

CF OPERATING PROCEDURE  
NO. 175-55

STATE OF FLORIDA  
DEPARTMENT OF  
CHILDREN AND FAMILIES  
TALLAHASSEE, October 10, 1997

Family Safety and Preservation

PRIORITY PLACEMENT UNDER THE  
INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

1. Purpose. This operating procedure describes the requirements for priority placement under Regulation No. 7 of the Interstate Compact on the Placement of Children (Compact) [see attachment A].

2. Scope. This operating procedure is applicable to all Children and Families districts, Family Safety and Preservation staff and Child Welfare Legal Services attorneys as well as providers of child welfare services under contract to the department, who are involved in the interstate placement of children under juvenile dependency court jurisdiction. See also CFOP 175-54, Interstate Compact on the Placement of Children.

a. Regulation No. 7 was designed, developed and implemented for the purpose of providing judges, attorneys and child welfare practitioners with an expedited interstate home study process whereby certain emergency situations could be handled in a safe, legal and timely manner, and much faster than was previously available. Discretion is needed in the use of this priority placement process. Attempts to use this procedure on every request by Florida and other member states and jurisdictions may overload the process and lead to a gradual return to long delays for everyone involved, especially the child.

b. This operating procedure is NOT applicable, and may NOT be used, if the child is: (a) already in the receiving state without the approval of, or (b) allowed to go to the receiving state prior to the approval of, the receiving state Compact administrator as validated by a signed Compact 100A Form.

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OPR: PDFS

DISTRIBUTION: X: OSES(1); OSLS(1); ASGGS(5); PDFS(5); PDFSC(1); PDFSD(1); PDFSF(5); PDFSH(1); PDFSI(100); PDFSP(1); PDFSQ(15); PDFSS(10); PDFST(5); PDFSW(12); Professional Development Centers(60); Auditor General(2).

Districts Distribute as Follows:

| District | 1   | 2   | 3   | 4   | 5   | 6   | 7   | 8   | 9   | 10  | 11  | 12  | 13  | 14  | 15  | Total |
|----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| DA       | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 15    |
| DMAS     | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 1   | 15    |
| DPOCF    | 165 | 195 | 198 | 300 | 290 | 435 | 410 | 176 | 169 | 275 | 635 | 134 | 170 | 242 | 125 | 3,919 |
| Total    | 167 | 197 | 200 | 302 | 292 | 437 | 412 | 178 | 171 | 277 | 637 | 136 | 172 | 244 | 127 | 3,949 |

3. Authority. The Compact is enacted in Florida law at sections 409.401, et seq., Florida Statutes (F.S.). Regulation No. 7, effective October 1, 1996, was adopted pursuant to Article VII of the Compact by action of the Association of Administrators of the Interstate Compact on the Placement of Children at its annual meeting on April 28, 1996.

4. Compact Priority Placement Regulation No. 7., Outgoing Requests to Other States.

a. Effective October 1, 1996, Compact Regulation No. 7 establishes procedures for priority placement of children through the Compact. [See attachment A.] Compact Regulation No. 7 sets forth limited circumstances under which this procedure may be used.

(1) The first requirement is that:

(a) The proposed placement resource in the receiving state must be a relative belonging to the class of persons as set forth in Article VIII(a) of the Compact, specifically, a parent, step-parent, grandparent, adult brother or sister, adult uncle or aunt, or a court-appointed legal guardian of the child which could legally receive a child placed by another member of this same class from the sending state if the Compact were not invoked; **and**, the child is under two (2) years of age, or the child is in an emergency shelter, or the court finds that the child has spent a substantial amount of time in the home of the proposed placement recipient; **or**,

(b) No written response was received in the central Compact office from the receiving state Compact administrator within thirty (30) business days after receipt by the receiving state of a properly completed standard (non-priority) compact request sent on or after October 1, 1996, as documented and certified by the central Compact office.

