



## INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE POLICY

<b>Chapter 9:</b> Interstate Compact on the Placement of Children (ICPC)	<b>Effective Date:</b> November 1, 2020
<b>Section 10:</b> Termination of Jurisdiction (ICPC Case Closure)	<b>Version:</b> 3

### STATEMENTS OF PURPOSE

The Indiana Department of Child Services (DCS) will require approval from both the sending and receiving state Interstate Compact on the Placement of Children (ICPC) Offices prior to the dismissal of wardship of an Indiana child placed out-of-state. In accordance with federal law, the court of original jurisdiction (the court in the sending state) retains jurisdiction over the case. The receiving state has authority to monitor the child's supervision and services as specified in the ICPC agreement. The sending agency shall retain jurisdiction over matters related to the child, including but not limited to, the custody, supervision, care, and disposition of the child. Such jurisdiction shall also include the authority to affect or cause the return of the child or his or her transfer to another location and custody pursuant to law.

Jurisdiction may be terminated by the court in the sending state when the child:

1. Is adopted;
2. Reaches the age of majority according to the laws of the sending state; or
3. Is discharged from the wardship of the sending state with concurrence of the ICPC Office in the receiving state.

### Code References

[IC 31-28-4: Interstate Compact on the Placement of Children](#)

### PROCEDURE

#### **Indiana Child Placed Out-of-State**

For an Indiana child placed out-of-state, the receiving state ICPC Office will recommend dismissal of wardship by submission of an [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#) to the DCS ICPC Office.

Upon receipt of the report, the DCS ICPC Office will forward the report to the DCS local office within five (5) business days of receipt of the report.

The Family Case Manager (FCM) will:

1. Convene a Child and Family Team (CFT) Meeting or case conference to ensure the team agrees with the receiving state's recommendation of wardship dismissal:
  - a. Communicate with the receiving state ICPC Office to resolve any concerns or issues if all members of the CFT are not in agreement to dismiss wardship; or
  - b. Advise the DCS ICPC Office of the recommendation to dismiss wardship when all CFT members are in agreement with the recommendation.

2. Request a court hearing to request dismissal of wardship or present recommendations to the court within five (5) business days of receipt of the [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#);
3. Send an Interstate Compact on the Placement of Children Report on Child's Placement Status (100B) and any relevant court orders to the DCS ICPC Office to advise of the dismissal of jurisdiction and closure of the case;
4. End the placement in the case management system if/when ordered by the court (see separate policy, [5.12 Closing a CHINS Case](#)); and
5. Notify the resource parent within two (2) business days that the case has officially closed.

The DCS ICPC Office will forward all relevant information to the receiving state ICPC Office.

#### **Child from Another State Placed in Indiana**

For a child from another state placed in Indiana, the FCM will:

1. Convene a CFT Meeting or case conference to determine whether wardship dismissal is in the child's best interests;
2. Complete an [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#) to advise the DCS ICPC Office of its recommendation to dismiss wardship by submission of the Supervision Report;
3. Submit the [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#) to his or her FCM Supervisor for approval; and
4. Notify the DCS Medicaid Eligibility Unit (MEU) of the case closure, so the child's Indiana Medicaid may be reviewed to determine if closure is appropriate.

The FCM Supervisor will:

1. Approve the [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#); and
2. Immediately forward the [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#) to the DCS ICPC Office.

The DCS ICPC Office will:

1. Forward the [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#) to the sending state ICPC Office within 10 calendar days of receipt; and
2. Forward any relevant information to the DCS local office upon receipt of all information from the sending state ICPC Office regarding wardship dismissal.

#### **PRACTICE GUIDANCE**

Before the decision is made to recommend dismissal of wardship to the court for an ICPC child, the FCM should work with the resource parent to make sure he or she is prepared to assume total responsibility of the child in his or her care. The FCM should assist the resource parent by making sure the child's medical, educational, mental health, and other specific needs will continue to be met after DCS is no longer involved. Upon receipt of the court order that dismisses wardship, the FCM should notify the resource parent within two (2) business days that the case has officially closed.

## FORMS AND TOOLS

1. [Interstate Compact on the Placement of Children Report on Child's Placement Status \(100B\)](#) – Available in the case management system
2. [Interstate Compact on the Placement of Children \(ICPC\) Supervision Report \(SF 54335\)](#)
3. [Indiana ICPC Interactive Guide](#)

## RELATED INFORMATION

### **DCS ICPC Unit Electronic Mailbox**

The DCS ICPC Unit Mailbox [ICPCUnit.dcs@dcs.in.gov](mailto:ICPCUnit.dcs@dcs.in.gov) may be accessed in Outlook. Progress reports, 100B form, and questions may be sent to this mailbox.

**Note:** For more information about Indiana DCS' ICPC process, please review the [Indiana ICPC Interactive Guide](#).