



# Adopt US Kids

*Together we hold their future*

*Key Elements and Strategies for*

**EFFECTIVE INTERJURISDICTIONAL WORK**



# INTERJURISDICTIONAL PLACEMENT AS A STRATEGY TO ACHIEVE PERMANENCY

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“Love knows no boundaries.” This simple yet profound statement expresses an important attitude to have in finding families for waiting children. Various jurisdictional boundaries separate child welfare systems—cities, counties, boroughs, States, Tribes, Territories, and countries—and those boundaries can represent significant barriers. Child welfare professionals, however, have the potential to facilitate the timely movement of children and youth across these jurisdictions to achieve what every child and youth need and deserve: a permanent family.



In the broadest sense, an interjurisdictional placement involves the placement of a child from one jurisdiction with a family who resides in a different jurisdiction. For example, in a State with a county-administered child welfare system, children, families, and workers may encounter interjurisdictional issues between counties. However, the term “interjurisdictional” is more commonly associated with placements involving movement of a child across State, Territory, or country boundaries.

Even if your child welfare system hasn’t already been involved in an interjurisdictional placement—on either the sending or receiving end—chances are you will be soon. Agencies are increasingly locating viable permanency resources and family connections in other jurisdictions—sometimes all the way across the country or even in another country. This is due in part to an increased focus on kinship care and more prevalent use of Internet tools and other forms of electronic and social media to connect children in foster care with prospective parents.

## The Importance of Engaging the Full Child Welfare System

Child welfare agencies—both public and private—work within complex child welfare systems in each State, with crucial and valuable involvement of many other agencies and entities beyond the child welfare agency itself. Successful interjurisdictional placements, therefore, require active involvement and support from many entities and leaders within child welfare systems—including judges, medical and mental health care providers, Court Appointed Special Advocates (CASAs), congregate care providers, court staff members, private adoption agencies and regional and national adoption exchanges, and others—not just individual child welfare agencies. Child welfare system leaders who build their agency’s capacity to facilitate an interjurisdictional placement, whether on the sending or receiving end of a placement, can help make it possible for children to achieve permanency and placement stability more quickly.

Throughout this publication, we highlight many key elements for facilitating and supporting the use of interjurisdictional placements that involve entities outside of public child welfare agencies, including many elements that court systems, judges, and CASAs can implement in order to help make interjurisdictional placements possible. We recognize that each child welfare system is unique. The ideas and strategies highlighted in this publication need to be considered within the context of each child welfare system’s existing structures, policies, and partnerships.

## Interjurisdictional Placements as a Concurrent Approach

A significant and growing strategy in foster care and adoption work is attempting to place children as close to home as possible by keeping them near the communities, schools, and friends who are the most familiar, thus honoring and fostering children's important connections. While it may not seem possible to both embrace the value of interjurisdictional placements and keep children close to home, both practices are important strategies to consider in pursuing permanency for children. Just as concurrent planning emphasizes and embraces the need to simultaneously work toward reunification and alternative permanency options for youth, the same holds true for seeking adoptive families for youth both close to home and in other jurisdictions. Taking this concurrent approach helps waiting children achieve permanency sooner, rather than having to wait to rule out local permanency options first.

A broad and multi-faceted search for a family maximizes a youth's chances for permanency. Additionally, child welfare agencies are finding that sometimes the best placement option for a child is with relatives (or other caring adults) who live nearby but may be across a county or State line. By being prepared to make interjurisdictional placements, even when the placement is only a few miles away, agencies ensure they can place a child with relatives promptly and perhaps as a child's first placement in foster care.

Federal law makes it clear that States cannot use jurisdictional barriers as a justification for delaying or denying permanency for a child. As specified in the Adoption and Safe Families Act of 1997, and reinforced by the Safe and Timely Interstate Placement of Foster Children Act of 2006, States are required to consider interjurisdictional placements; to simply not consider interjurisdictional placement options is a violation of federal law and places an agency at risk for sanctions and corrective action. In addition, the Family First Prevention Services Act of 2018 includes provisions that promote the electronic exchange of information to expedite interstate placements of children, including a requirement that State Title IV-E agencies have a centralized electronic interstate case processing system by October 1, 2027.<sup>1</sup> As of January 2020, 45 States had made commitments to join the National Electronic Interstate Compact Enterprise (NEICE), and 33 of those States had implemented or built connections to the electronic exchange.

## THE ROLE OF INTERSTATE COMPACTS IN INTERJURISDICTIONAL PLACEMENTS

Two interstate compacts play important roles in supporting interjurisdictional adoptive placements of children when these placements are across State lines.

### Interstate Compact on the Placement of Children (ICPC)

The Interstate Compact on the Placement of Children (ICPC) was conceived in the 1950s. The intent of the compact was to ensure the safety and well-being of children in care when being moved across

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<sup>1</sup> U.S. Department of Health and Human Services, Administration on Children, Youth and Families, Children's Bureau. Information Memorandum ACYF-CB-IM-18-02. April 12, 2018.

State lines for the purpose of adoption. The ICPC is not federal law, but rather a reciprocal agreement between each participating (or “member”) State and each of the other participating States. In order to be a member of the ICPC, a State must enact legislation authorizing participation. Today, ICPC is a statutory law in all 50 States, the District of Columbia, and the U.S. Virgin Islands. The compact guarantees that laws and procedures are met in both jurisdictions, and that a youth’s placement is properly supervised and finalized. ICPC also defines the roles of both the sending and receiving State or agency so that each entity understands and carries out its respective responsibilities. AdoptUSKids has ICPC checklists for sending and receiving States available online at [www.adoptuskids.org/for-professionals/free-resources/resources-for-interjurisdictional-placements#materials-you-can-use](http://www.adoptuskids.org/for-professionals/free-resources/resources-for-interjurisdictional-placements#materials-you-can-use).

A new ICPC was developed by the Association of Administrators of the ICPC (AAICPC), and some States have already enacted the new compact. At the time of publication, because the new ICPC is not yet in effect to regulate the movement of children from State to State, the original compact is still in effect. For more information and updates on the status of the new ICPC, visit [www.aphsa.org/Policy/icpc2006rewrite.htm](http://www.aphsa.org/Policy/icpc2006rewrite.htm).

## Interstate Compact on Adoption and Medical Assistance (ICAMA)

The Interstate Compact on Adoption and Medical Assistance (ICAMA), established in 1986, is a State-to-State agreement that governs the delivery of payment for medical services and adoption subsidies for children adopted from foster care who qualify for these benefits and live in States other than their States of origin. Like ICPC, ICAMA was designed to facilitate State-to-State coordination and planning for children who are adopted. ICAMA’s purpose is to ensure that children with special needs who are moving across State lines for the purposes of adoption receive medical and other needed services. ICAMA is a binding agreement among member jurisdictions, currently including 49 States, the District of Columbia, and the U.S. Virgin Islands. You can find State-by-State contact information for adoption assistance, post-adoption services, ICPC and ICAMA compact administrators, and medical assistance through the Child Welfare Information Gateway [web page on adoption assistance](#), with information provided by the Administrators of the Interstate Compact on Adoption and Medical Assistance (AAICAMA).<sup>2</sup>

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2 The Interstate Compact on Adoption and Medical Assistance (ICAMA) was created in 1986 to remove geographic barriers to permanency. It is an agreement between States to work together to secure and ensure timely and accurate receipt of support services across State lines. The agreement is overseen by an association of State and national staff who administer the compact and electronically transfer case information through the ICAMA system in each of the member States and the District of Columbia. The Association of the Administrators of the ICAMA (<https://aaicama.org/cms/>) is a nonprofit incorporation of adoption, Medicaid, and interstate experts that implement the compact. The adoption assistance web page is available at: [www.childwelfare.gov/topics/adoption/adopt-assistance/](http://www.childwelfare.gov/topics/adoption/adopt-assistance/)



## *Case Study—Sally, South Carolina and Georgia<sup>3</sup>*

A caseworker placed Sally, a 16-year-old girl from South Carolina, with a family approved through Bethany Christian Services of Georgia. The family had originally inquired about a child on another worker's caseload who was no longer available for adoption but whose profile was still active on AdoptUSKids' national photolisting website. The caseworker asked to see the family's home study since they were open to being matched with an older child. She presented the family's profile to the adoption placement committee, and the committee selected the family as a match for Sally.

