

CONFERENCE OF CHIEF JUSTICES

CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 3

In Support of Increased Judicial Involvement to Expedite Movement of Children Under the Interstate Compact on the Placement of Children

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators understand the need to expedite the placement of abused and neglected children in safe and permanent homes, and that in some cases the best placement is in another state, which requires interstate cooperation and collaboration; and

WHEREAS, the Interstate Compact for the Placement of Children (ICPC) provides the structure for interstate cooperation and collaboration for these placements; and

WHEREAS, in recent years, efforts have been made to update the ICPC and improve the ICPC process to ensure compliance with federally mandated permanency planning timeframes, including passage of the Safe and Timely Interstate Placement of Foster Children Act of 2006 (Public Law 109-239); and

WHEREAS, despite these efforts, unreasonable delays continue to impede the placement of abused and neglected children in safe and permanent homes; and

WHEREAS, state courts in sending states have been unable to effectively intervene with the receiving state or county agencies or state ICPC offices to determine the causes for delay or possible solutions;

NOW, THEREFORE, BE IT RESOLVED that the Conference of Chief Justices and the Conference of State Court Administrators encourage all states and jurisdictions subject to the ICPC to adopt legislation that authorizes judges in sending and receiving states and jurisdictions to communicate with one another regarding the placement of children; and

BE IT FURTHER RESOLVED that the Conferences encourage all states and jurisdictions subject to the ICPC to adopt legislation that authorizes judges in the receiving state or jurisdiction where placement is sought to hold hearings at the request of judges in sending states or jurisdictions on the status of ICPC home study requests and enter orders to complete those home studies when they are delayed and timely decisions are not made concerning the children involved.

Adopted as proposed by the CCJ/COSCA Courts, Children, and Families Committee at the 2013 Annual Meeting on July 31, 2013.