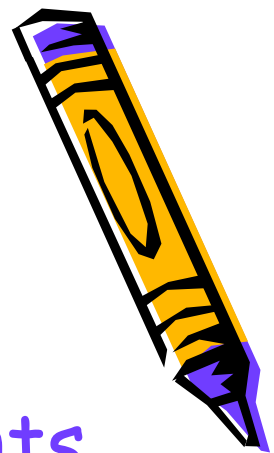




The Interstate Compact on the Placement of Children

A "Basics 101 Presentation" to
Preparing an Outgoing Request for a
Home Study

What is the Compact?



- ICPC defines the types of placements and placers subject to the law; the procedures to be followed in making an interstate placement; and the specific protections, services, and requirements brought by enactment of the law.



Why is the Compact needed?

- Provides the sending agency the opportunity to obtain home studies and an evaluation of the proposed placement.
- Allows the prospective receiving state to ensure that the placement is not "contrary to the interests of the child" and its applicable laws and policies have been followed before it approves the placement.
- Guarantees the child legal and financial protection by fixing these responsibilities with the sending agency or individual.
- Ensures the sending agency does not lose jurisdiction over the child once the child moves to the receiving state.
 - Provides the sending agency the opportunity to obtain supervision and regular reports on the child's adjustment and progress in the placement.



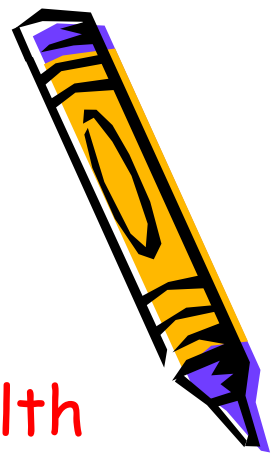
Who does the Compact apply to?

- Placement preliminary to an adoption, including placements through a public agency, private agencies or attorneys.
- Placements into foster care, including foster homes, group homes and residential treatment facilities.
- Placements with parents and relatives when a parent or relative is not making the placement.
- Placements of adjudicated delinquents in institutions in other states.



Who the Compact does NOT apply to?

- Placements made in medical and mental health facilities
- Boarding schools or "any institution primarily educational in character"
- Placement of a child made by and to a parent, stepparent, grandparent, adult brother or sister, adult aunt or uncle, or child's guardian***
- Divorce or custody procedures
- International studies or adoptions
- Visits
- Canada, Puerto Rico, Guam or Samoa



PL 109-239: Safe and Timely Interstate Placement of Foster Children Act of 2006



Home Study Time Limits.

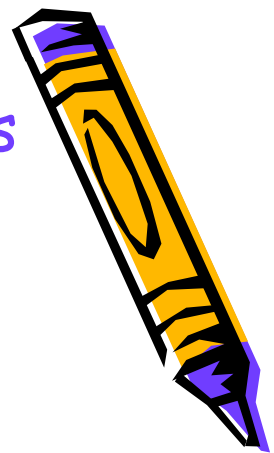
- States must conduct, complete, and report the results of a home study within 60 days of the request.
- The 60 days time limit begins when the receiving state's ICPC Office receives a request.
- This provision excludes education and training of prospective foster and adoptive parents.
- Will cause some issues in the licensing and adoptive home studies and responses received from receiving states.



- There is a provision allowing an additional 15 days to complete the home study if a state can document that circumstances beyond the state's control were involved. However, this is a time-limited provision applicable to home studies started on or before September 30, 2008.

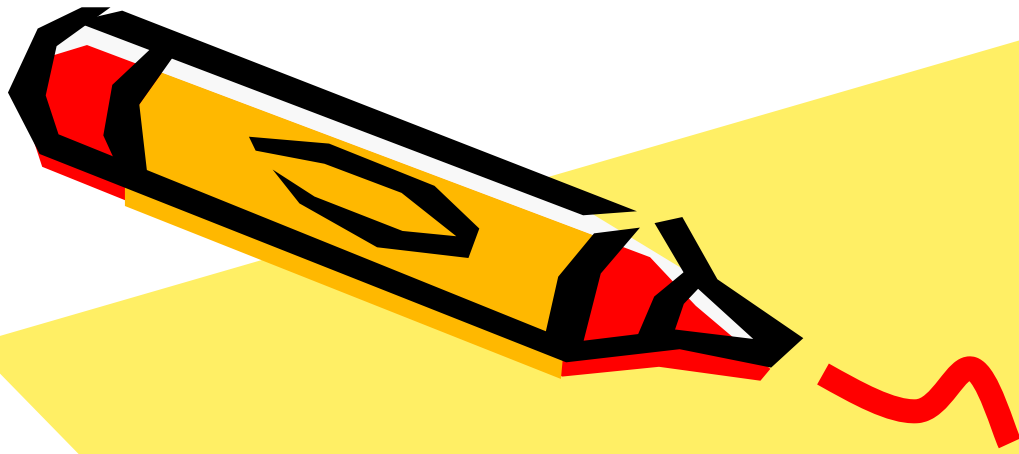
Home Study Incentives.

- A \$1,500 incentive per home study is available for home studies completed within 30 days of the request to the receiving state.
- In order for states to earn this incentive, states must provide certain data to the Department of Health and Human Services.

