

STATE OF MINNESOTA

IN SUPREME COURT

A22-0589

Court of Appeals

McKeig, J.
Took no part, Moore, III, J.

In the Matter of the Welfare of
the Child of: S.B.G., Parent.

Filed: June 21, 2023
Office of Appellate Courts

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S Y L L A B U S

1. The juvenile court has subject-matter jurisdiction over cases involving the termination of parental rights of presumed fathers.

2. The juvenile court may terminate parental rights if a parent is convicted of an offense that requires registration as a predatory offender under Minn. Stat. § 243.166, subd. 1b(a) (2022); these offenses include convictions for both offenses enumerated in the

predatory offender registration statute and non-enumerated offenses that arise out of the same circumstances as a charged enumerated offense.

Affirmed.

OPINION

McKEIG, Justice.

Appellant-father S.B.G. was convicted of an offense that arose out of the same circumstances as an offense enumerated in the predatory offender registration statute. While S.B.G. was incarcerated, respondent-mother, I.Q., gave birth to a child, H.Q. H.Q. was adjudicated as a child in need of protection or services. The juvenile court ordered genetic testing to determine paternity. S.B.G.'s genetic test confirmed that he is the child's biological father, but he was not adjudicated as the father. The social services agency petitioned to terminate S.B.G.'s parental rights because of his conviction for an offense that requires registration as a predatory offender. After a contested hearing, the district court, acting as a juvenile court, terminated S.B.G.'s parental rights. S.B.G. appealed the termination of his parental rights arguing, for the first time, that the juvenile court did not have subject-matter jurisdiction to terminate his parental rights. S.B.G. also raised a statutory interpretation argument about the interplay between the child protection and predatory offender registration statutes. The court of appeals determined that the juvenile court had subject-matter jurisdiction over the case, rejected S.B.G.'s statutory interpretation argument, and affirmed the juvenile court's termination of parental rights. We affirm.

FACTS

S.B.G. 's Relevant Criminal History

In November 2019, the State charged S.B.G. with six counts arising out of his sexual conduct or communication with a minor; only counts two and six are relevant here. Count two charged S.B.G. with soliciting a child through electronic communication to engage in sexual conduct in violation of Minn. Stat. § 609.352, subd. 2a(1) (2022). This crime is an enumerated offense that requires registration as a predatory offender. Minn. Stat. § 243.166, subd. 1b(a)(2)(v) (2022). Count six charged S.B.G. with distributing via electronic communication material that describes sexual conduct to a child in violation of Minn. Stat. § 609.352, subd. 2a(3) (2022). This offense is not listed in the predatory offender registration statute. *See* Minn. Stat. § 243.166, subd. 1b (2022). S.B.G. pleaded guilty to count six, and the district court accepted his plea. The district court sentenced S.B.G. to 36 months' incarceration in December 2020.

Child Protection Proceedings

I.Q. gave birth to H.Q. on March 4, 2021. Respondent Nobles County Community Service Agency (the County) petitioned to have H.Q. adjudicated as a child in need of protection or services (CHIPS) under the juvenile protection provisions of the Juvenile Court Act, Minn. Stat. §§ 260C.001–.637 (2022).¹ The CHIPS petition listed both S.B.G.

¹ Minnesota Statutes provide various circumstances in which a child can be considered CHIPS. Minn. Stat. § 260C.007, subd. 6. CHIPS cases are filed after a county social services agency investigates and determines there is proof that a child meets the statutory criteria to be adjudicated as CHIPS. *See generally* Minn. R. Juv. Prot. P. 45 (specifying the procedures pertaining to the filing of a CHIPS petition). The Minnesota

and another man as potential fathers and participants in the CHIPS petition and proceedings. In an order after an admit/deny hearing, the Nobles County District Court, acting as a juvenile court,² explained that the two alleged fathers had voluntarily agreed to complete genetic testing to determine H.Q.’s biological father and that “[e]xpedited child support proceedings ha[d] been initiated and paternity [could] also be established through that process.”³ The juvenile court adjudicated H.Q. as a CHIPS in April 2021. The

Rules of Juvenile Protection Procedure explain that the purpose of these cases is to “secure for each child under the jurisdiction of the court a home that is safe and permanent.” Minn. R. Juv. Prot. P. 1.02(a).

