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Minn. R. Civ. App. P. 136.01, subd. 1(c).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A22-0569**

In the Matter of the Welfare of the Child of:
A. M. L.,

Commissioner of Human Services,
Legal Custodian.

**Filed October 24, 2022
Affirmed
Wheelock, Judge**

Carver County District Court
File No. 10-JV-20-357

Rachel L. Osband, Fiddler Osband LLC, Edina, Minnesota (for appellants A.M.C.¹ and R.C.)

Jenna M. Eisenmenger, Georgie K. Brattland, Heimerl & Lammers LLC, Minnetonka, Minnesota (for respondents T.S. and S.S.)

Mark Metz, Carver County Attorney, Jennifer L. Christensen, Assistant County Attorney, Chaska, Minnesota (for respondent Carver County Health and Human Services)

Dianne Schafer, Chaska, Minnesota (guardian ad litem)

Considered and decided by Wheelock, Presiding Judge; Bratvold, Judge; and Cochran, Judge.

¹ Appellant A.M.C. shares initials with another individual identified in this opinion. For clarity, we refer to appellant A.M.C. as “A.C.” throughout the opinion.

NONPRECEDENTIAL OPINION

WHEELLOCK, Judge

By order filed after an evidentiary hearing, the district court denied appellants' motion for an adoptive placement of a child. On appeal from that order, appellants argue that the district court abused its discretion by determining they failed to prove that respondent-county acted unreasonably in not placing the child with them. We affirm.

FACTS

This case involves the permanent placement of J.J.B. (the child), born in November 2020. The child's parents had two older children—A.M.C. and A.L.—born in May 2014 and August 2017, respectively.

Background

Both older children had been placed outside of the home by Olmsted County Health and Human Services. The mother's parental rights to both older children were involuntarily terminated, and the father's parental rights were voluntarily terminated. A.L. died at a young age. A.M.C. was eventually placed with the appellants in this case, A.C. and R.C., who adopted A.M.C. in April 2018. Because A.C. is the sister of their maternal grandmother, A.C. is the great aunt of both A.M.C. and the child. A.C. and R.C. live in Colorado with A.M.C.

Shortly after his birth, the child was screened in for a 24-hour investigation by respondent Carver County Health and Human Services (the county) and, in December 2020, was placed in an out-of-home foster-care placement with his maternal grandparents. The child and the child's mother had been living with his maternal grandparents, and the

child's mother was removed from the home to allow for the placement to occur. The county continued to work on a case plan and visitation with the child's mother and to make reasonable efforts toward reunification with both parents.

The county identified respondents S.S. and T.S. as relatives living nearby who could provide respite care for the child while he was in the grandparents' care. T.S. is a cousin to the child through the child's grandfather. S.S. and T.S. began providing respite care in January 2021. Around this time, A.C. and R.C. informed the county of their interest in caring for the child as a foster-to-adopt placement.

The county initiated a relative search and sent an initial letter to identified relatives on February 3, 2021. Both couples, A.C. and R.C. and S.S. and T.S., responded that they were foster-care options and permanent-placement options for the child. The county began the process of compiling an Interstate Compact on the Placement of Children (ICPC)² request for A.C. and R.C. in April 2021. In May 2021, the county received information from the mother's attorney that the mother wished to discuss a consent-to-adopt agreement with S.S. and T.S. Following her failure to appear at a scheduled permanency hearing in July 2021, however, the mother's rights to the child were involuntarily terminated by a finding of default. Based on concerns about the child's safety in the grandparents' care,

² The ICPC is an agreement requiring compliance and cooperation between the public authorities when foster or adoptive placements are made across state lines. *See* Minn. Stat. § 260.851 (2020). Among its requirements is that “[p]rior to sending, bringing or causing any child to be sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency shall furnish the appropriate public authorities in the receiving state written notice.” *Id.*, art. 3(b). The receiving state is then responsible for determining whether the transfer and placement would be “contrary to the interests of the child.” *Id.*, art. 3(d).

the county removed the child from his foster placement with his grandparents in June 2021 and placed him in the home of S.S. and T.S. The father's rights to the child were involuntarily terminated by a finding of default in late August 2021.

