

**Superior Court of the District of Columbia
Family Court**

**Assessment of the
Interstate Compact for the Placement
of Foster Children**

June 30, 2008

BACKGROUND

The Safe and Timely Interstate Placement of Foster Children Act of 2006 (P.L. 109-239) requires State Courts as a condition for the continued receipt of Court Improvement Program (CIP) grant funds to assess their role, responsibilities and effectiveness in the interstate placement of children, and must implement improvements to develop the best strategy to use to expedite these placements.

P.L. 109-239 specifies that State courts should assess the effectiveness of their laws and strategies for State courts sharing information with out-of-State courts, developing methods to obtain information and testimony from agencies and parties in other States without requiring interstate travel by the agencies and parties, and permitting parents, children, other necessary parties, and attorneys to participate in cases that involve interstate placement without requiring those parties to travel interstate. State courts may assess and implement various manners of using technology to further the goals of P.L. 109-239, as long as the practice is consistent with the relevant State and Federal laws.

The Act also required that the State court's interstate assessment examine the strengths and challenges of interstate placement by analyzing what is allowed under current State and Federal law; an analysis of whether there are any legal barriers that prevent timely and thorough judicial decision-making regarding interstate placement; current court practices in cases involving interstate child placement; practical barriers to timely information-sharing in judicial proceedings; and the timeliness of the proceedings to obtain and review evidence from another State, including the judicial decisions regarding approval of an interstate placement.

Finally, State courts are required to determine what State law or court practice changes are needed to expedite interstate placement cases based on the legal analysis and data collected in the assessment.

This report is to serve as the Family Court's assessment. It examines the strengths and weaknesses in the handling of ICPC cases, identifies areas in need of improvement, and makes recommendations for changes.

METHODOLOGY

The ICPC assessment study in the District of Columbia was designed to identify the requirements and standards for which the court is responsible; collect information about the extent to which those requirements are being met; and to develop a set of recommendations to improve performance in areas

identified as weaknesses. The assessment study utilized the following methods of data collection:

- A legal analysis of state and federal statutes, Superior Court rules and case law, and policies and procedures governing the interstate placement of foster children.
- A survey of Family Court associate and magistrate judges; child abuse and neglect social workers at the Child and Family Services Agency; social workers and staff in the D.C. Interstate Placement Office; public and private attorneys representing parents and children; and attorneys representing the District of Columbia regarding familiarity with the ICPC, timeliness of the ICPC process, rules governing information sharing across jurisdictions, and barriers to conducting interstate hearings. The survey was disseminated electronically. Nearly 80 survey forms were returned to the Superior Court Research and Development Division for analysis. Eight surveys that could not be analyzed because they did not include sufficient information were excluded from the analysis.
- A judicial training and information session facilitated by Judge Stephen W. Rideout (Ret.) from Virginia and Mr. Reggie Daniel from the Office of the Compact Administrator. Judge Rideout's presentation focused on how the courts can take a proactive role in the ICPC process while Mr. Daniel focused his comments on the logistical process of facilitating an ICPC request. Participants included Family Court judicial officers, CCAN attorneys, CFSA social workers, assistant attorney generals, ICPC staff and other stakeholders in the child welfare system that have knowledge or experience with cases involving the interstate placement of foster children in the District of Columbia. As part of the training, attendees participated in an interactive survey that provided real time results on their views and experiences relating to the interstate placement of foster children in the District.
- An in depth case file review of 20 ICPC cases initiated within the last two years. In nine of the cases the ICPC process is ongoing, in the remainder the ICPC process has been completed.

As indicated, the data collection methods used for this project elicited information on a broad range of subjects related to the ICPC. This report discusses the results from all of the instruments. Throughout the report references will be made to data from several sources in each area addressed.

General Overview of the Interstate Compact on the Placement of Children

The ICPC is a binding agreement entered into by all 50 states, the District of Columbia and the US Virgin Islands. Its intended purpose is to protect children placed across state lines.¹ In order to achieve that purpose, compact procedure requires that the sending state obtain permission from the receiving state before a child can be placed in the receiving state.²

The ICPC is law in the District of Columbia and it functions as a contract between the parties.³ It must be interpreted and applied uniformly by all states.⁴ Since the ICPC was adopted in 1960 many states have passed laws affecting interstate placements that differ from legislation passed in other states. The result of these inconsistent laws has been to delay placements under the ICPC.⁵

A compact administrator and deputy administrators who oversee and manage the tasks associated with the compact administer the compact in each state, including the District of Columbia. The compact administrator's office receives all ICPC referrals, investigates proposed placements and determines whether the placement meets the child's best interests. This oversight continues for the duration of the child's placement in the receiving state.⁶

The ICPC was intended primarily to protect children from being placed in unsafe homes, ensure that children receive necessary services and protect states from becoming overburdened by an excessive number of placements from other states. The compact also ensures that children can be returned to their home state should the placement turn out to be contrary to the child's best interests or should the reason for placement cease to exist.^{7 8}

While it is generally agreed that the purpose of the ICPC is a good one and that it is meant to protect children, it is also universally agreed that it rarely achieves the goals originally intended. It has been the experience in the District of Columbia, as it has in other states, that most often the application of the ICPC delays a child's placement, which ultimately delays that child's stability and

¹ American Public Human Services Association. "Guide to the Interstate Compact on the Placement of Children," p. 2.

² Fiermonte, Cecilia, *Interstate Placements: Applying the ICPC*, Child Law Practice, Vol. 21 No. 5, July 2002, p. 65.

³ *In Re Petition of T.M.J.*, 878 A.2d 1200, 1202 (D.C. App. 2005).

⁴ APHSA "Guide," at p. 4.

⁵ Dalberth, Barbara, MPH; Hardison, Jennifer, MSW; Gibbs, Deborah, MSPH; Smith, Susan, MSSW; RTI International, *Interjurisdictional Placement of Children in the Child Welfare System, Children's Bureau, Administration of Children and Families*, September 2006, p. 1-4.

⁶ APHSA "Guide," at p. 4.

⁷ APHSA "Guide," at p. 2.

⁸ Fiermonte, p. 65.

permanency.⁹ Children can wait for placement with a relative in another state due to ICPC delays for a year¹⁰ or in some cases, indefinitely, without extraordinary action.¹¹

Since the enactment of the Adoption and Safe Families Act of 1997 shortened the timeframes within which permanency must be achieved, it has become increasingly evident that measures must be taken to overcome the obstacles resulting from the application of the ICPC. The ASFA recognizes the value of maintaining familial relationships and the benefits of family contact, and includes a preference for placement with relatives, whenever possible.¹² Under the ASFA states are required to re-evaluate their practices in making interstate placements. States will become ineligible for certain federal funding where it is determined they have “denied or delayed the placement of a child for adoption when an approved family is available outside of the jurisdiction responsible for care of the child.”¹³ Delay in placing a child with a relative who lives close by, but over the state border is a source of frustration for the child, the parents, the judge, the social worker and counsel.¹⁴ This frustration is especially acute in the District of Columbia, where more than half of all foster children are placed in neighboring jurisdictions and it is common to have extended family living in Maryland and Virginia.

When the ICPC applies

In the District of Columbia, as in the other member jurisdictions, determining in which cases the ICPC applies is often confusing. The ICPC covers the following situations:

- Placement in preparation for an adoption,
- Placements into foster care, which includes foster homes, group homes, residential treatment facilities and institutions,
- Placement with parents and relatives when the parent or relative not making the placement,
- Placement of adjudicated delinquents in institutions in other states.¹⁵

⁹ Children’s Bureau Administration on Children, Youth and Families Administration for Children and Families, U.S. Department of Health and Human Service, *A REPORT TO CONGRESS ON INTERJURISDICTIONAL ADOPTION OF CHILDREN IN FOSTER CARE*, pp. 13 - 14.

¹⁰ Lore, John C., III, *Protecting Abused, Neglected and Abandoned Children: A Proposal for Provisional Out-of-State Placements Pursuant to the Interstate Compact on the Placement of Children*, 40 U. Mich. J.L. Reform 57, Fall 2006.

¹¹ Sankaran, Vivek S., *Navigating the Interstate Compact on the Placement of Children: Advocacy Tips for Child Welfare Attorneys*, Child Law Practice, Vol. 27, No. 3, May 2008, p. 33.

¹² 42 USCS §671(a)(19) (2008)

¹³ 42 USCS §671(a)(23) (2008)

¹⁴ Fiermonte, p. 65.

¹⁵ APHSA “Guide” p. 3.

Generally, the ICPC always applies in the context of a neglect case, as long as the neglect case is open and the Court's jurisdiction is ongoing. This is true regardless of whom the child is being placed with, whether it is a non-custodial parent or other relative. An exception occurs if the Court is going to dismiss the case upon the child's placement with a non-custodial parent. This would only occur in cases where there is no evidence upon which to prosecute a case involving the non-custodial parent.¹⁶ ICPC does not apply where placement of a child is made between certain relatives who have full legal authority to make placement decisions otherwise unaffected by any Court or Agency.¹⁷

In the District of Columbia, the entities subject to the requirements of the ICPC are the Superior Court of the District of Columbia, the Child and Family Services Agency and any private foster care or adoption agency operating in the District of Columbia.¹⁸ All are required to use the compact when they send, bring or cause a child to be brought or sent to another party state.¹⁹

The ICPC Process

The ICPC operates essentially in the same manner in every state:²⁰

- Sending state sends an information packet to sending state compact administrator. The packet includes a form ICPC-100A, a social history and a case plan.
- Sending state compact administrator sends packet to receiving state compact administrator.
- Receiving state compact administrator sends packet to receiving state local agency for home study or program evaluation.
- Receiving state compact administrator determines, based upon home study or evaluation whether placement is consistent with the best interests of the child and sends notice to sending state compact administrator and local agency.

The two charts on the following pages provide an overview of the ICPC process in the District of Columbia. The first chart demonstrates the ICPC

¹⁶ Fiermonte, at p. 66.

