

IX. EXPEDITED PLACEMENT DECISIONS

Expedited Placement is specifically designed to reduce the time certain children must wait for an approved interstate placement while protecting their safety and minimizing the trauma of interim or multiple placements.

1. **However, it does not apply to any case in the Sending State if the request is for adoption, licensed foster care or a family unit who has moved to another state.** Expedited Status also does not apply if the child has already been placed in violation of the Interstate Compact in the Receiving State, or if the court places a child with a parent from whom the child was not removed and the court has no indication the parent is unfit and seeks no information regarding fitness. Expedited Placements may be requested when the following exist: It is a case under the jurisdiction of the court as a result of action taken by a county Department of Social Services.
2. The court has authority to determine custody and placement of the child and the child no longer lives in the home of the parent found to be neglecting or abusing the child.
3. The child is being considered for placement in another state with one of the following:
 - a. Parent
 - b. Stepparent,
 - c. Grandparent
 - d. Adult uncle or aunt
 - e. Adult brother or sister or
 - f. The child's guardian
4. Additionally one of the following must be true to expedite a placement:
 - a. The child becomes unexpectedly dependent due to a sudden or recent incarceration, incapacitation or death of a parent or guardian.
 - b. The child to be placed is four years of age or younger, along with older siblings to be placed with the same proposed placement.
 - c. The court finds that any child in the sibling group has an established bond and has spent substantial time with the proposed placement resource or
 - d. The child is currently in an emergency placement.
5. Expedited placement requests are not applicable if:
 - a. The child was placed in violation of the compact

Change # 11-2012 Interstate/Intercountry Services to Children February 1, 2013

- b. The intent of the placement is licensed or approved foster care or adoption
- c. The Court places a child with a parent from whom the child was not removed, there is no evidence of being unfit as a parent and the court seeks no evidence. The Court must relinquish custody.
- 6. When requesting an expedited placement decision, the agency will ensure the following:
 - a. Child has not been placed in violation of the compact.
 - b. The goal is not licensed or approved foster care, adoption or placement with a parent from whom the child was not removed and the court has no evidence of being unfit, seeks no evidence and the court relinquishes jurisdiction upon placement with the parent.
 - c. There is an unexpected dependency due to a sudden or recent incarceration, incapacitation or death of a parent or guardian, or
 - d. The child sought to be placed is under 4 years of age or younger, including other siblings sought to be placed with the same placement resource, or
 - e. The court finds that any child in the sibling group sought to be placed has a substantial relationship with the proposed placement resource, or
 - f. The child is in an emergency placement.
- 7. Prior to an Order of Compliance being issued, the local Department of Social Services must ensure the following steps have been taken with the potential placement resource utilizing the **Case Manager Statement of Interest (DSS-1840: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1840-ia.pdf>):**
 - a. He/she articulates interest in being a placement resource and is willing to participate in the Interstate Process.
 - b. Has verified they fit the definition of a parent, step-parent, grandparent, adult brother or sister, adult aunt or uncle, or his or her guardian.
 - c. The name, address and all available phone numbers and the birthdates and social security numbers for all adults residing in their home.
 - d. Detailed information about the number of rooms in their residence and the number of people residing in the home.
 - e. Agrees they have the financial resources or will seek the resources needed to feed, clothe and care for the child, including child care.

- f. Acknowledges criminal records and child abuse history check will be completed on any adults residing in the home and to the best of their knowledge no one residing in the home has a criminal history or child abuse history that would prohibit the placement.
- g. Whether a request for concurrent relinquishment of jurisdiction is sought with a parent from whom the child was not removed.

For an Interstate case to become an expedited placement request, it must be prioritized through a judicial process. Once given priority status, the case will be given special attention in order to complete the interstate approval process within 20 business days. An interstate case obtains expedited status when a judge initiates an order which sets forth that the situation the child is in **meets the forementioned criteria for expedited status.** The local Department of Social Services must submit the Case Manager Statement of Interest (DSS-1840) to the court along with a statement that based upon the information currently known to them, there is no reason why the child cannot be placed with the potential resource when requesting an Order of Compliance (DSS-1839): <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1839-ia.pdf>.

All court orders for requests for expedited placement decisions from the sending court must be consistent with the Case Manager Statement of Interest (DSS-1840) stating the aforementioned information as well as the Order for Compliance (DSS-1839) must accompany the Complete Interstate packet to the NC Interstate Services office.

Since the purpose of Regulation 7 is to reduce the time a child has to wait for the approval of an interstate placement, when a priority placement request is initiated, the court and each local and state agency involved agree to follow specific timeframes. Unless otherwise required or allowed by this regulation, all transmittals of documents and other materials should be by overnight, express mail. Following are the specific requirements, including the timeframes and the procedures to follow for Regulation 7.

