



## STATE STATUTES

CURRENT THROUGH AUGUST 2024

# Links to State and Tribal Child Welfare Law and Policy

To find statute information for a particular State, Territory, or Tribe, go to the [State Statutes Search](#).

Child welfare professionals require ready access to State laws, regulations, and agency policies regarding decisions that affect child safety and well-being. The Child Welfare Information Gateway website includes links, if available, to statutes and codes for each State and Territory that address child protection, child welfare, adoption, legal guardianship as a permanency option, Tribal child welfare, and services for youth transitioning out of foster care. It also provides links to Tribal codes, available regulation and policy sites, court rules, and other judicial resources.

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## STATUTES

Statutes are provisions enacted by legislatures that authorize a State or Territory government to operate and perform its many functions. All States, the District of Columbia, Puerto Rico, and the U.S. Territories of American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands currently make their statutes available on websites that are freely accessible to the public.<sup>1</sup> Statutes are organized topically into codes by titles, chapters, articles, or sections. Familiarity with the structure of a State's code is helpful for locating information.

## TRIBAL LAWS

The Federal government recognizes more than 500 American Indian/Alaska Native (AI/AN) Tribes in the United States. Federally recognized Tribes possess some powers of self-governance, and many have organized Tribal councils or courts to handle issues concerning Tribal lands and members. Twelve Tribes<sup>2</sup> have implemented title IV-E plans approved by the Children's Bureau; information about Tribal codes for these Tribes can be found on our website. Several other Tribes have posted Tribal codes on their websites; these are listed with the States with which those Tribes share geography.

## REGULATIONS AND POLICIES

Regulations, also known as administrative law or policy, are promulgated by government agencies to guide the application of statutory requirements to agency practice.<sup>3</sup>

Each department or agency within a State or Territory is typically responsible for formulating regulations and policies for the programs that the agency administers. Regulations are usually organized into codes by agency, topic, or specific program.

Most States now make regulations available either on a State website that includes every agency's administrative code or on the individual department or agency's website. Many State agencies have further organized their regulations into policy manuals and other explanatory materials. These materials and an array of other informational materials can be found in Information Gateway's [State Guides & Manuals Search](#). The search links to online publications created by agencies to describe their services and provide guidance on child welfare topics to both professional and general audiences.

## OTHER CONSIDERATIONS

Statutes can be subject to further interpretation by State or Territory case law. Case law refers to the body of court opinion (i.e., the written decisions that are issued at the appellate and supreme court levels) that can affect the application of law. Individuals interested in how the law applies to their specific situations should consult with a legal professional who has experience with child welfare law in that State or Territory.

<sup>1</sup> Online regulations for Puerto Rico are available only in Spanish.

<sup>2</sup> The 12 AI/AN Tribes implementing approved title IV-E plans are the Aleut Community of St. Paul Island and Kenaitze Indian Tribe (Alaska); Navajo Nation, Pascua Yaqui Nation, and Salt River Pima Maricopa (Arizona); Pala Band of Mission Indians and Tolowa Nation (California); Penobscot Nation (Maine); Keweenaw Bay Indian Community (Michigan); Eastern Band of Cherokee Indians (North Carolina); Cherokee Nation (Oklahoma); and Port Gamble S'Klallam (Washington).

<sup>3</sup> State regulation and policy are subject to a hearing and approval process before finalization.

## How to Access the Information

To access sources of information about the laws and policies of a specific State, Territory, or Tribe, visit the [State, Territory, and Tribal Resources](#) page on Information Gateway's website. To select a State or Territory, click that location on the map or select it from the drop-down list. To view Tribal information, select it using the drop-down list.

Once you have selected a State, Territory, or Tribe, you will be taken to a page that displays all available information related to that State, Territory, or Tribe. To further refine your search, select Resource Type and then select State Statutes. That will provide a list of all the publications in the *State Statutes Series*. You can select all the publications or individual publications. On this page, you can also select additional States, Territories, or Tribes by clicking States, Territories & Tribes.

This publication is a product of the *State Statutes Series* prepared by Child Welfare Information Gateway. While every attempt has been made to be as complete as possible, additional information on these topics may be in other sections of statutes, codes, regulations, agency policies, case law, and informal practices and procedures.

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U.S. Department of Health and Human Services  
Administration for Children and Families  
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