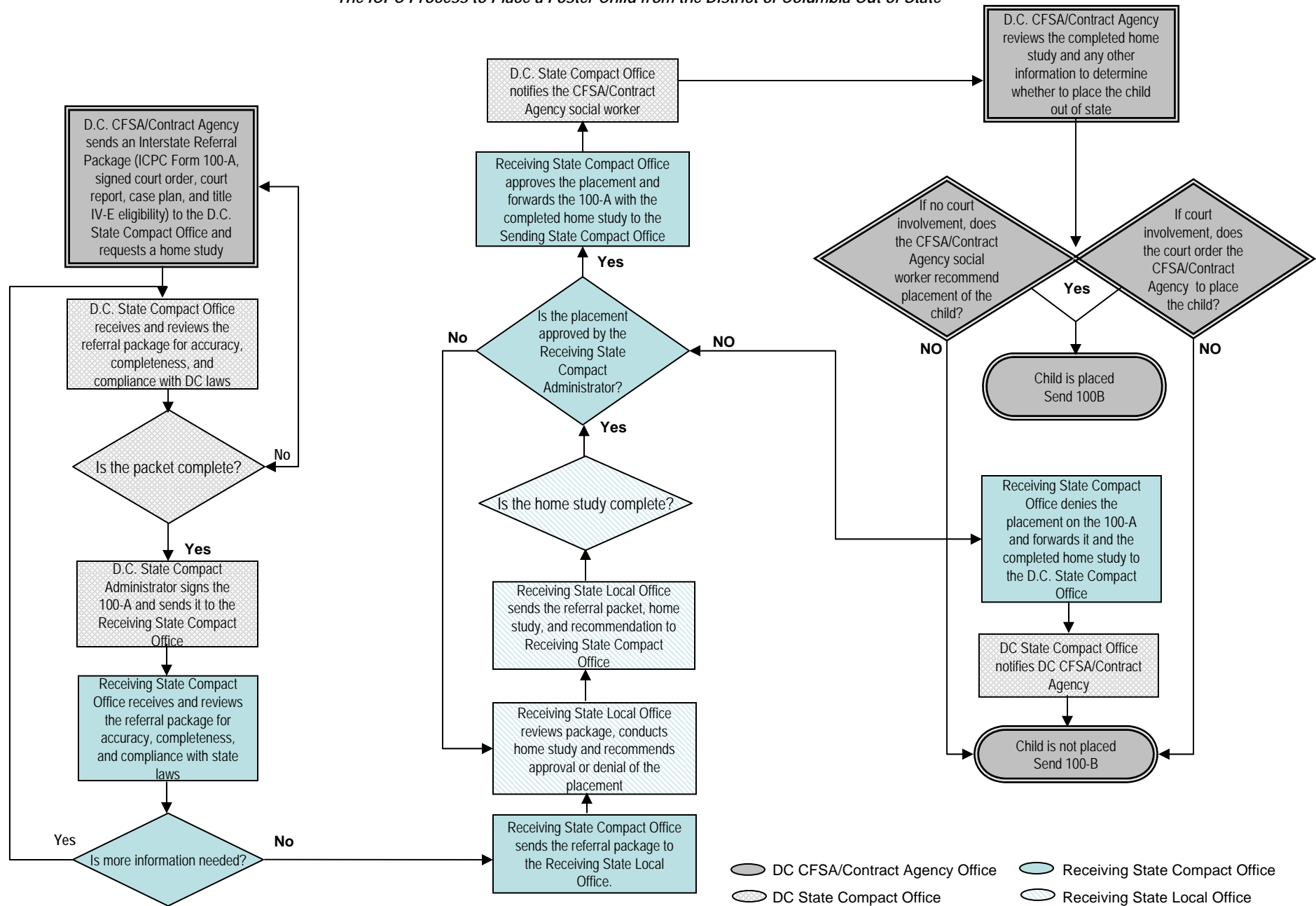
¹⁷ APHSA "Guide," p. 3.

¹⁸ The ICPC also applies to private adoptions where there is no public agency involvement, but those cases are outside the child welfare system, so they are not discussed in detail.

¹⁹ APHSA "Guide," p. 3.

²⁰ Id., at p. 5.

The ICPC Process to Place a Foster Child from the District of Columbia Out of State



process when the District is seeking to place a child in a jurisdiction other than Maryland. The second chart displays the recently implemented expedited process for placing children in Maryland, primarily in Prince Georges County.

The compact includes specific safeguards that are intended to protect the child through a home study performed by a licensed social worker pursuant to the receiving state's laws and regulations. Through the home study process the receiving state can ensure that the placement is consistent with the child's best interests and with state laws and policies.²¹ Financial obligations are spelled out in the compact, but this is an area of much confusion and disagreement among the states. The sending agency retains jurisdiction after the child moves to the receiving state. During the child's placement in the receiving state, the sending agency maintains supervision and obtains regular reports on the child's adjustment and progress in the placement.²²

Ideally, the processing time from the date received by the receiving state should take approximately 6 weeks (30 business days).²³ Due to a variety of factors in the District of Columbia, including insufficient staffing, unfamiliarity with the process due to a lack of training of agency workers, lawyers and judges, and for other reasons, this mark has rarely been met and even if it were, it is too long in the life of a child to wait for placement in a familiar home.²⁴

Regulation 7 and priority placements

Regulation 7 was intended to speed up placements categorized as priority. It was thought to address the wait for placement of children with out of state relatives.²⁵ However, Regulation 7 applies only to limited situations, where a placement is not for licensed or approved foster care or adoption. Since relatives in the District of Columbia are required to be licensed as foster parents, this regulation only applies in the interim period prior to licensing, where the relative is willing to forgo any board payments.²⁶ The District has a temporary licensing procedure that permits placement following an initial background check and visit to the home, while the relative also undergoes the full home study and licensing procedure.

²¹ T.M.J., at 1202.

²² APHSA "Guide," pp. 3 and 4.

²³ Id., at p. 5.

²⁴ Lore, p. 77.

²⁵ Rachel Lord, Children, Families and The Courts, Ohio Bulletin, Vol. 3, No.2, *Interstate Placements: Safeguarding Ohio's Children*, Fall 2006, p. 2.

²⁶ Gilmore, Ursula; Oppenheim, Elizabeth; Pollack, Daniel, *Delays in the Interstate Foster and Adoption Home Study Process*, 8 UC Davis J. Juv. L. & Policy 55, Winter 2004, p. 57.

To take advantage of this expedited process, the Court must enter an order designating the placement of the child as a priority. That order must include the judge's name, address, telephone number, fax number and make a finding that the following criteria are met:

- the proposed placement recipient is a parent, stepparent, grandparent, adult sibling, adult aunt or uncle, or the child's legal guardian; and the child is under two years of age; and
- the child is in emergency shelter, and/or
- the child has spent a substantial amount of time with the placement recipient.²⁷

Regulation 7 contains detailed expedited time frames for each step of the process, including how and when information must be transmitted between the sending state and receiving state entities.

The strict limitations on qualifications for use of Regulation 7 restrict its value as an adequate remedy for District children.²⁸

Addressing problems in the application of the ICPC

Delay in the ICPC process is most often caused by incomplete information from the sending state or because the home study has not been completed promptly by the receiving state.^{29 30} Systemic problems causing delay have been identified as too few social workers assigned to process applications, a lack of understanding of the process due to insufficient training of social workers, lawyers and judges, social workers with high caseloads lacking sufficient time to address out-of-state placements, poor communication between state agencies, and because an out-of-state child becomes a lower priority in comparison with issues involving a child who is part of a caseworker's regular responsibilities.³¹ These complaints are universally shared among the jurisdictions.³²

Over the years states have enacted their own child welfare legislation and regulations that affect application of the compact. This has resulted in some inconsistency in implementation of the compact.³³ Differences in agency practice from state to state creates further impediments to the smooth functioning of the compact. Especially problematic is the lack of clear uniform standards for

²⁷ Sankaran, p. 33.

²⁸ Lore, pp. 73-4.

²⁹ Gilmore, et al., pp. 57; 77; 81- 82.

³⁰ Fiermonte, p. 70.

³¹ Lord, p. 10.

³² Children's Bureau, *REPORT TO CONGRESS*, pp. 13 - 14.

³³ Freundlich, Madelyn, *Reforming the Interstate Compact on the Placement of Children: A New Framework for Interstate Adoption*, The Evan B. Donaldson Adoption Institute, ©1999

performing home studies. There are no uniform and enforceable processes for mediating differences between states. The financial responsibilities of sending and receiving states for items such as medical coverage, support services, case supervision, home studies, and special educational costs are not clearly spelled out.³⁴

States have used a variety of approaches to improve their ICPC procedures and address delays, most often relating to the performance of home studies. These include the use of border agreements that permit the sending state's social workers to perform the home studies; agreements that allows the sending state to contract with an agency to perform the home study; processes that permit a sending state social worker to gather information without actually performing the home study; using fax and email to provide information as part of the home study process and to update the status of requests; designation of case workers solely for performance of ICPC related home studies, and dual licensure of social workers, among others.³⁵

There are a variety of approaches that can be used to promote more efficient resolution of impediments to ICPC approval. Communication between social workers, compact administrators and counsel often helps to identify the source of delay and encourages cooperation toward a resolution. Compact administrators in the two jurisdictions are encouraged to work with each other to resolve delays. Judges in the sending and receiving jurisdictions can communicate to resolve delays. Counsel or the GAL may wish to subpoena the compact administrator for answers and action. As a tool of last resort, contempt proceedings can be used to encourage progress.³⁶

From a judicial perspective, managing the ICPC process to prevent delays requires that judges consider these issues, among others:³⁷

- Has receiving state gotten all information it needs to make a decision?
- What is missing from packet?
- How long has receiving state had completed referral?
- When was home study process initiated?
- When will home study be completed?
- Is any additional information needed by the receiving agency that could be provided by the sending agency?

³⁴ Lore, at p. 73.

³⁵ Gilmore, et al., pp. 87-91.

³⁶ Rideout, The Honorable Stephen, Ret., *The Promise of the New Interstate Compact for the Placement of Children*, ABA Child Law Practice, Vol. 24, No. 11, January 2007, pp. 167-8.

³⁷ Fiermonte, p.70-1.

Safe and Timely Interstate Placement of Foster Children Act (PL 109-239)

The Safe and Timely Interstate Placement of Foster Children Act of 2006³⁸, enacted July 3, 2006, aims to better protect children and establishes practices that hold states accountable for the safe and timely placement of children across state lines. It provides for new grants to states that complete home studies within the required shortened timeline and that report on their home study compliance.

Home studies are required to be performed within 60 days of receipt of the child's information packet by the receiving state.^{39 40} Additional incentives are paid to states when that time period is shortened to 30 days.⁴¹ It is too early to gauge the effect of these time limitations on the speed of out-of-state placements.⁴²

The act amends the ASFA definition of "case review system" to: (1) increase the required frequency of state caseworker visits to a foster child placed interjurisdictionally⁴³; (2) require that a child's health and education record be supplied to the child without cost when the child leaves foster care due to reaching the age of majority under state law⁴⁴; and (3) provide for a foster/pre-adoptive parent's and kinship caregiver's right to be heard in any proceeding that concerns their foster child. It also requires state courts to ensure that foster parents, pre-adoptive parents, and kinship caregivers of a child are given notice of any such proceeding.⁴⁵

The state is required to consider out-of-state placements in permanency hearings, case plans, and case reviews and each plan for child welfare services must assert that the state will eliminate legal barriers to facilitate timely adoptive or permanent placements for children.⁴⁶ Reasonable efforts findings must

³⁸ 42 USCS §671(a)(25) and (26) (2008).