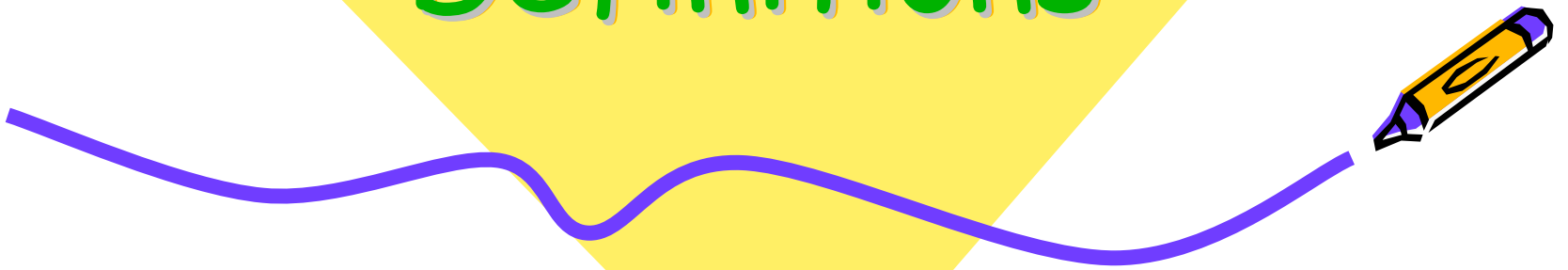


- *Caseworker Visits.* Requirements for caseworker visits in interstate cases are increased from every 12 months to every six months.
- *Case Reviews.* There are provisions that require the consideration of interstate placements in permanency planning decisions, permanency hearings and when applying concurrent planning.
- *Health and Education Records.* States are required to provide foster children aging out of the system with a copy of their health and education records free of charge. States are also required to supply a copy of the child's health and education records to foster parents or other caregivers at the time of placement.





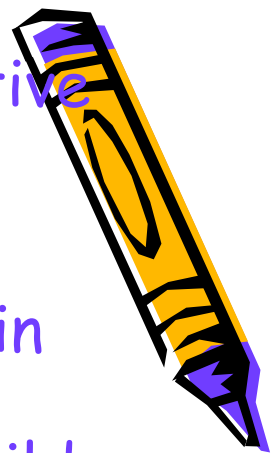
Terms
&
Definitions



Family Free or Boarding Home- home of a relative or unrelated individual whether or not the placement recipient receives compensation for care, foster care payments or any other reimbursements on account of the child being in the home.

Placement- the arrangement for the care of a child in a family free or boarding home or in a child-caring or institution but does not include any institution caring for the mentally ill, mentally defective or epileptic or any institution primarily educational in character, and any hospital or other medical facility.

Receiving State- the state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons.



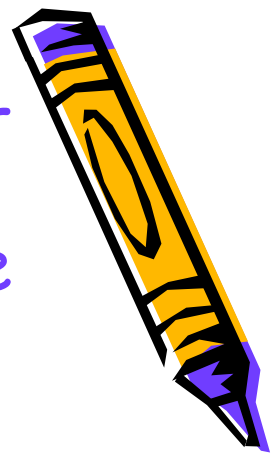
Resource- the individual (parent, relative or non-relative) in the receiving state who is the subject of the home study requested (parent, relative or foster home study).

Sending agency- a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings, or causes to be sent or brought any child to another party state.

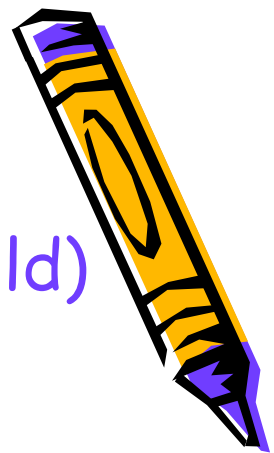


Underlying Court Order- the most current court order (within the past 6 months) which clearly and precisely identifies the legal status of the minor child. If a General Master has issued a formal recommendation to the court, there must be an order signed by the court accepting that recommendation.

Visit- an intended stay for no longer than thirty (30) days with an expressed termination date and may not be extended or renewed in a manner which causes or will cause it to exceed thirty (30) days or the school vacation period.



What a Good Request Packet Contains:



- District transmittal form
- 100A (5 typed, signed copies for EACH child)
- In-depth cover letter
- In-depth current social assessment (PDR, JRSSR, or CBHA if less than 6 months old)
- Order of Compliance, if under Protective Supervision or Shelter (i.e., not in our custody)
- Current underlying court order clearly showing child's legal status within past 6 months
- Financial/Medical Plan Form 791 (signed by case manager & supervisor)
- IV-E documentation/verification



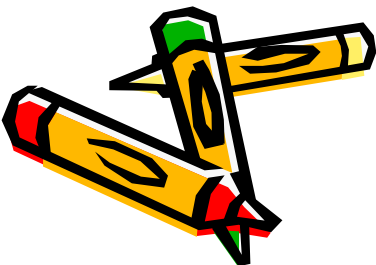
- Additional information as may be necessary or required by the receiving state, e.g.:

- Current case plan
- ICWA documentation
- Medical/immunization record
- School records
- Psychological evaluation
- Copy of Birth Certificate
- Copy of Social Security Card
- * Copy of prior home study or prior foster home study with a copy of the current license (Regulation 1)
- * Priority Order of Compliance and ICPC 101 (Regulation 7)

- * TPR order- adoptions

- * ICWA info, if applicable

- * Examples of additional documents depending on request type



The Interstate Home Study Process: Primary Causes of Delay



- Resolving Financial/Medical Issues
- Criminal Background Checks and Missing Information
- Staffing and Workload Issues