² There are no separate family or juvenile court divisions in Nobles County. Consequently, when handling child protection matters, the district court acts as a juvenile court. *See* Minn. Stat. § 484.01, subd. 1(5) (2022) (providing the district courts with “the jurisdiction of a juvenile court as provided in chapter 260”); Minn. Stat. § 260.012 (2022) (explaining juvenile court duties in child protection matters). We will refer to the Nobles County District Court as the “juvenile court” throughout this opinion so as not to conflate the powers of the juvenile court with the powers of a district court. *See Vang v. State*, 788 N.W.2d 111, 119 (Minn. 2010) (Dietzen, J., concurring) (“[W]hen a district court judge is acting as a juvenile court judge, that judge is limited by the jurisdiction of the juvenile court as provided in chapter 260.”).

³ This court is required to “create an expedited child support hearing process to establish, modify, and enforce child support” in IV-D cases. Minn. Stat. § 484.702, subd. 1(a)–(b) (2022). An IV-D case is a case where a party has assigned the State the right to child support because the party receives public assistance or the party “has applied for child support services under title IV-D of the Social Security Act.” Minn. Stat. § 518A.26, subd. 10 (2022), *cited in* Minn. Stat. § 484.702, subd. 1(f) (2022). The purpose of the expedited child support process is to create a streamlined and uniform system that is easily accessible to parties and “results in timely and consistent issuance of orders.” Minn. Gen. R. Prac. 351.02, subd. 1.

juvenile court determined that the Indian Child Welfare Act did not apply.⁴ In December 2021, following a review hearing, the juvenile court determined that S.B.G. “is the Father of [H.Q.]” and noted that “[p]aternity was established through DNA testing, showing Father’s probability at 99.99%.” The juvenile court removed the other alleged father from the proceedings and listed S.B.G. as H.Q.’s father.

Once the positive genetic test confirmed S.B.G. as H.Q.’s biological father, he became a presumed father, and the juvenile court changed S.B.G.’s status from a participant with limited rights to a party with full status in the CHIPS proceedings.⁵ *See* Minn. Stat. § 260C.150, subd. 2(a) (2022) (providing that a positive genetic test requires the court to treat the biological father as a presumed father in proceedings under chapter 260C). Although S.B.G. was never adjudicated as H.Q.’s father,⁶ the record suggests that S.B.G. never contested the determination that he is H.Q.’s father.

In December 2021, the County petitioned to terminate S.B.G.’s parental rights in a separate court file. The petition requested termination because S.B.G. was convicted of an offense that arose “out of the same set of circumstances” as another charged offense that is

⁴ The Indian Child Welfare Act “establishes minimum federal standards for the removal of Indian children from their families and the placement of Indian children in foster or adoptive homes.” Minn. R. Juv. Prot. P. 28.01; *see also* 25 U.S.C. §§ 1901–1963.

⁵ Under the Minnesota Rules of Juvenile Protection Procedure, “participants” have only limited rights, *see* Minn. R. Juv. Prot. P. 33.02, subd. 1, while “parties” have significantly more rights, *see* Minn. R. Juv. Prot. P. 32.02.

⁶ Although our record on appeal is limited, neither S.B.G. nor the County contests that S.B.G. was not adjudicated as H.Q.’s father. The record also reflects that S.B.G. neither petitioned to be adjudicated as a father nor sought custody rights.

enumerated in the predatory offender registration statute, requiring S.B.G. to register as a predatory offender. *See* Minn. Stat. § 243.166, subd. 1b(a) (“[A] person shall register under this section if” they were “charged with or petitioned for a felony violation of . . . any of the following, and convicted of . . . that offense *or another offense arising out of the same set of circumstances.*” (emphasis added)); Minn. Stat. § 260C.301, subd. 1(b)(9) (providing that a parent’s conviction for certain offenses, including offenses requiring registration as a predatory offender, is a statutory ground for termination of parental rights).⁷ The County argued that termination would be in H.Q.’s best interests, given S.B.G.’s criminal record and because I.Q. was the custodial parent, so H.Q. would not be displaced by termination of S.B.G.’s parental rights.