The caseworker contacted the family and Bethany Christian Services to let them know she wanted to present information to the family about a 16-year-old legally free female. The family accepted the invitation and traveled to the regional adoption office in Columbia, South Carolina, for a presentation of the child's background. The next day, following the presentation about Sally, the family contacted the adoption specialist and said that they would like to proceed with meeting Sally. At this stage, the process became more complicated and slowed down. The adoption specialist had to complete a purchase of services contract along with an ICPC packet. To complete these required steps, the adoption specialist had to request pricing information and other details from Bethany Christian Services, requiring a couple of weeks to compile the required information for the contract.

Once completed, the purchase of services contract was sent to the finance department at South Carolina's State Office for approval. The caseworker was told that the contract had to have multiple signatures. Eventually, a month or more had gone by and the family became increasingly frustrated because they wanted to meet Sally. The family contacted the governor of South Carolina through a radio talk show and explained their frustration with the delays. On the same day as the talk show, the caseworker's administrator received a call from South Carolina's child welfare director inquiring about the status of this paperwork and was notified that the governor's office was inquiring and needed an answer.

Having the governor's office involved in tracking the status of the case helped to expedite the process. There was only one other minor delay in getting the contract signed because it needed a signature from South Carolina's child welfare director, but she was out of town. The contract was signed by another authorized official and sent via overnight mail to Georgia along with the ICPC packet just one day after the family had contacted the governor. The placement has been a great success, and although it was a complicated process, the people involved believe it was well worth the effort.

<sup>3</sup> Note: The child's name from this case study has been changed for the purposes of confidentiality.

# THE NEED FOR EFFECTIVE STRATEGIES TO SUPPORT INTERJURISDICTIONAL PLACEMENTS

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## A Focus on Solutions

Many child welfare professionals identify multiple obstacles to exploring and conducting interjurisdictional placements, and reports have documented common barriers as well. A report for the Children’s Bureau highlighted barriers in eight main categories:

- 1 Staffing and resources
- 2 Training and knowledge
- 3 Staff attitudes and beliefs
- 4 Education and medical expenses
- 5 Criminal background checks
- 6 Communication
- 7 Permanency
- 8 Tracking and reporting<sup>4</sup>

Rather than continuing to explore barriers to the use of interjurisdictional placements, this publication focuses on real strategies and system elements that child welfare professionals have highlighted as being effective ways to support and use interjurisdictional placements in child welfare work.

## Using Implementation Drivers to Promote Effective Interjurisdictional Practice

Implementation drivers—as identified in implementation science—provide a way to explore key elements in achieving organizational change and implementing effective practices and programs.<sup>5</sup> We heard many common themes from child welfare system leaders in our exploration about key elements for effective and high-quality work to support the use of interjurisdictional placements.<sup>6</sup> In order to provide a useful structure for understanding these key elements, we have grouped them below into the three categories of implementation drivers—competency, organization, and leadership.

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4 Dalberth, B., Hardison, J., Gibbs, D., Smith, S. Interjurisdictional placement of children in the child welfare system: Improving the process, Final Report. Prepared for: Children’s Bureau, Administration for Children and Families, U.S. Department of Health and Human Services. September 2006.

5 Blasé, Karen, PhD, Devin, Pat, MSSW, Van Dyke, Melissa, LCSW. “System and Practice Change Through an Implementation Lens.” Presentation to Children’s Bureau Intensive On-Site T/TA Workgroup, October 28, 2009.

6 Note: These key elements were identified based on reports, articles, and direct feedback and expertise from child welfare professionals in multiple States who have experienced success with making interjurisdictional placements, including Alabama, Georgia, New Hampshire, Oregon, South Carolina, and Tennessee.

As implementation science tells us, these three drivers are integrated and compensatory, meaning they are closely related and can counter balance each other. For child welfare agencies and systems, this means that they can compensate for areas needing improvement by leaning on the strength of implementation drivers they might already have in place when in the process of developing another.<sup>7</sup>

Implementation science also tells us that many common strategies used to prompt change or promote desired behaviors are insufficient. For example, according to the National Implementation Research Network (NIRN):

- Implementation by laws and compliance by itself does not work
- Implementation by “following the money” by itself does not work
- Implementation without changing supporting roles and functions does not work<sup>8</sup>

States, Tribes, counties, and other jurisdictions that are interested in building their child welfare system’s capacity to use interjurisdictional placements as a way to achieve permanency for children should examine the multiple elements and drivers within their child welfare system to see where they may need to strengthen their capacity. Throughout this document, we include some brief case studies from States that highlight successful interjurisdictional placements and describe some of the key elements and steps involved. We encourage readers to read these case studies and consider how various elements and implementation drivers contributed to successful outcomes for other child welfare systems.

### **Competency Drivers**

As defined in implementation science, competency drivers are “mechanisms that help to *develop, improve, and sustain one’s ability to implement an intervention with fidelity and benefits to consumers.*” Competency drivers include: Selection, Training, Coaching, and Performance Assessment.”<sup>9</sup>

Combinations of competency drivers—including having training and coaching align to support good practice—can help give staff members the expertise and knowledge they need in order to be effective at using interjurisdictional placement. One child welfare leader shared this observation with us:

Over the years the trainings involving permanency values, permanency connections, trauma, and issues facing children who are adopted have been helpful in setting a foundation. A lot of what is known has been through trial and error and learning from peers as there is little policy that is helpful as cases are individual how they will need to be handled. Having supervision that allows for this flexibility is important.

**Staff Training**—Child welfare leaders identified multiple examples of key ways that staff training and technical assistance can support effective interjurisdictional work within agencies:

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7 Note: Throughout this publication, we refer to many key concepts from the frameworks of implementation science and adaptive leadership. More thorough information about implementation science is available from the National Implementation Research Network (<http://nirn.fpg.unc.edu/>). More information about adaptive leadership is available from Cambridge Leadership Associates (<http://www.cambridge-leadership.com/>).

8 Blase, Karen, PhD, Devin, Pat, MSSW, Van Dyke, Melissa, LCSW. “System and Practice Change Through an Implementation Lens.” Presentation to Children’s Bureau Intensive On-Site T/TA Workgroup, October 28, 2009.