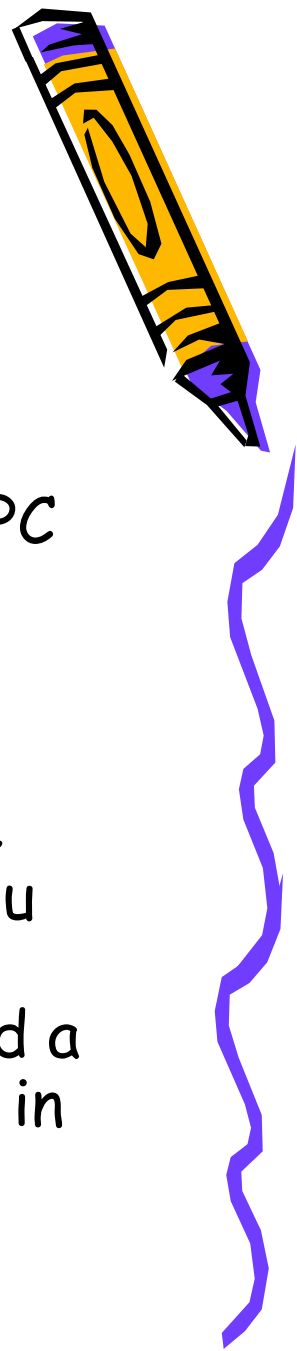


Completing the
ICPC 100A Form
CF 794



ICPC "Multiple Resources"

Example



- Example I: You have identified three possible resources for the placement of "Mary Beth Smith". All these relatives reside outside the State of Florida and you must prepare the ICPC packets to request the correct type of home study.

You are requesting a parent home study on the father who resides in Minneapolis, MN; and you also want a relative home study of the grandmother who resides in St. Cloud, MN; and a foster home study of a 2nd cousin who resides in Rochester, MN.



REMINDER: An "ICPC Request Packet Per Resource" means 3 copies of the entire packet.

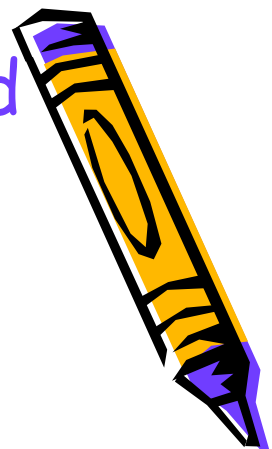


- Parent Home Study Request Packet Will Include:
 - 1 set of the 100A Form (5 copies= 1 set)
 - Three copies of the required packet documents and a cover letter that is specific to the resource, i.e., the father
- Relative Home Study Request Packet Will Include:
 - 1 set of the 100A Form (5 copies= 1 set)
 - Three copies of the required packet documents and a cover letter that is specific to the resource, i.e., the grandmother
- Foster Care Home Study Request Packet Will Include:
 - 1 set of the 100A Form (5 copies= 1 set)
 - Three copies of the required packet documents and a cover letter that is specific to the resource, i.e., the 2nd cousin



- Example II: Mary Beth's father has moved into the home with his mother, Mary Beth's paternal grandmother, and your resource cannot be both the father and grandmother. Who is the resource to be studied?

The resource would be whichever person the court plans to give custody of the child to upon receipt of an approved home study. If the court intends to give custody to the father, explain in your cover letter that you would like the grandmother to be included in the study for the purpose of background screening, etc. She will be included in the study as part of the household but not as the responsible resource.



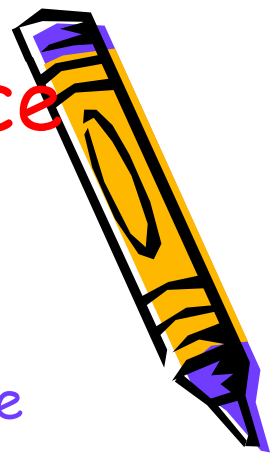
Interviewing an ICPC Placement Resource

When interviewing a placement resource, determine:

- Interest
- Capacity
- Type of placement- parent, relative, foster, or adoptive

Questions:

1. What is your relationship to the child (degree of relationship)?
2. How well do you know this child? Recent contacts? Previously cared for this child? Familiar with child's needs? (Capacity to deal with any emotional, physical, educational handicaps, etc.)
3. What resources are available in your area, i.e., mental health centers, physical rehab centers, etc., to meet the special needs of this child?
4. Do you have the means to transport this child to any therapy appointments that may be required and are you willing to do so?



Questions (cont.)



5. What is the quality of your relationship with the child's parent(s) in particular, and with the child's other relatives in general?
6. (If applicable) There is a court order prohibiting contact with (a specified person, including one or more of the parents), how will you enforce the court order?
7. Do you have the "space" to accommodate the child in your home? How many other children are presently in the home?
8. What kind of disciplinary strategies do you employ in dealing with your own children and is this the technique you will continue to utilize if this child is placed in your care?
9. (If they are not within the specified degree of relationship) Can you assume the financial and medical costs of caring for this child without public assistance? If necessary, are you willing to become licensed foster parents? Complete the required training? Will you contact your local TANF unit to determine if there are any available financial assistance programs for you to care for children from Florida?



Questions (cont.)



10. Are you prepared to work with the local agency in achieving reunification or other permanency for the child?
11. If all the adults in the household work, what are your child care arrangements?

