

POLICY VI-H: INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN

09/2011-08/2013

The Interstate Compact on the Placement of Children (ICPC) is used to move children in need of a foster or pre-adoptive placement, adoption across state lines, or reunification with parents in an orderly and timely manner. A child in foster care is defined as a child who has been removed from the home of his parent, guardian, or custodian by a court of competent jurisdiction and whose custody has been placed with a private or public agency. Foster care shall not include placement in a residential facility by a parent if a child welfare agency or court is not involved with the parent or child through an open case or investigation.

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When a child requires placement for foster care or a possible adoption outside the resident state, DCFS shall use the ICPC process. DCFS will ensure all potential out-of-state relative placements are given the same opportunity as in-state relative placements to become foster homes. Homes of relatives approved under the Articles of ICPC will be considered approved foster homes. Unless authorized by the ICPC, all communications with other states regarding approval of placement, progress reports, disruption of placement, or termination of the ICPC case should process through the Arkansas ICPC Central Office, to the ICPC liaisons.

For the most up-to-date information regarding ICPC articles and regulations, go to <http://icpc.aphsa.org/Home/resources.asp>.

PROCEDURE VI-H13: Request for an Interstate Compact on the Placement of Children Priority Placement Regulation No. 7

8/2013

A priority placement is when 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 because placement is with a relative and:

- A. ~~A~~ The child is under ~~two~~ four (4) years of age ~~including other siblings sought to be placed with the same proposed placement.~~
- B. ~~B~~ The child is in an emergency ~~shelter~~ placement.
- C. ~~C~~ The court finds that the child has ~~spent~~ a substantial relationship with the proposed placement resource amount of time in the home of the proposed placement recipient. (Regulation No. 7 does not define "substantial amount of time", consequently leaving its interpretation to the receiving state ICPC).
- D. ~~A~~ An unexpected dependency due to a sudden or recent incarceration, incapacitation, or death of a parent or guardian has occurred.

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The receiving state agency has 30 days to complete a request for a priority placement. Requests for placement shall not be expedited or given priority except as outlined below.

A request for a priority placement will be implemented as follows:

- A. The court shall send its order to DCFS within two business days.
- B. The order shall include:
 - 1) The child's name, address and phone number;
 - 2) The Fax number of the judge and the court, if available.
 - 3) The sending party will send the following to the state's ICPC Central Office via overnight mail, or fax, within three business days:
 - 4) The signed court order. ~~(I~~ The court order must specify how the case qualifies as Regulation No. 7-).
 - 5) A completed ICPC-100A: ICPC Request.

EXCERPT

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6) Supporting documentation according to policy.

C. Within two business days after the receipt of the ICPC priority placement request, the sending state's ICPC office will overnight mail the priority request and its supporting documentation to the receiving state's ICPC office with a notice that the request for placement is entitled to priority processing.

D. The receiving state ICPC office shall send all the documents to the receiving state's local office within two days. The receiving state's local office has 20 working days to send a determination back to the receiving state's ICPC Office.

E. The receiving ICPC office has two days to overnight mail the determination to the sending state's ICPC office. The sending state ICPC office has two days, through overnight mail, to send the determination to the local office.

F. The foregoing shall not apply if:

- 1) Within two business days of receipt of the ICPC priority placement request, the sending state Compact Administrator determines that the ICPC request documentation is substantially insufficient, specifies that additional information is needed, and request the additional documentation from the FSW by FAX or telephone if FAX is not available, or
- 2) Within two business days of receipt of the ICPC 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 such a case in which either of the two preceding points apply, the 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 additional information requested.