



STATE STATUTES
CURRENT THROUGH MAY 2021

Links to State and Tribal Child Welfare Law and Policy

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

Child welfare professionals require ready access to State laws and regulations regarding decisions that affect child safety and well-being. This publication provides web addresses for State statutes that are accessible online and lists the parts of the code for each State and territory that contain the laws addressing child protection, child welfare, adoption, legal guardianship as a permanency option, and services for youth aging out of foster care. It also provides web addresses for Tribal codes, States' regulation and policy sites, State court rules, and other judicial resources.

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STATE STATUTES

State statutes are provisions enacted by State legislatures that authorize a State 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.¹ 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.

LAWS OF INDIAN TRIBES

The Federal government recognizes more than 500 American Indian Tribes in the United States. Federally recognized Tribes possess some powers of self-governance, and many have organized Tribal councils and/or courts to handle issues concerning both Tribal lands and members. Several Tribes have posted Tribal codes on their websites; these are listed with the States in which the Tribes' seats of Tribal government are located.

STATE REGULATION AND POLICY

State regulations, also known as administrative law or policy, are promulgated by State agencies to guide the application of statutory requirements to agency practice.² Each department or agency within a State government typically is responsible for formulating regulations and policy for the programs that the agency administers. Regulations tend to be organized into codes by agency, topic, or specific programs.

Most States now make regulations available on either a State website organizing 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, as well as an array of other informational materials, can be found in Child Welfare Information Gateway's [State Guides & Manuals Search](#). The search links to online publications created by State agencies to describe their services and provide guidance on child welfare topics to both professional and general audiences.

OTHER CONSIDERATIONS

State statutes can be subject to further interpretation by State 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 may apply to their specific situations should consult with a legal professional who has experience with child welfare law in their State.

How to Access the Information.

Links to sources of information about the laws and policies of the States and territories can be accessed through the [State statutes search page](#) on Child Welfare Information Gateway's website.

¹ Online regulations for Puerto Rico are available only in Spanish.

² State regulation and policy are subject to a hearing and approval process before finalization.

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

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