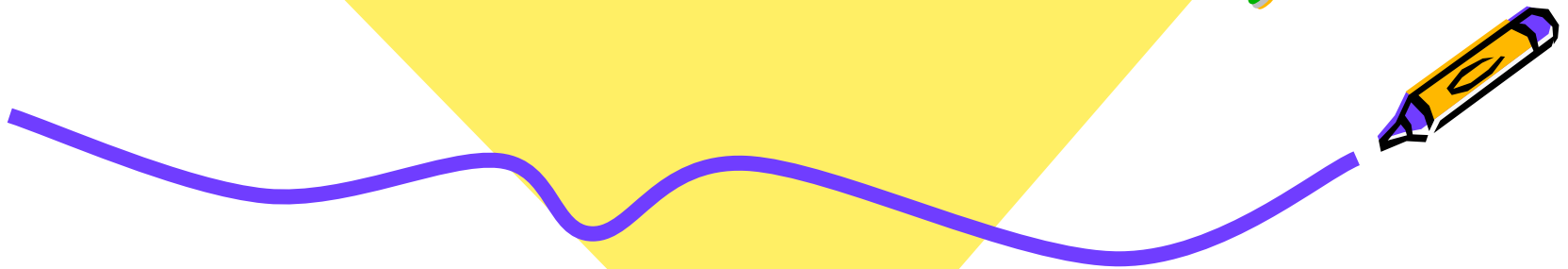
If you decide to submit and ICPC Request Packet on this resource, inform them that they should expect contact by a local worker, and ask them to write down the name and phone number of this person.





Social Summary

(PDS, JRSSR, or CBHA if less than 6 months old)





Motion & Order Of Compliance

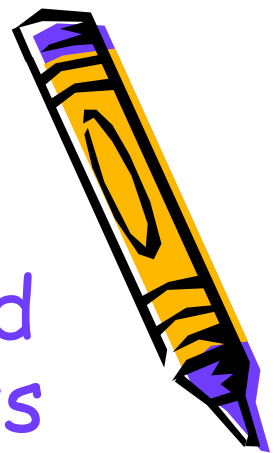
Forms CF FSP 5275 & 5276

Priority Motion and Order

Forms CF FSP 5277 & 5278



Underlying Court Order

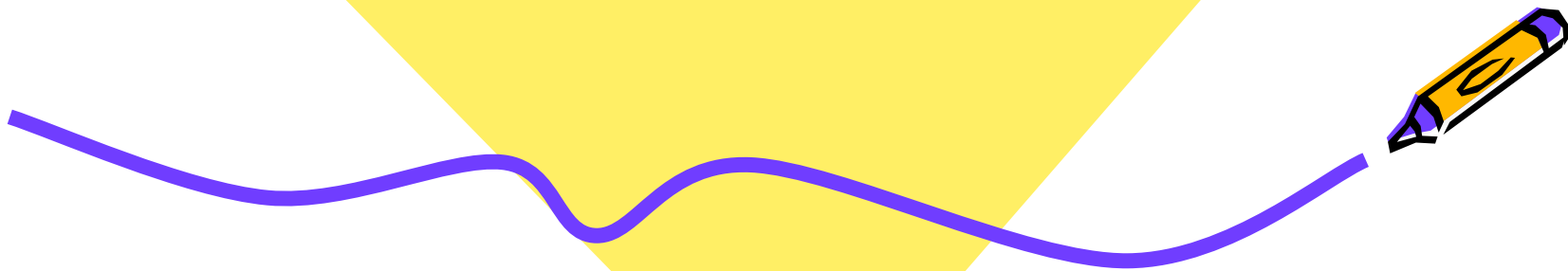


- An Order of Compliance is required anytime that the Department or its contracted provider do not have custody of the child.
- Underlying orders signed by a General Magistrate **MUST** also be signed by a judge to have effect.
- An underlying order must be from within 6 months to be accepted.





Financial/Medical Plan
Form CF 791





Proof of
Title IV-E Eligibility
& Transmittals

ICPC Outgoing Checklists



- Parent/Relative or Foster home request from Florida to the receiving state where the resource resides
- Adoption home study request from Florida to the receiving state where the prospective adoptive parent resides
- A Regulation 7 PRIORITY home study request from Florida to the receiving state where the resource resides

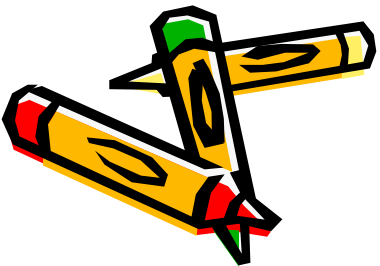
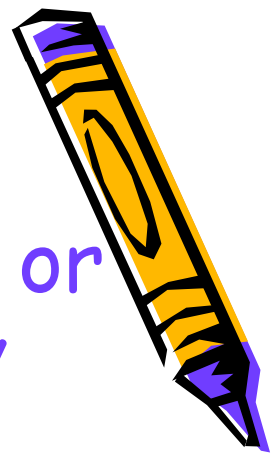




ICPC Articles and
Regulations You Need to
Know and How to
Accomplish Compliance

Article III(a):

No sending agency shall send, bring, or cause to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption, unless the sending agency shall comply with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein.



Article III(d)

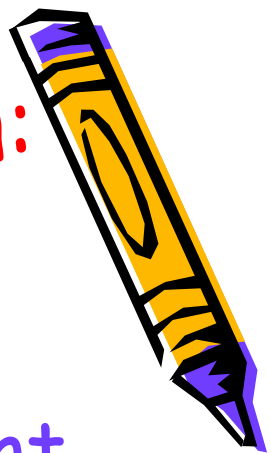


- The child shall not be sent, brought, or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.

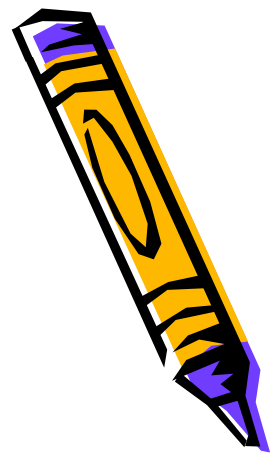


Article V Retention of Jurisdiction:

(a) The sending agency shall retain jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care, and disposition of the child which it would have had if the child had remained in the sending agency's state until the child:



- Is adopted;
- Reaches majority;
- Becomes self-supporting; or
- Is discharged with the concurrence of the **appropriate authority** in the receiving state.
- The sending agency shall continue to have financial responsibility for support and maintenance of the child during the period of the placement.