Prior to the termination of the father's parental rights, the county requested a foster-to-adopt home study for A.C. and R.C. from the relevant agency in Colorado. In September 2021, while that request was pending, the county received S.S. and T.S.'s completed home study. In October 2021, the county signed an adoption-placement agreement with S.S. and T.S. On November 1, 2021, the county submitted the adoption-placement agreement to the Minnesota Department of Human Services (DHS). And on the following day, November 2, 2021, the county received the completed home study from the Colorado agency, recommending approval of A.C. and R.C. as an option for the child's placement.

District Court Proceedings and the Evidentiary Hearing

In October 2021, A.C. and R.C. moved to intervene in the case and for video visitation with the child, and the district court held a post-permanency review hearing and a hearing on the motion for intervention. At the same time, S.S. and T.S. also moved to intervene in the case. A.C. and R.C. then notified the court and parties that they intended to file a motion for adoptive placement. The district court granted both motions for intervention and set a hearing date for A.C. and R.C.'s motion for adoptive placement.

In December 2021, the district court held a nonevidentiary hearing on A.C. and R.C.'s motion for adoptive placement under Minn. Stat. § 260C.607, subd. 6(a)(2) (Supp. 2021). At that hearing, the district court ruled that A.C. and R.C. made a prima facie

showing that the county had been unreasonable in failing to make the requested adoptive placement. The district court then set an evidentiary hearing, as required by statute, to address whether the county had, in fact, been unreasonable in failing to make the requested placement. *See* Minn. Stat. § 260C.607, subd. 6(c)-(e) (Supp. 2021).

The district court held the evidentiary hearing over several days throughout January and February 2022, during which it heard the testimony of the county caseworkers, the guardian ad litem (GAL), and extended family members, including S.S., T.S., A.C., and R.C. An expert in early-childhood attachment and an expert in sibling relationships in foster care and adoption also testified. The district court heard testimony about the caseworkers' involvement with the potential placements, the relationship difficulties between A.C. and the child's maternal grandmother and other members of A.M.C.'s extended family, and the lack of contact between A.M.C. and her grandmother.

In April 2022, the district court filed an order denying A.C. and R.C.'s motion. The order addressed the application of the Minnesota Foster Care Sibling Bill of Rights, Minn. Stat. § 260C.008 (2020), to this case and included individualized findings on the needs of the child to ensure his best interests are met pursuant to Minn. Stat. § 260C.212, subd. 2 (Supp. 2021). The district court determined first that A.C. and R.C. failed to prove by a preponderance of the evidence that the county was unreasonable in failing to place the child with them for adoption and second that the county had acted reasonably in not placing the child with them. The district court also ruled that it was in the child's best interests to remain in S.S. and T.S.'s care while his adoption with them is finalized, that the child should actually remain in S.S. and T.S.'s care while his adoption is finalized, and that the

child shall have contact with A.C., R.C., and A.M.C. pursuant to a written contact plan agreed to by the parties.

A.C. and R.C. appeal.

DECISION

A.C. and R.C. assert both (1) that the record does not support the district court's determination that the county properly considered appellants as a placement option for the child and (2) that the district court erred by not finding that the child should be placed with them. In addition, A.C. and R.C. argue that the district court misapplied the law when assessing the county's reasonableness and misapplied Minnesota's sibling-preference law by not placing the child with A.C. and R.C., who had already adopted his sibling. We disagree.

We begin by reviewing the statutory framework for adoptive placements. Minn. Stat. § 260C.607, subd. 6 (Supp. 2021),³ establishes the process for motions and hearings to order adoptive placement. “[A]fter the district court orders [a] child under the guardianship of the commissioner of human services, . . . a relative or the child's foster parent may file a motion for an order for adoptive placement . . . if the relative or the child's foster parent” has an adoptive home study approving the relative or foster parent to be an adoptive-placement option. *Id.*, subd. 6(a). If the movant makes a prima facie showing

³ The legislature amended Minn. Stat. § 260C.607, subd. 6, in 2022. *See* 2022 Minn. Laws ch. 98, art. 8, § 27, at 208. Because the changes became effective August 1, 2022, pursuant to Minn. Stat. § 645.02 (2020), and the district court's juvenile-protection order that the county acted reasonably in not placing the child with A.C. and R.C. for adoption was entered on April 5, 2022, we review the order under the former version of the statute.

that the agency has been unreasonable in failing to make the requested adoptive placement, the district court conducts an evidentiary hearing. *Id.*, subd. 6(b), (c).

