

Interstate Compact on the Placement of Children

The Roles and Responsibilities of the
Interstate Compact Office

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What is the Interstate Compact on the Placement of Children (ICPC)?

- A uniform law enacted in all 50 states
- Establishes procedures for interstate placement of children
- Assures the safety, permanency and well-being of children
- Mandates compliance with federal child placing laws, regulations and policies

What is the ICPC (continued)

- The ICPC is to be followed anytime a family or juvenile court sends or causes a child to be sent to another state for a residential placement.

What Types of Placement Does the Compact Cover?

- Covers the placement of court & state wards that are abused, neglected and dependent children, and delinquents placed in residential facilities.
- Children may be sent to other states for placements that are:
 - For foster care, including group homes, residential facilities
 - Adoptions, and preliminary to an adoption
 - With parents and relatives
 - For adjudicated delinquents needing residential placement

What Types of Placements Does the ICPC NOT Cover?

- Custody investigations
- Friend of the Court investigations
- Inter-country adoptions
- Guardianship cases
- Kidnapped children
- Interstate Compact for Juvenile cases
- Children placed by parents or relatives with parents or relatives in another state
- Placement in medical or psychiatric facilities and boarding schools in another state

Who Must Use the Compact?

- “Sending agencies” who send, bring, or cause a youth to be brought or “sent” to another state.
Including:
 - A state party to the compact (i.e. Michigan DHS)
 - A subdivision, such as a county or city
 - A court of a party state
 - Any person (including parents or relatives in some instances), corporation, association, or charitable agency of a party state

Michigan's Interstate Compact Office

- Acts as a liaison between DHS county offices, courts, licensed placing agencies, attorneys, and other states
- Ensures that the compact is complied with
- Coordinates and cooperates with other states
- Ensures compliance with both states' laws
- Sends and receives referrals

Michigan's Interstate Compact Office (continued)

- Coordinates the completion of in-state home studies and placement evaluations per the Safe and Timely Act of 2006
- Approves/Denies placement
- Coordinates monitoring of the placement status
- Coordinates the resolution of problems

Number of Youth Placed Out-of-State

-Relative	155
-Adoption	149
-Parent	128
-Foster Care	79
-Court Residential	77
-CA/N Residential	22
-Relative Foster Care	6
Total	616

Responsibility of States Receiving Referrals

- All requests from other states for placements in Michigan must be routed through the Interstate Compact Office.
- The laws and policies of the sending state govern the conditions of wardship and discharge.
- A timely home study must be completed and a criminal history and central registry check are mandatory for all persons living in the home.
- Children are placed out-of-state only if approved by the receiving state.
- For all approved placements, legal jurisdiction and financial responsibility for the child remains with the sending state.

Responsibility of States Receiving Referrals (continued)

- Supervise the placement even when the placement is with a parent.
- Ensures requested services are received.
- Completes quarterly reports.
- Notifies the ICPC office in the sending state when problems occur.
- Any out-of-state youth is bound by Michigan (the receiving states') law.
- The receiving state maintains supervision until notification from the sending state that jurisdiction has been terminated.

Responsibility of States Receiving Referrals (continued)

- Recommends dismissal and case closure or return of child to sending state. Note: if a placement is unsuccessful, the sending state is responsible for the youth's return.
- If legal action is pending against a youth it must be resolved prior to their departure from Michigan.

Safe and Timely Interstate Placement of Foster Children (Public Law 109-239)

- Implemented in 2007 to improve protection of youth, and hold states accountable.
- Requires home studies be completed within 60 days.
- In FY 2007 and FY2008, 85% and 79% respectively, of the home studies completed in Michigan were completed in 60 days.
- During the same time period other states completed 30% of the home study requests received from Michigan within 60 days.

Unapproved Placements

- When placement is denied, attempts to clarify and remedy the issues which led to the denial may be addressed through:
 - Case conferences
 - Discussion of correctable findings, missing information
 - Send a new referral

Recap

- The ICPC is a uniform law with consequences for violation.
- The ICPC covers placement and supervision of children placed in foster care, relative, parent, adoption and residential placements.
- The ICPC must be used when they send, bring, or cause a child to be sent or brought to another state.
- The ICPC has requirements that mandate the retention of legal jurisdiction.

Recap

Safeguards the Compact Offers

- Assures the sending state that a home study is conducted and the proposed placement is evaluated for appropriateness.
- Assures that, home studies are completed in a timely manner.
- Allows the prospective receiving state to ensure that the placement is not contrary to the interests of the child and that applicable state laws have been followed before the placement is approved.
- Guarantees the child legal and financial protection by assigning these responsibilities with the sending agency or individual.

Recap

Safeguards the Compact Offers (continued)

- Ensures the sending agency does not lose jurisdiction over the child once the child moves to the receiving state.
- Provides the sending agency opportunity to get supervision and regular reports on the child's adjustment and progress in placement.
- Provides access to services in receiving state for the child.

For More Information

- Children's Foster Care Manual Sec. 931 and 932
<http://www.mfia.state.mi.us/olmweb/ex/cff/931.pdf>
<http://www.mfia.state.mi.us/olmweb/ex/cff/931.pdf>
- Safe and Timely Interstate Placement of Foster Children Act of 2006 PL:109-239
- Michigan Compiled Laws 3.711-3.717 (Interstate Compact Laws)
- DHS Interstate Compact Office:
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