³⁹ Sankaran, p. 39.

⁴⁰ Lore, p. 77.

⁴¹ 42 USCS § 673c (2008).

⁴² Hearing to Examine Child Welfare Reform Proposals Before the Subcomm. On Human Res. Of the H. Comm on Ways & Means, 108th Cong. 20 (2004) found at: <http://waysandmeans.house.gov/hearings.asp?formmode=view&id=2304&keywords=Interstate+Compact++Placement+Children>, Statement of Robin Arnold-Williams, Executive Director, Utah Department of Human Services, Salt Lake City, Utah, on behalf of the American Public Human Services Association.

⁴³ 42 USCS §675(5)(A) (2008).

⁴⁴ 42 USCS §675(5)(D) (2008).

⁴⁵ 42 USCS §675(5)(G) (2008).

⁴⁶ Children's Bureau, *REPORT TO CONGRESS ON ICPC*, pp. 10 - 11.

include the state agency's actions toward locating and making an out-of-state placement where such placement is in the child's best interests.⁴⁷

Courts are required, as a condition of their original court improvement grant, to assess their effectiveness in expediting interstate placements, including as part of this effort seeking cooperation from courts in states where interjurisdictional placements are made.⁴⁸

The act requires courts to adopt some creative procedures in an effort to expedite interstate placements. These methods should include the sharing of information with other states; providing for authority to obtain information and testimony from agencies and parties in other states without requiring interstate travel by the agencies and parties; and permitting the participation of parents, children, other necessary parties, and attorneys in cases by such means that eliminate the need for interstate travel.⁴⁹

ICPC in the District of Columbia

The District of Columbia is an unusual jurisdiction due to its small size. It is bordered by the states of Maryland and Virginia. It is not uncommon for relatives of a family to reside in all three jurisdictions.

As can be seen in the chart below, at any given point in time, more than 50% of the placements of all foster children are governed by the ICPC. The majority of children (48%) live with relatives in Maryland or are awaiting placement with relatives in Maryland. A smaller group (2.5%) has an ICPC placement in Virginia or another jurisdiction (6.4%). In comparison, nationally, 5.5% of foster children are placed in states other than those responsible for their care.⁵⁰

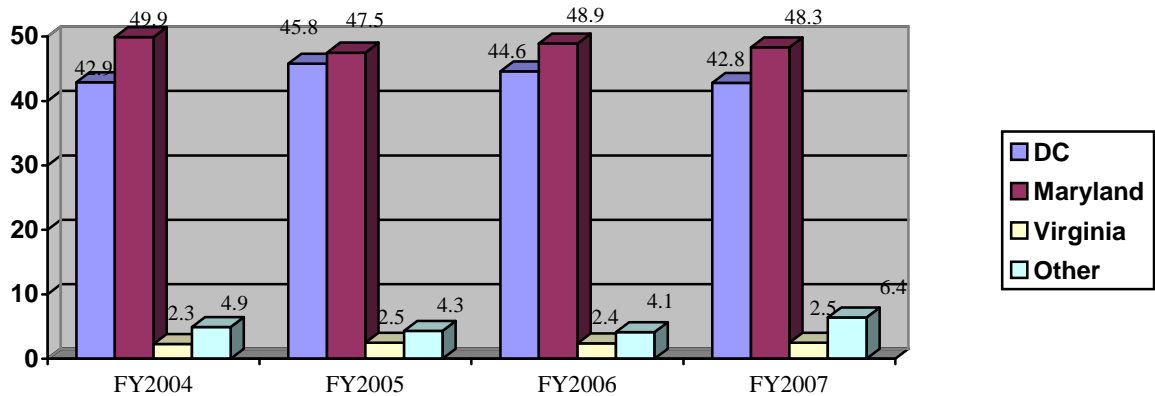
⁴⁷ 42 USCS §671(a)(15)(F) (2008).

⁴⁸ 42 USCS § 629h (2008)

⁴⁹ 42 USCS § 629h (2008)

⁵⁰ Sankaran, Vivek, *Out of State and Out of Luck: The Treatment of Non-Custodial Parents Under the Interstate Compact for the Placement of Children*, 25 Yale L. & Policy Rev. 63, at 67, Fall, 2006.

Percent Distribution of Placement of Children in Foster Care FY04-FY07



Due directly to prolonged delays in completing the process, in the past many children were placed in Maryland without an ICPC. In some cases placements could be delayed almost a year due to a variety of reasons including home study delay, an incomplete information packet or failure of communication between the various bureaucracies. In addition, the sheer number of cases (in the year 2000 over 1100 cases were filed in which children were removed from home) made it impossible to manage cases through the process. To circumvent this problem, judges ordered children placed in Maryland on an “extended visit.”⁵¹ Finally, a backlog of over 800 ICPC cases caused the state of Maryland to demand that the children without state approval be returned to the District. Over the last few years with the cooperation of Maryland, the hiring of additional employees at the caseworker and compact administration levels and due to the decrease in the number of children removed from home (in 2006, 578 cases were filed in which children were removed from the home) the District has reduced the backlog substantially to less than one quarter of the original amount.

The state of Maryland and Prince George’s County (where many placements were made) made a strong case for removal of the children in that the absence of an ICPC prevented Maryland state and county agencies from assessing the safety of the children’s placements and ensuring their well-being. The state and county complained that the District’s foster children were using resources such as foster homes, schools and medical facilities that Maryland foster and non-foster children would otherwise be using and that the state and county were not being compensated for the use of these services. Another concern for Maryland was that those residents who were caring for District

⁵¹ Extended visits are permitted for up to 30 days. That duration may be extended if the visit falls during the child’s summer vacation from school. Fiermonte, p. 70

children were receiving a monthly foster care payment several hundred dollars more than what Maryland would have paid them had they been providing care to a Maryland foster child.

Recently, the District of Columbia and the state of Maryland agreed to pilot a new program to address the needs of children in the District of Columbia for interstate placement with kin living in Maryland. As part of the long-term plan, the state of Maryland will examine its regulations to ensure that they are consistent with the procedures involved in making interstate placements from the District. The plan provides for placement of children with family members living in Maryland following satisfaction of specific criteria for temporary licensure. This includes criminal records checks and a home visit. The prospective kinship caregiver must commit to becoming a full-fledged foster parent by attending classes and submitting references and other personal information. After it is determined that the relative meets the standards for temporary licensure and the child is placed, the D.C. Agency will begin the ICPC process simultaneously with the full foster parent licensing process. Home studies will be performed by social workers who are licensed both in the District of Columbia and Maryland and who are dedicated to addressing these cases.

State Court Strategies and D.C. law

There are no legal barriers in District of Columbia law that preclude the Family Court from instituting the new practices outlined in the Safe and Timely Interstate Placement of Foster Children Act of 2006.⁵² Those include sharing of information with other states; authority to obtain information and testimony from agencies and parties in other states without requiring interstate travel by the agencies and parties; and permitting the participation of parents, children, other necessary parties, and attorneys in cases by such means that eliminate the need for interstate travel.⁵³

Child welfare cases are confidential in the District of Columbia and the public is not permitted access to hearings in these cases. There are criminal sanctions for divulging information about the cases.⁵⁴ However, there are exceptions to those rules for professionals and other persons who are involved in the case in providing services and assistance to the children and families. The sharing of information between a District of Columbia judge handling the case and a judge in another jurisdiction in which placement is sought for the purpose of facilitating out-of-state placement is one of those exceptions.

⁵² 42 USCS §671(a) (2008).

⁵³ 42 USCS. 629h(a)(1).

⁵⁴ D.C. Code §§ 16-2331; 16-2332; and 16-2336 (2008)

There is no prohibition on the use of methods other than in-person testimony for hearings and trials in neglect and termination of parental rights cases. The Superior Court Rules for Neglect proceedings state that the law of evidence governing civil proceedings shall apply in all evidentiary hearings in neglect and termination of parental rights cases.⁵⁵ The Superior Court Rules for Civil proceedings state that while generally in-person testimony is preferred, where there is good cause shown in compelling circumstances and with the appropriate safeguards in place, testimony by contemporaneous transmission from a different location is permissible.⁵⁶ Evidence that is competent, material, and relevant shall be admissible at fact-finding hearings.⁵⁷ In a termination of parental rights trial, evidence that is relevant, material, and competent to the issues before the judge shall be admitted.⁵⁸ Our Court of Appeals has recognized that there may be situations in a neglect trial where a child's testimony must be taken using closed-circuit television.⁵⁹

UCCJEA

The Uniform Child-Custody Jurisdiction and Enforcement Act of 2000 (hereinafter UCCJEA) was enacted on April 27, 2001 in the District of Columbia.⁶⁰ That law contains provisions that permit District of Columbia Courts to communicate with courts in other jurisdictions concerning the custody of a child to resolve important issues. It also encourages the use of technology in the litigation process by allowing closed circuit testimony and hearing participation, eliminates barriers by promoting greater opportunities for communication between Courts of different jurisdictions and between parties, counsel and witnesses separated by long distances or in different jurisdictions. It is no longer a prerequisite that everyone be at the same place at the same time because technology provides reliable methods of communication across state boundaries. Of course, there are safeguards and procedures that ensure that the parties' rights are enforced by recording hearings, conferences and other matters and guaranteeing that parties are promptly notified and provided with access to the record. Parties who cannot participate in hearings held under these provisions must be allowed an opportunity to present facts and legal arguments to the Court before a decision is rendered.⁶¹

⁵⁵ Superior Court Rules – Neglect, rules 19 and 38.

⁵⁶ Superior Court Rules – Civil, rule 43.

⁵⁷ D.C. Code § 16-2316 (b) (2008); In re D.B., 2008 D.C. App. LEXIS 226, 5-6 (May 1, 2008)

⁵⁸ D.C. Code § 16-2359 (d) (2008)

⁵⁹ In re Jam.I., 825 A.2d 902, 916 – 917 (D.C. App. 2003)

⁶⁰ D.C. Law 13-293.

⁶¹ D.C. Code § 16-4601.09 Communication between courts.