(2) The second requirement is that a specific court order (see attachments D and E, Suggested Form Motion and Order for Priority Placement) be issued which contains an express finding that one or more of the circumstances set forth in paragraph 4a(1)(a) above apply to this particular child, or that paragraph 4a(1)(b) above applies, and sets forth the facts upon which the court bases its finding.

(a) If “emergency shelter” is selected, a signed copy of the emergency shelter court order must be attached to the request.

(b) If “substantial amount of time” is selected, both the court order “finding” and the request cover letter should provide sufficient explanation to justify its use, although the choice is totally within the judicial discretion of the court to use, and there are no guidelines covering its use. However, there is no obligation on the receiving state Compact administrator to accept this finding, especially if their home study does not, in the opinion of their local office, corroborate or validate its use.

(3) The third requirement is that the court order contain the typed name, address, telephone number and, if available, the facsimile transmission number, of the judge issuing the court order.

(4) The fourth requirement is that the court order be signed by the judge issuing the court order, and dated with the same date as the date that the judge’s signature was affixed to the court order.

b. Under the provisions of Regulation No. 7, the court has two (2) business days to send the original priority placement court order, or a legible copy thereof, to the sending (district) local office. The sending (district) local office shall have three (3) business days to send a priority placement request package to the central Compact office by overnight express mail (**DO NOT FAX**) containing, at a minimum, the following documents [see CFOP 175-54, paragraph 7]:

(1) One copy of a District Compact Transmittal Form with the words ICPC REG. #7 PRIORITY PLACEMENT REQUEST typed, printed or stamped at the top in red ink; and,

(2) A completed Sending State Priority Placement Home Study Request Form [ICPC 101- see attachment B] (new form CF 798, Jul 97; stock number 5740-000-0798-5); local office keeps the last (fourth) page; and,

(3) Three copies of an overall cover letter (which must include a separate paragraph on the financial/medical plan ). Because other state and local agencies are accustomed to interacting with the department, and to forestall any delay, providers of child welfare services under contract to the department who use their own letterhead stationery must include the following sentence in their opening paragraph: "This request for child welfare services is being made pursuant to our contract with the Florida Department of Children and Families."; and,

(4) A completed Compact 100A Form (form CF 794); DO NOT SEPARATE THE PAGES; local office keeps the last (sixth) page; and,

(5) Three legible copies of the priority placement court order; and,

(6) Three copies of a social assessment or Predisposition Study of the child; and,

(7) Three copies of the case plan, if available.

c. Be sure to use the physical location address of the central Compact office (not the central department mailroom address). Call to verify if you are not sure. DO NOT FAX the priority placement request package to the central Compact office.

d. The central Compact office shall have two (2) business days to validate the priority placement request package, enter the request on the Interstate Compact System, and forward it by overnight express mail to the receiving state Compact office.

e. The receiving state Compact Administrator shall have twenty (20) business days from the date of receipt of the priority placement request package to obtain sufficient information from his local receiving agency to make a determination as to whether the requested priority placement may be made, or shall not be made. This decision shall be reflected in Section IV of the Compact 100A Form along with a signature and the date signed, and then facsimile transmitted to the sending state Compact Administrator.

f. The sending state Compact administrator shall facsimile transmit a copy of the completed Compact 100A Form to the sending local (district) office and, if requested, to the sending court judge on the same day of receipt, if a facsimile transmission number for the court was included in the original

court order. Hard copy documentation of the Compact 100A Form and the home study will follow by overnight express mail, or fax, on the same day that it is received.

g. Compact Regulation No. 7 also provides for certain contingencies, such as non-compliance by the receiving state Compact Administrator, receipt of substantially insufficient documentation from the sending court or the sending local agency, procedures for obtaining additional documentation or information, and mutually agreed upon modifications to the time period deadlines.

