

Fast Facts – Minnesota’s African American Family Preservation and Child Welfare Disproportionality Act (AAFPCWDA)

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What is the African American Family Preservation and Child Welfare Disproportionality Act (AAFPCWDA)?

The [AAFPCWDA](#) is legislation that was passed during the 2024 Legislative Session. It includes Minnesota Statutes, sections 260.61 to 260.693.

What does the AAFPCWDA strive to do?

The AAFPCWDA is intended to protect the best interests of African American and disproportionately represented children involved in juvenile protection cases by promoting stability, avoiding unnecessary removals, and improving permanency outcomes.

How will it do that?

The AAFPCWDA will require the use of active efforts similar to how active efforts are required in Indian Child Welfare Act (ICWA) cases. It also declares a preference for transfer of permanent legal and physical custody to a relative or noncustodial parent and limits the grounds when termination of parental rights can occur.

Does the AAFPCWDA expand the appeal timelines for a parent of an African American or disproportionately represented child whose parental rights have been terminated?

No, the time to file an appeal in a juvenile protection case remains at 20 days. The AAFPCWDA creates a conflict with [Juvenile Protection Rule 23.02](#) by providing a longer time to file an appeal for certain parties in certain cases. The Minnesota Supreme Court reviewed this topic and issued [an order](#) in response. The order states that notwithstanding the new statute, the time to file an appeal remains at 20 days as provided by the Juvenile Protection Rules.

When will the AAFPCWDA take effect?

The AAFPCWDA will be phased in. It is effective January 1, 2025, in Hennepin and Ramsey Counties (and potentially other counties if requested by a county). The AAFPCWDA is effective statewide on January 1, 2027.

What is State Court Administration doing to prepare for the implementation?

State Court Administration is in communication with the counties implementing on January 1, 2025, as they think through how to pilot and monitor their efforts. State Court Administration is also in communication with the Minnesota Department of Children, Youth, and Families (DCYF) and other partners in the social services community who are preparing for implementation so that efforts may be coordinated where possible.

Where can I get more information?

More information will be shared as it’s learned in anticipation of statewide implementation in 2027. If you have questions in the meantime, you can email the Children’s Justice Initiative Program at

CJI@courts.state.mn.us.