Section 260C.607 requires that, at any evidentiary hearing that may be necessary, the agency first present evidence explaining why it did not make an adoptive placement with the movant. *Id.*, subd. 6(d). “The moving party then has the burden of proving by a preponderance of the evidence that the agency has been unreasonable in failing to make the adoptive placement.” *Id.* If the district court finds that the agency was unreasonable in failing to make the adoptive placement and that the relative or foster parent requesting placement is “the most suitable adoptive home to meet the child’s needs” based on the statutory best-interests factors, the district court “may order the responsible social services agency to make an adoptive placement in the home of the relative or the child’s foster parent.” *Id.*, subd. 6(e).

We review a district court’s decision after an evidentiary hearing on a requested adoptive placement under Minn. Stat. § 260C.607, subd. 6, for an abuse of discretion. *See id.* (stating district court “may” order relative adoptive placement if it finds agency unreasonably failed to make requested placement); *In re Welfare of Child. of J.D.T.*, 946 N.W.2d 321, 327-28 (Minn. 2020) (noting, in a juvenile-protection appeal, that a statute’s use of “may” confers discretion on the district court). “A district court abuses its discretion by making findings of fact that are unsupported by the evidence, misapplying the law, or delivering a decision that is against logic and the facts on record.” *Woolsey v. Woolsey*, 975 N.W.2d 502, 506 (Minn. 2022) (quoting *Bender v. Bernhard*, 971 N.W.2d 257, 262 (Minn. 2022)).

If an evidentiary hearing is held, the party moving for adoptive placement bears the burden of proving by a preponderance of the evidence that the agency was unreasonable in failing to make the requested adoptive placement. Minn. Stat. § 260C.607, subd. 6(d). Borrowing from another context in which courts review the reasonableness of an agency's action, we consider two factors: (1) whether the reasons given by the agency for its action are legally sufficient, and (2) if the reasons are legally sufficient, whether those legally sufficient reasons have a factual basis in the record. *RDNT, LLC v. City of Bloomington*, 861 N.W.2d 71, 75-76 (Minn. 2015); *see Hagen v. Schirmers*, 783 N.W.2d 212, 217-18 (Minn. App. 2010) (noting on review of district court's discretionary, custody-related decision that "the district court must identify both its decision . . . as well as the underlying reason(s) for that decision").

A. The district court did not err in determining that the county was not unreasonable in not placing the child with A.C. and R.C.

A.C. and R.C. argue that the district court should have found that the county was unreasonable in not placing the child with them for adoption. They argue that the district court should not have found a factual basis in the record for the reasons on which the county relied for its placement decision. They also argue that the district court misapplied the law by conflating two different requirements of the applicable statute. Based on our review, we disagree.

1. The district court's determination that the county's placement decision was not unreasonable was based on adequate factual support in the record.

A.C. and R.C. primarily argue that the reasons on which the county relied for its placement decision lack a factual basis in the record, and therefore, the district court should have found that the county failed to properly consider A.C. and R.C. for the child's placement. Based on our review of the record, we disagree.

In a juvenile-protection case, an appellate court will not set aside a district court's finding of fact unless the finding is clearly erroneous. *See In re Welfare of P.R.L.*, 622 N.W.2d 538, 543 (Minn. 2001) (addressing appellate review of factual findings in a termination-of-parental-rights case). The clear-error standard of review is "a review of the record to confirm that evidence exists to support the decision." *In re Civ. Commitment of Kenney*, 963 N.W.2d 214, 222 (Minn. 2021); *see In re Welfare of Child of J.H.*, 968 N.W.2d 593, 601 n.6 (Minn. App. 2021) (applying *Kenney* in a juvenile-protection appeal), *rev. denied* (Minn. Dec. 6, 2021). "When the record reasonably supports the findings at issue on appeal, it is immaterial that the record might also provide a reasonable basis for inferences and findings to the contrary." *Kenney*, 963 N.W.2d at 223 (quotation omitted).

When applying the clear-error standard of review, appellate courts (1) view the evidence in the light most favorable to the findings; (2) do not reweigh the evidence; (3) do not find their own facts; and (4) do not reconcile conflicting evidence. *Id.* at 221-22. Thus, an appellate court need not engage in an extended discussion of the evidence to demonstrate the correctness of the district court's findings; rather, it need only fairly

consider all the evidence and determine that the evidence reasonably supports the decision. *Id.* at 222; *J.H.*, 968 N.W.2d at 601 n.6 (applying these aspects of *Kenney* on appeal in a juvenile-protection case); *see Vangsness v. Vangsness*, 607 N.W.2d 468, 472 (Minn. App. 2000) (discussing clear-error standard of review).