#### 5. Incoming Regulation #7 Priority Placement Requests From Other States.

a. All incoming Regulation #7 priority placement requests will be sent directly by overnight express mail to the respective district Compact specialist, unless otherwise directed by a written district operating procedure. This request should be assigned to the appropriate unit supervisor and worker as soon as possible since Florida, operating as a receiving state, will have only twenty (20) business days to conduct a home study and make a decision, providing that the resource is cooperative and that all necessary information and documentation was properly provided and/or is available. The central Compact office should be notified immediately if any difficulties are encountered which might delay timely completion. In those situations, the central Compact office would contact the sending state Compact office to advise them of any delay.

b. As soon as a decision is reached by the district on approving or disapproving the request, it should be communicated to the Compact office. The home study should then be completed as soon as possible thereafter (within the 20-workdays time frame) and FAXED to the Compact office when ready.

c. The district processing an incoming priority placement request from another state via the central office will have the option of using their own home study format, or the suggested format contained in Home Study Report Form ICPC-102 [see attachment C]. The district worker will be asked to deal directly with the central office, and to keep the central office informed of any difficulties, such as non-cooperation on the part of the proposed resource, incomplete documents or information with which to complete a home study, and most importantly, an indication as early as possible as to whether a determination will be made by the deadline. The priority placement concept makes an assumption that the home study and background check will be "routine." If any abnormal findings are made, or if there are any "red flags" or other concerns, then it may be necessary to complete a more in-depth investigation of the resource, in which case, the central office can so inform the sending state, and modifications to the deadlines can be negotiated.

d. In those situations where placement cannot be recommended, the district worker should still complete the written home study within the 20-workdays time frame, and indicate the reasons for disapproval. In addition, the worker may be asked to join a conference call with the central office and the sending state judge or sending state local worker in order to give those parties a chance to ask clarifying questions concerning the denial of placement. The central office will support whatever determination is made by the district supervisor/worker.

BY DIRECTION OF THE SECRETARY:

*(Signed original copy on file)*

SAMARA H. NAVARRO, D.B.A.  
Deputy Secretary

Attachments:

- A Compact Regulation No. 7-Priority Placement Request
- B Suggested Sending State Priority Placement Home Study Request Form (ICPC-101)
- C Suggested Receiving State Priority Placement Home Study Report Form (ICPC-102)
- D Suggested Form Motion for Priority Placement
- E Suggested Form Order for Priority Placement

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**REGULATION No. 7**

1. Words and phrases used in this regulation shall have the same meanings as those ascribed to them in the Interstate Compact on the Placement of Children (Compact). A word or phrase not appearing in the Compact shall have the meaning ascribed to it by special definition in this regulation or, where not so defined, the meaning properly ascribed to it in common usage.
2. Whenever a court upon request, or on its own motion, or where court approval is required, determines that a proposed priority placement of a child from one state into another state is necessary, the court shall make and sign an order embodying that finding. The court shall send its order to the Sending Agency within two (2) business days. The order shall include the name, address, telephone number, and if available, the FAX number of the judge and the court. The court shall have the sending agency transmit, within three (3) business days, the signed court order, a completed Form 100A ("Request for Placement") and supporting documentation pursuant to Article III of the Compact to the sending state Compact Administrator. Within a time not to exceed two (2) business days after receipt of the Compact priority placement request, the sending state Compact Administrator shall transmit the priority request and its accompanying documentation to the receiving state Compact Administrator together with a notice that the request for placement is entitled to priority processing.
3. The court order, ICPC-100A and supporting documentation referred to in Paragraph 2. hereof shall be transmitted to the receiving state Compact Administrator by overnight mail together with a cover notice calling attention to the priority status of the request for placement. The receiving state Compact Administrator shall make his or her determination pursuant to Article III (d) of the Compact as soon as practicable but no later than twenty (20) business days from the date the overnight mailing was received and forthwith shall send the completed 100A by FAX to the sending State Compact Administrator.
4.
  - (a) If the receiving state Compact Administrator fails to complete action as the receiving state prescribed in Paragraph 3 hereof within the time period allowed, the receiving state shall be deemed to be out of compliance with the Compact. If there appears to be a lack of compliance, the court, which made the priority order, may so inform an appropriate court in the receiving state, provide that court with copies of relevant documentation in the case, and request assistance. Within its jurisdiction and authority, the requested court may render such assistance, including the making of appropriate orders, for the purpose of obtaining compliance with this Regulation and the Compact.
  - (b) The foregoing shall not apply if:
    - (1) within two (2) business days of receipt of the Compact priority placement request, the sending state Compact Administrator determines that the Compact request documentation is substantially insufficient, specifies that additional information is needed, and requests the additional documentation from the sending agency. The request shall be made by FAX, or by telephone if FAX is not available, or
    - (2) within two (2) business days of receipt of the Compact priority placement request, the receiving state Compact Administrator notifies the sending state Compact Administrator that further information is necessary. Such notice shall specifically detail the information needed. For a case in which this sub-paragraph applies, the twenty (20) business day period for the receiving state Compact Administrator to complete action shall be calculated from the date of the receipt by the receiving state Compact Administrator of the information requested.