9 Ibid.

- **Providing frequent training for staff members** on the Interstate Compact on the Placement of Children (ICPC) and interjurisdictional work so they are aware of all of the steps and processes involved in, and required for, interjurisdictional placements from beginning to end. Agencies should provide training regularly for staff members on processes, strategies, requirements, forms, and other key topics related to making interjurisdictional placements. This training can help ensure that new staff members gain access to the necessary information, and that more experienced staff members stay up-to-date and familiar with requirements and procedures.
- **Helping staff navigate differences** in terminology, paperwork requirements, procedures, etc., involved in working with another jurisdiction. Training for staff should include details on the procedures, terminology, file formats, etc., that other States may use in interjurisdictional placements so they are prepared to communicate effectively with their peers from other States.
- **Training staff on how to use photolistings**, including the national AdoptUSKids photolisting, to register children and actively search for potential adoptive families who might be a good match for them regardless of where those families live.

**Staff Coaching and Mentoring**—Implementation science tells us that training alone is not sufficient to create and sustain program changes and implement new practices. Truly sustainable change in child welfare practice requires ongoing coaching and mentoring to ensure staff members see how to apply key concepts and strategies, and how to integrate what they learn in training into their work.



Agencies have identified many examples of how coaching and mentoring can empower staff members to be successful with interjurisdictional work:

- **Encouraging creative thinking and problem solving** to help prompt staff to think outside of the box, including using technology creatively to explore ways to support rich communication across geographic boundaries. For example, workers can use tools and technology such as Skype, Google+ chats, and other free video conferencing options to allow for face-to-face meetings and conversations even when people are in different States. Supervisors can also encourage staff to consider creative ways to use technology to support introductions between a child and a potential family in another jurisdiction. Child welfare system leaders highlight the importance of finding ways to be creative while working within requirements. As one child welfare leader told us: “The ICPC staff must follow the law, but look for flexibility within the law to address the barriers and create new processes.”
- **Providing staff with multiple opportunities to learn from real-world experiences**, case studies, and information to build their competencies related to interjurisdictional placements. Supervisors can devote time with staff members to debrief interjurisdictional placement cases. This can be done both individually and as part of team discussions to identify factors that helped facilitate the placement, barriers that staff members encountered and ways to overcome those barriers in the future, and key lessons learned for how to make interjurisdictional placements work. Additionally, supervisors can use materials such as the AdoptUSKids video *Beyond Borders: Achieving Child Permanence Across Geographic Boundaries* and its companion



*discussion guide*<sup>10</sup> that features professionals sharing stories and expertise about the value of interjurisdictional placements and how to make them work. The companion discussion guide includes questions for administrators, managers, supervisors, and front-line personnel.

- **Coaching staff members on working with experts and key partners** including their State’s ICPC division staff, Court Appointed Special Advocates (CASAs) and Guardians ad Litem, and foster parents. When child welfare staff members are equipped with strategies on how to engage effectively with interjurisdictional stakeholders, they can better access the information they need and overcome any concerns about placing children in other jurisdictions.

## **Organizational Drivers**

As defined in implementation science, organizational drivers are “mechanisms to *create and sustain hospitable organizational and systems environments*. Organizational drivers include: Decision Support Data System, Facilitative Administration, and Systems Intervention.”<sup>11</sup>

Organizational systems and infrastructure are crucial for facilitating timely interjurisdictional placements, both for sending and receiving jurisdictions. Child welfare professionals have identified the following key factors, strategies, and elements for having agency staff explore interjurisdictional placements as viable options for children and making the placements work.

***Having clear processes and mechanisms that allow States to conduct carefully planned transitions and arrange for needed services before a child is placed***—Having clear processes and mechanisms in place that empower staff to plan smooth transitions and arrange for post-placement services in another jurisdiction are deeply valuable for supporting interjurisdictional placements. Clear processes and mechanisms also help reduce possible concerns about whether a placement in another jurisdiction will meet a child’s needs.

When developing these processes and mechanisms, child welfare agencies should coordinate with other relevant State agencies so they will be able to make needed arrangements before making an interjurisdictional placement. As one worker reported: “Sometimes issues come up with reciprocating Medicaid for children entering or exiting the State which has required a partnership between the State child welfare agency and Medicaid counterparts in working this out quickly to assure the child’s needs are met upon placement. Often times there is a need for more specific documentation or forms depending on which States are involved.”

Establishing clear processes and mechanisms is only the first step. Agencies need to ensure staff members know how to use them by addressing the processes and mechanisms in staff training and coaching.

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10 The video *Beyond Borders: Achieving Child Permanency Across Geographic Boundaries* and the companion discussion guide are available online at: <https://professionals.adoptuskids.org/achieving-permanence-across-geographic-boundaries/>

11 Blasé, Karen, PhD, Devin, Pat, MSSW, Van Dyke, Melissa, LCSW. “System and Practice Change Through an Implementation Lens.” Presentation to Children’s Bureau Intensive On-Site T/TA Workgroup, October 28, 2009.



## *Case Study—Veronica, Missouri and Georgia<sup>12</sup>*

Georgia shared their experience successfully placing Veronica, who is severely medically fragile, with her adoptive family in Kansas City, Missouri. Veronica’s medical issues were such that it was necessary to transport her to her new home via air ambulance. Attending to the medical issues, both pre- and post-placement, was a major challenge. There was extensive pre-placement planning between both States to prepare for and achieve her physical transition. The collaboration among staff from each State proved to be critical to the success of the placement.

In Georgia, the case manager worked closely with Veronica’s foster mother, medical personnel, and other agency staff at multiple levels (local, regional, and State) to obtain the necessary information regarding her extensive needs in order to successfully plan for her transport and to meet her pre- and post-placement needs. The Missouri family case manager worked with appropriate medical staff in Kansas City, the adoptive mother, and the social service agency staff to prepare the family for this transition.

With the support of both agencies, the prospective adoptive mother completed several visits to Georgia to meet and get to know the child and to begin to prepare for meeting her needs. She was able to meet with the child’s foster parent in Georgia to learn how to manage Veronica’s health and physical needs. The case manager and regional adoption coordinator worked to obtain approval of the adoption assistance benefits, to update the child history to include the most current medical information, and to obtain waivers in order to cover the transportation costs for “medical air flight,” which exceeded the regularly allowable costs through Medicaid. The State permanency director coordinated these waivers for exceptional medical costs, and the regional director provided special approval because the medical transportation costs far exceeded the amounts that local offices could approve. Medicaid did not cover the cost of transporting Veronica’s medical equipment and personal items; however, this expense was covered through the support of community partners. The two agencies collaborated extensively via telephone to coordinate the actual placement.

All of the above collaboration and coordination resulted in Veronica’s transport to Missouri via air ambulance. When she arrived in Missouri, her adoptive mother was waiting for her.

<sup>12</sup> Note: The child’s name from this case study has been changed for the purposes of confidentiality.

**Enhancing the use of photolistings through data and technology**—In recognition of the valuable role photolistings play in expanding permanency options for waiting children, Congress called for the creation of a national photolisting service in 2002. In response, the U.S. Children’s Bureau created the AdoptUSKids project. The *AdoptUSKids photolisting service*<sup>13</sup> is a free resource that can help agencies connect waiting children with prospective adoptive families. More than 33,000 children who were previously photolisted on AdoptUSKids now live with permanent families. Both public and private child welfare agencies can register free with AdoptUSKids to manage cases and give national exposure to children and families on their caseloads by:

- Creating multi-media profiles of children and families using photos, video, and text
- Finding hundreds of possible matches in seconds based on child and family preferences
- Receiving and responding to inquiries from families who are home studied and interested in photolisted children
- Following up with families more readily by being able to suggest children to them and view children they’re interested in

AdoptUSKids provides individual and group training sessions via web or teleconference on how to use its free photolisting service. The training session covers how to create profiles of children and families, and use the family finding functions to identify potential matches for waiting children from the families registered on the site who are home studied and approved to adopt. For more information about AdoptUSKids photolisting services and about capacity-building assistance available from AdoptUSKids and the Child Welfare Capacity Building Collaborative, see the “Tools and Resources” section of this publication beginning on page 22.