The process for identifying and notifying relatives and considering them as a potential adoptive placement is established by Minn. Stat. § 260C.221(a) (Supp. 2021).⁴ The statute requires that the county identify and notify relatives of a child in need of placement, appropriately involve relatives who respond to the notice in a manner indicating they would consider being a placement for the child, and continue to consider those relatives pursuant to the requirements of Minn. Stat. § 260C.212, subd. 2. The county must first consider “relatives”—those related to the child by blood, marriage, or adoption—for adoptive placement, while “ensur[ing] that the child’s best interests are met by requiring an individualized determination of the needs of the child and of how the selected placement will serve” the child. Minn. Stat. § 260C.212, subd. 2(a).⁵

Here, the district court determined that the county identified and considered A.C. and R.C. as a relative-placement option. The district court heard testimony that shortly

⁴ The legislature amended Minn. Stat. § 260C.221 in 2022. *See* 2022 Minn. Laws ch. 98, art. 8, § 20, at 198-203. The changes became effective August 1, 2022. *See* Minn. Stat. § 645.02. Thus, because the district court order in question was filed on April 5, 2022, we review the decision under the former version of the statute.

⁵ The legislature amended Minn. Stat. § 260C.212, subs. 1, 2, in 2022, and the amended statute became effective August 1, 2022, under Minn. Stat. § 645.02. *See* 2022 Minn. Laws ch. 98, art. 8, § 18, at 192-97. Again, we review the decision under the former version of the statute.

after the case was initiated in December 2020, the county became aware that A.C. and R.C. were related to the child and that they had adopted A.M.C. The district court also heard testimony that the county sent an initial relative-search letter to identified relatives, including A.C., R.C., S.S., and T.S., in February 2021 and that the caseworker was aware that A.C. and R.C. had responded to the letter and requested to be considered as a permanency option.

A.C. and R.C. contend that the district court clearly erred in finding that A.C. and R.C. “were at least considered placement options by [the county] as early as February 2021,” arguing that identifying and notifying a relative is not the same as considering that relative for placement. The record shows, however, that the caseworker testified that she understood A.C. and R.C. to be among the relatives who wished to be considered as a permanent placement option for the child and that, as early as February of 2021, the county was considering “all possible permanency options.”

The district court found that, while the county eventually favored placement and permanency with S.S. and T.S., the county did consider placement with A.C. and R.C. from the early stages of its work in this case. This finding is supported by the record, including the caseworker’s testimony regarding an internal best-interests “consult” and evaluation in April 2021, during which placement with A.C. and R.C. and placement with S.S. and T.S. scored similarly. The caseworker also testified that the fact that A.C. and R.C. reside in Colorado and had not facilitated A.M.C. having contact with A.M.C.’s extended family

weighed against A.C. and R.C. as a placement option in this case.⁶ The caseworker further testified that based on the “consult,” a follow-up questionnaire was sent to both potential placements. The caseworker stated that the county considered both prospective placements’ responses to the questionnaire and that the county concluded that placement with S.S. and T.S. was more favorable based on those responses.

Additionally, the district court heard the caseworker’s testimony that the county initiated an ICPC process for A.C. and R.C. in April and that in her experience, the ICPC process can be quite lengthy. A.C. and R.C. contend that the county did not initiate or pursue the ICPC process in a timely fashion, thereby permitting the child to further bond with S.S. and T.S. during the delay and prejudicing A.C. and R.C. The parties dispute whether the reasons the county cited for the delays in completing the ICPC and home study were justified.