(c) Where the sending state court is not itself the sending agency, it is the responsibility of the sending agency to keep the court which issued the priority order informed of the status of the priority request.

5. A court order finding entitlement to a priority placement shall not be valid unless it contains an express finding that one or more of the following circumstances applies to the particular case and sets forth the facts on which the court bases its finding:

(a) the proposed placement recipient is a relative belonging to a class of persons who, under Article VIII(a) of the Compact could receive a child from another person belonging to such a class, without complying with the Compact, and: (1) the child is under two (2) years of age, or (2) the child is in an emergency shelter, or (3) the court finds that the child has spent a substantial amount of time in the home of the proposed placement recipient.

(b) the receiving state Compact Administrator has a properly completed ICPC-100A and supporting documentation for over thirty (30) business days, but the sending agency has not received a notice pursuant to Article III (d) of the Compact determining whether the child may or may not be placed.

6. Time periods in this regulation may be modified with a written agreement between the court which made the priority order, the sending agency, the receiving state Compact Administrator, and the sending state Compact Administrator. Any such modification shall apply only to the single case to which it is addressed.

7. To fulfill its obligations under the Compact, a state and its local agencies must process interstate cases no less quickly than intrastate cases and give no less attention to interstate hardship cases than to intrastate hardship cases. If in doing so a receiving state Compact Administrator finds that extraordinary circumstances make it impossible for it and its local agencies to comply with the time requirements set forth in this regulation, it may be excused from strict compliance therewith. However, the receiving state Compact Administrator shall, within two (2) business days of ascertaining inability to comply, notify the sending state Compact Administrator via FAX of the inability to comply and shall set forth the date on or before which it will complete action. The notice shall contain a full identification and explanation of the extraordinary circumstances which are delaying compliance.

8. Unless otherwise required or allowed by this regulation, all transmittals of documents or other written materials shall be by overnight express mail carrier service.

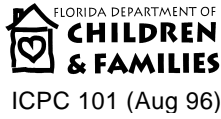
9. This regulation shall take effect on October 1, 1996.

This regulation is adopted pursuant to Article VII of the Interstate Compact on the Placement of Children by action of the Association of Administrators of the Interstate Compact on the Placement of Children at its annual meeting on April 28, 1996, in Whitefish, MT.