**Having agency practice models that support effective matching**—An example of a practice model that supports effective matching is Oregon’s public-private partnership model, which does not use a “Meet and Greet” approach for matching children and prospective parents. Rather, Oregon has the public agency with custody of a child contract with a private agency within the State to gather additional information about families the agency has selected to be considered by an adoption decision-making committee. This means that prospective adoptive families, who have researched and gathered extensive information about a child, do not meet the child until they have been selected as the adoptive family. The private agency that has been contracted by the public agency also ensures that out-of-state families and the agencies that prepared their home studies meet Oregon’s placement standards. The private agency also represents the out-of-state family and their agency, in conjunction with the other families being considered, during the proceedings by the adoption decision-making committee. Oregon’s public-private partnership helps to ensure that the State complies with the federal requirement to not base adoption placement decisions on the geographic location of an approved adoptive family, but rather on the family’s capacity to best meet the identified needs of the child.

**Establishing border agreements with neighboring States to allow for closer coordination and expediting placement efforts across State borders**—See the separate section on border agreements (page 17) for more details, including how States are using the border agreements to expedite certain placements.

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13 The AdoptUSKids photolisting service is available online at [www.adoptuskids.org/for-professionals/register-with-adoptuskids](http://www.adoptuskids.org/for-professionals/register-with-adoptuskids)

**Prioritizing communication and relationship building**—Although difficult to mandate effectively, good communication and relationships with colleagues in other jurisdictions are key elements in effective interjurisdictional work, just as they are in child welfare work in general. Communication and relationships are particularly helpful when workers face barriers or challenges when making an interjurisdictional placement. As one worker told us:



“One of the key factors to assuring successful placements is communication between the local and the State staff of both the sending and receiving States. Successful [case resolution] often depends on the relationships which have been established between the States long before the placement of the child is considered.”

Child welfare staff can seek to develop relationships with colleagues from other jurisdictions through attendance at or participating in national conferences, regional meetings, virtual peer groups or constituency groups, and other group events. Through AdoptUSKids’ 2012 series of Regional Roundtables, State foster care and adoption program managers met with their colleagues from nearby States, helping the participants to establish stronger connections and further open lines of communication between their agencies. Another way that child welfare leaders can connect with colleagues around the country is through virtual peer-to-peer groups. As participants in these groups, State managers have additional opportunities to connect with peers from across the country, which can help build connections and support communication for future interjurisdictional placements. Making these types of connections with colleagues in other States not only gives child welfare staff points of contact in other jurisdictions; it can help build trust in the processes and approval standards in other jurisdictions. This in turn can help staff be more open to considering prospective families in other jurisdictions.

**Using technology effectively and creatively**—As noted in a 2007 program instruction, the Children’s Bureau encourages States to use technology to support interstate coordination, especially in breaking down barriers to sharing information and coordinating across State judicial systems:

Sharing information that is needed to expedite the interstate placement of children may be accomplished in various ways. For example, judges in different States may converse with each other in an effort to aid in the logistics or to discuss legal issues. Similarly, judges may wish to hold interstate hearings by telephone, or by video conference. Doing so allows these parties to testify and present evidence without being physically present at the hearing, and similarly allows attorneys that are located in other States to file motions and question and cross-examine witnesses in these hearings.<sup>14</sup>

**Bringing in needed expertise to move work forward when a State identifies a need for capacity-building assistance on interjurisdictional placements**—Child welfare systems can access free capacity-building assistance from AdoptUSKids and from the Children’s Bureau’s Child Welfare Capacity Building Collaborative. See page 23 for more information on capacity-building services.

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14 U.S. Department of Health and Human Services, Administration on Children, Youth and Families, Children’s Bureau. ACYF-CB-PI-07-09: State Court Improvement Program Basic Grant. June 4, 2007.

**Implementing paperless systems and electronic tracking systems**—As noted in a 2010 report by the National Resource Center on Legal and Judicial Issues:

*“Many states do not have adequate data tracking systems for interstate cases and recommended creating or updating those systems. Some states have or plan to integrate data tracking systems with simultaneous and electronic documentation transmission.”<sup>15</sup>*

The report also indicated that many States are seeking to make more use of paperless systems:

Many of the states that looked into documentation issues (40% - 16 of 40) recommended the use of electronic document transmission. States that are using electronic requests have experienced improved timeframes. The Florida Department of Children and Families special counsel Stephen Pennypacker said of their new system: “We’ve had caseworkers walk into court, seek an order for an Interstate Compact on the Placement of Children, the judge grants the motion and the request is electronically transmitted out of state the same day. The process used to take weeks and sometimes longer.”<sup>16</sup>

One example of a paperless system is the the National Electronic Interstate Compact Enterprise (NEICE). NEICE is a national electronic system for quickly and securely exchanging the data and documents required by the Interstate Compact on the Placement of Children (ICPC) to place children across State lines. NEICE was launched in November 2013 with pilot funding from Office of Management and Budget, through the Partnership Fund for Program Integrity Innovation. Recognizing the success of the pilot and the potential for a nationwide, electronic data exchange, in June 2015, the Children’s Bureau awarded a cooperative agreement to roll out NEICE to every State and jurisdiction.

Since implementation of NEICE, the timelines for processing ICPC cases have been greatly shortened. According to an evaluation, participating States have realized a reduction in timelines for processing cases for children by nearly 40 percent, depending on the type of case. All States, including the District of Columbia and the US Virgin Islands, are required to connect to NEICE by 2027 under the Family First Prevention Services Act. In addition, by using NEICE, States have reduced the use of paper and have increased accountability.

**Partner with others in the child welfare system to maximize effectiveness**—Child welfare agencies work with many other agencies, groups, and individuals on behalf of children in foster care. These other partners can provide crucial support in making interjurisdictional placements a viable option for youth. Agencies can work with their existing private agency partners, CASA organizations, medical and mental health service providers, and others to identify strategies that will support the ultimate goal of achieving permanency for all children in foster care. Examples of possible ways to engage partners include:

- Having everyone who works with a child in foster care express support and enthusiasm with the child about the importance of having a permanent family regardless of geographic location. This ensures that everyone is providing consistent, positive messages to a child to support their permanency planning efforts and is helping the child explore ways to maintain important connections even across distances.

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15 Trowbridge, Scott J.D., “Overview of the Court Improvement Program Interstate Placement Assessments.” National Resource Center on Legal and Judicial Issues. American Bar Association Center on Children and the Law. 2010.

16 Ibid.

- Identifying ways that CASAs and private agency partners can help with the process of photolisting children on State, regional, and national photolistings. This includes preparing children for being photolisted and answering their questions about the process.



### *Case Study—Beth, Texas and Maryland<sup>17</sup>*

Texas was successful in matching Beth, a 13-year-old African American girl, with an approved African American adoptive mother in Maryland. Beth had been in the Texas foster care system for four years prior to being matched with her adoptive mother. When she was seeking a family for Beth, her worker in Texas reached out to the private adoption agency Adoptions Together in Maryland because the two agencies had a previously established relationship. In Beth's case, although she appeared to be a match with the prospective adoptive mother in Maryland, the workers encountered several barriers and delays in moving forward.

