Minnesota Counties

Cc:
Senator Kunesh
Representative Keeler