

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address):		FOR COURT USE ONLY
TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):		
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CASE NAME:		
<b>EXPEDITED PLACEMENT UNDER THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN: FINDINGS AND ORDERS</b>		

1. This matter came before the court for the issuance of an order for an expedited placement decision under Regulation No. 7 of the Interstate Compact on the Placement of Children (ICPC) on
 

a. Hearing Date:	Time:	Dept.:
b. Judicial Officer:		
c. Court Telephone No.:		
d. Court Fax No.:		
e. Court E-mail:		
2. Child's name:  
Child's date of birth:
3. The court has read and considered and admits into evidence
  - a.  Signed statement of interest from the potential placement or statement from the social worker regarding the appropriateness of the potential placement, as required by Regulation No. 7, section 7(a) (*statement date*):
  - b.  Statement from the child welfare agency that it is unaware of any fact that would prohibit the child from being placed with the potential placement and that it has completed, and is prepared to send, all required paperwork to the county ICPC Liaison, as required by Regulation No. 7, section 7(b) (*statement date*):
  - c.  Report of social worker, dated:
  - d.  Report of CASA volunteer, dated:
  - e.  Case plan, dated:
  - f.  Other:

**BASED ON THE EVIDENCE LISTED ABOVE AND ALL OTHER EVIDENCE BEFORE THE COURT, THE COURT FINDS AND ORDERS**

4. These findings are made by a preponderance of the evidence.
5. The child for whom out-of-state placement is sought is the child named in item 2. The child is a dependent child within the jurisdiction of this court, based on a petition filed by the child welfare agency. The child does not currently live in the home of the parent or guardian from whom the child was removed.
6. The court has the authority to determine custody and placement of the child or has delegated that authority to the child welfare agency.
7. Sections 5, 6, and 7 of Regulation No. 7 of the ICPC apply to the child.

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8. The proposed placement for the child in the receiving state is the home of the child's

- a.  Stepparent d.  Grandparent
- b.  Adult brother or sister e.  Adult uncle or aunt
- c.  Guardian f.  Other (*specify*):

Proposed placement (*name*):

Located at (*address*):

9. Based on the facts stated in the record, the court finds that the child meets the following expedited placement criteria  
(check one or more):

- a.  Unexpected dependency due to one of the following:
    - (1)  Sudden or recent incarceration of a parent or guardian;
    - (2)  Incapacitation of a parent or guardian, defined as a parent or guardian who is unable to care for the child because of the parent's or guardian's unexpected medical, mental, or physical condition; or
    - (3)  Death of a parent or guardian.
  - b.  The child is 4 years of age or younger.
  - c.  The child is part of a group of siblings who will be placed together, where one or more of the child's siblings is 4 years of age or younger (*names and dates of birth of siblings 4 years of age or younger*):
  - d.  The child has a substantial relationship with the person named as the proposed placement in item 8., above. (Substantial relationship means the person has spent more than cursory time with the child, is known to the child, and has established more than a minimal bond with the child.)
  - e.  One or more of the child's siblings in the sibling group sought to be placed has a substantial relationship with the person named as the proposed placement in item 8., above (*name of sibling or siblings*):
  - f.  The child is currently in an emergency placement.
10. The child welfare agency has provided the court with one of the following documents, as required by Regulation No. 7, section 7(a):
- a.  A signed statement of interest from the person named as the proposed placement in item 8., confirming that he or she meets each of the Regulation No. 7, section 7(a), requirements; or
  - b.  A signed statement from the assigned California social worker stating that the social worker spoke to the person named as the proposed placement in item 8. and that the person confirmed that he or she meets each of the Regulation No. 7, section 7(a), requirements.
11. The child welfare agency has completed and is prepared to send all required paperwork to the county ICPC Liaison, including the statement regarding the proposed placement and forms ICPC-100A and ICPC-101.

#### **Child Welfare Agency Orders**

- 12. The child welfare agency is ordered to be the sending agency in this matter and directed to complete, execute, and file all necessary forms and carry out all obligations and responsibilities as the sending agency under the ICPC.
- 13. The child welfare agency is ordered to send to the county ICPC Liaison in the sending jurisdiction, within three business days of receipt of this order, completed forms ICPC-100A and ICPC-101, a copy of this order, and, if not already sent, all documentation required for compliance with Regulation No. 7 and any supporting documentation under ICPC article 3. The county ICPC Liaison is ordered to forward all documents to the receiving state's compact administrator within two business days.
- 14. The child welfare agency is ordered to request a comprehensive home study of the potential placement resource in the receiving state and an expedited placement decision.

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15. The child welfare agency is ordered to take whatever additional steps are necessary, including follow-up contacts, to ensure that the process is completed in a timely manner so as to protect the best interests of the child.
16. The child welfare agency is ordered to inform this court promptly and regularly of the progress and results of this order. This includes informing this court as soon as possible on learning that the home study has not been completed and sent to California by the receiving state within 20 business days after receipt of the completed documentation, as required by Regulation No. 7, section 9(h).