Regulation No. 1

Relocation of Family Units



- A placement initially intrastate in character becomes an interstate placement subject to the Interstate Compact on the Placement of Children (ICPC) if the child's principal place of abode is moved to another state.
- In any instance where the decision to relocate into another state is not made until forty-five (45) days or less before the date on which it is intended to send or bring the child to the receiving state, a request packet shall be sent promptly to the receiving state compact administrator.



Regulation 1 cont'd



- A favorable determination made by a receiving state means that the receiving state is making such determination on the basis of the best evidence available and does not relieve any custodian or other entity of the obligation to comply with the laws of the receiving state as promptly after arrival.
- If it is subsequently determined that the placement in the receiving state appears to be contrary to the interest of the child, the sending agency shall arrange to return the child or make an alternative placement as provided in Article V(a) of the ICPC.





Regulation No. 3

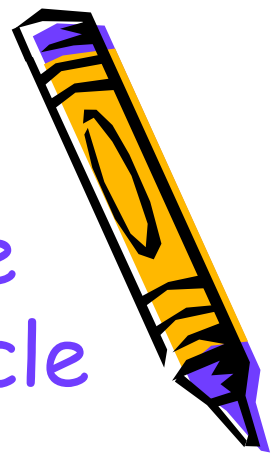
Placements with Parents, Relatives & Non-family Settings

- Defines "placement" to include the home of parents, relatives and non-agency guardians
- Defines "foster care" to include care by parents by reason of a court-ordered placement, not virtue of the parent-child relationship



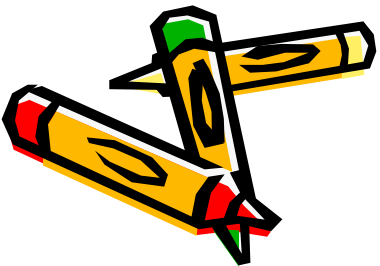
Regulation 3 cont'd

- (1) Clarifies that in placements made by parents or relatives under Article VIII, the person sending the child must have **full legal right to plan** for the child, established by law prior to placement initiation and his or her rights have not been voluntarily terminated, **diminished** or severed by any action or order of any court



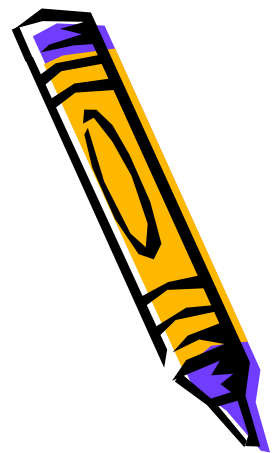
Regulation 3 cont'd

- Clarifies that ICPC does not apply whenever a court transfers a child to a non-custodial parent with respect to whom the court does not have evidence before it that such parent is unfit, does not seek such evidence, and does not retain jurisdiction over the child after the court transfers the child.



Regulation No. 7

Priority Placement



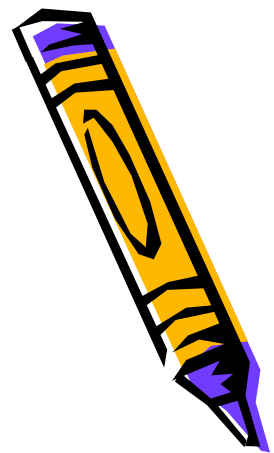
- A child is under the age of 2;
- A child is in an emergency shelter;
or
- A child has spent a substantial amount of time in the home of the proposed placement; and
- The resource is one listed under Article VIII(a) .



Reg. 7

DOES NOT APPLY if:

- The request for placement of the child is for licensed or approved foster family care;
- The request is for adoption; or
- The child is already in the receiving state in violation of ICPC

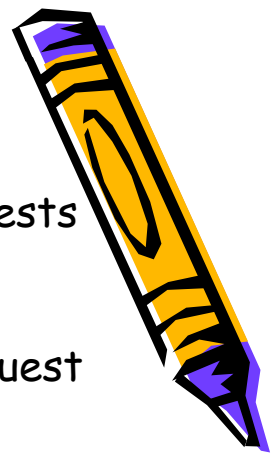


Regulation 7 cont'd

- Processing:
 - Court has 2 business days (bd) to get the order to the sending agency;
 - Sending agency has 3 bd to get the complete packet to the Central Compact Office; and
 - Central Compact Office has 2 bd to send complete request to the receiving state, by overnight mail.
 - Receiving state has 20 business days from when ALL necessary documents are received to make a decision and fax completed 100A.



Regulation 7, (Priority), Tips



If the word "*PRIORITY*" is not written in RED at the top of the District Transmittal Form, your request will be placed into a stack of regular requests and not be processed in a timely manner. This is IMPORTANT!!

A Form 101 must be completed in detail on each child and included in your request packet.

Your priority court order must contain the following expressed findings:

1. Appropriate relative (See Reg. 7 Checklist of 'who qualifies'); and
2. ONE of the following:
 - a. Child under 2 years of age OR
 - b. Child CURRENTLY in Shelter facility OR
 - c. Child has spent substantial amount of time with relative (Explanation of substantial amount of time should be in cover letter or in court order.)

Be sure a, b, or c, is in the court order. Do not use all three

Do not include in the order the language stating that a regular request is older than 30 days UNLESS you are basing your priority order on this criteria.