Because the petition stated a prima facie case that S.B.G. committed an offense that would require registration as a predatory offender, the juvenile court relieved the County of its obligation to make reasonable efforts toward reunification between S.B.G. and H.Q. *See* Minn. Stat. § 260.012(a)(6) (2022) (permitting the juvenile court to relieve the county of making reasonable efforts at reunification if there is a prima facie case that a parent has committed an offense requiring registration as a predatory offender).

In March 2022, the juvenile court held a contested termination of parental rights proceeding. The juvenile court received eleven exhibits without objection. Both the

⁷ Under Minn. Stat. § 260C.503, subd. 2(a) (2022), “[t]he responsible social services agency must ask the county attorney to immediately file a termination of parental rights petition when . . . the parent has committed an offense that requires registration as a predatory offender under” Minn. Stat. § 243.166, subd. 1b(a) or (b).

County social worker and the assigned guardian ad litem testified for the County; S.B.G. and his mother testified on his behalf.

The social worker testified that S.B.G. stated an interest in being involved with H.Q., but S.B.G. did not presently have a bond with H.Q. and had not taken action that demonstrated an intent to maintain a relationship. The social worker testified that S.B.G. could not provide a stable environment for H.Q. when he was released from prison and that she was concerned about H.Q.'s "safety and [S.B.G.'s] ability to safely parent her," given his admitted lack of parenting skills, his criminal history, and the child's vulnerability. Similarly, the guardian ad litem did not believe that S.B.G. could keep H.Q. safe from harm or provide H.Q. with a stable and permanent living environment and also testified that S.B.G.'s parental rights should be terminated. The guardian ad litem testified that she agreed with the conclusion in her report, which stated that termination of S.B.G.'s parental rights would be in H.Q.'s best interests.

S.B.G. did not dispute the juvenile court's finding that he is H.Q.'s father and affirmatively testified that he is H.Q.'s father. S.B.G. testified that he wanted to spend time with H.Q. but noted that he did not have parenting experience so he would proceed slowly in building a relationship with H.Q.

In April 2022, the juvenile court terminated S.B.G.'s parental rights. The juvenile court concluded that S.B.G. was convicted of a crime that will require registration as a predatory offender based on his December 2020 conviction because it arose from the "same or similar circumstances" as a charged offense that is enumerated in Minn. Stat. § 243.166, subd. 1b(a)(2)(v). Accordingly, the juvenile court concluded that the County proved by

clear and convincing evidence that a statutory ground for termination existed. *See* Minn. Stat. § 260C.301, subd. 1(b)(9) (providing that a parent’s conviction of certain offenses, including an offense requiring registration as a predatory offender, is a statutory ground for termination of parental rights). The juvenile court also concluded that the County proved by clear and convincing evidence that terminating S.B.G.’s parental rights was in H.Q.’s best interests.

S.B.G. appealed. *In re Welfare of Child of S.B.G.*, 981 N.W.2d 224 (Minn. App. 2022). S.B.G. argued for the first time on appeal that the juvenile court “did not have subject-matter jurisdiction over this case on the ground that there is no legally recognized parent-and-child relationship between him and H.Q.”⁸ *Id.* at 227 (internal quotation marks omitted). The court of appeals determined that juvenile courts have exclusive and original jurisdiction over termination of parental rights cases. *Id.* at 228 (citing Minn. Stat. § 260C.101, subd. 2(1); Minn. R. Juv. Prot. P. 24.01, subd. 2). The court of appeals noted that it did “not doubt that an absence of parentage may be dispositive of the merits of a

⁸ Despite his argument on appeal, S.B.G. never contested the juvenile court’s finding that he is H.Q.’s father. S.B.G. was present and involved throughout the year-long CHIPS proceedings and was afforded all the procedural rights given to parties. S.B.G. confirmed in his direct testimony that he is H.Q.’s father and wanted a relationship with his child. S.B.G. also acknowledged his paternity and parental rights by asking the court to “deny the request to terminate [his] parental rights.” Consequently, up until S.B.G.’s appeal, it appears everyone involved in this case considered S.B.G. as H.Q.’s father. S.B.G. now is seemingly attempting to invent a subject-matter-jurisdiction argument because subject-matter jurisdiction cannot be forfeited. *See Seehus v. Bor-Son Constr., Inc.*, 783 N.W.2d 144, 147 (Minn. 2010) (“Defects in subject-matter jurisdiction may be raised at any time, and cannot be waived by the parties.”). S.B.G. received a full and fair opportunity before the juvenile court to argue that his parental rights should not be terminated and only now argues that he was never H.Q.’s legal father in an effort to get a second opportunity at the parental-rights appeal.