#### **Provisional Placement Request**

17. The child welfare agency
  - a.  is ordered, based on the facts stated in the record
  - b.  is not ordered
 to request approval for a provisional placement of the child in the receiving state while the home study and expedited placement decision are pending, under Regulation No. 7, section 6.
18. If the receiving state approves a request for provisional placement, the child welfare agency is ordered to request that the matter be placed on the court calendar as soon as possible, but no later than 10 court days after receipt of the approval from the receiving state, in order for the court to determine if the provisional placement is in the best interests of the child.
19. If the receiving state denies a request for provisional placement, the child must remain in California until the expedited placement decision process is completed.

#### **Designated Individuals for Sending and Receiving Information**

20. The court designates the following court employee, or his or her designee, to send to the child welfare agency—via e-mail, fax, or overnight mail—copies of this and other orders needed to comply with ICPC Regulation No. 7 within two business days of their entry:
 

a. Name:	Title:
b. Mailing Address:	
c. E-mail:	
d. Telephone No.:	
e. Fax No.:	
21. The California child welfare agency employee designated to receive communications regarding the progress of the ICPC process in this matter is the following person or his or her designee:
 

a. Name:	<input type="checkbox"/> Local ICPC Liaison <input type="checkbox"/> Other title (specify): _____
b. Mailing Address:	
c. E-mail:	
d. Telephone No.:	
e. Fax No.:	

#### **Further Proceedings**

22. When the expedited placement decision process has been completed by the receiving state, and the California child welfare agency has received the written notification of approval from the receiving state, the California child welfare agency
  - a.  must proceed to place the child with the proposed placement in the receiving state; or
  - b.  is ordered to request that the matter be placed on calendar for further hearing, before sending the child to the proposed placement; or
  - c.  other (specify): \_\_\_\_\_

23. Hearing for  progress report     further disposition     other (specify): \_\_\_\_\_  
is set for (date): \_\_\_\_\_ at (time): \_\_\_\_\_ a.m.     p.m. in department: \_\_\_\_\_

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**24. The court makes these additional findings and orders under the ICPC and Regulation No. 7:**

- a. This court has jurisdiction over the child under articles 2, 3, and 5(a) of the ICPC to invoke the ICPC for the purpose of requesting one or more home study assessments and expedited placement decisions on potential resource families living in one or more receiving states.
- b. Under ICPC article 3(d), this court may place, or authorize the child welfare agency to place, the child in an approved placement in a receiving state, including a provisional placement as authorized by Regulation No. 7 of the ICPC, only after receipt of written notification from the receiving state that the proposed placement does not appear to be contrary to the interests of the child.
- c. If the child is placed in an approved placement in the receiving state, this court will retain jurisdiction over the child (under ICPC article 5(a)) sufficient to determine all matters related to the custody, supervision, care, and disposition of the child that it would have had if the child had remained in California. This court will not terminate jurisdiction over the child or terminate the supervisory responsibility of the child welfare agency having custody of the child during the period of placement in the receiving state until the child is adopted, reaches the age of majority, becomes self-supporting, or is discharged with concurrence of the appropriate authority in the receiving state.
- d. Under article 5(a) of the ICPC, the sending agency will continue to assume financial responsibility for the support and maintenance of the child during the period of the placement in the receiving state.
- e. This court expressly finds that its jurisdiction over the child includes the power to effect the return of the child to California or transfer of the child to another location or custodian within five business days of receipt of written notification from the receiving state's Compact Administrator that placement will not be approved or that previous placement approval has been withdrawn by the receiving state. In these circumstances, this court order provides sufficient authority and direction for the sending agency to immediately return the child to California.
- f. Within two business days after receipt of a complete Regulation No. 7 request, the county ICPC Liaison must transmit the request for the home study assessment and for any provisional placement to the receiving state Compact Administrator. The request must include a copy of this order. If the county ICPC Liaison finds that the ICPC documentation is incomplete or insufficient, it must request the necessary information from the local sending agency.
- g. If a provisional placement is requested by California, the receiving state must make a determination to approve or deny the request within seven calendar days of receipt of the request packet. The provisional approval or denial must be communicated in writing by the receiving state's Compact Administrator to the California sending agency through expedited means.
- h. If the child is sent, or allowed to go, to a provisional placement in a receiving state, this court finds that any such placement must be in compliance with ICPC Regulation No. 7, of which this court takes judicial notice, including its purpose in defining and regulating a provisional placement under the ICPC.
- i. The person designated in item 21 to receive communication must maintain contact with the California sending agency to assist this court in determining the status of the ICPC process and must submit a status report in writing to the court, the parties, and their counsel no later than seven days before any scheduled court hearing and also provide updates closer to the hearing date should new developments merit attention. The California sending agency must cooperate with and work with the above-designated person and provide information and assistance regarding the progress of the ICPC process for the child.
- j. The transmission of any documentation, request for information, or decision must be sent by overnight mail, by fax, or as an e-mail attachment, if approved by the receiving state, or by such other equally expedient method as may become available.

Date:

\_\_\_\_\_  
JUDICIAL OFFICER