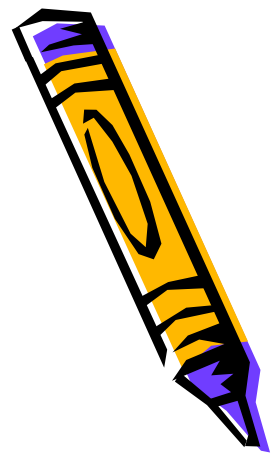
Your priority court order must be current and signed by Judge.



Remember: NO 'GREAT' RELATIVES! NO STEP-RALATIVES!
(except step-parents) NO COUSINS



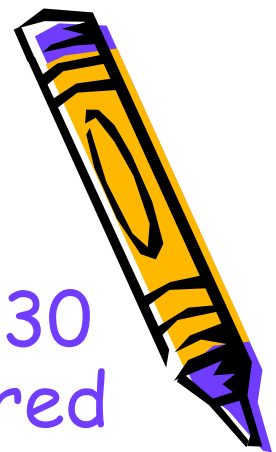
Regulation No. 9



- A visit is not a placement within the meaning of the ICPC. Visits and placements are distinguished on the basis of purpose, duration, and the intention of the person or agency with responsibility for planning for the child as to the child's place of abode.
- Purpose is to provide the child with a social or cultural experience of short duration. The resource cannot have assumed legal responsibility for the child.



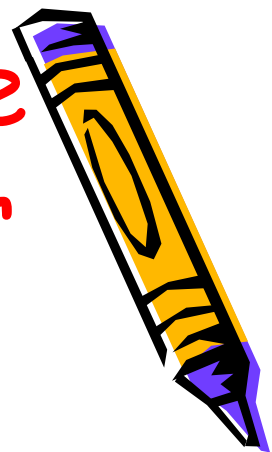
Regulation 9 cont'd



- A stay or proposed stay of longer than 30 days is a placement. It may be considered a visit if it begins and ends within the period of a child's school vacation.
- If there is no express end date or the purpose is unclear, it is a placement.
- A visit while there is a pending home study request is considered a placement.



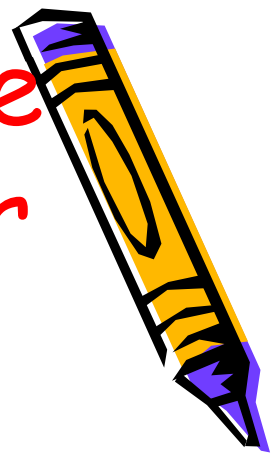
Coordinate Casework With the Receiving State Case Manager



- You are asking the case manager in the other state to do your work for you in assessing the resource, arranging services, supervising the placement and providing progress reports. Collegiality goes a long way!
- Remember to make HSn entries.
- If you have not been notified within 45 days of the assignment of a worker in the receiving state to conduct the requested home study, check with your District/Zone ICPC Specialist.
- If the completed home study is not received within 90 days of the date it was assigned out by the receiving state send a written status request on agency letterhead through your District/Zone ICPC Specialist.



Coordinate Casework With the Receiving State Case Manager



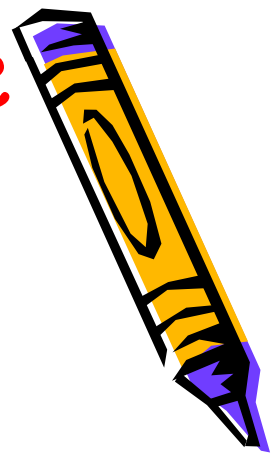
- When you receive the approved home study make arrangements to physically relocate the child with the placement resource and always advise the worker in the receiving state of the placement arrangements.
- Arrange for monthly visits, monthly info direct to worker.
- Ask for status updates direct, (i.e. need additional info to complete study? What's left to be done? Receiving state's approval process, which plays into time to get final placement decision, etc.).



Coordinate Casework With the Receiving State Case Manager

CAN'T DO's:

- Get a home study direct and make placement.
- Terminate without ICPC office OK.
- Terminate at 6 months automatically.