termination-of-parental-rights case,” so parentage may need to be determined as part of the termination proceedings if a party contests parentage. *Id.* Accordingly, the court of appeals determined the juvenile court had subject-matter jurisdiction over S.B.G.’s case. *Id.*

Second, S.B.G. argued that Minn. Stat. § 260C.301, subd. 1(b)(9), and the statutes referenced therein unambiguously authorized termination of parental rights only if the conviction was for an offense *specifically enumerated* in Minn. Stat. § 243.166, subd. 1b(a) or (b). *S.B.G.*, 981 N.W.2d at 229. The County argued, by contrast, that “the relevant statutes are unambiguous in providing for the termination of parental rights if a parent is required to register as a predatory offender pursuant to the provisions of section 243.166, subdivision 1b(a) or (b), regardless of whether the parent was convicted of an enumerated offense.” *Id.* at 230.⁹

The court of appeals held that the County’s interpretation of the statutes was the only reasonable interpretation. *Id.* at 231. The court of appeals concluded that S.B.G.’s interpretation was unreasonable because neither Minn. Stat. § 260C.301, subd. 1(b)(9), nor Minn. Stat. § 260.012(g)(5), contain any language limiting the termination requirement to only offenses enumerated in Minn. Stat. § 243.166, subd. 1b(a) or (b). *S.B.G.*, 981 N.W.2d at 230–31. Accordingly, the court of appeals determined the juvenile court did not err by

⁹ Neither party contested the juvenile court’s finding that S.B.G. will be required to register as a predatory offender upon his prison release because count two from the November 2019 complaint is an enumerated offense that requires registration as a predatory offender (soliciting a child through electronic communication to engage in sexual conduct in violation of Minn. Stat. § 609.352, subd. 2a(1)) and count six arose from “the same set of circumstances” as count two. Minn. Stat. § 243.166, subd. 1b(a)(2)(v).

terminating S.B.G.’s parental rights because he was convicted of an offense that required registration as a predatory offender. *Id.* at 231.¹⁰

S.B.G. petitioned this court for further review.

ANALYSIS

S.B.G. makes two arguments in this appeal. First, S.B.G. argues that the juvenile court did not have subject-matter jurisdiction to terminate his parental rights. Second, S.B.G. contends that the court of appeals misinterpreted the statutes governing termination of parental rights and predatory offender registration. We address each issue in turn.

I.

We first address S.B.G.’s argument that the juvenile court did not have subject-matter jurisdiction to terminate his parental rights. “Jurisdiction is a question of law that we review de novo.” *In re Comm’r of Pub. Safety*, 735 N.W.2d 706, 710 (Minn. 2007) (citation omitted) (internal quotation marks omitted).

“Whether a court has subject-matter jurisdiction ‘to hear and determine a particular class of actions and the particular questions’ presented generally depends on the scope of the constitutional and statutory grant of authority to the court.” *McCullough & Sons, Inc. v. City of Vadnais Heights*, 883 N.W.2d 580, 585 (Minn. 2016) (quoting *Robinette v. Price*,

¹⁰ S.B.G. argued two additional issues before the court of appeals that were not raised in our court. First, the court of appeals determined the juvenile court did not err by failing to consider whether the County made reasonable efforts to reunify him with H.Q. because S.B.G. was convicted of an offense that will require him to register as a predatory offender. *S.B.G.*, 981 N.W.2d at 231–32. Second, the court of appeals determined the juvenile court did not err in concluding that termination of S.B.G.’s parental rights was in H.Q.’s best interests. *Id.* at 233.

8 N.W.2d 800, 804 (Minn. 1943)). In Minnesota, “court rules can also define subject-matter jurisdiction.” *Id.* The Minnesota Constitution provides the “district court” with “original jurisdiction in all civil and criminal cases.” Minn. Const. art. VI, § 3. Not every judicial district or county has a separate judge who acts as a juvenile court judge—Nobles County is one such example. Consequently, the district court in those counties sometimes acts as the juvenile court. *See* Minn. Stat. § 484.01, subd. 1(5) (2022) (providing that the district courts have “the jurisdiction of a juvenile court as provided in chapter 260”).