On this point, the district court heard testimony from the caseworker that the county initiated the ICPC as soon as was practicable, and the ICPC request introduced into evidence was signed by the caseworker in April 2021. The caseworker testified that she requested medical records from the child’s various health providers sometime in the spring of 2021 to complete the ICPC request and that the child’s healthcare providers informed her of a backlog in records requests that was causing delays. The county provided evidence that it was advised by the Minnesota Department of Human Services that medical records,

⁶ The county’s report resulting from the April 2021 internal consultation notes that A.M.C. had not been allowed to see the maternal grandparents since her adoption and that no phone calls or video chats between A.M.C. and the grandparents were taking place.

while not typically required, would be helpful for an ICPC assessment in this case because of the child's health needs. The caseworker further testified that the process was paused because, prior to the termination of the mother's rights, the county understood from the mother's attorney that the mother was willing to sign a consent-to-adopt agreement with S.S. and T.S. According to the caseworker, that agreement and a contact plan were drafted, but the mother ceased contact with the county and her attorney shortly thereafter.

A.C. and R.C. dispute the sincerity of the county's reasons for the delays. First, to show that the county did not request medical records until late July 2021, A.C. and R.C. point to a single reference in the caseworker's chronological notes indicating that in July, she faxed a request for the child's birth medical records to one healthcare provider. Next, A.C. and R.C. allege that the thinness of the record surrounding the potential consent-to-adopt agreement suggests that the ICPC delays were purposeful. And finally, A.C. and R.C. allege that by entering into an adoption-placement agreement with S.S. and T.S. before receiving A.C. and R.C.'s home study, the county failed to review or assess the home study for A.C. and R.C.

A.C. and R.C. fail to acknowledge, however, that the district court found the caseworker's testimony about the timing of the ICPC process credible and that the district court also received a county report to the court from mid-July 2021 that was consistent with the timeline of events the caseworker described. Moreover, the caseworker testified that the county reviewed and thoroughly considered the home study, and its review further solidified the county's position preferring placement of the child with S.S. and T.S.

Ultimately, A.C. and R.C. propose an alternate narrative surrounding the ICPC and home-study processes and the reasons for the delays. We note that when evidence relevant to a factual issue consists of conflicting testimony, as here, the district court’s decision is “necessarily based on a determination of witness credibility, which we accord great deference on appeal.” *Thompson v. Thompson*, 739 N.W.2d 424, 428-29 (Minn. App. 2007).

In reviewing for clear error, our role is not to reweigh the evidence; rather, we “review . . . the record to confirm that evidence exists to support the decision” that the district court made, and the fact that the record might support a finding other than the one the district court made does not show that its finding is wrong. *Kenney*, 963 N.W.2d at 221-22. Here, the district court’s finding that the county “continued to evaluate [A.C. and R.C.] as an adoptive placement option” throughout the proceeding is supported by evidence in the record. We therefore conclude that the district court did not abuse its discretion in determining that the county acted reasonably when it considered A.C. and R.C. for placement of the child pursuant to the requirements of Minn. Stat. § 260C.221 (Supp. 2021).

2. In assessing the county’s reasonableness, the district court did not misapply the law.

A.C. and R.C. also argue that the district court misapplied Minn. Stat. § 260C.607, subd. 6(e), by “conflating the determination of [the county]’s unreasonableness with regards to the requested placement” with the “second, separate inquiry” into the suitability of the original placement or the requested placement based on the best-interests factors.

As we understand A.C. and R.C.’s argument, they claim that the district court erred by focusing on the county’s rationale in support of the child’s placement with S.S. and T.S. rather than focusing on the county’s alleged misconduct toward A.C. and R.C. Whether the district court correctly applied the law is a legal question that we review de novo. *In re A.R.M.*, 611 N.W.2d 43, 47 (Minn. App. 2000).

Section 260C.607 states:

At the evidentiary hearing, the responsible social services agency shall proceed first with evidence about the reason for not making the adoptive placement proposed by the moving party. The moving party then has the burden of proving by a preponderance of the evidence that the agency has been unreasonable in failing to make the adoptive placement.

Minn. Stat. § 260C.607, subd. 6(d). Then, if the district court finds that the agency has been unreasonable and that the moving party provides the most suitable home for the child’s needs under the best-interests factors, the district court “may” order the requested placement. *Id.*, subd. 6(e).

The statute requires the county to provide, and thus the district court to consider, “evidence about the reason for not making” A.C. and R.C.’s proposed adoptive placement. *Id.*, subd. 6(d). The statutory language does not require the district court to consider *only* evidence of the county’s alleged misconduct towards A.C. and R.C. when considering the county’s reasonableness, as A.C. and R.C. contend. A.C. and R.C. point to no authority for this interpretation of the statutory language. Rather, the statute plainly requires the county to provide evidence about its reasons for not making the requested placement and the moving party to prove that the agency was unreasonable.