There is available a variety of tools that provide for use of the testimony of out of state witnesses in child-custody cases. A party may offer the deposition testimony of parties and the child. The D.C. Court may order the taking of testimony of a person outside of the District, as well as the means by which such testimony is taken.⁶² A person or party may be deposed or testify at a hearing by telephone or some audiovisual means or other electronic means before another court or at another appropriate location designated by the D.C. Court. This requires that courts in both jurisdictions cooperate in coordinating these efforts. D.C. law also permits use of documentary evidence transmitted electronically and prohibits objections to that evidence based solely on the mode of its transmission.⁶³

Whether an alternative method of testimony or participation at a hearing is appropriate is limited only by the particular circumstances of each case. Where procedural due process requirements are met, then family court judges will be able to employ alternative methods of gathering information and evidence to support interstate placements.⁶⁴

A D.C. Court may ask a court in another jurisdiction to perform a number of important tasks in its jurisdiction that the D.C. Court could perform within the District, such as hold an evidentiary hearing or order a person to give evidence in a manner consistent with the other state's rules; order an evaluation of a child; forward a certified copy of the transcript of the proceeding held, the evidence presented and any evaluation prepared in accordance with the D.C. Court's request; and order a party to a child-custody matter or a person who has physical custody of the child to appear in the proceeding with or without the child. Another jurisdiction may also request the same of a court in the District of Columbia.⁶⁵

The UCCJEA already permits the actions outlined in the Safe and Timely Interstate Placement Act within the realm of child custody matters. No barriers exist under D.C. law that precludes application of these methods to child welfare cases involving the ICPC process.

Effect of the new ICPC

The Safe and Timely Interstate Placement of Foster Children Act of 2006 specifically states in Section 2:

⁶² SCR- Civil Rule 28-1. Deposition outside the forum jurisdiction.

⁶³ D.C. Code § 16-4601.10 Taking testimony in another state

⁶⁴ In re D.B., 2008 D.C. App. LEXIS 226, 12-13 (D.C. May 1, 2008)

⁶⁵ D.C. Code § 16-4601.11 Cooperation between courts.

It is the sense of the Congress that--

(1) the states should expeditiously ratify the revised Interstate Compact for the Placement of Children recently promulgated by the American Public Human Services Association;

To date seven states, Alaska, Missouri, Arkansas, Indiana, Ohio, Delaware and Maine, have enacted the newly revised ICPC into law. It is expected to be enacted in four more states shortly.

There are significant differences between the old and new compact. It is a much clearer document. It has been described as the skeleton, with the rules as the muscles and the bylaws as the skin.⁶⁶ The application of the ICPC is broad, in that it affects all cases in which the Court or agency has supervision over a child due to an ongoing child welfare case and increases the involvement of state agencies in private and independent adoptions. Exceptions to the compact are clearly spelled out.

The relative financial and other obligations of the sending and receiving states are clarified. States are free to negotiate with each other and public agencies are free to contract with private agencies to supply services and perform home studies.

Placement denials may be challenged through the administrative process of the receiving state. Judicial review by a court in the receiving state is permitted based upon the rules of that state. The downfall of this section is that many states do not currently have an administrative process for this type of review.⁶⁷ However, this may be an area for examination by the states at the time that regulations and bylaws are drafted.

There is one particular area that will address the most urgent issue, timely placement of children across state borders with relatives, the ability to make a provisional placement.⁶⁸ Article II, paragraph Q of the revised compact defines a provisional placement as, "a determination made by the public child placing agency in the receiving state that the proposed placement is safe and suitable and, to the extent allowable, the receiving state has temporarily waived its standards of requirements otherwise applicable to prospective foster or adoptive

⁶⁶ The New Interstate Compact On The Placement Of Children, *Administration & Governing Structure* <http://www.aphsa.org/Policy/Doc/Admin%20%20Governing%20Structure%20-%2010-21-04.pdf>

⁶⁷ Sanakran, p. 39

⁶⁸ Lore, John C., III, *Protecting Abused, Neglected and Abandoned Children: A Proposal for Provisional Out-of-State Placements Pursuant to the Interstate Compact on the Placement of Children*, 40 U. Mich. J.L. Reform 57, Fall 2006.

parents so as to not delay the placement. Completion of the receiving state requirements regarding training for prospective foster or adoptive parents shall not delay an otherwise safe and suitable placement. “Provisional placements are available only for relatives and those who are deemed under the law of the sending state to have a sufficiently close relationship.”⁶⁹

Article V, Placement Evaluation, discusses the process for requesting a provisional placement. Approval by the receiving state agency must be given prior to making a provisional placement. Initiating the approval process for both the provisional placement and the regular ICPC begins with a request for an assessment of the placement to determine its “safety and suitability”. The provisional placement is approved as the full assessment continues.

One of the issues most often complained about based upon the current ICPC is the absence of any definition or uniform standards for the homestudy process. States and their counties have a variety of standards and much of the process is deemed to be overly subjective resulting in unnecessary denials and placements being further delayed.⁷⁰ The existing compact language requires only that the placement not be contrary to the child’s interests. The revised compact sets forth a specific definition of the homestudy process. An “assessment” is defined as an “evaluation of the prospective placement to determine whether the placement meets the individualized needs of the child, including, but not limited to, the child’s safety and stability, health and well-being, and mental, emotional and physical development.”⁷¹

An “Interstate Commission” is to be created with participants from each member state. That commission will be responsible for creating rules⁷² applicable to all member states that will carry out the “goals, purposes and obligations” of the compact.⁷³ This process will include drafting uniform standards and procedures for requesting and making an assessment, including the timeframe by which the various stages of the process should be completed.⁷⁴ The commission will also create a mechanism for dispute resolution among the member states and issue advisory opinions concerning the interpretation of the compact, its bylaws, rules or actions.⁷⁵ The commission will enforce compliance with the provisions of the compact, the bylaws and rules.⁷⁶ Critics have asserted that the commission members are likely to be reticent to sanction another

⁶⁹ Interstate Compact on Placement of Children, *revised 2008*, Article IX, para. T.

⁷⁰ Sankaran, p. 39.

⁷¹ Interstate Compact on Placement of Children, *revised 2008*, Article V.

⁷² *Id.*, Article IX, para. R.

⁷³ *Id.*, Article IX, para. A.

⁷⁴ *Id.*, Article V, paras. E, H and J.

⁷⁵ *Id.*, Article IX, para. B.

⁷⁶ *Id.*, Article IX, para D.

member state for fear that the same thing could in the future happen to them. However, since the commission will be made up of representatives from each member state, addressing issues of accountability and compliance is likely to be a more meaningful process and states are expected to work cooperatively to avoid conflict.⁷⁷

Effect of the revised ICPC in the District of Columbia

Based upon the current agreement between the District and the state of Maryland, it would seem that the provisional placement section of the revised compact is consistent with the current provisional placement pilot program. The experience gleaned from the pilot by both jurisdictions is likely to be helpful in the commission's rule drafting process.

It is difficult to say how the revised ICPC will change interstate placements in the District since the compact process is not complete without the rules and regulations that interpret its provisions. The District has struggled with the same problem issues that other jurisdictions report.

One of the expected benefits of the new ICPC relates to the current pilot program with the state of Maryland. One of the sticking points in making interstate placements in Maryland was that Maryland's law or regulations provided for the *approval* of kin as foster placements, while the District of Columbia requires that kinship placements be *licensed* as foster parents. Another area requiring further examination is the District's recently adopted performance-based contracting rules, which may conflict with Maryland regulations.

The new provisional placements will require that that these, and any other statutory or regulatory differences will have to be ironed out permanently in order to implement a routine process for interstate placements with related caretakers. The pilot program will provide the District and Maryland with a head start on implementing provisional placements.

Adoption of a new interstate compact will require that the Court train personnel including judges, attorneys, administrators and staff persons. New procedures will undoubtedly be adopted as the Court examines how it can improve the interstate placement process for children and track the timelines for

⁷⁷ The New Interstate Compact for the Placement of Children: FAQ's Regarding Private and Independent Adoptions, January 2007, <http://www.aphsa.org/Policy/ICPC-REWRITE/New-ICPC-Private-and-Independent-Adoption-FAQ.doc>

placement. It will be important for the Court to document the effectiveness of the new ICPC strategies and how frequently those strategies are used.

Survey of Issues Impacting the ICPC in the District of Columbia

As part of its assessment process, a survey was sent to judges, social workers, attorneys, and staff at the DC Compact Administrators office. The survey was designed to identify common issues among respondents and to begin to identify possible solutions. Data from the survey confirmed and supported many of the findings that have been reported previously from a national perspective (a full copy of the survey may be found in Appendix 1). Respondents to the survey had been involved in child welfare work for several years. Only 12% of respondents indicated that they had been in their current position for less than a year, whereas nearly 40% had been in their current position more than 6 years. Most respondents also had considerable experience with the ICPC process, over a third of them had been involved in more than twenty ICPC cases. However, in response to the question concerning improvements in the ICPC in the last five years 51% said they had seen improvement and 49% said they had not seen improvement.

In response to questions on the most common sources of delay where D.C. is the sending state, they indicated the following:

Sending State Sources of Delay

- Delays in completing home studies
- Background checks (FBI, State Police checks, and local checks)
- Delays related to completeness of referral packets
- Delays in ICPC office sending referral packets

In response to questions on the most common sources of delay where D.C. is the receiving state, they indicated the following:

Receiving State Sources of Delay

- Background checks (FBI, State Police checks, and local checks)
- Delays in completing home studies
- Incomplete referral packets from sending state

Bringing the ICPC issue to the attention of the Court

- Seventy percent of respondents indicated that the need for an ICPC was brought to the attention of the judge 90-100% of the time; 15% indicated that it was brought to the judge's attention 75-89% of the time.
- Social workers were the most likely to bring the issue to the attention of the judge, followed by the Assistant Attorney general and the GAL.

- Fifty percent of respondents indicated that when the Court was made aware of the need for an ICPC, it was brought to the attention of the court between 1 day and 30 days of the discovery that an ICPC was needed. A fifth of respondents indicated that it was brought to the attention of the Court within 5 working days of discovery that it was needed; 15% indicated it took between 31-90 days to bring it to the Court's attention.

