

	INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL	
	Chapter 9: Interstate Compact for the Placement of Children (ICPC)	Effective Date: November 1, 2008
	Section 5: Priority Placements for Out of State ICPC Placements	Version: 1

POLICY	OLD POLICY: N/A
---------------	------------------------

The Indiana Department of Child Services (DCS) will comply with all court orders to treat an Interstate Compact for the Placement of Children (ICPC) placement as a priority placement, in accordance with [ICPC Regulation No.7](#).

DCS will obtain a court order finding entitlement to a priority placement. The order will 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:

1. The proposed placement resource is a relative as defined as a non-custodial parent, grandmother, grandfather, adult brother or sister, adult aunt or uncle, or step parents of the child; and
 - a. The child is under two (2) years of age,
 - b. The child is in an emergency shelter, or
 - c. The court finds that the child has spent a substantial amount of time in the home of the proposed placement resource.
2. The receiving state has had a properly completed [ICPC Request/100A](#) and supporting documentation for over thirty (30) business days, but DCS has not received a decision on placement.

This regulation does not apply to any case in the sending state where:

1. The request for placement of the child is for licensed or approved resource family care or adoption; or
2. The child is already in the receiving state in violation of ICPC.

Code References

1. [IC 31-28-4: Interstate Compact on the Placement of Children](#)
2. [ICPC Regulation No. 7](#)

PROCEDURE

The Family Case Manager (FCM) will:

1. Determine if the child meets the criteria for priority placement;
2. If the child meets the criteria for priority placement, immediately submit an Affidavit to the court, requesting a court order for priority placement. The court order should state how the child(ren) meets the criteria for priority placement; and
3. Within three (3) business days of receiving the signed court order, send a copy of the order, [ICPC Request/100A](#), and a completed referral packet to the DCS ICPC Office. See separate policy, [9.1 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 Supervisor immediately in writing if there is missing information;
4. Indicate on the [ICPC Request/100A](#) that a priority placement is being requested;
5. Approve and sign the [ICPC Request/100A](#), 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 a Priority Placement

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

The receiving child welfare local office will:

1. Conduct a priority placement home study no later than 20 business days from the date the priority request was received; and
2. Send the completed home study to the receiving ICPC Office.

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(ren) placed with them. If the relative is located out of state and the case meets the criteria for an ICPC priority placement, the assessment worker should begin the process of requesting a priority placement.

The Affidavit submitted to the court requesting priority placement must contain the following language: "Based on ICPC Regulation No. 7, this case meets the criteria for priority placement based on the following:"; then list the specific criteria that apply to the child(ren).

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

FORMS AND TOOLS

[ICPC Request/100A \(SF106\)](#) - Available in ICWIS

RELATED INFORMATION

Emergency Shelter

For the purposes of this policy, emergency shelter placement refers to a child placed in emergency shelter foster care or in an emergency shelter facility, such as the Children's Guardian Home.