Our review of the record shows that the district court considered the county's conduct with respect to A.C. and R.C.—as well as the county's reasons for not placing the child with A.C. and R.C. and instead placing the child with S.S. and T.S.—to evaluate whether the county was unreasonable in denying placement with A.C. and R.C. For example, the district court found, based on the caseworker's testimony, that the county (1) reviewed the Olmsted County file related to A.C. and R.C.'s adoption of A.M.C. to gain an understanding of the family's history;⁷ (2) first contacted A.C. and R.C. on February 1, 2021; and (3) was in at least monthly contact with A.C. and R.C. thereafter. The district court found that, while there “could have and should have been more ongoing contact” between the county and A.C. and R.C. for concurrent planning and to facilitate contact between the siblings, the county's level of contact was not unreasonable. The district court also inquired into delays in the county's ICPC process for A.C. and R.C., finding it was not unreasonable for the county to wait for receipt of the child's medical records before submitting the ICPC documentation to the Colorado agency.

For those reasons, we discern no misapplication of the law in the district court's determination of whether the county was unreasonable under Minn. Stat. § 260C.607, subd. 6(d), (e), based on a review of the county's actions beyond the county's conduct toward A.C. and R.C.

⁷ The Olmsted County file is not a part of the record in this appeal.

B. The district court did not err by determining that the child should be placed with relatives other than A.C. and R.C.

A.C. and R.C. argue that the district court should have placed the child with them because it is in the child's best interests to be placed with them and with his sibling—A.M.C. They argue that the district court abused its discretion by not placing the child with A.C. and R.C. pursuant to Minn. Stat. § 260C.607, subd. 6, because it did not weigh the child's best interests appropriately and that the district court misapplied Minnesota law creating a preference for children to be placed with siblings for foster and adoptive placements. Again, we disagree.

1. The district court did not abuse its discretion by determining that placing the child with S.S. and T.S. and not with A.C. and R.C. was in the child's best interests.

Section 260C.607, subdivision 6(e), states that the district court “may” order an agency to make a placement requested by motion “if the court finds that the agency has been unreasonable in failing to make the adoptive placement *and* that the relative or the child's foster parent is the most suitable adoptive home to meet the child's needs” under the statutory best-interests factors. Minn. Stat. § 260C.607, subd. 6(e) (emphasis added). Because we conclude that the district court's determination that the county did not act unreasonably was not clearly erroneous and did not result from misapplication of the law, we need not review the district court's determination that placement in S.S. and T.S.'s home is in the child's best interests to conclude that the district court did not abuse its discretion by not placing the child with A.C. and R.C. under Minn. Stat. § 260C.607, subd. 6.

Even so, we conclude that the district court did not abuse its discretion in determining that permanent placement with S.S. and T.S. is in the child's best interests. The district court determined that the best-interests factors weighed in favor of placement with S.S. and T.S. primarily due to (1) the child's close bond with S.S. and T.S.; (2) the likelihood that the child will be able to have ongoing relationships with immediate and extended family, including his half-siblings and, potentially, his biological parents, if he remains in Minnesota with S.S. and T.S.; and (3) the possibility for the child and A.M.C. to develop a healthy bond despite his not being placed with A.C. and R.C. The record includes testimony from the GAL, S.S. and T.S., and the two expert witnesses in support of these findings.

A.C. and R.C. argue that the district court should have credited A.C.'s account of the tension in her relationship with the child's grandmother and the reasons for A.C. withholding contact between A.M.C. and A.M.C.'s Minnesota relatives, rather than the testimony of the child's grandfather, the caseworkers, and S.S. and T.S., in its findings on the willingness of each of the couples being considered as permanent placement options to promote contact between the child and his extended family. On appeal, "we do not disturb findings of fact based on conflicting evidence . . . unless manifestly and palpably contrary to the evidence as a whole." *In re S.G.*, 828 N.W.2d 118, 127 (Minn. 2013) (quotation omitted); *see also In re Termination of Parental Rights of Tanghe*, 672 N.W.2d 623, 625 (Minn. App. 2003) (holding that determination of a child's best interests is not susceptible to an appellate court's global review of the record because the district court is best placed to make credibility determinations with regard to best interests).