Judicial Actions Once Made Aware of Need for ICPC

- Thirty-seven percent of respondents indicated that once aware of the need for an ICPC, the judicial officer always followed the ICPC requirements; 44% indicated that the judge made a placement without following the requirements of the ICPC in less than 10% of the cases. Less than a tenth of respondents indicated that the judge did not follow ICPC requirements when making placements that required it.
- Nearly 70% of respondents indicated that when the judge became aware that an ICPC was needed the case was continued for further information when the process was not completed.
- When judicial officers continued the case, 40% indicated that the continuance was for 30-60 days and 20% indicated it was continued for less than 30 days. The same percentage of respondents indicated that it was continued to the next scheduled hearing no matter how far away that was (20%) as indicated that it was not continued at all (20%).
- No matter how far out the hearing was continued to, social workers and attorneys asked for an early review date regarding the ICPC matter less than 10% of the time.
- If a second delay occurred in ICPC cases, the most likely judicial response was to order that a report on progress be given at the next regularly scheduled meeting.
- If the judge took some action related to the ICPC, it generally involved allowing counsel to be present during a telephone call to obtain information on the ICPC process.
- Finally, judges indicated that they almost never have contact with the ICPC office in the receiving state or with judicial officers in the receiving state. Half had made contact with ICPC official in DC and half had no contact. When contact was made half indicated that they got consistent cooperation and half inconsistent cooperation.

What are Judicial Officers In DC Legally Permitted to Do relative to ICPC?

- Three-fourths of judicial officers are aware that they can hold a hearing by phone or video with someone in another state.
- Two-thirds know they can cooperate with a judicial officer in another state to hold hearing where witnesses must be sworn in to testify through a telephone or video hook-up.
- Two-thirds know they can contact the ICPC administrator in DC or the other state to obtain information about the progress of an ICPC matter.
- Less than half of judicial officers were aware of the full list of options available to them for addressing ICPC related matter.

What Actions Have Social Workers Taken to Expedite ICPC Process?

- In their most recent request, 32% of social workers indicated that it took less than 60 days from the time of their request to the time they received the completed home study; 37% indicated it took 60-90 days from the time of their request to the time they received the completed home study; and 31% indicated that it took more than 90 days.
- During that most recent request, only 40% of social workers had made contact with the assigned social worker in the receiving state.
- However, for those who made contact, almost 80% felt the contact had been helpful.

What can judges do to improve the timeliness of the ICPC process?

- Enter orders that prescribe deadlines for Agency action (54%);
- Hold hearing that include ICPC personnel from other jurisdictions by telephone (32%);
- Enter orders that prescribe deadlines for action by the prospective placement (7%); and
- Contact judges in the other jurisdiction for assistance (7%).

What can attorneys do to improve the timeliness of the ICPC process?

- Ask for more hearings/judicial intervention
- Work with prospective placement resource to address issues causing delay
- Call ICPC administrators office in receiving state
- Call Agency ICPC Office

Case Reviews

Overview

The Family Court of the District of Columbia Superior Court conducted a case file review on a sample of 20 cases that involved the Interstate Compact for the Placement of Children (ICPC). The review provides an overview of how the Family Court and the Child and Family Services Agency (CFSA) document the ICPC process with regard to out of state placements. The results of the case file review provides insight into possible ways for the Family Court to assist in expediting interstate placements by:

- Recognizing sources of delays and identifying proactive measures the Family Court can take during certain phases of the ICPC process; and
- Identifying the Family Court's role in fostering communication among ICPC stakeholders to ensure the child's safety and timeliness during the placement process.

Case Selection

The Family Court worked closely with CFSA to identify twenty (20) cases from their ICPC caseload. The case file review was conducted in two stages. The first part included the Family Court's physical and electronic file review. The second part was the Agency's physical and electronic file review. The sample files selected consisted of a variety of ICPC cases that have been initiated in the last two years. They include multiple state placements, placements to jurisdictions where the ICPC was ultimately denied, as well as the following types of placements: 1) traditional foster homes; 2) kinship foster homes; 3) residential treatment facilities; 4) placements preliminary to a possible adoption; 5) and group homes.

Methodology

The majority of children in care in the District are placed in other jurisdictions under the ICPC, most notably Maryland. Currently, the Agency monitors more 1,100 ICPC cases in Maryland alone. In an effort to streamline and expedite the ICPC process for those children placed in Maryland, the District of Columbia and Maryland have forged a collaborative agreement where social workers that are dually licensed in Maryland and the District of Columbia can approve foster and adoptive homes in the state of Maryland. In addition, children may be placed in these licensed homes within 72 hours in the state of Maryland. This border agreement has greatly expedited ICPC placements for a majority of the children placed in Maryland.

Findings

The Family Court reviewed twenty (20) ICPC cases:

- Nine cases (45%) are still pending
- Two cases (10%) have been denied placement

- Nine cases (45%) have been completed.

Of the nine cases where the ICPC process has been completed, it took an average of 154.4 days to receive final ICPC approval (Agency receipt of the 100-B). Residential treatment facility placements were processed in the shortest amount of time with an average of 26.6 days of receiving ICPC placement approval. The longest ICPC case completed was a foster care placement, which took 642 days to get final ICPC approval.

The ICPC case file review found that the Court and the Agency has an effective system in place for documenting the status of ICPC cases. Of the sample case files reviewed, the majority was found to be properly filed, accurately labeled, and organized. However, the review also disclosed some areas where file case management could be improved.

Agency and Court file management infrastructure provides general information of the status of an ICPC.

A review of the Family Court's social files revealed that a majority of the information and documentation on the ICPC process was located in Court Orders and Agency Reports. The reports were mainly Initial Hearing Reports, Disposition Reports, Status Reports, Interim Reports, and Permanency Hearing Reports. The reports included a variety of information and issues relating to ICPC referrals, such as the caseworker's recommendations for placements, updates on incomplete criminal background checks and clearances, the status of home studies, and issues relating to securing licensing for foster parent.

The case files offered valuable insight on barriers within the ICPC process, such as delays relating to obtaining information from the receiving state, identifying barriers in placement, and notification as to whether the placement had been approved. Due to the fact that most of the information in these reports was in narrative form, the depth of information in these reports varied widely depending on the caseworker who prepared the report. For instance, one Agency Interim report may provide a cursory view of the status of an ICPC case while another Agency Interim report may provide specific names, dates, times, and detailed information on the status of the ICPC.

A review of the Agency's case management system files revealed little data. The majority of the information surrounding ICPC governed activities was clearly defined in documentation in the Agency's physical case files. This is most likely due to the fact that ICPC activities are primarily mandated by Compact guidelines and certain documentation must be present in the physical ICPC file.

In all of the ICPC cases reviewed, the documentation available in the Court and Agency files provided an array of information pertaining to that particular ICPC case. For instance, less than half of the case files included an in-depth analysis of the status of an ICPC. In most of the cases reviewed, the reports that included ICPC information provided very basic details such as the date the ICPC referral was mailed to the receiving

state, the date a status report was requested and the date (if applicable) the 100-B was received.

Since there was not a consistent practice regarding the amount of information in the narrative section of the reports regarding the status of an ICPC, chronicling the life of an ICPC case through a review of the Court and Agency files posed a challenge. For example, a caseworker that is newly assigned to a potentially challenging ICPC case would benefit from a more detailed narrative on the events that have transpired during the case. This supplemental information provides more insight into the case, which could inevitably prevent delays in placement and help expedite the ICPC process.

Multiple handoffs of ICPC documents to state and local agencies, which are necessary to complete the ICPC process, can delay placement.

The increased use of technology and data collection systems has streamlined some of the ICPC processes that are mandated under the Compact. The DC ICPC state and local offices, for instance, utilize an Access database to track the status of its ICPC cases. However, the majority of the paperwork that must be disseminated to ICPC state and local agency offices is usually in hard copies, requiring multiple workers to process, handle, and mail paperwork from one office to another. This is mainly due to fact that the Compact still mandates the exchange of hard copy forms in order to complete the ICPC process. This can ultimately result in delays in placement, missing forms, and outdated documentation.

A review of several narrative reports and data entry records in the ICPC case files selected indicated that the DC ICPC spends a minimal amount of time processing ICPC referrals to be mailed to the receiving state, primarily because both the DC ICPC state and local office are physically located within the same office.

Since the DC ICPC office does not have any control on how other states processes its referrals and conducts its ICPC activities, the District of Columbia must rely on other states to process necessary information in a timely fashion for those children who are placed out of state. Therefore, DC ICPC must ensure that all required ICPC referral information and supporting documentation must be accurate and complete and provided to other states in a timely fashion.

Delays and barriers to processing ICPC cases in a timely fashion are a result of a myriad of factors

ICPC case processing can be hindered by several aspects including the inability of the DC ICPC office to communicate with another state's local ICPC staff on the status of a case; resolving financial disputes regarding medical bills and foster payments for a child placed out of state; locating missing documentation such are home studies, criminal background checks, and supporting documentation; and caseworkers understanding and accurately determining whether certain ICPC criteria have been met for particular referrals such as Regulation 7 and Regulation 1 placements. The DC ICPC office also has to address staffing and workload issues that would prevent ICPC cases from

languishing. All of these factors were demonstrated to negatively impact the timeliness of finalizing an ICPC placement.

Conclusion

District of Columbia children have experienced the inadequacies of the ICPC in larger numbers than in most jurisdictions. Not unique in the problems experienced in implementation of the ICPC, the District has made tremendous effort to bring down the number of interstate placements not in compliance with the requirements of the ICPC in neighboring Maryland and can show a substantial amount of success. Addressing issues such as hiring additional employees, providing more training, modernizing processes, piloting a provisional placement program and improving communications with its neighbors have led to new opportunities for children and families. The Court will be implementing new strategies to support the interstate placement process and expedite permanency. Improved cooperation between the Court and the Agency will ensure a teamwork approach to the achievement of permanency for all District children, whether they are placed within the District of Columbia or outside its borders.

Recommendations

Improve collaboration between states and the courts on interjurisdictional cases.

To ensure timely placement in ICPC cases, all stakeholders (Judges, AAG, GAL, Social Workers, Education Advocates, CASAs, and Foster Parents) should actively inquire and share information that ensures that the child's best interests are addressed. Better collaboration will assist in the monitoring of challenging placements such as long-term out-of-state placements, impediments to background clearances and submission of ICPC packets that meet requirements for both sending and receiving jurisdictions.

Institute training to ensure all parties involved in the child welfare system understand the ICPC and their role in its effective implementation.

The Courts and the Agency should consider establishing training and technical assistance on how to more effectively monitor the ICPC process and communicate with all ICPC stakeholders, especially as it relates to the Agency's efforts regarding placement notification and ways of fully utilizing file management and data collection systems in a consistent formalized process. In addition, training for all stakeholders on all the resources available to them to assist in expediting cases through the ICPC process is critical.

Establishment of national home study standards.

The District of Columbia should support ongoing efforts to develop and implement national home study standards. Such standards should address the myriad of issues that delay the ICPC process because of state and local variances in the home study process.

Improve speed of background checks

The Agency and the Court should work collaboratively with area law enforcement to identify processes that would expedite the process for obtaining necessary clearances. Clearance at the FBI, state and local area all significantly contributed to delays in the ICPC process.