October 10, 1997

CFOP 175-55

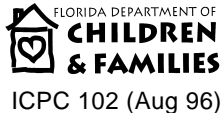


**SENDING STATE PRIORITY HOME STUDY REQUEST**  
**(ICPC Regulation #7 Request Only)**

ASSOCIATION OF ADMINISTRATORS  
OF THE INTERSTATE COMPACT ON  
THE PLACEMENT OF CHILDREN

|   |  |   |                             |
|---|--|---|-----------------------------|
| <b>To Be Submitted By Social Worker With Other Required ICPC Materials (See CFOP 175-55)</b>  |  |   |                             |
| Name of Child To Be Placed  |  | Age   | Mother's Name               |
| Ethnic Group  | Date of Birth  |   | Father's Name               |
| <b>PROPOSED CARETAKER</b>   |  |   |                             |
| Name  |  | Marital Status (Circle One)<br>S M D W SEP  | Living With (Name)          |
| Address   |  | City, State, Zip Code   |                             |
| Home Telephone Number   | Work Telephone Number  |   | Social Security Number      |
| Relationship to Child Identified Above  | Best Time of Day to Contact Caretaker and Telephone Number, if different |   |                             |
| Employer (if applicable) and Address  |  |   | Telephone Number            |
| Alternate Contact Name and Relationship to Child  |  |   |                             |
| Alternate Contact Address   |  |   | Telephone Number            |
| <b>ASSESSMENT OF CHILD</b>  |  |   |                             |
| Case Plan Attached? <input type="checkbox"/> YES <input type="checkbox"/> NO  |  | Financial/Medical Plan Attached? <input type="checkbox"/> YES <input type="checkbox"/> NO |                             |
| Special Needs   |  |   |                             |
| Handicaps — Mental/Physical   |  |   |                             |
| Service Needs/Treatment Requirements  |  |   |                             |
| School Information  |  |   |                             |
| Other Required Pertinent Information Regarding Child and Family Will Follow? <input type="checkbox"/> YES <input type="checkbox"/> NO |  |   |                             |
| Worker's Name (Please Print)  | Supervisor's Name (Please Print)   | Unit's Phone No. (NOT SunCom)   | Unit's FAX No. (NOT SunCom) |
| Worker's Signature  | Date   | Supervisor's Signature  | Date                        |

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**RECEIVING STATE'S PRIORITY HOME STUDY**  
**(Each Section Must Be Completed)**

ASSOCIATION OF ADMINISTRATORS  
OF THE INTERSTATE COMPACT ON  
THE PLACEMENT OF CHILDREN

|  |                                    |  |   |  |
|--|------------------------------------|--|---|--|
| Name of Child To Be Placed                                       |                                    | Age  | Dates of Telephone Contacts                 |  |
| Sending State  | Ethnic Group                       | Date of Birth  | Dates of Home Visits                        |  |
| <b>PROPOSED CARETAKER/SPOUSE</b>                                 |                                    |  |   |  |
| Name   |                                    | Marital Status (Circle One)<br>M S SEP D W   | Living With (Name)                          |  |
| Address  |                                    | City, State, Zip Code  |   |  |
| Home Telephone Number  | Work Telephone Number              |  | Social Security Number                      |  |
| Caretaker/Spouse   |                                    |  |   |  |
| Employer's Name and Address                                      |                                    |  |   | Telephone Number   |
| <b>YOU MUST SUBMIT INCOME VERIFICATION</b>                       |                                    |  |   |  |
| Income: \$   |                                    | <input type="checkbox"/> Yearly <input type="checkbox"/> Monthly<br><input type="checkbox"/> Bi-Weekly <input type="checkbox"/> Weekly |   | Head of Household (name on rent receipts, utility bills, etc.) |
| Number of Members in Household                                   | Relationship to Proposed Caretaker | Length of Relationship (if not marital)  | Relationship of Proposed Caretaker to Child |  |
| Reason for wanting to care for children? .....                   |                                    |  |   |  |
| How did you hear about child's situation? .....                  |                                    |  |   |  |
| Do you understand the situation that caused this request? .....  |                                    |  |   |  |
| Ability to protect child from offender: .....                    |                                    |  |   |  |
| Willingness to provide care (time limited?) (open-ended?): ..... |                                    |  |   |  |
| Appropriateness of child care plans: .....                       |                                    |  |   |  |
| Forms of discipline: .....                                       |                                    |  |   |  |
| Is present income adequate? .....                                |                                    |  |   |  |

Willingness (ability) to care for child without financial help or help with medical costs: .....

Willing to accept/apply for AFDC?  Yes  No      Requests Foster Care benefits?  Yes  No      Willing to undergo licensure?  Yes  No

**SPECIAL NEEDS**

Ability of caretaker, community, schools to meet child(ren)'s special needs: .....