Given the district court’s substantial degree of latitude in determining whether adoption by one set of parties or another promotes the child’s best interests, we conclude that the district court did not abuse its discretion by finding that the best-interests factors favored permanent placement with S.S. and T.S. rather than A.C. and R.C. *S.G.*, 828 N.W.2d at 125-26 (stating that “in any particular case . . . the [district] court has a substantial degree of latitude in determining whether the child’s best interests favor adoption” by one party or another (quotation omitted)).

2. The district court did not misapply the law in determining that the county did not act unreasonably by not placing the child with his sibling.

Finally, A.C. and R.C. argue that the district court misapplied the law by (1) “disregarding” Minnesota’s preference for children to be placed with siblings for foster and adoptive placements, established by Minn. Stat. § 260C.008 and known as the Minnesota Foster Care Sibling Bill of Rights and (2) failing to comply with the preference to place siblings together set forth in Minn. Stat. § 260C.212, subd. 2(d). Because the district court did consider the preference for placement with siblings in Minn. Stat. § 260C.212, subd. 2(d), and whether the county complied with the requirements of Minn. Stat. § 260C.008, we disagree.

First, the district court addressed the application of the Minnesota Foster Care Sibling Bill of Rights in its order.⁸ In particular, the district court noted that Minn. Stat.

⁸ The district court determined that the Minnesota Foster Care Sibling Bill of Rights does not control in this case because Minn. Stat. § 260C.008, subd. 2, states that “the rights under this section are established for the benefit of siblings in foster care,” but the child’s sister, A.M.C., was not in foster care at the time of the child’s placement. The district court

§ 260C.008, subd. 1(a)(1), states that a child placed in foster care who has siblings has the right to “be placed in foster care homes with the child’s siblings, when possible and when it is in the best interest of each sibling, in order to sustain family relationships.”

A.C. and R.C. argue that the district court disregarded important policy goals underlying the sibling-placement preference, asserting that the child should have been placed in the same home as his sister, A.M.C., at the time of initial placement. A.C. and R.C. further point to the disadvantage they faced in the context of the county’s consideration of the child’s best interests in making its permanent-placement decision because they were not caring for the child and did not have the same opportunity to engage with the child that S.S. and T.S. have had.

The district court acknowledged this potential disadvantage, but it also determined that until the parents’ rights were terminated, the county was required to make reasonable efforts to reunify the child with his parents. The district court could not ignore the policy favoring reunification underlying the laws that apply to the fundamental rights of parents to the parent-child relationship. Evidence in the record shows that the county attempted to

reasoned that the statute applies only to siblings who “are placed in foster care together or at least closely in time.” The district court further noted that Minn. Stat. § 260C.008, subd. 1(a), states that the purpose of placing siblings together in foster-care homes is “in order to sustain family relationships,” seeming to understand this to refer to the strong bonds of siblings raised in the same family structure. The district court distinguished the situation here, in which the child and A.M.C. only met and began to develop a bond after the child’s placement.

Because the plain language of Minn. Stat. § 260C.008, subd. 1(a), prefers foster placement with siblings “when it is in the best interest of each sibling,” and the district court found here that placement with relatives other than A.C. and R.C. was in the child’s best interests, we do not reach this question of statutory interpretation.

work a case plan with the child's mother and father, offering services until the mother's rights were terminated in July and the father's rights were terminated in late August 2021. Thus, the district court found that it was reasonable for the county to temporarily place the child with relatives in Minnesota while required reunification efforts were ongoing prior to the termination of parental rights.

In considering the permanent placement of the child and applying the Minnesota Foster Care Sibling Bill of Rights, the district court relied primarily on its determination that "it is decidedly in [the child's] best interests to be placed with and adopted by" S.S. and T.S. The district court made several findings that support its determination, including but not limited to the child's secure attachment to S.S. and T.S. and their commitment to facilitate the child's visitation with his extended family. *See In re Adoption of C.H.*, 554 N.W.2d 737, 742 (Minn. 1996) (stating that when considering the effect of a relative preference on competing adoption petitions, a statutory preference does not require automatic grant of an adoption petition, but rather the "touchstone of [the court's] analysis" remains the child's best interests (quotation omitted)). Because we conclude that the district court made its determination to place the child with S.S. and T.S. instead of A.C. and R.C. after properly considering the requirements of Minn. Stat. § 260C.008, subd. 1, we discern no error.