After connecting with Beth's worker, Adoptions Together received some initial information about Beth verbally and a few brief details in writing, but then had to wait several weeks to receive a cleaned-up, thorough case file on Beth. When Adoptions Together received the case file, there were gaps of pertinent information about Beth from the most recent two-year period; Texas was able to provide supplemental information verbally to fill in the gaps.

The two agencies faced some challenges in setting up initial visits between Beth and the prospective adoptive family. Texas could not set up the visits until it secured ICPC approval, which took longer than expected because of delays in finalizing the required packet of information for the ICPC office. By the time Texas' ICPC office gave approval for the visits, Beth's caseworker was out of the office on medical leave. No other staff members were able to step in to bring Beth for a visit to her prospective parent or to schedule a placement, so the agency put Beth's placement on hold until her caseworker returned.

The delays for her visits and placement created some anxiety for Beth because she knew she had an adoptive placement pending. Fortunately, her adoptive mother was very patient and communicated with Beth regularly during this long wait, helping ease some of the anxiety. Beth, who is now with her adoptive mother in Maryland, has adjusted well in her new home. The process between making the match and placing Beth with her adoptive mother took about nine months.

<sup>17</sup> Note: The child's name from this case study has been changed for the purpose of confidentiality.

***Developing tools to help people navigate the complexity and requirements involved in inter-jurisdictional placements***—Many child welfare professionals point to the value of having tools such as templates for all required forms, checklists, and other resources to help clarify the requirements and appropriate sequencing for the steps involved in interjurisdictional placements for both sending and receiving jurisdictions. Some examples of tools that States have developed include:

- **Checklists for all required steps**—Some States develop their own agency-specific checklists for staff to ensure that everyone knows all required procedures and sequencing for steps involved in making interjurisdictional placements. Additionally, AdoptUSKids has developed checklists for sending and receiving States (available on [adoptuskids.org](http://adoptuskids.org)). These checklists were created in collaboration with the Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) and the American Public Human Services Association (APHSA). They provide an overview and generalized description of how the Interstate Compact on the Placement of Children (ICPC) might operate for children being placed across State lines with families for the purpose of adoption. Not all steps in the checklists will apply to all situations in every State. If in doubt, consult with your State ICPC Compact Administrator whose information can be found at <http://icpcstatepages.org/>
- **Bench cards for judges on requirements and steps involved in interjurisdictional placements**—For example, New Hampshire is developing a judicial bench card as part of its ICPC Court Guide that will be provided to judges, court staff, State agency staff, CASAs, and other stakeholders.<sup>18</sup>
- **Boilerplate contracts**—A boilerplate contract that contains common details such as the amount and frequency of payment to a family’s agency for specific placement-related tasks, which is developed by an agency’s contracts unit rather than its adoption unit, can be given to a prospective family’s agency once the family makes the short list of those being considered for a placement. If the family’s agency indicates they will accept the standard terms of the contract, including amounts and schedule of payments, the agencies can finalize the contract immediately after the family is selected. Boilerplate contracts can be particularly helpful if a State routinely places children with families who have been home studied by a particular agency. These agencies can be public or private, and located in either the same State or another State. By establishing a non-child-specific boilerplate contract with these agencies, agencies can make placements more quickly once an adoptive family has been selected for a child and a verbal agreement is made between agencies. For example, Oregon is one State that has made effective use of boilerplate contracts for well over a decade.

***Having adequate staffing levels and staff time***—A common theme from child welfare professionals regarding how to make interjurisdictional placements happen is the need for sufficient time to prioritize and complete the required steps to explore and support interjurisdictional placements. This includes allocating enough time for staff members to be able to photolist children who are available for adoption and respond to inquiries from prospective parents from other jurisdictions who may be a good match for children.

***Having dedicated staff positions for interstate cases***—A report from the National Resource Center for Legal and Judicial Issues included the following recommendation for having ICPC specialists on staff:

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18 National Resource Center on Legal and Judicial Issues. State Summary. Accessed 8-8-12 at <http://apps.americanbar.org/abanet/child/statesum/state.cfm?state=NH>

States found that lack of specialization relegates ICPC home studies to the back burner as more emergent situations receive attention first. They recommended assignment of ICPC specialists that only carried interstate cases on their caseload.<sup>19</sup>

## Leadership Drivers

Leadership drivers, as described by the National Implementation Research Network, are: “*methods to manage Technical problems* where there is high levels of agreement about problems and high levels of certainty about solutions and to constructively *deal with Adaptive challenges* where problems are not clear and solutions are elusive.”<sup>20</sup>

As is often the case in successful child welfare efforts, leadership is a key element in promoting and supporting effective practice. Child welfare systems that have succeeded in using interjurisdictional placements to achieve permanency for children point to multiple ways that leaders and the decisions they have made played a major role in facilitating agency efforts to place children across jurisdictions.

The framework of adaptive leadership provides helpful insights into leadership challenges and approaches that have many applications to interjurisdictional work. An important idea from adaptive leadership is the need to differentiate between adaptive and technical challenges. Cambridge Leadership Associates describes the key distinction between adaptive and technical challenges as:

The most common leadership mistake is treating Adaptive Challenges as if they were technical problems. Technical problems can be solved by an authority or expert. They have a known solution. Adaptive Challenges are quite different. They have no known solution—the skills and answers are outside your repertoire. Adaptive Challenges are those you have to grow into solving and require mobilizing people’s hearts and minds to operate differently. Luckily, these skills can be learned regardless of position or function. Leading effectively requires recognizing both the adaptive and technical aspects of a situation and tailoring your efforts accordingly.<sup>21</sup>

Many of the elements described above—examples of organizational and competency drivers that support the use of interjurisdictional placements—focus more on technical challenges and corresponding solutions. Although these technical strategies are key for facilitating and supporting the use of interjurisdictional placements, agency leaders also need to appropriately diagnose and respond to adaptive challenges that may be creating barriers to considering and making use of interjurisdictional placements as a way to achieve permanency for youth.

Some examples of ways child welfare leaders can empower their staff to use interjurisdictional placements effectively are by:

- Creating and sustaining an approach and an organizational culture within an agency or organization (e.g., child welfare agency, court system, CASA organization, etc.) that prioritize interjurisdictional placements
- Demonstrating—and following through on—a commitment to provide post-placement support for the family as a receiving State in an interjurisdictional placement

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19 Trowbridge, Scott J.D., “Overview of the Court Improvement Program Interstate Placement Assessments.” National Resource Center on Legal and Judicial Issues. American Bar Association Center on Children and the Law. 2010.

20 Blasé, Karen, PhD, Devin, Pat, MSSW, Van Dyke, Melissa, LCSW. “System and Practice Change Through an Implementation Lens.” Presentation to Children’s Bureau Intensive On-Site T/TA Workgroup, October 28, 2009.

