

CONFERENCE OF CHIEF JUSTICES CONFERENCE OF STATE COURT ADMINISTRATORS

Resolution 19

In Support of Increased Judicial Involvement in Inter-Jurisdictional Movement of Children Through the Interstate Compact on the Placement of Children (ICPC)

WHEREAS, all 50 states, the District of Columbia and the U.S. Virgin Islands have adopted ICPC as statutory law in their respective jurisdictions; and

WHEREAS, delays in the placement of children in foster care across state lines have occurred for many years, for a variety of reasons, including court delays in the entry and transmittal of final orders in cases involved with the ICPC, delays in obtaining required criminal background checks on prospective interstate relative and other placements for certain children in foster care, and non-uniform child welfare staff and State ICPC Office practices in placing dependent children under the requirements of the ICPC; and

WHEREAS, the Conference of Chief Justices and the Conference of State Court Administrators desire to assist the timely and safe movement of children in foster care between states to appropriate permanent placements, adoptions and treatment facilities, and further desire to reduce delays that currently exist in making interstate placement of dependent children, while reaffirming best practices for state trial courts as they help to insure the timely completion of ICPC home studies and improved functioning of the ICPC; and

WHEREAS, the Conferences have received a Regional Judicial Memorandum of Understanding being adopted in the Washington, D.C., Metropolitan Area, which they believe may serve as a model for areas of the United States that border one another and in situations where certain states have a high volume of children in foster care that move between them; and

WHEREAS, the Conferences acknowledge the need for courts to assist public child welfare agencies and Compact administrators to expedite interstate placements of these children; and

WHEREAS, the Conferences encourage the establishment of a single point of contact within each State Court Administrator's Office to assist judges from other states in identifying the trial judges who could facilitate the ICPC process, as proposed by the aforesaid Regional Memorandum of Understanding;

NOW, THEREFORE, BE IT RESOLVED that the Conferences encourage the implementation of Regional Judicial Memoranda of Understanding such as that adopted by Maryland, Virginia and the District of Columbia to improve collaboration between states on child welfare cases.

Adopted as proposed by the CCJ/COSCA Courts, Children and Families Committee at the Annual Meeting on July 29, 2004