Appendix 1

**Results of Survey of Participants
Survey Period: April 18 - June 18, 2008**


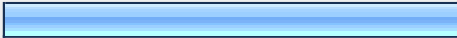
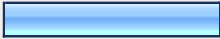


RESULTS OF SURVEY OF PARTICIPANTS
FAMILY COURT OF THE D.C. SUPERIOR COURT:
INTERSTATE COMPACT FOR PLACEMENT OF CHILDREN SURVEY





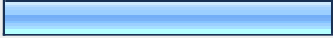
Survey Period: April 18-June 18, 2008

Prepared by the Research and Development Division
June 2008

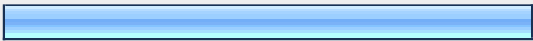
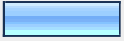


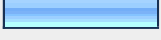
For additional information contact:
Joanne Pozzo
Director of Research and Development
(202) 879-2828

Interstate Compact for Placement of Children Survey

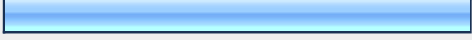
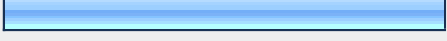
1. I have been in my current position:			Response Percent	Response Count
Less than a year			12.5%	9
1-5 years			50.0%	36
6-10 years			23.6%	17
11-15 years			8.3%	6
16-20 years			0.0%	0
More than 20 years			5.6%	4
			answered question	72
			skipped question	0

2. In my <u>current position</u> I have been involved in the following number of cases in which the ICPC was an issue:			Response Percent	Response Count
0-5			31.9%	23
6-10			13.9%	10
11-15			9.7%	7
16-20			8.3%	6
More than 20			36.1%	26
			answered question	72
			skipped question	0

3. In my former position (immediately prior to my current position), I was involved in the following number of cases in which the ICPC was an issue:

		Response Percent	Response Count
0-5		58.3%	42
6-10		12.5%	9
11-15		8.3%	6
16-20		4.2%	3
More than 20		16.7%	12
		answered question	72
		skipped question	0

4. During the past 5 years no matter what position I have held, I have seen improvement in the manner in which ICPC cases are processed.

		Response Percent	Response Count
Yes		51.4%	37
No		48.6%	35
		answered question	72
		skipped question	0

5. From the list below, please identify the 5 most common reasons you have observed for delay in the ICPC process in cases where the District of Columbia was the Sending State. (Please rank only 5 responses from the most common (1) to the least common (5) reasons.)


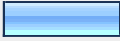



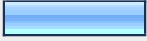
	1 (Most Common)	2	3	4	5 (Least Common)	Rating Average	Response Count
Delay in the entry of the court order placing the child in care.	0.0% (0)	0.0% (0)	8.3% (2)	16.7% (4)	75.0% (18)	1.33	24
Delay in the CFSA/contract social worker preparing the ICPC package to send to the DC State ICPC Office.	11.1% (4)	25.0% (9)	11.1% (4)	25.0% (9)	27.8% (10)	2.67	36
The need by the DC ICPC office to return the ICPC package to the CFSA/contract social worker for some reason such as it was incomplete.	0.0% (0)	31.0% (9)	24.1% (7)	34.5% (10)	10.3% (3)	2.76	29
Delay in the DC State ICPC Office in reviewing and approving the package and sending it to the Receiving State ICPC Office.	19.2% (5)	11.5% (3)	11.5% (3)	30.8% (8)	26.9% (7)	2.65	26
Delay in the Home Study being done by the local agency in Receiving State.	55.8% (29)	19.2% (10)	9.6% (5)	5.8% (3)	9.6% (5)	4.06	52
Negotiations between the two ICPC offices regarding issues of concern found by the Home Study.	14.3% (3)	14.3% (3)	19.0% (4)	28.6% (6)	23.8% (5)	2.67	21
The need by the DC ICPC office to return the ICPC package to the Receiving State ICPC office for some reason such as it was incomplete.	5.9% (1)	11.8% (2)	47.1% (8)	29.4% (5)	5.9% (1)	2.82	17
Delay in obtaining required FBI checks.	40.8% (20)	26.5% (13)	20.4% (10)	8.2% (4)	4.1% (2)	3.92	49
Delay in obtaining State Police checks.	12.0% (3)	32.0% (8)	28.0% (7)	16.0% (4)	12.0% (3)	3.16	25
Delay in obtaining Local Police checks.	0.0% (0)	33.3% (3)	22.2% (2)	33.3% (3)	11.1% (1)	2.78	9
Delay in obtaining National Sexual Offender Registry checks.	0.0% (0)	0.0% (0)	0.0% (0)	66.7% (2)	33.3% (1)	1.67	3
Delay in obtaining State Sexual Offender Registry checks.	0.0% (0)	20.0% (1)	40.0% (2)	20.0% (1)	20.0% (1)	2.60	5

Delay in obtaining State Child Welfare Registry checks.	12.5% (1)	0.0% (0)	37.5% (3)	12.5% (1)	37.5% (3)	2.38	8
Other	20.0% (2)	20.0% (2)	40.0% (4)	0.0% (0)	20.0% (2)	3.20	10
Describe briefly							12
answered question							72
skipped question							0




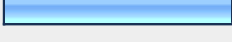
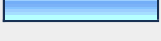
6. From the list below, please identify the 5 most common reasons you have observed for delay in the ICPC in cases where the District of Columbia was the Receiving State. (Please rank only 5 responses from the most common (1) to the least common (5) reasons.)

	1 (Most Common)	2	3	4	5 (Least Common)	Rating Average	Response Count
The need by the DC IPC office to return the ICPC package to the Sending state ICPC office for some reason such as it was incomplete.	26.5% (9)	2.9% (1)	26.5% (9)	17.6% (6)	26.5% (9)	2.85	34
Delay in the Home Study being done by the local agency.	25.6% (11)	23.3% (10)	16.3% (7)	20.9% (9)	14.0% (6)	3.26	43
Negotiations between the two ICPC offices regarding issues of concern found by the Home Study.	13.3% (4)	26.7% (8)	20.0% (6)	33.3% (10)	6.7% (2)	3.07	30
Delay in obtaining required FBI checks.	36.6% (15)	31.7% (13)	17.1% (7)	12.2% (5)	2.4% (1)	3.88	41
Delay in obtaining State Police checks.	3.6% (1)	32.1% (9)	28.6% (8)	21.4% (6)	14.3% (4)	2.89	28
Delay in obtaining Local Police checks.	5.0% (1)	20.0% (4)	30.0% (6)	20.0% (4)	25.0% (5)	2.60	20
Delay in obtaining National Sexual Offender Registry checks.	5.3% (1)	0.0% (0)	5.3% (1)	26.3% (5)	63.2% (12)	1.58	19
Other	61.5% (16)	0.0% (0)	7.7% (2)	0.0% (0)	30.8% (8)	3.62	26
Describe briefly							24
answered question							72
skipped question							0

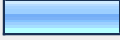
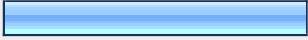


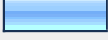
7. When a placement in a case was identified as requiring ICPC approval, how often was that fact brought to the attention of the judicial officer?

		Response Percent	Response Count
90%-100% of the time		59.7%	43
75%-89% of the time		12.5%	9
50%-74% of the time		6.9%	5
25%-49% of the time		4.2%	3
11%-24% of the time		0.0%	0
Less than 10% of the time		1.4%	1
I don't know		15.3%	11
		answered question	72
		skipped question	0




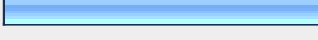

8. Who brought the issue to the attention of the judicial officer?

		Response Percent	Response Count
Social Worker		66.7%	48
Child Welfare Supervisor		0.0%	0
AAG		36.1%	26
Parent's Attorney		9.7%	7
GAL		25.0%	18
I don't know		16.7%	12
		answered question	72
		skipped question	0

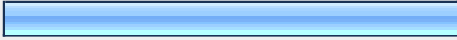
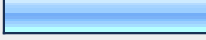
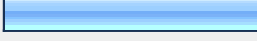
9. If the court was made aware of the need for an ICPC application when, in most cases, was it brought to the attention of the judicial officer?

		Response Percent	Response Count
Within five (5) working days of the discovery that an ICPC was needed.		12.5%	9
Between 1 week and 30 days of the discovery that an ICPC was needed.		33.3%	24
Between 31 and 90 days of the discovery that an ICPC was needed.		9.7%	7
More than 90 days from the discovery that an ICPC was needed.		0.0%	0
I don't know.		33.3%	24
Other (describe briefly)		11.1%	8
		<i>answered question</i>	72
		<i>skipped question</i>	0

10. When the judicial officer became aware that the ICPC was required, how often did s/he make a placement in the other state without following ICPC requirements?

		Response Percent	Response Count
90%-100% of the time		1.4%	1
75%-89% of the time		2.8%	2
50%-74% of the time		2.8%	2
25%-49% of the time		5.6%	4
11%-24% of the time		2.8%	2
Less than 10% of the time		34.7%	25
The judicial officer always follows ICPC requirements		29.2%	21
I don't know		20.8%	15
		answered question	72
		skipped question	0

11. When the judicial officer became aware that the ICPC was required, did s/he continue cases for further information when the process was not yet completed?

		Response Percent	Response Count
Yes		50.0%	36
No		22.2%	16
I don't know		27.8%	20
		answered question	72
		skipped question	0





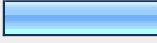

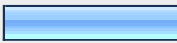
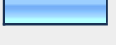
12. When the judicial officer did continue cases in order for the ICPC process to be completed, on average how far away did s/he continue the cases?

		Response Percent	Response Count
To the next regularly scheduled hearing, no matter how far away that was.		16.7%	12
A hearing was scheduled within a short period of time (30 days or less) for an update on progress to the judicial officer and parties.		15.3%	11
A hearing was scheduled within 30-60 days for an update on progress to the judicial officer and the parties.		31.9%	23
I don't know.		19.4%	14
Not applicable: the judge did not continue the case.		16.7%	12
answered question			72
skipped question			0

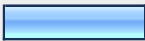


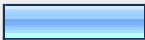
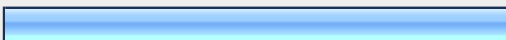
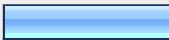
13. How often did any of the following ask for an early review date regarding any ICPC matter?