21 Cambridge Leadership Associates. Website content on technical and adaptive leadership. Accessed on 8-6-12 at: [www.cambridge-leadership.com/index.php/adaptive\\_leadership/](http://www.cambridge-leadership.com/index.php/adaptive_leadership/)



- Prioritizing partnerships and collaboration with other agencies, entities, and individuals within the child welfare system, including courts, CASAs, citizen review boards, judges, counselors working with youth in foster care, congregate care providers, and others
- Recognizing the steps needed to maintain and improve relationships with other States and jurisdictions, including working collaboratively and respectfully with other jurisdictions
- Being dedicated to finding ways to understand the differences between agencies or States and learning how to find workable solutions to those differences
- Committing resources to support interjurisdictional placements and maintaining that support despite budget cuts
- Creating a sense of urgency for achieving permanency, including when going through the required processes involved in interjurisdictional placements

As important leaders who can drive changes in child welfare systems—including prompting action in individual children’s cases—judges can play a strong role in strengthening a system’s capacity to consider, pursue, and support interjurisdictional placements. For example, judges can help create a sense of urgency and accountability for pursuing all viable placement options for children, including requiring the use of concurrent planning and calling for child welfare agencies to actively seek and consider placing children in other jurisdictions. In their role of ensuring that agencies are establishing and pursuing permanency plans for children in foster care, judges can also encourage the use of photolisting for individual children, which can help connect children with appropriate placement options whether in the child’s home State or in another jurisdiction.

Agency leaders play a key role in assessing and diagnosing their agency’s strengths and challenges related to interjurisdictional work, and in identifying appropriate solutions to any barriers. For example, one State requested assistance from AdoptUSKids to help improve its agency’s interjurisdictional work by identifying multiple categories of barriers that needed to be addressed. One of the challenges was that the agency’s staff needed to build their skills on how to use AdoptUSKids’ photolisting services effectively both in photolisting children who are waiting to be adopted and in searching for potential home studied families approved to adopt children from foster care.

Training services can meet the State’s needs related to build their staff capacity to use photolisting tools effectively, but training alone would not be sufficient to disentangle staff attitudes and beliefs about whether to consider interjurisdictional placements. A more complex adaptive challenge the State agency leaders reported is that they wanted help addressing widespread attitudes and organizational culture that were acting as barriers to actively pursuing and considering interjurisdictional placements. This State’s leadership demonstrated a strong ability to diagnose related, yet distinctly different, technical and adaptive challenges and to seek out appropriate assistance. By addressing both the technical and adaptive challenges that present barriers to effective interjurisdictional practice, this State is increasing the likelihood of success in creating sustainable changes in the agency’s practices related to interjurisdictional placements.



## BORDER AGREEMENTS

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Jurisdictions can establish agreements that promote effective procedures to support interjurisdictional practices within the laws, policies, and rules that govern each jurisdiction. For example, within a State whose system is county or regionally organized, a border agreement might allow agency workers to cross specific county or regional borders to conduct home studies or placement supervision. A border agreement might also allow prospective families to complete pre-service training in another county or region in order to provide for accessibility and timeliness.

Many States have an interest in developing strategies to work more closely and effectively with neighboring States, according to findings from States' assessments of their Court Improvement Programs that were summarized in a report from the National Resource Center for Legal and Judicial Issues:

Many states (41% - 21 of 51) discussed bordering state issues. States can develop border agreements that streamline ICPC processes between neighboring states. These often allow sending state caseworkers to enter the receiving state under certain circumstances to complete a home study or provide supervision.

Only four of the 21 states reported having a border agreement. Approximately half that examined this issue (48% - 10 of 21) acknowledged that they needed at least one agreement. These results were consistent with the findings of a 2006 survey.

A few states (24% - 5 of 21) recommended a change to the ICPC as a whole allowing case workers on bordering state lines to complete home studies in certain circumstances and a few (14% - 3 of 21) recommended the use of county-county agreements.<sup>22</sup>

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<sup>22</sup> Trowbridge, Scott J.D., "Overview of the Court Improvement Program Interstate Placement Assessments." National Resource Center on Legal and Judicial Issues. American Bar Association Center on Children and the Law. 2010.



## *Case Study—Devin, Texas and Maryland<sup>23</sup>*

In 2012, agencies in Maryland and Texas worked through ICPC to achieve permanency for Devin, a six-year-old biracial child in the Texas foster care system. Devin's birth parents were living in Texas, but his father was incarcerated in Maryland and his birth mother was unable to care for him. Devin entered foster care, remaining in care for approximately two and a half years. Devin's birth father requested that Texas explore placing Devin with a relative, so Texas contacted Devin's paternal aunt who lives in Maryland. Texas then requested, through ICPC, that Maryland assess the aunt's home so Texas could consider the aunt as a possible foster and adoptive resource. Devin's aunt began the home study process, which included attending PRIDE training. As part of its home study process, Maryland had to conduct a background check on Devin's aunt, which took approximately 30 days to complete. The agencies in Texas and Maryland gave approval through ICPC for Devin to travel to Maryland in early 2012 and stay with his aunt while she completed the PRIDE training. During this time, the Maryland agency provided supervision of his placement and financial and medical support for Devin through Temporary Assistance for Needy Families (TANF) funds.

Because Devin was already in his aunt's home and was thriving, the home study worker in Maryland attempted to expedite the approval process as much as possible. Once Devin's aunt had completed the home study process, her caseworker in Maryland worked to keep the ICPC paperwork moving by informally notifying the Texas caseworker whenever certain pieces of paperwork were sent. In addition, the caseworker in Maryland also encouraged Devin's aunt to keep in contact regularly with the Texas agency as a means of expressing urgency and attempting to keep the ICPC approval process moving forward.

One of the factors that slowed down Devin's adoption was the length of time required for his aunt to complete the training; the PRIDE training in Maryland takes place over four and a half months. Once Devin's aunt was certified to foster and adopt, the Texas agency requested that she proceed with adopting her nephew. Devin's aunt finalized the adoption of her nephew and continued living in Maryland. Texas provides Devin's adoption assistance and Maryland provides supervision and referral services.

<sup>23</sup> Note: The child's name from this case study has been changed for the purpose of confidentiality.

## *Using Border Agreements Effectively*

Child welfare leaders interviewed for this guide report that collaboration and communication are essential for creating effective border agreements and making them work to support placements. Jurisdictions that have executed border agreements emphasize the importance of paying close attention to the details in developing and implementing a border agreement. Among other things, it is critical to:

- Include ALL key stakeholders—internal and external
- Create a work plan that will be carried out by an interjurisdictional workgroup
- Ensure that each jurisdiction’s laws and policies guide negotiations
- Acknowledge deal breakers and find ways to compromise
- Remain determined, remembering that children, youth, and families will benefit from the end result

## *Examples of Specific Border Agreements*

In an interstate situation, States that share borders might negotiate a cooperative border agreement that ensures timely response to home study requests by the receiving State. In many border agreements, States specify short timeframes for responses from the other State.

Many jurisdictions have also frequently established border agreements with neighboring States that apply only to counties close to the border. Many of these border agreements pertain only to the placement of children with relatives (with each border agreement setting the definition of “relative” or “kin”) and include limits on the number of placements that can be made each year under the agreement. With a focus on expediting placements—when safe—with relatives or other adults with a relationship with the child, these border agreements can make it possible to use interjurisdictional placements as a strategy to keep children near their home community, placed with familiar adults, and minimize placement moves by placing children with relatives early on in their foster care stay.

For example, Florida and Georgia’s border agreement—that applies to five counties in Florida and seven counties in Georgia near the State line—includes the following requirements for response times for steps involved in placing children with relatives (text quoted directly from the border agreement):

### **D. Response Requirements for Approval or Denial of the BA [Border Agreement] Kinship Safety Study Request**

- 1** Within 60 minutes of the notice by the Intake Responder of the BA Kinship Safety Study request, the receiving state case manager will contact the appropriate sending state case manager by telephone and confirm receipt of the request and specify an estimated time for completion of the BA Kinship Safety Study.
- 2** Unless circumstances specify otherwise, a verbal report of the BA Kinship Safety Study is expected to be completed within four (4) hours of receipt of the request. A confirmation report fax or e-mail will be sent during business hours. If not business hours then report will be provided via e-mail or fax the next business day.