S.B.G. raised the subject-matter-jurisdiction argument for the first time on appeal, and the court of appeals determined that, given that juvenile courts have original and exclusive jurisdiction over termination of parental rights cases, it was clear the juvenile court had subject-matter jurisdiction over S.B.G.’s case, “which is among the class of cases known as termination-of-parental-rights cases.” *S.B.G.*, 981 N.W.2d at 228. The court of appeals noted that “an alleged absence of parentage does not defeat a [juvenile] court’s subject-matter jurisdiction over a termination-of-parental-rights case.” *Id.* S.B.G. argues that the juvenile court did not have subject-matter jurisdiction to terminate his rights as a non-adjudicated father because the statutory grant of jurisdiction gives the juvenile court the jurisdiction to terminate the rights only of a *parent* to a child, and a non-adjudicated father is not a legal parent under the Minnesota Statutes. The County argues that non-adjudicated fathers still have some rights, duties, and obligations, and the existence of those rights, duties, and obligations gives the juvenile court subject-matter jurisdiction to terminate the existing rights a non-adjudicated father possesses.

S.B.G. rests his jurisdictional argument on Minn. Stat. § 260C.301, subd. 1, which states, “The juvenile court may upon petition, terminate all rights of a *parent* to a child” (Emphasis added.) According to S.B.G., Minn. Stat. § 260.301, subd. 1, means that the juvenile court only has subject-matter jurisdiction over cases involving a parent, and he has not been adjudicated as a parent. S.B.G.’s reliance on this statute is misplaced because chapter 260C has a specific jurisdiction section—Minn. Stat. § 260C.101.¹¹

This jurisdiction section provides that juvenile courts have “original and exclusive jurisdiction in proceedings concerning . . . the termination of parental rights to a child.” Minn. Stat. § 260C.101, subd. 2(1); *see also* Minn. R. Juv. Prot. P. 24.01, subd. 2 (“The juvenile court has original and exclusive jurisdiction in proceedings described in Minn.

¹¹ S.B.G.’s argument under Minn. Stat. § 260C.301, subd. 1, is better understood as an argument about the merits because that statute details the findings a juvenile court has to make before it can involuntarily terminate parental rights. The statute requires findings that a statutory ground for termination exists, the termination is in the child’s best interests, and the social services agency made reasonable efforts at reunification. Minn. Stat. § 260C.301, subs. 1, 7, 8. Upon making those findings, the juvenile court “may upon petition, terminate all rights of a parent to a child.” *Id.*, subd. 1. A person could challenge the termination of their parental rights to a child if they have no paternal relationship to that child. But termination proceedings and permanency timelines do not get waylaid while parentage is determined. *See* Minn. R. Juv. Prot. P. 24.05 (“The pendency of a parentage matter shall not extend the permanency timelines set forth in these rules and Minn. Stat § 260C.503.”). Even so, a non-adjudicated parent, like S.B.G., could pursue a paternity determination through a separate family court filing under the Minnesota Parentage Act—something S.B.G. has failed to do. *See* Minn. Stat. § 257.57 (2022). This statute provides a mechanism for non-adjudicated parents to contest their paternity if they do not think they should be subject to a termination proceeding because they are not a child’s parent. But that is not the case here. S.B.G. never contested his paternity or the genetic-test results. And S.B.G. never sought a hearing on paternity; rather, he admitted that he is H.Q.’s father and *still* does not contest his paternity.

Stat. § 260C.101.”). This section, by its plain language, gives juvenile courts original and exclusive jurisdiction in all cases concerning the termination of parental rights to a child.