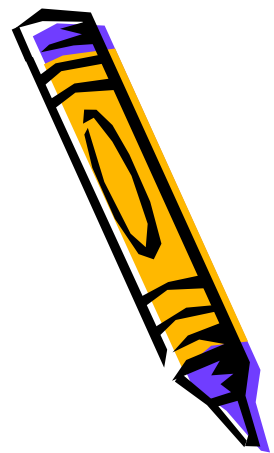


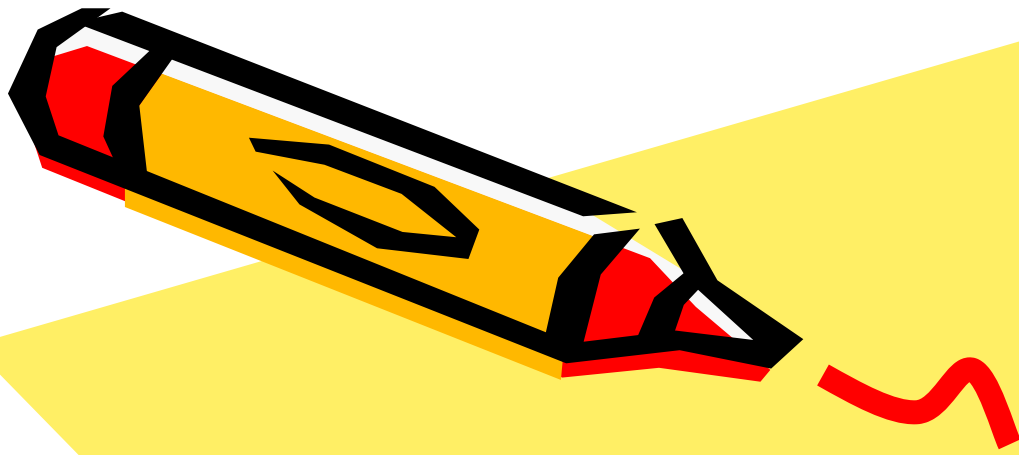


Completing the 100B
Form CF 795

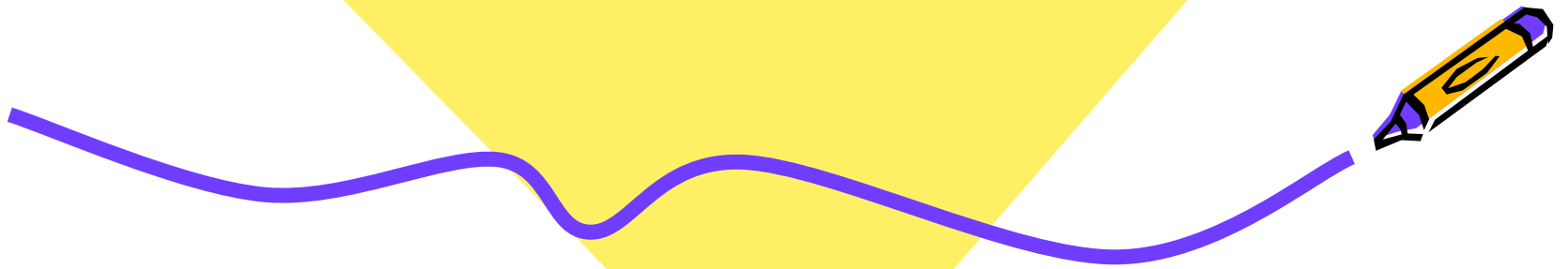
Rule

- Open with a 100A
- Place with a 100B
- Advise of a status change with a 100B
- ALWAYS close with a 100B

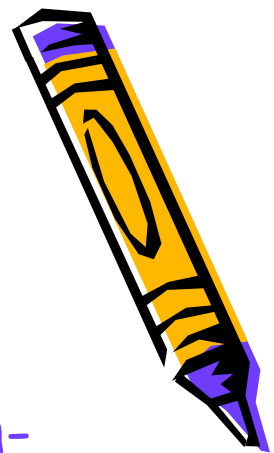




Other ICPC Facts/Procedures



Helpful Hints for Non-Relative Requests



Florida is the only state that will complete a non-relative home study. All other states require non-relatives to be licensed as foster family homes. Do NOT send requests for non-relative home studies.

The Florida worker must contact the non-relative to confirm, in writing, that they are willing to become a licensed foster parent in their state. The non-relative should contact their local TANF unit to determine if there are any available financial assistance programs for non-relatives to care for children from Florida.



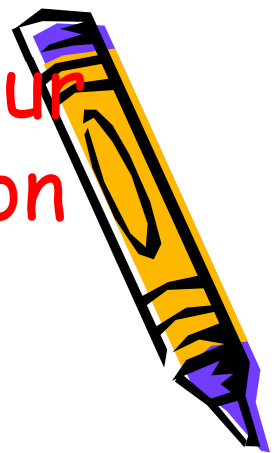
Options:

1. If Financial Assistance is available, then the non-relative has the option to apply for financial assistance in their state or to send in writing a statement which clearly indicates their willingness to absorb financial responsibility for the child. If the non-relative is willing to be financially responsible the letter from the non-relative must be attached to the financial/medical plan, Form 791.
2. If no financial assistance programs are available in the non-relative's state and the non-relative indicates they need financial assistance and the non-relative is willing to become a licensed foster parent(s), board rates must be paid by the Florida district/contracted agency. This must be indicated on the financial/medical plan Form 791 and in the cover letter.

If the non-relative is not willing to become licensed as a foster parent(s) in the receiving state, do not submit an ICPC packet.



How to Come Into Compliance When Your Court Has Made a Placement In Violation of the Compact

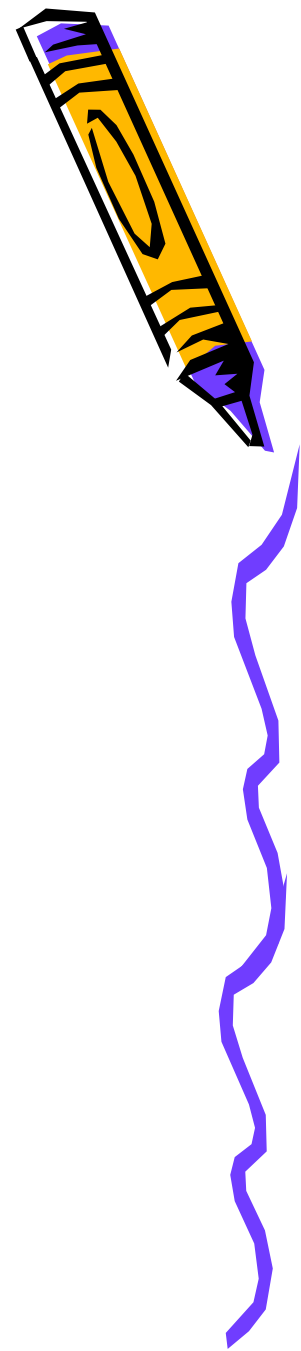


Example- If your court has placed a child prior to a home study being completed by the other state, send:

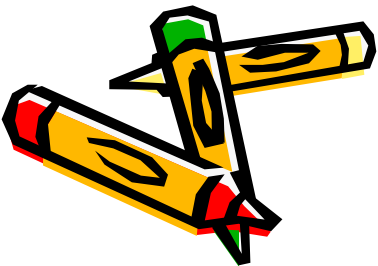
- Order showing child placed by court (most current court order)
- Order of Compliance
- Most current Judicial Review and Judicial Review Order
- Financial/Medical Plan, form 791
- Current in-depth Social Summary
- Typed 100A
- 100B
- In-depth cover letter explaining how and why the child came to be in other state prior to home study being completed. Explain in cover letter that Florida recognizes this is a violation of the Compact, but would like to come into compliance.



