

9560.0130 CHILDREN IN NONRELATIVE HOMES.

Subpart 1. **Requirement of services.** When the local social service agency learns that a child is residing in a nonrelative home for the purpose of adoption, it shall carry out the duties of the commissioner and provide all appropriate child protection services prescribed under Minnesota Statutes, chapter 245A and section 252.28, subdivision 2, child-placing under Minnesota Statutes, sections 257.03, 257.04, and 260.851, and the Juvenile Court Act under Minnesota Statutes, chapter 260.

Local social service agency actions include:

- A. ensuring that the child is returned to a responsible person or agency in the state of origin when the child was imported into Minnesota in violation of statutes;
- B. obtaining temporary legal custody;
- C. placing the child into a licensed foster home or licensing the current home;
- D. providing services to the child's parents in making appropriate permanent plans for the child.

Subp. 2. **Investigative report.** In addition, within 30 days of learning that a child resides in a nonrelative home for the purpose of adoption, the local social service agency shall submit to the state agency a full written report of its investigation of the proposed or actual placement. The report shall include:

- A. names and addresses of the child's parents, the child, and the intended home;
- B. the names, addresses, dates, and the activities of all individuals involved in the independent placement plan;
- C. the circumstances surrounding the placement plan; and
- D. any compensation, promise of payment, solicitation, receipt of payment by any person to any person for placing or assisting in the placement of the child.

Subp. 3. **Legal action against violators.** The local social service agency shall, in writing, request the county attorney's opinion on taking legal action against the individuals involved in violations of child placement statutes.

Subp. 4. **Further recommendations.** The state agency's adoption unit shall recommend to the local social service agency any additional action required for the protection of the child.

Statutory Authority: *MS s 257.05; 257.175; 259.53; 259.67; 259.75; 259.87*

History: *9 SR 909; 13 SR 1448; L 1999 c 139 art 4 s 2*

Published Electronically: *October 11, 2007*