As the County points out, there are rights, duties, and obligations held by people who are not considered the legal parent of a child. For example, presumed fathers have a number of rights and duties. A positive genetic test pursuant to the Minnesota Parentage Act, Minn. Stat. §§ 257.51–.75 (2022), “shall” be used to treat the biological father as “a presumed father under section 257.55,” which includes the right to be notified of proceedings and “to be assessed and considered for day-to-day care” of the child. Minn. Stat. § 260C.150, subd. 2(a). Presumed fathers can bring an action under the Parentage Act to declare the existence or nonexistence of a father-and-child relationship. Minn. Stat. § 257.57, subd. 1. A determination that a father-and-child relationship exists carries with it significant, fundamental parental rights like the right to make decisions about the care, custody, and control of the child. *See, e.g., SooHoo v. Johnson*, 731 N.W.2d 815, 820 (Minn. 2007). A positive genetic test that proves paternity to a 92 percent likelihood or greater, as is the case here, allows the court to “order the alleged father to pay temporary child support.” Minn. Stat. § 257.62, subd. 5(a).¹² If a child is under county custody after an emergency removal hearing, the juvenile court “shall” order the social services agency to develop a visitation plan that promotes the parent-child relationship, and once a positive

¹² We note that the statute also requires the genetic test to be “completed in a laboratory accredited by the American Association of Blood Banks.” Minn. Stat. § 257.62, subd. 5.

genetic test is obtained under the Minnesota Parentage Act, the presumed father is included in that visitation plan. Minn. Stat. § 260C.178, subd. 3(a), (d).

Here, a positive genetic test proves S.B.G.’s paternity to a 99 percent probability. That DNA test creates “an evidentiary presumption” that S.B.G. is H.Q.’s biological father. Minn. Stat. § 257.62, subd. 5(b). The genetic test *required* the juvenile court to treat S.B.G. as if he were a presumed father under section 257.55. Minn. Stat. § 260C.150, subd. 2(a) (providing that in proceedings under chapter 260C, “a positive test result under section 257.62, subdivision 5, shall be used by the court to treat a person determined to be the biological father of a child by a positive test as if the individual were a presumed father under section 257.55”). As a presumed father, S.B.G. was entitled to the limited rights, duties, and obligations discussed above. Additionally, the juvenile court made S.B.G. a party to the proceedings and granted all the corresponding procedural rights that allowed him to participate fully in the termination proceedings.¹³ Accordingly, S.B.G.’s case involved “the termination of parental rights to a child,” and the juvenile court had “original and exclusive jurisdiction” over S.B.G.’s case. Minn. Stat. § 260C.101, subd. 2(1).

Our conclusion is also bolstered by the Minnesota Rules of Juvenile Protection Procedure, the Minnesota Fathers’ Adoption Registry (Minn. Stat. § 259.52 (2022)), and the procedural safeguards afforded to S.B.G. here.

¹³ These procedural rights include the rights to notice, legal representation, be present at hearings, conduct discovery, bring motions, participate in settlement agreements, subpoena witnesses, make arguments in support of or against the petition, present evidence, cross-examine witnesses, request review of a referee’s findings, request review of the court’s disposition if there has been a change in circumstances, bring post-trial motions, and appeal orders from the court. Minn. R. Juv. Prot. P. 32.02.

First, because Minn. Stat. § 260C.150, subd. 2(a), requires the juvenile court to treat presumed fathers as parents under chapter 260C, the county must “immediately file a termination of parental rights petition when . . . the parent has committed an offense that requires registration as a predatory offender,” as was the case for S.B.G. Minn. Stat. § 260C.503, subd. 2(a)(6) (2022). This requirement to immediately file a termination petition is a permanency timeline requirement, and the “pendency of a parentage matter” does not extend the permanency timelines in Minnesota Statutes section 260C.503. Minn. R. Juv. Prot. P. 24.05. In other words, once the genetic test established that S.B.G. is H.Q.’s presumed father, the County had to immediately petition to terminate his parental rights because of his criminal history, and those termination proceedings could not be halted or delayed while a parentage matter was resolved. *See* Minn. Stat. § 260C.503, subd. 2(a)(6).

Depriving the juvenile court of jurisdiction in cases like this would bind the county’s hands until biological fathers, like S.B.G., deigned to have their parental rights adjudicated. This would controvert the Rules of Juvenile Protection Procedure and result in children floating in limbo until a biological father felt like adjudicating his parental rights, or the county independently pursued a paternity action on the child’s behalf. Neither of these delays would be in a child’s best interests. *See* Minn. Stat. § 260C.001, subd. 2(a) (“The paramount consideration in all juvenile protection proceedings is the health, safety, and best interests of the child.”); *id.*, subd. 3 (“The paramount consideration in all proceedings for . . . the termination of parental rights is the best interests of the child.”).

