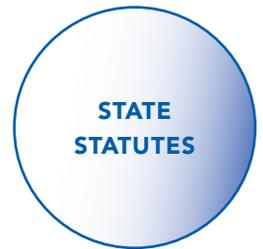




Child Welfare Information Gateway

PROTECTING CHILDREN ■ STRENGTHENING FAMILIES



Current Through
August 2012

Online Resources for State Child Welfare Law and Policy

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

To find statute information for a particular State, go to http://www.childwelfare.gov/systemwide/laws_policies/state/index.cfm



Child Welfare Information Gateway
Children's Bureau/ACYF
1250 Maryland Avenue, SW
Eighth Floor
Washington, DC 20024
800.394.3366
Email: info@childwelfare.gov
<http://www.childwelfare.gov>

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 where the Tribes are located.

State Policy and Regulation

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 a State website organizing every agency's administrative code or on a website of the individual department or agency. 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 Information Gateway's State Guides & Manuals Search (<http://www.childwelfare.gov/systemwide/sgm>). The search links to online publications created by State agencies to describe their

¹ Online regulations for Puerto Rico are available only in Spanish. At this time, only session laws (recently enacted legislation) are available online for the Northern Mariana Islands.

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

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 in child welfare law in their State.

How to Access the Information

Information about the laws and policies of the States and territories can be accessed through the State Statutes search page at http://www.childwelfare.gov/systemwide/laws_policies/state/

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.

Suggested Citation: Child Welfare Information Gateway. (2012). *Online resources for State child welfare law and policy*. Washington, DC: U.S. Department of Health and Human Services, Children's Bureau.



U.S. Department of Health and Human Services
Administration for Children and Families
Administration on Children, Youth and Families
Children's Bureau