Second, Minn. Stat. § 260C.212, subd. 2(d), states that siblings "should be placed together for foster care and adoption at the earliest possible time unless it is documented that a joint placement would be contrary to the safety or well-being of any of the siblings or unless it is not possible after reasonable efforts by the responsible social services

agency.” We have held that the requirement for agencies to make every effort to place siblings together “is not without exception,” noting that siblings should not be placed together when it is documented that a joint placement would be contrary to the well-being of any of the siblings. *In re Welfare of Child. of L.L.P.*, 836 N.W.2d 563, 571 (Minn. App. 2013); *see* Minn. Stat. § 260C.212, subd. 2(d).

Here, the district court recognized that A.C. and R.C.’s adoption of the child’s sibling was “one of the primary considerations in this case.” However, the district court also looked to the principle enshrined in Minn. Stat. § 260C.212, subd. 2(a), that “the policy of the state of Minnesota is to ensure that the child’s best interests are met by requiring an individualized determination of the needs of the child.” *See L.L.P.*, 836 N.W.2d at 571 (emphasizing that an individualized determination of the child’s needs and how the selected placement will serve those needs ensures the child’s best interests will be met).

On this point, the district court heard testimony from the caseworkers and the GAL that the child had formed a secure attachment with S.S. and T.S. and that the GAL and caseworkers had concerns for the child’s development if that attachment was disrupted. The GAL testified to the importance of mitigating trauma to the child by avoiding the disruption of removing the child from a placement where he is connected to the caretakers. The GAL also testified that, while she would “always advocate for siblings to remain together,” in this case, the facts that the child did not have a preexisting relationship with his sibling, that a disruption of the child’s secure attachment to S.S. and T.S. would be concerning, and that S.S. and T.S. were willing to support relationships between the child and his family, including his sister, were relevant to her assessment of the child’s best

interests. The district court found this testimony “compelling.” The district court also received both testimony and a report from the county’s expert witness on attachment issues, who testified that children under the age of two years old are especially vulnerable to developmental harm and forming insecure attachments if subjected to multiple placements and that a child in a securely attached relationship should be moved only for compelling reasons, such as neglect.⁹

Ultimately, in determining that the county’s decision to place the child somewhere other than with his sibling was reasonable, the district court reviewed evidence that the child was securely attached to T.S. and S.S. and risked losing that secure attachment if his placement was changed. Because the district court engaged in an individualized determination of the child’s needs to ensure the child’s best interests will be met, and because it based its ruling about the child’s best interests on evidence that the placement

⁹ An expert on the importance of sibling relationships also testified and submitted a report on behalf of A.C. and R.C. The expert testified about the importance of sibling relationships to an adopted child’s sense of belonging and identity. The district court’s order refers to this expert’s testimony only once, specifically her statement about the ability of siblings to create healthy bonds even when living apart. The order contains no other findings addressing this expert’s testimony and is silent on whether the district court found the expert’s testimony to be credible and why. We note that district courts must “assure that findings and conclusions . . . are always detailed, specific and sufficient enough to enable meaningful review.” *Bliss v. Bliss*, 493 N.W.2d 583, 590 (Minn. App. 1992), *rev. denied* (Minn. Feb. 12, 1993); *see Rosenfeld v. Rosenfeld*, 249 N.W.2d 168, 171 (Minn. 1976) (noting, on appeal of a custody award, that findings of fact explaining a district court’s exercise of its discretion are necessary to “(1) assure consideration of the statutory factors by the [district] court; (2) facilitate appellate review of the [district] court’s custody decision; and (3) satisfy the parties that this important decision was carefully and fairly considered by the [district] court”); *In re Welfare of Child of J.R.R.*, 943 N.W.2d 661, 669-70 (Minn. App. 2020) (citing this aspect of *Rosenfeld* in a juvenile-protection appeal).

A.C. and R.C. requested would be contrary to the child's well-being, we conclude that the district court did not misapply the law under Minn. Stat. § 260C.212, subd. 2(d).

Placing siblings together is a preference under Minn. Stat. § 260C.008 and a placement-decision factor under Minn. Stat. § 260C.212, subd. 2(d). Our review of the record shows that the district court appropriately addressed both the factor and preference regarding siblings.

In sum, the district court did not err when it denied A.C. and R.C.'s motion for adoptive placement of the child.

Affirmed.