Second, the Minnesota Fathers’ Adoption Registry gives the juvenile court grounds to terminate a putative father’s rights to a child. A putative father is “a man who may be a

child's father, but who: (1) is not married to the child's mother on or before the date that the child was or is to be born; and (2) has not established paternity according to section 257.57 in a court proceeding." Minn. Stat. § 259.21, subd. 12 (2022). Putative fathers are required to register with the Minnesota Department of Health within 30 days of a child's birth, and a failure to register "is prima facie evidence of sufficient grounds to support termination of the putative father's parental rights under section 260C.301, subdivision 1." Minn. Stat. § 259.52, subs. 7, 8. Thus, under the Minnesota Fathers' Adoption Registry, the juvenile court has jurisdiction to terminate the parental rights of non-adjudicated fathers. Consequently, depriving the juvenile court of subject-matter jurisdiction in cases like S.B.G.'s, in which a father has not been adjudicated as the father, would controvert the established jurisdiction in the Minnesota Fathers' Adoption Registry.

Finally, we have also stated that the statutes governing adoption, parentage, and termination of parental rights are "intertwined in a framework governing a most important social relationship—that between a parent and a child." *In re Paternity of J.A.V.*, 547 N.W.2d 374, 376 (Minn. 1996). This "framework establishes a balance between the best interests of the child—paramount in all circumstances—and others having legitimate interests" like the child's biological father. *Id.* (citations omitted). We have explained that proceedings under any of these three schemes permanently change a child's relationship with their parents, and the "common thread" among these statutes is that changes in these relationships "cannot occur without notice to the interested parties and a hearing where the parties can appear and be heard on what is in the best interests of the child." *Id.* Under this logic, S.B.G.'s arguments fall short. He was given notice of the CHIPS proceedings

from the beginning, and the juvenile court made S.B.G. a party to the proceedings as soon as the DNA test results confirmed his paternity. S.B.G. acknowledged and repeatedly stated that he is H.Q.'s father and wanted to develop a relationship with her. S.B.G. was afforded all of the procedural rights given to parties during the termination proceedings.

Depriving the juvenile court of subject-matter jurisdiction in cases like S.B.G.'s would controvert the purposes of the juvenile protection system and have negative impacts on children. This is so because it would lead to prolonged termination proceedings when a presumed father who does not contest parentage, like S.B.G., drags his feet and does not seek adjudication. This scenario harms children, like H.Q., who will face an extended time under the jurisdiction of the juvenile court and wait longer for a permanency decision—which could mean a longer time in out-of-home placements or foster care.

We conclude that the juvenile court had subject-matter jurisdiction over S.B.G.'s case, given its original and exclusive jurisdiction over cases involving the termination of parental rights to a child under section 260C.101.

II.

Next, we address S.B.G.'s argument that the court of appeals incorrectly interpreted the statutes governing termination of parental rights and predatory offender registration. “Statutory interpretation is a question of law, which we review de novo.” *In re Welfare of J.J.P.*, 831 N.W.2d 260, 264 (Minn. 2013). “Under the de novo standard, we do not defer to the analysis of the courts below, but instead we exercise independent review.” *Wheeler v. State*, 909 N.W.2d 558, 563 (Minn. 2018).

“The aim of statutory analysis is to effectuate the intent of the legislature.” *State v. Pakhnyuk*, 926 N.W.2d 914, 920 (Minn. 2019) (citation omitted) (internal quotation marks omitted); *see also* Minn. Stat. § 645.16 (2022). “The first step in statutory interpretation is to determine whether the statute’s language, on its face, is ambiguous.” *State v. Thonesavanh*, 904 N.W.2d 432, 435 (Minn. 2017). “A statute is ambiguous when its language is subject to more than one reasonable interpretation.” *State v. Riggs*, 865 N.W.2d 679, 682 (Minn. 2015). “If the Legislature’s intended meaning is clear from the plain text of the statute, we follow that plain meaning.” *State v. McReynolds*, 973 N.W.2d 314, 318 (Minn. 2022).

