

CONFERENCE OF CHIEF JUSTICES CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 7

In Support of Interstate Compact on the Placement of Children

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators recognize the importance of placing children in foster care with the most appropriate placement that meets the needs of those individual children; and

WHEREAS, in our increasingly mobile society, the most appropriate placements for children may not be in the child's home state; and

WHEREAS, the Interstate Compact on the Placement of Children (ICPC) was initially adopted in 1960 to ensure protection of and services for children who are placed across state lines for foster care and adoption; and

WHEREAS, the American Public Human Services Administrators (APHSA) (the ICPC Secretariat) undertook an effort to revise the ICPC giving consideration to state experiences since 1960 and to input provided by a broad range of external entities, including representatives of state courts; and

WHEREAS, as a result of this effort, a proposed revision of the ICPC is and will be considered by state legislatures for adoption; and

WHEREAS, the Conferences desire to assist in the timely and safe movement of children in foster care between states to appropriate permanent placements, adoptions and treatment facilities and further desire to reduce delays that currently exist in making interstate placement of dependent children, while reaffirming best practices for state trial courts as they help to insure the timely completion of ICPC home studies and improved functioning of the ICPC; and

WHEREAS, the proposed revision of the ICPC resolves a number of the problems that have impeded expeditious inter-jurisdictional placements in the past. The revised ICPC:

- Clearly defines the children covered by the ICPC;
- Clarifies that the retention of jurisdiction means the authority of the courts and judicial officers to take and decide cases;
- Adds additional circumstances in which a sending court has authority to terminate jurisdiction; and
- Clarifies financial responsibility for services; and

WHEREAS, although the proposed revision of the ICPC offers improvements over the current ICPC, many of the implementation details are left to an Interstate Commission that will be comprised of representatives of the ICPC member states; and

WHEREAS, it is critical that state courts have a strong voice in the development of any rules and regulations to ensure that the implementation of the proposed revision of the ICPC is effective;

NOW, THEREFORE, BE IT RESOLVED that the Conferences support the proposed revision of the ICPC and would encourage states to consider adoption of the proposed revision; and

BE IT FURTHER RESOLVED that the Conferences urge APHSA to include a representative from each Conference as ex officio non-voting members on the Interstate Commission, much like the two Conferences participate on the Interstate Commission on Adult Offender Supervision.

Adopted at the COSCA 2007 Annual Meeting on August 1, 2007.