1. Court Action-2 Business Days Timeframe: The court initiates the Expedited Placement Request upon request or on its own motion, through the making and signing of an order consistent with the Order of Compliance. Within two business days, the court must send the Order of Compliance to the Local Department of Social Services. The court order must include the name, address, telephone number and fax number of the judge and the court.
2. Sending Agency-3 Business Days Timeframe: Within three business days, the Local Department of Social Services, in addition to the components of a complete referral packet for routine ICPC cases, transmits the signed Order of Compliance (DSS-1839), The Statement of Interest Form (DSS-1840) requesting an Expedited Home Study Request (DSS-5252): <http://info.dhhs.state.nc.us/olm/forms/dss/dss-5252.pdf> to the

- sending state ICPC. The agency needs to indicate on the outside of the package the **Expedited** status of the request for placement.
3. Sending State ICPC-2 Business Days Timeframe: Within a time not to exceed two business days after receipt of the **Expedited** Placement Request, the North Carolina Interstate Office transmits, by overnight express mail, the completed **Expedited** Home Study Request form and accompanying documentation to the Receiving State ICPC, indicating on the outside of the package the **Expedited** status of the request for placement.
 4. Receiving State ICPC-20 Business Days Timeframe: A timeframe of 20 business days has been designated for the Receiving State and the local agency in the Receiving State to determine if the prospective placement resource will be approved. During this length of time, the following activities need to be completed:
 - (a) Day 1: the state ICPC sets up the **Expedited** Placement Request in Records Management and the state ICPC consultant reviews the case for thoroughness and completeness,
 - (b) Day 2: the state ICPC consultant sends the case to the county Department of Social Services via overnight express mail and documents same in the file, and,
 - (c) Day of Receipt to Day **15 or earlier**: the county Department of Social Services completes the **Expedited** Home Study Form 102 (DSS-5253: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-5253.pdf>), including a recommendation statement, and transmits the results via overnight express mail to the State ICPC office. If there are time constraints, the DSS staff may call the state ICPC office and orally provide a report of the findings of the **Expedited** Home Study, or the results may be faxed to the state ICPC office, and,
 - (d) Day 20 or **earlier**: the Receiving State ICPC office sends by fax the completed/approved ICPC-100A (DSS-1837: <http://info.dhhs.state.nc.us/olm/forms/dss/dss-1837-ia.pdf>) to the Sending State ICPC, along with the completed Priority Home Study form.

EXCEPTIONS: There are 4 possible exceptions to the timelines and procedures. These exceptions are as follows:

- (1) If within two working days of receipt of the ICPC Priority Placement Request, the Sending State ICPC office determines that the documentation is substantially insufficient, specifies that additional information is needed, and requests the additional documentation from the local sending agency. The request for additional information is required to be made by FAX or by telephone, if FAX is not available, or
 - (2) If within two working days of receipt of the ICPC Priority Placement Request, the Receiving State ICPC office notifies the Sending State ICPC office that further information is necessary. The notice needs to specifically detail the information needed. In this case, the 20 business days for the Receiving State ICPC office (and local agency) to complete the Priority Home Study will be calculated from the date of the receipt by the Receiving State ICPC of the information requested.
 - (3) Modification to the time periods in Regulation #7 may be made with a written agreement between the court which made the order, the sending agency, the Sending State ICPC office and the Receiving State ICPC office.
 - (4) If the Receiving State ICPC office finds that extraordinary circumstances make it impossible for it and the local agency to comply with the time requirements set forth in Regulation # 7, an exception to compliance is allowed IF within two business days the Receiving State ICPC office, upon ascertaining inability to comply, notifies the Sending State ICPC office via FAX of the reasons for non-compliance AND informs the Sending State ICPC office of the date that the Expedited Home Study will be completed.
8. Final approval of the placement will be given as soon as practicable but no later than 180 days from the receipt of the initial home study request. This is meant to provide adequate time to meet state requirements applicable to foster or adoption home studies (i.e. licensing). Should a state not be able to comply with the timeframes set in regulation, they must notify the Sending State through the Interstate Offices of the reason it cannot be completed and the timeframe for completing the request. An agreement made between all parties must be made or an alternative plan developed.

9. If the Receiving State fails to complete the expedited placement request in the required timeframes, it will be deemed to be out of compliance. The Sending State court that sought the Provisional Placement and Expedited Placement decision may inform the court in the Receiving State and request assistance in compliance. The Sending State court should provide the court in the Receiving State with copies of relevant documentation and court orders entered in the case and request assistance. Within Receiving court's jurisdiction and authority, the court may hold hearings, take evidence and make appropriate orders for the purpose of obtaining compliance with the Compact and its regulations.