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To: Regional Managers
Directors, Local Offices, Department of Child Services

From: James W. Payne, Director
Jeff Lozer, General Counsel
Angela Green, Deputy Director Practice Support
David Judkins, Deputy Director Field Operations
Department of Child Services

Subject: Providing Notice to a Consulate or Embassy
DCS-09-23

One of the Indiana Department of Child Services (DCS) values is that “the most desirable place for children to grow up is with their own families, when these families are able to provide safe, nurturing, and stable homes.” This administrative letter outlines how DCS will notify respective consulates or embassies, when a child who is believed to be a foreign national becomes involved with DCS.

When a child who is believed to be a foreign national is removed due to immediate safety concerns, the DCS local office cannot delay or deny placement of the child in an available resource home based on the race, color, or national origin of the child or resource parent.¹ A foreign national for the United States (U.S.) refers to a minor living in the U.S. reported to have been born in another country, who has at least one parent who is a citizen of another country and for whom no documentation is available showing U.S. citizenship has been established for the child. In compliance with the provisions of the Vienna Convention, it is the responsibility of the DCS local office to contact the appropriate foreign consulate or embassy in the U.S. soon as possible after the detention of a foreign national child.

¹ USC 1996b; 42 USC 671(a)(18) (Title IV-E)



DCS will notify the consulate or embassy, of the child's country of origin, as soon as possible when DCS determines that a child believed to be a foreign national has been removed from his or her parent.

The DCS Family Case Manager (FCM) will fill out the *Notification to the Consulate or Embassy* form immediately after a child believed to be a foreign national. This form must be given to the DCS Local Office Attorney. The DCS Local Office Attorney will fax the *Notification to the Consulate or Embassy* form to the DCS Hispanic Initiative Program Manager at (317) 234-4497. The DCS Hispanic Initiative Program Manager will then fax the *Notification to the Consulate or Embassy* form to the appropriate consulate or embassy of the child's country of origin. The DCS Hispanic Initiative Program Manager will serve as the liaison for DCS and each respective consulate or embassy in sharing information as allowed by law.

Upon approval, this form will be released for usage. The DCS Child Welfare Policy Manual will be revised to reflect these important changes.

If you have any questions regarding these changes, please address them to the DCS policy mailbox at DCSPolicy@dcs.in.gov.

Sincerely,

James W. Payne, Director
Department of Child Services

