

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



March 13, 2002

ALL COUNTY INFORMATION NOTICE I-22-02

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order
- Clarification Requested by One or More Counties
- Initiated by CDSS

TO: ALL COUNTY WELFARE DIRECTORS
CHIEF PROBATION OFFICERS
ALL COUNTY COUNSEL
ALL COUNTY ICPC LIAISONS

SUBJECT: **INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN-
COURT ORDER FINDINGS REQUIRED BY THE STATE OF
PENNSYLVANIA FOR MINORS WHO HAVE BEEN ADJUDICATED
DELINQUENT**

The purpose of this letter is to notify sending agencies of the new requirements placed upon California by the state of Pennsylvania. Effective immediately, Pennsylvania will only process an Interstate Compact on the Placement of Children (ICPC) package for placement of a California minor that has been adjudicated a ward of the juvenile court pursuant to Welfare and Institutions Code Sections 601 and 602, when the court findings clearly sets forth the requirements of ICPC Article VI.

The court findings must contain the ICPC provisions that were enacted in Family Code Section 7901, Article 6, (a) and (b) related to Institutional Care of Delinquent Children. This Section states:

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with the opportunity to be heard, prior to his being sent to such other party jurisdiction for institutional care and the court finds that:

1. Equivalent facilities for the child are not available in the sending agency's jurisdiction; and
2. Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship.

ICPC – Court Order Findings Required by the State of Pennsylvania
Page Two

Enclosed is an example of the Article 6 court findings that was provided to the state of California by the state of Pennsylvania. The state of Pennsylvania has indicated that it will not process a referral for placement of a minor adjudicated as a delinquent that does not include the requisite Article 6 court findings.

In addition, pursuant to Manual of Policy and Procedures, Section 31-510 related to ICPC requirements, an ICPC package for an out-of-state group home placement must include the following:

- 4 copies of a signed Interstate Compact Placement Request form (ICPC 100A)
- 3 copies of court order showing the child has been adjudicated a dependent or delinquent
- 3 copies of most recent case plan
- 3 copies of the multidisciplinary team assessment
- 3 copies of summaries of significant information on the child
- 3 copies of financial and medical plan
- 1 copy of breakdown of allowable costs

If you have any questions regarding this letter, please contact Jackie Rodriguez, Deputy Compact Administrator, at (916) 445-2832.

Sincerely,

***Original document
Signed By***

SYLVIA PIZZINI, Deputy Director
Children and Family Services Division

Enclosure

INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN
ARTICLE VI. INSTITUTIONAL CARE OF DELINQUENT CHILDREN

_____, an adjudicated delinquent, may be placed in
Child's Name

an institution, Glen Mills, in another party jurisdiction pursuant to the Interstate

Compact on the Placement of Children. _____ is
Child's Name

hereby given a court hearing on his parent or guardian, _____,
Name

_____, with the opportunity to be heard.
Relationship

The Court finds that:

1. Equivalent facilities for the child are not available in sending agency's jurisdiction; and
2. Institution care in the other jurisdiction is the best interest of the child and will not produce undue hardship.

Judge

Date



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE OF CHILDREN, YOUTH AND FAMILIES
P.O. BOX 2676
HARRISBURG, PENNSYLVANIA 17105-2676

Interstate Compact
on Children

July 17, 2001

Telephone: 772-5505
Area Code: 717

TO: Interstate Compact Administrators

RE: Article IV Court Orders

Pennsylvania has determined that numerous placement violations of the Interstate Compact on the Placement of Children (ICPC) law by out-of-state agencies and Pennsylvania residential facilities have occurred in recent years. As a result, we have informed all licensed facilities that they must have approval from the ICPC prior to accepting or admitting an out-of-state child into the facility (letter enclosed).

In the letter is a list of items that must be included in the Interstate referral packet. Among the items that are required is the Article VI Court Order. Article VI of the ICPC law is as follows:

"ARTICLE VI. Institutional Care of Delinquent Children

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but no such placement shall be made unless the child is given a court hearing on notice to the parent or guardian with the opportunity to be heard, prior to his being sent to such other party jurisdiction for institutional care and the court finds that:

1. Equivalent facilities for the child are not available in the sending agency's jurisdiction; and
2. Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship."

The court order with these findings must be included in the referral packet.

Since it is the sending ICPC office's responsibility to ensure that a referral packet is complete, we are forwarding this notice along with the May 8, 2001 letter that was sent to our residential facilities so that you may inform your local agencies and courts of these requirements. We will not process incomplete referral packets. Thank you for your cooperation.

Sincerely,

Larry K. Yarberough, Director
Pennsylvania Interstate Compact Unit

Enclosure



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE OF CHILDREN, YOUTH AND FAMILIES
P.O. BOX 2675
HARRISBURG, PENNSYLVANIA 17105-2675

Dear Facility Director:

This notice is to confirm that all Residential Treatment Facilities and Institutions must comply with the Interstate Compact on the Placement of Children (ICPC) prior to accepting/admitting an out-of-state child into the facility. All previous alternative procedures are repealed. Effective May 11, 2001, no placements may be made without prior ICPC approval.

Any children currently in placement who will not be discharged prior to June 15, 2001 must have ICPC approval prior to that date. In order to obtain ICPC approval, the following materials must be submitted to the Pennsylvania Interstate Compact office from the child's residence state:

- a completed Interstate Compact Placement Request form (ICPC 100A);
- a court order showing the child has been adjudicated dependent or delinquent;
- an ICPC Article VI court order if the child is delinquent;
- the child's social history;
- a recent psychological report on the child, if available;
- any relevant medical information on the child; and
- any related additional information.

If you have any questions or concerns, please direct them to Mr. Larry K. Yarberough, Director, Interstate Compact Unit. He can be reached at (717)772-5506.

Sincerely,

A handwritten signature in cursive script, appearing to read "Wayne Stevenson".

Wayne Stevenson, Acting Deputy Secretary
for Children, Youth and Families