In 2010, Oregon and Washington signed an agreement to facilitate and expedite the placement of children between the two States, shortening the timeframe for interstate placements that would otherwise be in place under the Interstate Compact on the Placement of Children. The text of the border agreement between Washington and Oregon is available at [www.dhs.state.or.us/policy/childwelfare/manual\\_1/i-b342att1.pdf](http://www.dhs.state.or.us/policy/childwelfare/manual_1/i-b342att1.pdf) (PDF - 1 MB). The border agreement between Oregon and Washington is limited to placements with relatives, includes specific criteria for cases that can be covered by the agreement, and has a limit to the number of interjurisdictional placements that can be made under the agreement each year. As stated in the press release:

This Border Agreement allows for safe placement of children in homes with relatives or others with whom the children have healthy, positive relationships in as few as seven days. Otherwise, rules governing Interstate Placement can hold up a child's placement for up to 90 days. Placing children quickly with caregivers who are known to them helps reduce the trauma and uncertainty of out-of-home placement.

Tennessee has also developed border agreements with multiple States—including Virginia, Georgia, and Kentucky—to facilitate the placement of children across State lines with relatives or other people with whom the child has a significant relationship. The text of these border agreements is available in *The Interstate Compact on The Placement of Children Procedures Manual* from Tennessee's Department of Children's Services.<sup>24</sup>

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<sup>24</sup> Download *The Interstate Compact on The Placement of Children Procedures Manual* (PDF – 2.1 MB) at <https://files.dcs.tn.gov/policies/chap1/ICPCProceduresManual.pdf>



## *Case Study—Billy and Brian, Georgia and Alabama<sup>25</sup>*

A county department had been seeking an adoptive family for a while for this sibling group of two. The boys had been actively involved in the recruitment process, including articulating what characteristics they'd like their family to have. They had also been involved with the consideration process of interested families, including those living in-state and out-of-state.

A family working with Adopt Abroad, a private adoption agency, found the boys through AdoptUSKids' national photolisting website. The director of Adopt Abroad contacted a member of Wendy's Wonderful Kids who had been working to identify potential adoptive families for these brothers for almost a year. The family, whose permanent residence was in Alabama, was stationed in Korea and employed as teachers for the Department of Defense. This created a challenge in coordinating pre-placement planning and staffing, and the subsequent pre-placement visits over a short time period.

It took a coordinated effort between the family, Adopt Abroad, and Georgia's placement staff—including local, regional, and State workers—to share information about the family and the children and to plan and prepare for placement, through phone calls, Skype, and other electronic means. The Wendy's Wonderful Kids' representative transported the children to the first pre-placement visit in Alabama where the family lived for part of the year, and the family traveled to Georgia for staffings and continued visits.

When the family was chosen for placement, they had already returned to Korea. Plans were then needed to allow the children to travel overseas and provide for post-placement monitoring. Georgia obtained passports for the children and the Department of Defense provided funds to pay for their airfare. For post-placement monitoring, a social worker on the military base where the family was stationed provided post-placement supervisory reports to Georgia, the sending State.

The family finalized their adoption of Billy and Brian in August 2012 and the family returned to Korea with the children in September.

<sup>25</sup> Note: The children's names from this case study have been changed for the purpose of confidentiality.

*Tools and Resources to*  
**BUILD AGENCY CAPACITY FOR  
INTERJURISDICTIONAL PLACEMENTS**

# RESOURCES FROM THE CHILDREN'S BUREAU AND ITS PROJECTS

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## AdoptUSKids

### *Photolisting Tools*

AdoptUSKids has a database of approximately 2,500 profiles of families who are home studied and approved to adopt a child or sibling group from foster care. With a simple click of a button, caseworkers can find potential matches for children on their caseload by cross matching the needs and preferences of children with those of families in our database. Caseworkers can also search for potential family matches based on the location of the child (e.g., by searching within a given radius of the zip code of the child's current placement).

This photolisting service is free and available to both public and private child welfare agencies that register with AdoptUSKids. More than 33,000 children previously photolisted on our website now live with permanent families. Find out more about this tool and how to register for free on AdoptUSKids at [www.adoptuskids.org/for-professionals/how-to-photolist-and-manage-cases/finding-families](http://www.adoptuskids.org/for-professionals/how-to-photolist-and-manage-cases/finding-families).

### *Publications and Resources*

- *Beyond Borders: Achieving Child Permanence Across Geographic Boundaries*<sup>26</sup>: A film produced by AdoptUSKids featuring professionals sharing stories and expertise about the value of interjurisdictional placements and how to make them work.
- *Beyond Borders Companion Guide*: Provides discussion questions you can use with administrators, managers, supervisors, and front-line personnel with the video above.

### *Capacity-Building Services*

AdoptUSKids helps States, tribes, and territories—and their private agency partners— build their capacity to recruit, engage, develop, and support foster, adoptive, and kinship families. This work includes working with child welfare systems to strengthen practices for using and supporting interjurisdictional placements. Find out more about our capacity-building services at: <https://professionals.adoptuskids.org/adoptuskids-capacity-building-services/>

## Child Welfare Information Gateway

Compiled resources on interjurisdictional placements: [www.childwelfare.gov/topics/permanency/inter-jurisdictional/](http://www.childwelfare.gov/topics/permanency/inter-jurisdictional/)

## National Electronic Interstate Compact Enterprise (NEICE)

NEICE is a national electronic system for quickly and securely exchanging the data and documents required by the Interstate Compact on the Placement of Children (ICPC) to place children across State lines.

<https://aphsa.org/AAICPC/AAICPC/NEICE.aspx>

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26 Watch *Beyond Borders: Achieving Child Permanency Across Geographic Boundaries* online and see the companion guide at: <https://professionals.adoptuskids.org/achieving-permanence-across-geographic-boundaries/>



## RESOURCES FROM THE CHILDREN'S BUREAU AND ITS PROJECTS (CONT.)

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- *Dollars and Sense: A Guide to Achieving Adoptions Through Public-Private Contracting* (PDF – 264 KB)<sup>27</sup>: Serves as a starting point on purchase of service for States and Counties and the private agencies they work with to help make interjurisdictional adoption services truly work.
- *Agency Readiness Assessment for Interjurisdictional Placements* (PDF – 148 KB)<sup>28</sup>: This self-assessment form helps agencies identify their existing capacity for supporting and making interjurisdictional placements, focusing on the areas of training, system supports, evaluation, and recruitment.

### Child Welfare Capacity Building Collaborative.

The Children's Bureau's Child Welfare Capacity Building Collaborative helps public child welfare agencies, Tribes, and courts enhance and mobilize the human and organizational assets necessary to meet Federal standards and requirements; improve child welfare practice and administration; and achieve safety, permanency, and well-being outcomes for children, youth, and families.

The Center for States' Tailored Services Team provides capacity building support by engaging and partnering with States and territories to: identify appropriate practices; support effective implementation processes; and build agency foundational capacities to support implementation. Tailored services can include diligent recruitment planning and implementation in the area of strengthening practice in interjurisdictional placements. States can access tailored services through the Center for States' liaison for each State, listed at <https://capacity.childwelfare.gov/map/>

More information is available at: <https://capacity.childwelfare.gov/>

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27 Download *Dollars and Sense: A Guide to Achieving Adoptions Through Public-Private Contracting* (PDF – 264 KB) at [www.adoptuskids.org/\\_assets/files/NRCRRFAP/resources/dollars-and-sense.pdf](http://www.adoptuskids.org/_assets/files/NRCRRFAP/resources/dollars-and-sense.pdf).