**OTHER ADULTS IN HOUSEHOLD (list separately/use additional sheet if needed)**

| Name | Age | Relationship to Proposed Caretaker | Relationship to Child to be placed |
|------|-----|------------------------------------|------------------------------------|
|------|-----|------------------------------------|------------------------------------|

Attitude towards placement: .....

| Name | Age | Relationship to Proposed Caretaker | Relationship to Child to be placed |
|------|-----|------------------------------------|------------------------------------|
|------|-----|------------------------------------|------------------------------------|

Attitude towards placement: .....

**OTHER CHILDREN IN HOUSEHOLD (list separately/use additional sheet if needed)**

| Name | Age | Relationship to Proposed Caretaker | Relationship to Child to be placed |
|------|-----|------------------------------------|------------------------------------|
|------|-----|------------------------------------|------------------------------------|

Attitude towards placement: .....

School progress/problems: .....

Previous contact with Public/Social Service Agencies: .....

| Name | Age | Relationship to Proposed Caretaker | Relationship to Child to be placed |
|------|-----|------------------------------------|------------------------------------|
|------|-----|------------------------------------|------------------------------------|

Attitude towards placement: .....

School progress/problems: .....

Previous contact with Public/Social Service Agencies: .....

**CLEARANCES (in accordance with receiving state law)**

Law enforcement/child abuse and neglect clearances for all household members who have reached the age of majority.

Police: .....

Child abuse and neglect: .....

Family known to Public/Social Service Agencies (if yes, please explain): .....

**HEALTH**

Proposed caretaker and other family members state that they are in basic, good health and free of communicable diseases:  Yes  No

**HOME AND COMMUNITY**

Adequacy of space: .....

Will the child have his/her own bed?  Yes  No Closet space?  Yes  No

Will the child share a bedroom?  Yes  No If yes, with whom (list name(s) below)?

Housekeeping standards: .....

Viewed potential hazards, safety problems (please specify): .....

Appropriateness of neighborhood: .....

Proximity to schools, medical services, etc.: .....

**AREAS OF CONCERN**

Did you visualize or anticipate any potential problem areas with this case (explain)? .....

**CASE PLAN FROM SENDING STATE**

Is the submitted case plan suitable/adequate for this proposed placement?  Yes  No (If no, explain below.)

Do you have any recommended changes in the case plan or goal? .....

**CASE PLAN FROM SENDING STATE (continued from previous page)**

Are there any restrictions or limitations you would place on the proposed family, the court, or the placing agency? .....

Financial/Medical Plan from Sending State: Is it adequate for this child?  Yes  No (If no, explain below.)

**STUDY NARRATIVE**

Discuss any areas which cannot be addressed by this abbreviated study. Please expand or expound on any area which needs clarification. ....

Worker's Recommendation:  For Placement  Against Placement (explain below)

Please list conditions, if any, for placement to occur: .....

Comments (if appropriate): .....

|                              |                       |
|------------------------------|-----------------------|
| Worker's Name (please print) |                       |
| Worker's Title               | Worker's Phone Number |

Worker's Signature \_\_\_\_\_ Date Signed \_\_\_\_\_

|                                  |                           |
|----------------------------------|---------------------------|
| Supervisor's Name (please print) |                           |
| Supervisor's Title               | Supervisor's Phone Number |

Supervisor's Signature \_\_\_\_\_ Date Signed \_\_\_\_\_



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**SAMPLE**

IN THE CIRCUIT COURT OF THE  
\_\_\_\_\_  
JUDICIAL CIRCUIT,  
STATE OF FLORIDA, IN AND FOR  
\_\_\_\_\_  
COUNTY

CASE NO.:  
DIVISION:

IN THE INTEREST OF

\_\_\_\_\_  
MINOR CHILD(REN)

**MOTION FOR ORDER OF COMPLIANCE AND PRIORITY PLACEMENT  
UNDER THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN**

