

# **Interstate Compact on the Placement of Children Statement**

Established in 1960, the Interstate Compact for the Placement of Children (ICPC) is the only public law in existence to ensure that children placed across state lines for foster care or adoption are placed with persons who are safe, suitable and able to provide proper care. It also fixes financial and legal responsibility and responsibility for supervision and the provision of services for the child. The compact was written before the interstate highway system, before the development of administrative law, and before the computer literally revolutionized the way we live.

Concerns about the timeliness of the ICPC process and its “overly broad” application coupled with an outdated administrative process and lack of accountability have given rise to great dissatisfaction with the ICPC from the states, outside stakeholders and Congress. In addition, as geographic boundaries are blurred by the Internet and interstate placements become a significant part of states efforts to find permanency for children, the importance of a sound legal framework for interstate placements is more critical. Finally, with the clear potential of federal legislation governing interstate placements of children, it has become critical for the states to work together and develop a sound compact as an alternative.

This new ICPC addresses the deficiencies documented in the current compact system. It narrows the types of placements covered; provides clarity regarding issues of jurisdiction and financial responsibility; provides due process for states and parties impacted by a receiving state’s decision; and a process for the development of rules that complies with the principles of the Model State Administrative Procedures Act. The revisions also provide for meaningful enforcement through a wide range of tools for the collective member states of the Interstate Commission to secure compliance including technical assistance, mediation, arbitration, and legal action. The new ICPC will allow states to preserve their sovereign authority over the interstate placement of children.

The new compact was released (April 2006) to states for legislative consideration and The Council of State Governments (CSG) adopted a policy resolution endorsing the compact and urging state adoption at its 2006 Spring Meeting.

For more information about this compact, please visit [www.csg.org](http://www.csg.org), keyword: interstate compacts or contact John Mountjoy at (859) 244-8256 or [jmountjoy@csg.org](mailto:jmountjoy@csg.org).