Directory Of ICPC Forms



- ICPC District Transmittal CF 0797
- ICPC Financial- Medical Plan for Interstate Compact CF 0791
- ICPC Motion for Order of Compliance and Priority Placement CF FSP 5277
- ICPC Motion for Order of Compliance CF FSP 5275
- ICPC Order of Compliance and for Priority Placement CF FSP 5278
- ICPC Order of Compliance CF FSP 5276
- ICPC Parent/Relative/FC Checklist- From FL to Another State CF FSP 5286
- ICPC Parent/Relative/FC Checklist- To FL to Another State CF FSP 5285
- ICPC Placement Request (ICPC 100A) CF 0794
- ICPC Priority District Transmittal CF 0793
- ICPC Private Adoption Entity Checklist- From FL to Another State CF FSP 5284
- ICPC Private Adoption Entity Checklist- To FL to Another State CF FSP 5283
- ICPC Public Agency Adoption Checklist- From FL to Another State CF FSP 5282
- ICPC Public Agency Adoption Checklist- To FL to Another State CF FSP 5281
- ICPC Receiving State's Priority Home Study (ICPC 102) CF 0792
- ICPC Reg. 7 Checklist- Incoming CF FSP 5287
- ICPC Reg. 7 Checklist- Outgoing CF FSP 5288
- ICPC Report of Placement Status (ICPC 100B) CF 0795
- ICPC Sending State Priority Home Study Request (ICPC 101) CF 0798
- Physician's Report on Child Placed for Adoption CF FSP 5073
- Birth and Delivery Information on Child Placed for Adoption CF FSP 5076



ICPC Documents on internet at:

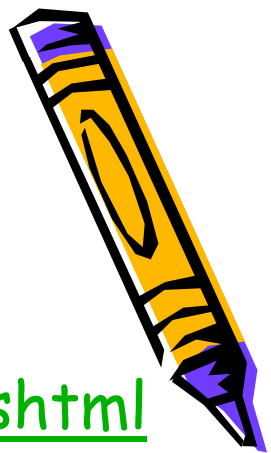
<http://www.dcf.state.fl.us/publications/icpclibrary.shtml>

ICPC E-Forms on INTERNet at:

http://www.state.fl.us/cf_web

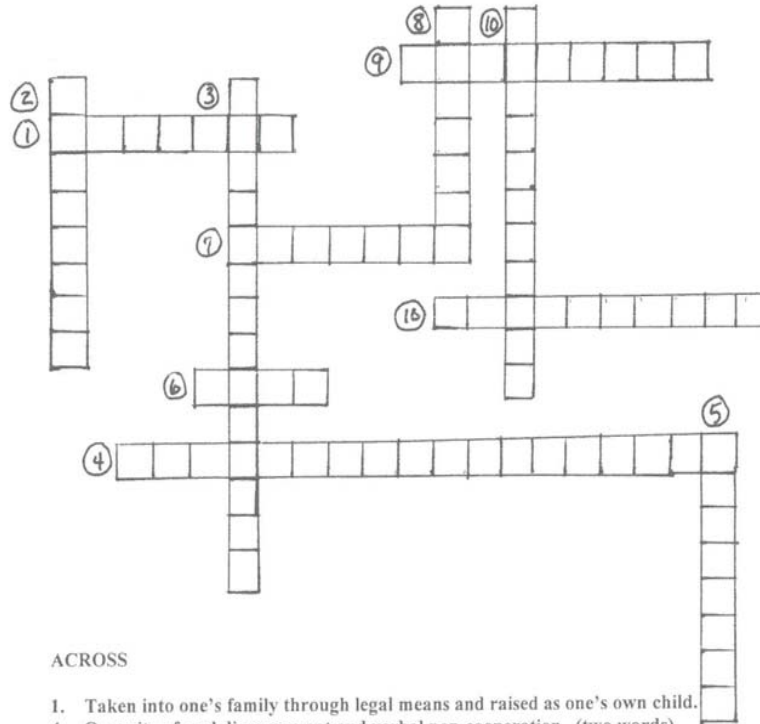
ICPC E-Forms on INTRAnet at:

<http://scfdz002.dcf.state.fl.us/pdfi/dcfdoc.nsf>



PUZZLER

ICPC ARTICLE V. RETENTION of JURISDICTION



ACROSS

1. Taken into one's family through legal means and raised as one's own child.
4. Opposite of oral disagreement and verbal non-cooperation. (two words)
6. ICPC form used to close a case.
7. The _____ state who has jurisdiction shall also have power to effect the return of the child.
9. The _____ state's jurisdiction supercedes in an act of delinquency or committed crime.
10. Closing the case without the receiving state's written concurrence. (two words: first one across and second one is down)

DOWN

2. Age when full civil and personal rights may be exercised legally in most states.
3. Ability to maintain one's self physically, emotionally, financially, and mentally, independent of family. (two words hyphenated, but use no hyphen)
5. 15, 16, 17, ____; age of majority. (spell out number)
8. During placement, the _____ state has financial and medical responsibility for the child's support and maintenance, as well as planning responsibility.
10. Closing the case without the receiving state's written concurrence. (two words: the first one is across and the second one is down)