	90%-100% of the time	75%-89% of the time	50%-74% of the time	25%-49% of the time	11%-24% of the time	Less than 10% of the time	I don't know	Rating Average	Response Count
Social Worker	2.9% (2)	8.8% (6)	10.3% (7)	4.4% (3)	8.8% (6)	38.2% (26)	26.5% (18)	1.00	68
AAG	4.7% (3)	6.3% (4)	9.4% (6)	7.8% (5)	7.8% (5)	35.9% (23)	28.1% (18)	1.00	64
GAL	17.9% (12)	4.5% (3)	17.9% (12)	13.4% (9)	4.5% (3)	13.4% (9)	28.4% (19)	1.00	67
CCAN	6.1% (4)	10.6% (7)	9.1% (6)	7.6% (5)	4.5% (3)	24.2% (16)	37.9% (25)	1.00	66
answered question									72
skipped question									0

14. If a 2nd delay occurred in cases regarding the ICPC process, what action did the judicial officer most typically take when s/he learned about this delay?

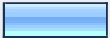
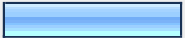

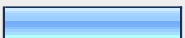


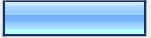


		Response Percent	Response Count
There was never a second delay		2.8%	2
No action		4.2%	3
S/he ordered a report on progress to be given at the next regularly scheduled hearing		27.8%	20
S/he scheduled a hearing within 30 days for an update on progress		16.7%	12
S/he scheduled a hearing within 31-60 days for an update on progress		16.7%	12
S/he took direct action - i.e. called DC ICPC office, called judicial officer in Receiving state		1.4%	1
I don't know		19.4%	14
Other (describe briefly)		11.1%	8
		<i>answered question</i>	72
		<i>skipped question</i>	0

15. If the judicial officer took some action, what did s/he normally do to ensure "Due Process" requirements were met? (Select all that apply)

		Response Percent	Response Count
Allowed counsel to be present during any phone call to obtain information on ICPC progress		15.3%	11
Allowed no one to be present during phone call to obtain information on ICPC progress		0.0%	0
Provided a written report to the parties and/or counsel of the results of the phone call and what was discussed		1.4%	1
Sent an email with copies to the parties and/or counsel		1.4%	1
Sent any email s/he received in response to the parties and/or counsel		0.0%	0
Nothing		15.3%	11
I don't know		55.6%	40
Other (describe briefly)		18.1%	13
		answered question	72
		skipped question	0


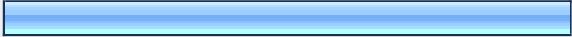
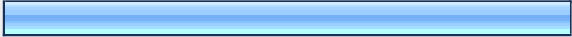

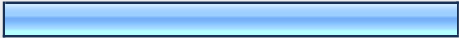
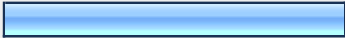

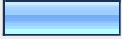

16. Please provide any suggestions you have for improving the ICPC process:

		Response Count
		25
		answered question
		25
		skipped question
		47

17. I am currently a(n):			Response Percent	Response Count
Judicial Officer			11.1%	8
Social Worker (go to question #20)			19.4%	14
Child Welfare Supervisor (go to question #20)			6.9%	5
Assistant Attorney General (AAG)			19.4%	14
ICPC Compact Administrator/Staff			5.6%	4
CCAN Attorney			8.3%	6
Guardian Ad Litem (GAL)			15.3%	11
Attorney representing both parents and children			8.3%	6
Other (please specify)			5.6%	4
			answered question	72
			skipped question	0


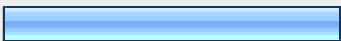
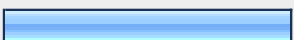
18. If you have taken action by calling, writing, or emailing an ICPC office or a judicial officer in another state what has been the <u>most typical response</u> you received from the people that you called, wrote, or emailed?						
	Consistent cooperation	Inconsistent cooperation	No Cooperation	No Contact	Rating Average	Response Count
In the Sending State	25.0% (2)	25.0% (2)	0.0% (0)	50.0% (4)	1.00	8
From Receiving States	0.0% (0)	16.7% (1)	0.0% (0)	83.3% (5)	1.00	6
From judicial officers in Receiving States	16.7% (1)	0.0% (0)	0.0% (0)	83.3% (5)	1.00	6
					answered question	8
					skipped question	64

19. What are judicial officers in DC legally permitted to do by rules of court or state law: (Select all that apply)

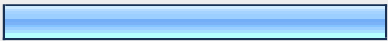
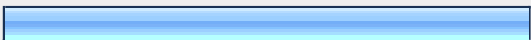
		Response Percent	Response Count
Hold a hearing by phone or video with someone in another state.		75.0%	6
Cooperate with a judicial officer in another state to hold hearings where witnesses must be sworn in order to testify through a video or telephone hookup.		62.5%	5
Contact ICPC administrators in your state or the other state to obtain information about the progress of an ICPC matter.		62.5%	5
Contact by phone, letter, or email a judicial officer in another state in the locality where the child may be going to discuss the progress of an ICPC matter.		50.0%	4
Admit properly authenticated evidence offered from another state in a hearing before the judicial officer.		50.0%	4
Allow parties living in other states to participate as parties in interstate litigation without having to travel to the place where the court is hearing the case.		37.5%	3
Enable parties living in other states to arrange on their own initiative to testify and present evidence in your state without traveling to your state to testify or present evidence.		12.5%	1
Allow attorney involvement in such cases without the lawyer being a member of the bar of the state in which the case is being heard.		12.5%	1
Allow attorneys located in another state to file motions in your state as well as to question and cross examine witnesses in teleconferences and video conferences that are convened by a judge in your state with local		12.5%	1

counsel.			
Allow attorneys located in another state to file motions in your state as well as to question and cross examine witnesses in teleconferences and video conferences that are convened by a judge in your state without local counsel.		0.0%	0
At request of judge from another state, issue <u>request</u> or <u>orders</u> to the local child welfare agency in your state for the evaluation, within a specified time, of a foster home, parent or child located in the area.		25.0%	2
At request of a judge from another state, conduct a hearing in your state to gather specific information requested and send exhibits, findings of fact, and transcript to the judge in another state.		0.0%	0
To communicate directly, such as by telephone, with a judicial officer in another state to organize the interstate litigation process or to discuss legal issues.		25.0%	2
To co-preside in interstate hearings, asking additional questions, observing the demeanor and credibility of any witnesses, and sharing such observations with the other judge.		0.0%	0
	answered question		8
	skipped question		64

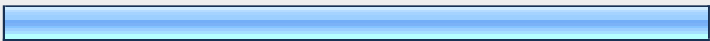
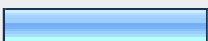
20. In the *most recent request* you made, approximately how long did it take from the time you submitted your request to the ICPC office to the time you received a home study?

		Response Percent	Response Count
Less than 60 days		31.6%	6
60-90 days		36.8%	7
More than 90 days		31.6%	6
		<i>answered question</i>	19
		<i>skipped question</i>	53

21. In the *most recent request* you made, did you have contact with the receiving state's assigned social worker during this process?

		Response Percent	Response Count
Yes		42.1%	8
No		57.9%	11
		<i>answered question</i>	19
		<i>skipped question</i>	53

22. If yes, was this contact helpful?

		Response Percent	Response Count
Yes		77.8%	7
No		22.2%	2
		Explain:	5
		<i>answered question</i>	9
		<i>skipped question</i>	63

5. From the list below, please identify the **5 most common reasons** you have observed for delay in the ICPC process in cases where the District of Columbia was the **Sending State**. (Please rank **only 5 responses from the most common (1) to the least common (5) reasons.**)

“Other” Responses:

1. I don't deal directly with ICPC and have no idea what causes the delays.
2. My ICPC experience was highly successful; I have no issues regarding above.
3. Delay in receiving post placement adoption monitoring reports from monitoring agency.
4. In my role, I don't always learn why there was a delay. Delay in social worker from receiving state being assigned was a reason that I was familiar with.
5. Back-log in scheduling inspections.
6. Documents addressed to the foster parent rather to the agency.
7. Delay by the DCPS.
8. CFSA/contract social worker unfamiliar with the ICPC process.
9. Process takes too long.
10. The Prospective relative has a past charge/conviction that needs further review.
11. It is often difficult to know the reason because D.C. actively opposes transparency in the process and the receiving state's ICPC office frequently refuses to speak with anyone other than CFSA. It is also difficult to rank frequency as we see problems throughout the process.
12. Time delays throughout are a real problem.

6. From the list below, please identify the **5 most common reasons** you have observed for delay in the ICPC in cases where the District of Columbia was the **Receiving State**. (Please rank **only 5 responses from the most common (1) to the least common (5) reasons.**)

Responded “Other”:

1. I have not been involved in a situation where DC is the receiving state.
2. DC has never been the receiving state in any of my cases.
3. I have never been made aware of any such case.
4. Have no experience in this area.
5. All other criminal checks.
6. Delay by DCPS.
7. I've never been involved with a case when DC was the receiving state.
8. The child being placed is not legally free to request approval of an adoptive ICPC.
9. Not aware of problems.
10. Not involved in cases in which DC is the receiving state.
11. This almost never happens (DC being the receiving state).

9. If the court was made aware of the need for an ICPC application when, in most cases, was it brought to the attention of the judicial officer?

Responded "Other":

1. Immediately or w/in 60 days, depending on eligibility for priority placement (i.e. if we needed a court order, w/in 5 days).
2. Usually No, sometimes the social worker or AAG would bring the matter before the court.
3. When there was a court hearing.
4. At the next scheduled court hearing. However, this did not delay the ICPC from being submitted timely. If additional information was requested, the Court promptly obliged.
5. I'm an ICPC Specialist. This is a social worker's task.
6. Upon receipt of cases requiring ICPC approval.
7. Depends on proximity of next hearing.
8. Typically, when placement is discussed at a court hearing, if an ICPC application is needed, someone points that out. Not always, but typically. And so, in response to this question, ICPC issues are brought to the attention of the court at in-court hearings, not as a result of "discovery" of a possible placement for which an ICPC application is necessary.

14. If a 2nd delay occurred in cases regarding the ICPC process, what action did the judicial officer most typically take when s/he learned about this delay?

Responded "Other":

1. If the delay was within CFSA's control, they'd set a deadline (usually less than 30 days). If the problem was with the receiving state, they would order a progress report at next hearing.
2. Entered show cause/in-court appearance to ICPC.
3. Again, loss of paperwork and/or lack of follow up were the causes.
4. Report by Agency in next 20 days.
5. Depended on judge – One Judge used to place children regardless of ICPC process. Since then the judges have had more respect for the process and require updated reporting and rescheduled hearings even though we state that we can move the child without another court hearing if the process is complete.
6. Ordered an interim report regarding the status of the ICPC to be submitted within a timeframe before the next scheduled hearing.
7. Efforts were generally unsuccessful in speeding up process as dependent upon receiving state to complete process. Maryland has routinely raised questions. I have one case still awaiting approval by a father for 6 months.

