

CONFERENCE OF STATE COURT ADMINISTRATORS

Policy Statement

The Interstate Compact on the Placement of Children

Introduction: The Conference of State Court Administrators (COSCA) recognizes the need for the timely placement of children placed in foster care into permanent homes. While reunification of children with their biological parent(s) should remain at the forefront of permanency planning this is not always feasible and in the child(ren)'s best interest. The Conference desires to assist in the timely and safe movement of children between states to effect permanency and to reduce delays in the court's role in both exploring potential out of state placements and overseeing the child welfare agency's efforts to locate potential placements and expedite the necessary steps for securing information under the Interstate Compact on the Placement of Children (ICPC).

Therefore, the Conference encourages early and diligent exploration and identification of relative care givers and others who are out of state, including promoting recognition of the requirement for concurrent permanency planning.

Consistency: The Conference emphasizes the need to have uniform procedures, standards and guidelines across all states who are members of the Interstate Compact for processing ICPC cases including incentivizing meeting established timeframes standards.

Therefore, the Conference encourages the following actions be taken by national organizations, and state and federal governmental entities:

- Develop a uniform format for home studies;
- Develop a uniform criminal background check that includes acceptable deadlines for completion; and
- Develop federal guidelines and timeframes for processing ICPC cases such as;
 - Allowing immediate/provisional placement of children in the receiving state when certain specified conditions are met and
 - Using the Title IV-E reasonable efforts findings to increase compliance with provisions of the ICPC.

Interdisciplinary Collaboration: The Conference acknowledges the need for courts and child welfare agencies to collaborate in the development of policies and priorities that address state specific issues. The Conference encourages courts and agencies to:

- Provide cross-system training regarding ICPC process and procedures;
- Establish process and communication protocols for monitoring ICPC progress and information sharing, such as in court status hearings/conferences and written updates;
- Appoint an "ICPC specialist" in each child welfare agency office or jurisdiction who has expertise and who the courts can work with on ICPC cases; and
- Develop and distribute checklists and other aids that are instructive in preparing ICPC request packets.

Cross Jurisdictional Collaboration: The Conference understands the need to communicate across states, especially those states that frequently send and receive children to one another. The Conference encourages courts and agencies to:

- Convene formal dialogues between ICPC administrators and state court administrators across state lines; and
- Establish Memoranda of Understanding (also known as “Border Agreements”) between states that outline agreed-upon protocols, including a “single point of contact” within each administrative office of the courts to assist judges from other states with ICPC processes.

Use of Technology: The Conference recommends using technology to expedite the ICPC request packets and receipt of reports, as well as, conducting court proceedings that include relative care givers from out of state. The Conference supports technology solutions and encourages courts and agencies to:

- Develop tracking systems with ticklers at certain critical points in the ICPC process;
- Promulgate policies that allow the electronic transmission of necessary forms and reports to and from states taking into consideration the efforts of the Association of Administrators of the Interstate Compact on the Placement of Children efforts to develop model policies; and
- Remove barriers to holding hearings and receiving testimony via teleconferencing and video conferencing to alleviate the need for out-of-state participants to travel.