

Interstate Compact on the Placement of Children (ICPC)



What is ICPC?

The interstate compact on the Placement of Children is a statutory agreement between states that governs the placement of children from one state into another state.

- *Not part of federal law*
- *Comprised of a series of articles and regulations*
- *Articles must be legislatively adopted into state statute in order for a state to become a member*
- *Written in 1960*
- *Governed by the American Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC)*

Primary Functions of ICPC

- Ensures that children who are placed out of state are placed in safe homes with families that can meet the children's needs.



Primary Functions of ICPC

- Ensures that placements are supervised by a child welfare professional, and that children and their care-givers are regularly seen face-to-face to ensure ongoing safety and well-being.



Primary Functions of ICPC

- Ensures that the person or entity that placed the child out of state remains legally and financially responsible for the child.



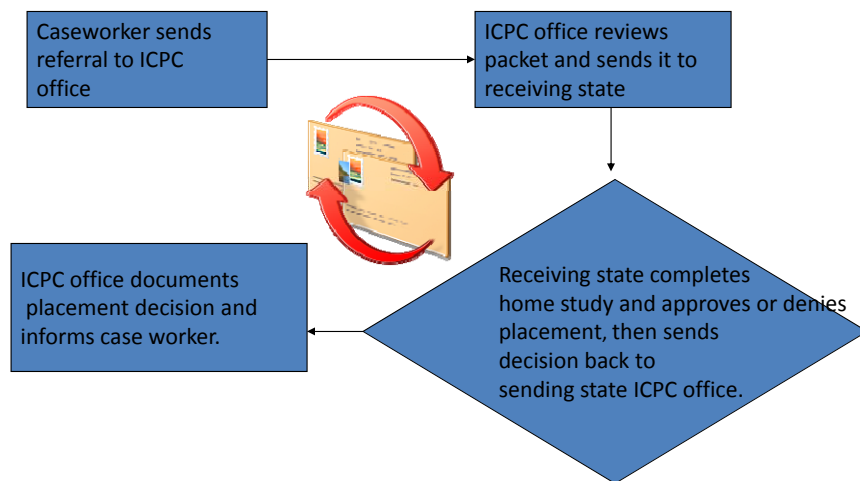
Types of Placements Covered by ICPC

- Placements made by public child welfare agencies (like DHS) with out-of-state parents, relatives, kith, adoptive families and residential treatment programs.
- Placements of non-dependency children with out-of-state adoptive families.
- Placements made by parents into residential treatment programs or outdoor wilderness programs focused on treatment.

The Two Most Important ICPC Provisions to Remember

- 1: Children cannot be physically placed in another state unless and until written approval has been received from the ICPC Office in the other state.**
- 2: Following placement, the agency that placed the child must retain legal custody of the child unless and until the ICPC Office in the other state concurs in writing with dismissal of the placing agency's custody.**

ICPC Process



Visits vs. Placements



VISITS:

- Are for a *brief* social or cultural experience
- Have definite end-date
- Don't exceed 30 days *or* begin and end during a school vacation
- Are not concurrent with a placement request or a request for supervision

Placements with Parents



- ICPC not required *if* there's no evidence to indicate that the parent may be unfit, the court doesn't seek an evaluation of the parent's fitness, and the court dismisses its own wardship and jurisdiction when the parent takes physical custody of the child.
- Court and DHS still have the option to request an evaluation of the parent through ICPC even if there is no evidence that the parent may not be fit.
- Washington State will not accept an ICPC request to place a child with a parent with regard to whom DHS doesn't have jurisdiction.
- After placement with a parent is approved, and child is placed, DHS must retain custody until the state where the child is placed concurs in writing with custody being returned to the parent.

Placements Out-of-State for Adoption

- Adoption by out-of-state kith & kin vs. non-relatives
- Must children be legally free before requesting approval to place for adoption via ICPC?
- Must the receiving state concur with finalization of the adoption before it happens?
- What happens if a family moves to another state before their adoption finalizes?



Relocation (Regulation 1)

Allows children in DHS custody to move to another state prior to ICPC approval, with

- ❖ foster family
- ❖ adoptive family prior to finalization
- ❖ legal parent or guardian



Time lines

- Federal law requires interstate home studies to be completed within 60 days.
- Regulation 7 (Priority Placement Requests)
- Placement must be made within 6 months of approval.



Washington – Oregon Border Agreement



- Provides for placement decision within 7 working days of placement request
- Currently available to placements to/from Multnomah, Clackamas and Washington counties in OR and Clark and Cowlitz counties in WA.
- Soon to be expanded to include all counties on both sides of border shared by the two states.

What happens when problems arise?

- Safety and Well-Being issues
- Payment Issues
- Disruptions
- Disagreements between states regarding, approvals, denials and revocations

Things the Compact Doesn't Do

- Obligate the receiving state to provide services to support or preserve a placement
- Provide for reunification services to parents
- Ensure health coverage for children placed from out-of-state
- Obligate the other state to provide any specific services needed by a child placed from out-of-state other than supervision and monthly face-to-face contact
- Provide for formal appeal of a denial of a placement request
- Include a formal mechanism or process of enforcement of compact rules and requirements

For more information

- <http://www.aphsa.org/content/AAICPC/en/home.html>
- Or just **Google** "AAICPC"

QUESTIONS?