28 Download *Agency Readiness Assessment for Interjurisdictional Placements* (PDF – 148 KB) at <https://professionals.adoptuskids.org/assessing-your-agencys-readiness-for-interjurisdictional-placements/>.

# Assessing and Strengthening Implementation Drivers to SUPPORT INTERJURISDICTIONAL PLACEMENT CAPACITY

- What are the current strengths and gaps in each implementation driver related to your agency’s capacity to consider, conduct, and support interjurisdictional placements?
- What are the next steps that your agency needs to take to address each implementation driver in order to support your agency’s capacity for interjurisdictional placements?



Driver	Current Status	Next Steps to Develop Capacity for Interjurisdictional Placements
<b>Competency Drivers</b>		
<i>Staff Selection</i>		
<i>Training</i>		
<i>Coaching</i>		
<i>Performance Assessment</i>		

Driver	Current Status	Next Steps to Develop Capacity for Interjurisdictional Placements
<b>Organization Drivers</b>		
<i>Decision Support Data System</i>		
<i>Facilitative Administration</i>		
<i>Systems Intervention</i>		
<i>Performance Assessment</i>		
<b>Leadership</b>		
<i>Adaptive Leadership</i>		
<i>Technical Leadership</i>		

# *How Effective Attorney Practice Can* **IMPROVE INTERSTATE PLACEMENTS**

Article reprinted (with permission) from *Children's Bureau Express*,  
July/August 2011, Vol. 12, No. 6<sup>29</sup> • <https://cbexpress.acf.hhs.gov>

Court Improvement Programs (CIPs) have been in place since 1993 when Federal legislation was passed to fund State programs to assess and improve the dependency court process. In 2008, State CIPs conducted and published assessments of interstate child welfare practice, revealing many areas in judicial and agency practice in need of improvement. In an article published in *ABA Child Law Practice*, author Scott Trowbridge drew on data from these assessments to discuss the role that the child welfare attorney can play in improving the timeliness of interstate placements. The article, "How Attorneys Can Improve Interstate Placements: Lessons Learned From State CIP Assessments," describes several strategies child welfare attorneys can use to reduce delays:

- Explore other potential placement options, such as relatives, early in the case
- Advocate for concurrent planning and visitation with potential placement options, such as out-of-State relatives
- Advocate for a home study request, even if a placement may be further in the future
- If the case is clearly headed to adoption, ask whether the State can complete a dual or a preadoptive home study
- Because most States have streamlined processes for relative placements, clearly convey the relationship between the child and the proposed placement to the out-of-State agency
- Talk to the prospective family about the steps they need to complete and periodically check with them about progress
- Advocate for more frequent court or administrative reviews of the case
- Assist out-of-State families in requesting an administrative review in cases in which the family receives a negative home assessment

This article is available in the October 2009 issue of the journal *ABA Child Law Practice* and can be found online: <http://apps.americanbar.org/child/clp/archives/vol28/oct09.pdf>

## **The State CIP Assessments**

The recommendations for improved child welfare attorney practice were derived from an analysis of data collected for State CIP Assessments on the Legal and Judicial Role in Interstate Placement, which were mandated by the Safe and Timely Interstate Placement of Foster Children Act of 2006. States evaluated the court role in interstate placements by conducting surveys (more than 2,700) and interviews and reviewing case files. The individual State assessments include data as well as recommendations for improvements.

The State assessments are available at: <http://apps.americanbar.org/child/rclji/placementassessments.html>

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29 Read the original article from Children's Bureau Express online at <https://cbexpress.acf.hhs.gov/index.cfm?event=website.viewArticles&issueid=128&sectionid=2&articleid=3229>.

# *Judges' ICPC Checklist to*

## **IMPROVE THE INTERSTATE MOVEMENT OF CHILDREN IN FOSTER CARE\***

.....  
by Judge Stephen W. Rideout (ret.)  
*swrideout@aol.com • 703-655-6149*

1. Enter foster care orders immediately upon conclusion of a hearing, especially those placing children in foster care. That order must be included with the ICPC package.
2. Direct your Clerk of Court to provide copies of any court order to all parties and counsel the same day that the order is entered.
3. Have lawyers and CASA inform the court when interstate movement is possible.
4. Enter a standing order that when interstate movement is possible, the agency shall notify the court immediately and shall hold a family group conference within 30 days to help the family decide who will be the primary placement resource for the child or children. Such conferences can be conducted in person or by phone.
5. Direct the agency to give potential placement resources forms to the parents and other parties at the beginning of the court process, so they can provide required information for the agency to consider. Have these forms available at court as well.
6. Request that the state ICPC office provide each local agency with a list of what needs to be in every ICPC package.
7. Enter detailed ICPC orders once the ICPC issue is before the court.
  - a. Set timelines for action by the local agency and by the sending state ICPC office.
  - b. Determine if the case is a Regulation 7 case and, if so, immediately enter the order. If timelines are not met in Regulation 7 cases, take action by contacting the appropriate judicial officer in the receiving state. See #9 below.
  - c. Establish a report back mechanism so you know when actions have occurred. For example, identify a responsible party – agency lawyer, social/case worker, lawyer for child/parent – to check on ICPC progress at least 7 days prior to court hearings and have that party file a report with the court, copying all parties/counsel.
  - d. Schedule court hearings for updates on progress of the ICPC no more than 30 days out to:
    - i. Determine status of home study by receiving state.
    - ii. Determine education/medical/financial needs for child.
8. When ICPC progress slows, determine the cause and seek a solution.
  - a. Speak with the local caseworker in open court.
  - b. Talk with counsel in open court.

- c. With the consent of all parties and counsel, or in an open process where they can participate,
  - i. Call your state ICPC office – report results
  - ii. Call the receiving state ICPC office–report results
  - iii. Call the judge in the other state where child is going – seek his/her help and report results – See #9 below.
9. How are the steps in #8 above accomplished?
  - a. Obtain the contact information regarding “c iii” above from the Supreme Court Website in the receiving state or <http://www.ncsc.org/services-and-experts/government-relations/child-welfare/interstate-compact-for-the-placement-of-children/icpc-point-of-contact-list.aspx> or The National Council of Juvenile and Family Court Judges
  - b. Be sure the attorneys and parties know you are making the calls and approve, or allow them to listen in to avoid ex-parte communication issues.
10. Before calling the other judge, look at the UCCJEA or UCCJA in your state and the other state to see if it applies to child welfare cases.
  - a. The Judge in the other state may not know that it applies.
  - b. Look beyond the jurisdictional issues to see what UCCJEA or UCCJA says about judges helping one another - taking testimony.
  - c. Also reference, if necessary, the Safe and Timely Interstate Placement of Foster Children Act (signed into law by President Bush on July 3, 2006) and the requirement that the home study must be completed by the receiving state in 60 days.
11. Treat ICPC cases as concurrent planning cases. For example, direct your agency to pursue the ICPC process even while seeking to reunite the child and parent.

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\* This handout is from the Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) 2010 annual conference (accessed online on 8-6-12 at [http://icpc.aphsa.org/home/Doc/2010/10\\_ICPC\\_Judicial\\_Checklist.pdf](http://icpc.aphsa.org/home/Doc/2010/10_ICPC_Judicial_Checklist.pdf))



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