15. If the judicial officer took some action, what did s/he normally do to ensure "Due Process" requirements were met? (Select all that apply)

Responded "Other":

1. I don't recall any direct action by a judicial officer.
2. Required report to be filed and distributed to parties/counsel.
3. Judicial officer never called ICPC.
4. Discussed the matter in court hearings.
5. Didn't take action.
6. Held a hearing to discuss.
7. I don't understand the question.
8. Discussed actions with parties in open court.
9. As an ICPC specialist this has not occurred with any ICPC requests that I've processed.
10. Although ex parte communications for neglect Judicial Officers has become disturbingly common, judges do not typically take any action to follow up on ICPC issues. On those occasions when they do, they would typically inform the parties about the communication at the next court hearing.
11. Judicial officers are not taking these actions.

16. Please provide any suggestions you have for improving the ICPC process:

1. The priority placement process is no quicker than the normal process in Virginia and Maryland, which really should be addressed.
2. Speed up home study; better relationship with the receiving state and their agencies.
3. Allow DC social workers to do home studies in MD and VA.
4. Local ICPC procedures need to be more structured, with specific responsibilities spelled out for the SW and ICPC worker, and then enforced. ICPC supervisors need to more closely monitor their workers and need to communicate with SW's, SW supervisors and AAGs.
5. Receiving state should turn around priority placement requests in the statutory timeframe.
6. As stated earlier, I have always been impressed with the CFSA staff who have processed ICPC requests. I have no complaints, only congratulations for jobs well done.
7. More training in this area for the judges, the CCAN bar, the social workers, and AAGs.
8. Typically, it is not very difficult to get ICPC approval completed for a foster care placement if the social worker is diligent in following up with the DC ICPC worker who will then maintain consistent contact with the ICPC office in the receiving state. The GREATEST difficult I have experienced is in trying to get ICPC approval for adoptive placements. Most states when they are receiving states want the child/ren to be legally free before they will approve their adoptive placement. Because the Court in DC waits so long to make a determination on terminating parental rights, homes can only be licensed as foster care placement until the parental rights are terminated. This lengthens the amount of time we must wait for ICPC approval for the placement as an adoptive placement because the social worker has to submit the court order indicating termination to the DC ICPC office who will then submit it to the receiving state who will then submit it to the local monitoring social service

agency who must then issue a new adoptive license for the placement. If we are fortunate, the social worker at the local agency in the receiving state will move quickly to update the placement's home study. Otherwise, it can take weeks or even months for the social worker to update the home study and send all of the information back through the ICPC chain. If parental rights were terminated earlier in the process, when the agency makes an ICPC application for placement, we can apply as a foster/adoptive placement from the very beginning. It would reduce the amount of wasted time for the child and the adoptive parents.

9. I don't know how to get other jurisdictions to comply faster, but that's where most of the delays are.
10. Actively enforce the requirement for adoption monitoring agency reports to be submitted to ICPC office timely. Also, once all three reports have been submitted, for ICPC to submit documentation approving the adoption, not just the initial placement.
11. The delay I have heard of the most is the social worker assigned does not contact the family in a timely manner or has not been assigned in a timely manner - I am not sure of the details of why that occurred. I think that, also, the social worker here should be able to contact directly the worker assigned for updates but it seems that there is a difficulty in communication.
12. MD AND DC WORKING TOGETHER.
13. More training for all of the parties involved as to when an ICPC is necessary and what the process is for obtaining one.
14. Something has to be done about the turn around of clearances.
15. Begin the process immediately after their Family Team Meeting, when an out of state potential placement has been identified.
16. Nationwide on going ICPC training for judges, GALs, CCAN and social workers. Also, CEOs and directors/ have to provide appropriate funding and staffing to the ICPC offices. Strongly, encourage dialog between judges from different jurisdictions to explore the delay in getting the home studies completed in a timely manner.
17. There needs to be an agency- and court-wide training regarding the ICPC process. It has been shocking to me to see the number of individuals, especially social workers, who are not aware of when and if an ICPC needs to be completed for a case. Placements have occurred without the receiving state's approval, which is a major concern of mine.
18. Must be time frames established to complete the process. Establish a regional ICPC process for Washington, DC area rather than a state by state process.
19. Revise the law for better timelines, streamline the requirements, and remove application to non-offending parents when kids are in foster care.
20. Stress the importance to the prospective placement of how any criminal charges/convictions may serve as an obstacle. Make the parent's attorney more accountable for guiding the prospective placement (which in most cases is endorsed by the parent) through the process.
21. The problem causing delays with most kinship interstate foster is NOT the ICPC. Rather, it is the time it takes to license a home in other jurisdictions. The parties and judges should become familiar with licensing regulations and be prepared to litigate the licensing process to expedite placements. Also, judges should remember that third party placements still exist in DC law and thus priority placements should remain an option. Judges should also refuse to apply the ICPC as a constitutional matter to parents who live across state lines;

its application violates the constitutional status of the parent-child relationship. Finally, judges should limit the ICPC's application to the terms of the ICPC - adoptive placements and foster care placements. That excludes third party placements, conditional releases, and custody decisions.

22. Too many for this survey. To start with, CFSA must be more open and transparent about the process so that problems and bottlenecks can be identified and dealt with. ICPC offices need to be willing to speak with attorneys about the status of and issues in cases. At CFSA, there needs to be more internal education about the process as well as accountability. Judges need to be educated about the ICPC and need to hold CFSA accountable by setting deadlines and requiring CFSA to provide information. Attorneys need to advocate for transparency and accountability. There are also problems with the way the ICPC is drafted. There also has to be some solutions devised/permitted when the sending state has acted timely and the receiving state is simply dragging its feet, which happens frequently.

17. I am currently a(n):

1. Resource Development Specialist
2. Supervisory Eligibility Specialist (foster care IV-E & Medicaid)
3. PM
4. Manager

21. In the *most recent request* you made; did you have contact with the receiving state's assigned social worker during this process? 22. If yes, was this contact helpful?

Responded "No":

1. The social worker in the receiving state continuously directed me to the receiving state's ICPC office. On several occasions, I requested just status information on the case and the receiving state's social worker indicated that she could not provide that information to me directly; she stated that I had to make the request through the ICPC office. Which meant that in order to find out the name and date of the adoptive parent's most recent physical examination report, I had to submit a request to the DC ICPC, who, in turn, contacted the Georgia ICPC office, who ultimately made the same request to the local GA worker. It took the worker several weeks to provide the information to the GA ICPC office, who then submitted it to the DC ICPC office, which then provided the copy to me. AND, after waiting several months, it turns out that the GA worker provided the physical exam report from the wrong year. I am still not certain why the worker could not provide the date of the exam and the name of the physician, even if she could not fax or mail a copy of the report itself. There are inherent challenges in the system that could be addressed to streamline the process and the work.
2. Being able to talk directly with the state office or worker, assisted in moving the process along.
3. I was able to have first hand knowledge of any issues and was also able to visit the home with the ICPC social worker in receiving state.
4. She helped to provide me with information, where my ICSC Specialist could not or did not have the information.

Appendix 2

Interactive Survey Presented to Participants At the ICPC Training, April 2008

ICPC Training Survey Results

The Safe and Timely Interstate Placement of Foster Children requires that the District of Columbia Superior Court assess its role, responsibilities, and effectiveness in the interstate placement of foster children. As part of that process an interactive training was held in April 2008.

Detailed below are the survey results of respondents who attended the training and participated in the interactive ICPC assessment.

D.C. Superior Courts ICPC Judicial Training Survey Results April 23, 2008		
Question #	Question	Response Percentage
Question 1	I am currently a(n):	
	1 Judicial Officer	9.1%
	2 Social Worker	2.3%
	3 Assistant Attorney General (AAG)	9.1%
	4 ICPC Compact Administrator/Staff	2.3%
	5 CCAN Attorney/GAL/CLC Attorney	77.3%
		N=44

Question 2	I have been in my current position:	
	1 More than five years	50%
	2 Less than five years	50%
		N=54

Question 3	Over the last five years, I have been involved in the following number of cases in which the ICPC was triggered:	
	1 1-10	39.6%
	2 11-20	22.6%
	3 More than 20	37.7%
		N=53

Question 4	Identify the most common source of delay you have observed in the ICPC process. (D.C. = Sending State)	
	1 Delay in CFSA/contract social worker preparation of ICPC package	25.6%
	2 Incomplete information in package—requires return to sending or receiving state ICPC office	11.6%
	3 DC State ICIC Office delay in reviewing approving package and sending to receiving state ICPC office	7.0%
	4 Home study performed by Receiving State in delayed	37.2%
	5 Negotiations between the two ICPC offices on issues identified by home study	2.3%
	6 Delay in obtaining law enforcement, sex offender or child welfare registry background checks	16.3%
		N=43

Question 5	When a placement in a case was identified as requiring ICPC approval, how often was that fact brought to the attention of the judicial officer?	
	1 75%-100% of the time	67.3%
	2 50%-75% of the time	11.5%
	3 25%-50% of the time	3.8%
	4 Less than 25% of the time	3.8%
	5 I don't know	13.5%
		N=52

Question 6	If the court was made aware of the need for an ICPC application when, in most cases, was it brought to the attention of the judicial officer?	
	1 Within five (5) working days of the discovery that an ICPC was needed	3.8%
	2 Between 1 week and 30 days of the discovery that an ICPC was needed	40.4%
	3 Between 31 and 90 days of the discovery that an ICPC was needed	15.4%
	4 More than 90 days from the discovery that an ICPC was needed	1.9%
	5 I don't know	38.5%
		N=52

Question 7	Has the timeliness of home studies improved in the last year?	
	1 Yes	24.5%
	2 No	28.3%
	3 I don't know	47.2%
		N=53

Question 8	What can judges do to improve the timeliness of the ICPC process? (Select One)	
	1 Enter orders that prescribe deadlines for Agency action	53.7%
	2 Enter orders that prescribe deadlines for action by the prospective placement	7.4%
	3 Hold hearings that include ICPC personnel from other jurisdictions by telephone	31.5%
	4 Contact judges in the other jurisdiction for assistance	7.4%
		N=54

Question 9	What can attorneys do to improve the timeliness of the ICPC process? (Select One)	
	1 Ask for hearings/judicial intervention	40.7%
	2 Call ICPC administrator's office in receiving state	14.8%
	3 Call Agency ICPC office	9.3%
	4 Work with prospective placement resource to address issues causing delay	35.2%
		N=54