COMES NOW the Department of Children and Family Services (department) and moves for an order of compliance and priority placement of the above child(ren) pursuant to Regulation No. 7 of the Interstate Compact on the Placement of Children (Compact), sections 409.401, F.S. et seq., on the following grounds:

- (1) The above named child(ren) is/are under the jurisdiction of the juvenile court in and for \_\_\_\_\_ County, Florida, and is/are under the supervision of the department.
- (2) Placement of the child(ren) in the state of \_\_\_\_\_ (the receiving state) is the recommendation of the department.
- (3) The department will, upon entry of the Order, provide the appropriate public authorities in the receiving state written notification of intention to place said child(ren) in the receiving state, pursuant to Article III(b) 1-4 of the Compact.
- (4) The department, in accordance with Article III(d) of the Compact, to date has not sent, brought, or placed the child(ren) to or in the receiving state.
- (5) Both the department and the receiving state will satisfy their respective obligations under the Compact to authorize official placement of the child(ren) in the receiving state.
- (6) Pursuant to Article V of the Compact, this court retains jurisdiction over the child(ren) after entry of the Order of Compliance.

(7)(a) \_\_\_\_\_[relative name], who is the proposed placement resource in the receiving state, is a relative belonging to the class of persons as set forth in Article VIII(a) of the Compact, who could legally receive a child placed by another member of this same class from the sending state if the Compact were not invoked, to wit:

- parent
- grandparent
- adult sister
- adult aunt
- step-parent
- adult brother
- adult uncle
- legal guardian

and (b) The child(ren) meet(s) one or more of the following requirements:

- the child(ren) is/are under two (2) years of age;
- the child(ren) is/are in an emergency shelter;
- the child(ren) has/have spent a substantial amount of time in the home of the proposed placement resource; \_\_\_\_\_

or

(8)  No written response was received in the central Compact office from the receiving state Compact administrator within thirty (30) business days after receipt by the receiving state of a properly completed standard (non-priority) compact request package sent on or after October 1, 1996, as documented and certified by the central Compact office as shown by the following facts and documents:

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WHEREFORE, the Department of Children and Family Services requests that this court enter an Order for Compliance With and Priority Placement Under the Interstate Compact on the Placement of Children on behalf of the above named child(ren), which Order includes the following:

- a. Agreement of the court to abide by all provisions of the Compact, to authorize the Department of Children and Family Services as the Sending Agency, and to designate the department as the court's agent to effectuate its obligations under the Compact.
- b. An express finding that one or more of the circumstances set forth in each of paragraphs (7)(a) and (b), or (8), above apply to the above named child(ren), supported by a statement of the facts and documents upon which the court based its findings.
- c. The typed name, address, telephone number and FAX number of the judge entering the order.
- d. The date upon which the order was signed by the judge.
- e. Directions that the signed original order, or a legible copy of the order, be provided to the attorney for the department within two (2) business days of entry of the order.

Respectfully Submitted,

\_\_\_\_\_  
 Attorney for the Department of  
 Children and Family Services

CERTIFICATE OF SERVICE

**SAMPLE**

IN THE CIRCUIT COURT OF THE  
\_\_\_\_\_  
JUDICIAL CIRCUIT,  
STATE OF FLORIDA, IN AND FOR  
\_\_\_\_\_  
COUNTY

CASE NO.:

IN THE INTEREST OF

\_\_\_\_\_  
MINOR CHILD(REN)

**ORDER OF COMPLIANCE AND FOR PRIORITY PLACEMENT UNDER  
THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN**

Hearing was held \_\_\_\_\_, 199\_\_\_\_, on the Motion for Order of Compliance and Priority Placement Under the Interstate Compact on the Placement of Children (Compact) filed by the Department of Children and Family Services (department) pursuant to Regulation No. 7 of the Compact, sections 409.401, et seq., Florida Statutes. All parties entitled to notice were duly notified. Present before the Court were:

Department agent \_\_\_\_\_ Department attorney \_\_\_\_\_  
Mother \_\_\_\_\_ Father \_\_\_\_\_  
Legal custodian/guardian \_\_\_\_\_  
Guardian ad Litem \_\_\_\_\_ Other \_\_\_\_\_

( ) The parent(s) was/were represented by counsel as follows: \_\_\_\_\_  
\_\_\_\_\_

( ) The parent(s) was/were advised of their right to counsel and knowingly, voluntarily and intelligently waived the right.

