

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY</b>	
	<b>Chapter 9:</b> Interstate Compact on the Placement of Children (ICPC)	<b>Effective Date:</b> March 1, 2013
	<b>Section 5:</b> Expedited Placement for Out of State ICPC Placements	<b>Version:</b> 2

<b>STATEMENTS OF PURPOSE</b>
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The Indiana Department of Child Services (DCS) will comply with all court orders to treat an Interstate Compact on the Placement of Children (ICPC) placement as an expedited placement, in accordance with [ICPC Regulation No. 7](#). The intent of the changes to [ICPC Regulation No. 7](#) (Expedited Placement) is to allow a rapid placement of children with “close relatives” outside of Indiana.

DCS will obtain a court order finding the child is entitled to an expedited placement. The order will not be accepted unless it contains a specific finding that one (1) or more of the following circumstances applies to the particular case, and sets forth the facts on which the court based its finding:

1. The proposed placement resource is a relative, defined as a parent, step-parent, grandparent, adult brother or sister, adult aunt or uncle, or guardian of the child; and
  - a. Unexpected dependency due to a sudden or recent incarceration, incapacitation, or death of a parent or guardian. Incapacitation means a parent or guardian is unable to care for a child due to a medical, mental or physical condition of a parent or guardian, or
  - b. The child sought to be placed is four (4) years of age or younger, including older siblings sought to be placed with the same proposed placement resource; or
  - c. The court finds that any child in the sibling group sought to be placed has a substantial relationship with the proposed placement resource. Substantial relationship means the proposed placement has a familial or mentoring role with the child, has spent more than cursory time with the child, and has established more than a minimal bond with the child; or
  - d. The child is currently in an emergency placement.

[ICPC Regulation No. 7](#) does not apply to any case in the sending state where:

1. The child is already in the receiving state in violation of ICPC; or
2. The request for placement of the child is for a licensed or approved resource parent or adoption; or
3. The court places the child with a parent from whom the child was not removed, the court has no evidence the parent is unfit, does not seek any evidence from the receiving state the parent is either fit or unfit, and the court relinquishes jurisdiction over the child immediately upon placement with the parent.

**Note:** ICPC may not apply when placing with a parent. See separate policy, [9.01 Request to Place an Indiana Child in Another State](#).

Code References

1. [IC 31-28-4: Interstate Compact on the Placement of Children](#)
2. [ICPC Regulation No. 2](#)

2. [ICPC Regulation No. 7](#)

## PROCEDURE

The Family Case Manager (FCM) will:

1. Determine if the child meets the criteria for expedited placement (see practice guidance);
2. Submit an Affidavit to the court requesting a court order for expedited placement immediately if the child meets the criteria for expedited placement. The court order should state how the child meets the criteria for expedited placement; and
3. Send a copy of the court order, completed [Statement of Family Case Manager/Potential Placement Resource Form](#) (available in hard copy), [Interstate Compact on the Placement of Children Request \(SF106\)](#), and a completed referral packet to the DCS ICPC Office within three (3) business days of receiving the signed court order. See separate policy, [9.01 Request to Place an Indiana Child in Another State](#) for items to be included in referral packet.

The DCS Deputy Compact Administrator or designee will:

1. Notify the FCM of receipt of the packet and accompanying documentation via email;
2. Review the packet for accuracy and ensure that all necessary documentation is included upon receipt of the packet;
3. Notify the FCM and the FCM Supervisor immediately in writing if there is missing information;
4. Indicate on the [Interstate Compact on the Placement of Children Request \(SF106\)](#) that an expedited placement is being requested;
5. Approve and sign the [Interstate Compact on the Placement of Children Request \(SF106\)](#), and mail a signed copy to the FCM; and
6. Forward the packet and accompanying documentation to the receiving ICPC Office within two (2) business days of receipt.

### **When Indiana Children Receive an Expedited placement**

The receiving ICPC Office will notify the receiving child welfare local office and request an expedited placement home study be conducted.

The receiving child welfare local office will:

1. Conduct an expedited placement home study no later than 20 business days from the date the expedited request was received; and
2. Send the completed home study to the receiving ICPC Office by the 20<sup>th</sup> business day.

The receiving ICPC Office will:

1. Review and approve the home study; and
2. Notify the DCS ICPC Office that the home study has been approved.

## PRACTICE GUIDANCE

During the assessment phase of the case, the assessment worker should collaborate with the family to determine whether there is a relative interested in having the child placed with them. A pre-screening of the prospective placement resource prior to the submission of an ICPC referral is required under [ICPC Regulation No. 2](#) and [ICPC Regulation No. 7](#). This information will be documented on the [Statement of Family Case Manager/Potential Placement Resource Form](#) (available in hard copy) and gathered by the Family Case Manager in the sending state. The

FCM will be responsible for contacting the prospective placement resource in the receiving state to complete the [Statement of Family Case Manager Potential Placement Resource Form](#) (available in hard copy). The intent of this pre-screening is to prevent sending an ICPC referral to a placement resource who is not interested, lacks qualifications (based on home space or financial resources), or who has a criminal history which would preclude placement. The FCM must include this form with the ICPC 100A form when submitting an ICPC referral.

If the relative is located out of state and the case meets the criteria for an ICPC expedited placement, the assessment worker should begin the process of requesting an expedited placement.

The Affidavit submitted to the court requesting an expedited placement must contain the following language: “Based on [ICPC Regulation No. 7](#), this case meets the criteria for an expedited placement based on the following:”, then list the specific criteria that apply to the child.

The cover letter included with the referral packet must also note that the case is entitled to expedited placement and then list the specific criteria that apply to the child.

#### **FORMS AND TOOLS**

1. [Interstate Compact on the Placement of Children Request \(SF106\)](#)
2. [Statement of Family Case Manager/Potential Placement Resource Form](#) - Available in hard copy

#### **RELATED INFORMATION**

N/A