There are a number of statutes at issue in this analysis. First, we consider Minn. Stat. § 260C.301, which specifies the findings a juvenile court must make before terminating parental rights. Section 260C.301 points to Minn. Stat. § 260.012(g) in defining one of the statutory grounds to terminate parental rights. Section 260.012(g), in turn, points to the predatory offender registration statute, Minn. Stat. § 243.166, subd. 1b(a) or (b). We walk through these statutes step-by-step to determine whether the statutes are ambiguous.

Section 260C.301, subdivision 1(b)(9), provides that the juvenile court can terminate parental rights if it finds that “the parent has been convicted of a crime listed in section 260.012, paragraph (g), clauses (1) to (5).” In turn, section 260.012(g)(5) includes in its list of crimes any “offense that requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a) or (b).”

Minnesota Statutes section 243.166 is the predatory offender registration statute. Section 243.166, subdivision 1b(a)(2), states that “[a] person shall register under this section if . . . the person was charged with . . . a violation of, or attempt to violate . . . any of the following [offenses] and convicted of . . . that offense or another offense arising out of the same set of circumstances.” Subdivision 1b(a)(2) lists offenses that require predatory offender registration. In other words, there are two circumstances under which a person is required to register as a predatory offender under section 243.166, subdivision 1b(a)(2): the person is charged with a violation of one of the enumerated offenses and convicted of that offense, or the person is charged with a violation of one of the enumerated offenses and convicted of another offense “arising out of the same set of circumstances” as the enumerated offense. Included in the list of enumerated offenses is “soliciting a minor to engage in sexual conduct in violation of” Minn. Stat. § 609.352, subd. 2a(1). Minn. Stat. § 243.166, subd. 1b(a)(2)(v).

S.B.G. asserts that the phrase, “an offense that requires registration as a predatory offender” in section 260.012(g)(5), unambiguously refers only to the offenses specifically enumerated in section 243.166, subdivision 1b(a). He asserts that this is so because the enumerated offenses are the only offenses that *automatically* trigger the requirement to register as a predatory offender. The plain language of section 260.012(g)(5) does not support S.B.G.’s argument, however, because section 260.012(g)(5) does not contain any limits on the use of the predatory offender registration statute. Rather, the statute broadly applies to *any* offense that requires registration as a predatory offender under section 243.166, subdivision 1b(a) or (b). Under those paragraphs of the predatory

offender registration statute, an “offense” requires registration as a predatory offender if the convicted offense is an enumerated offense, *or* if the convicted offense is not enumerated but arose out of the same circumstances as a charged enumerated offense. Minn. Stat. § 243.166, subd. 1b(a). Accordingly, we determine that the only reasonable interpretation of these statutes is that the phrase, “an offense that requires registration as a predatory offender” in section 260.012(g)(5), includes convictions for enumerated offenses in section 243.166, subdivision 1b(a) or (b), *and* convictions for non-enumerated offenses that arose out of the same circumstances as an enumerated offense.

All that is left, then, is to apply these unambiguous statutes to S.B.G.’s circumstances. S.B.G.’s criminal background is uncontested by either party. In November 2019, the State charged S.B.G. with six counts—count two charged S.B.G. with a violation of Minn. Stat. § 609.352, subd. 2a(1); count six charged S.B.G. with a violation of Minn. Stat. § 609.352, subd. 2a(3). These charges arose from S.B.G.’s sexually explicit electronic communication with a child in August 2019. S.B.G. pleaded guilty to count six, and the district court accepted his plea. The parties do not contest the juvenile court’s finding that S.B.G. will be required to register as a predatory offender when he is released from prison because count two is an enumerated offense that requires registration as a predatory offender and count six arose from the same set of circumstances as count two. *See* Minn. Stat. § 243.166, subd. 1b(a)(2)(v). Thus, the juvenile court could terminate S.B.G.’s parental rights because he “has been convicted of a crime” that “requires registration as a predatory offender under section 243.166, subdivision 1b, paragraph (a).” Minn. Stat. §§ 260C.301, subd. 1(b)(9); 260.012(g)(5). Accordingly, the juvenile court did

not err by determining that clear and convincing evidence supports the statutory ground for termination in S.B.G.'s case.

CONCLUSION

For the foregoing reasons, we affirm the decision of the court of appeals.

Affirmed.

MOORE, III, J., took no part in the consideration or decision of this case.