( ) The court declined to accept a waiver of counsel because: \_\_\_\_\_  
\_\_\_\_\_

( ) The parent(s) requested appointment of counsel and counsel was appointed as follows: \_\_\_\_\_  
\_\_\_\_\_

( ) The parent(s) requested appointment of counsel and the court declined to appoint counsel because: \_\_\_\_\_  
\_\_\_\_\_, or

( ) The identity or residence of \_\_\_\_\_, the parent(s), is/are unknown to the department, and an Affidavit of Diligent Search and Inquiry has been filed detailing the efforts on the part of the department to locate \_\_\_\_\_. That Affidavit, has been filed and by this reference is made part hereof.

Having heard testimony and argument from the parties, and being fully advised in the premises, the Court makes the following findings of fact by clear and convincing evidence/or a preponderance of the evidence, that either paragraph 1 (a) and (b), or paragraph 2 applies in this case, as follows:

1 (a) \_\_\_\_\_[Relative name] is the proposed placement resource in the receiving state of \_\_\_\_\_, and is a relative of the child(ren) belonging to the class of persons as set forth in Article VIII(a) of the Compact, who could legally receive a child placed by another member of this same class from the sending state if the Compact were not invoked, to wit, \_\_\_\_\_[relative name] is the \_\_\_\_\_ [relationship] of the child(ren); and

(b) The child(ren) meet(s) one or more of the following requirement(s) pursuant to Regulation No. 7 of the Compact:

( ) the child(ren) is/are under (2) years of age: \_\_\_\_\_ [name(s), DOB of child(ren)];

( ) the child(ren) is/are in an emergency shelter: \_\_\_\_\_ [circumstances, dates; copy of emergency shelter court order attached];

( ) the child(ren) has/have spent a substantial amount of time in the home of the proposed placement resource: \_\_\_\_\_ [circumstances, dates];

or

2. ( ) No written response was received in the central Compact office from the receiving state Compact administrator within thirty (30) business days after receipt by the receiving state of a properly completed standard (non-priority) compact request sent on or after October 1, 1996 as documented and certified by the central Compact office. [certification form attached]

In consequence of the foregoing, it is thereupon,

ORDERED AND ADJUDGED:

A. This court authorizes the Department of Children and Family Services to be the sending agency for the above named child(ren) and further agrees to abide by all provisions of the Interstate Compact on the Placement of Children, sections 409.401, et seq., Florida Statutes, and hereby designates and directs the Department of Children and Family Services as the court's agent in completing, executing and filing all necessary forms and carrying out and effectuating all obligations and responsibilities of the sending agency under the Compact.

B. The department shall immediately commence the necessary procedures for priority placement of the child(ren) with [relative name] in the state of \_\_\_\_\_, pursuant to Regulation No. 7 of the Interstate Compact on the Placement of Children.

C. The Clerk of the Court shall provide the original Order or a copy of this Order to the attorney for the department within two (2) business days of the date of this Order.

DONE AND ORDERED this \_\_\_\_ day of \_\_\_\_\_, 199\_\_\_\_, at \_\_\_\_\_, FL.

\_\_\_\_\_  
Circuit Judge

Typed name of Judge:\_\_\_\_\_

Business Address of  
Judge:\_\_\_\_\_

Business Phone of Judge: ( )\_\_\_\_\_.

FAX Number of Judge:\_\_\_\_\_.

- copies: Department of Children and Families, Family Safety and Preservation Office
- Attorney (original or copy of Order within 2 business days of Order)
- Parents
- GAL
- Relative