

TN

Department of
Children's Services



Interstate Compact on the Placement of Children Procedures Manual-Independent and Private Agency Placement Guide Book

Tennessee Department of Children's Services | Office of Juvenile Justice | September 2017



Introduction

The Interstate Compact on the Placement of Children Procedures Manual- Independent and Private Agency Adoptive Placement Guidebook was developed:

- ◆ **To promote uniformity in practice and procedure pursuant to the Interstate Compact on the Placement of Children, TCA 37-4-201-207; and,**
- ◆ **Provide guidance to birthparents, licensed child placing agencies, licensed clinical social workers, attorneys, courts and other participating in the interstate process of placing a child as a preliminary to an adoption or for fostering.**

This Guidebook was developed in collaboration with representatives from the West TN Adoption Council, Middle Tennessee Inter-agency Adoption Council, attorneys, TN Department of Children's Services Licensing Division and the Tennessee Department of Children's Services, Office of the Interstate Compact on the Placement of Children.

Special thanks is extended to Lisa Collins, Esquire, American Academy of Adoption Attorneys, Debbie Robinson, Adoption Director, Miriam's Promise, Donna Thomas, Adoption Director, Catholic Charities and Bob Tuke, Esquire, American Academy of Adoption Attorneys for their collaboration in review of drafts of this Guidebook as well as the DCS Licensing Division, Mark Anderson, Director.

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MANUAL: COMPLIANCE WITH THE INTERSTATE COMPACT ON THE PLACEMENT OF CHILDREN FOR AN INDEPENDENT OR PRIVATE AGENCY ADOPTIVE PLACEMENT TCA 37-4-201 et seq.

Overview of the Interstate Compact on the Placement of Children

The Interstate Compact on the Placement of Children (ICPC) is a uniform language law that has been enacted by all 50 states, the District of Columbia and the U.S. Virgin Islands. Per **Article I** of the statute, each party state commits to cooperate with each other in the interstate placement of children.

Each party state is charged to develop policies and procedures which provide compliance with the ICPC statutes and regulations as well as the Safe and Timely Interstate placement of Children in Foster Care Act of 2006 (P.L. 109-239) and other federal /state child-welfare laws/regulations.

Compliance with the ICPC ensures protection and services to children and the parties involved in the placement of the child across state lines with parents, relatives, kin or foster resource or as a preliminary to an adoption or for temporary placement into a Residential Treatment Facility /Institution between party states. Unless otherwise authorized, compliance with the ICPC is required for these identified placements of a child or children into another party state of jurisdiction.

What the Compact Does:

The Compact establishes orderly procedures for the interstate placement of children between party states and fixes responsibility for those involved in placing the child, providing safeguards for both the child and the parties involved in the child's placement. The ICPC contains 10 Articles. Each Article defines a specific function of the law including identifying the types of placements and placers subject to the law; the procedures to be followed in making an interstate placement; and the specific protections, services, and requirements brought by enactment of the law in the party states.

The Compact is enhanced by 12 Regulations which are promulgated by officers of the party states or jurisdictions to more effectively carry out the terms and provisions of this compact.

Who Must Use the Compact?

Article II (b) of the ICPC defines who must use the Compact when an entity in one party state "sends, brings, or causes a child to be brought or sent" into another party state. These agencies, courts, persons, and other entities are called "the sending agency or agent (person)" and are defined as:

- a) A state party to the Compact, or any officer or employee of a party state.
- b) A subdivision of a party state, such as a county or a city, or any officer or employee, of the subdivision.
- c) A court of a party state.
- d) Any person (including parents and relatives in some instances), corporation, association, charitable agency or other entity which sends, brings, or causes to be sent or brought any child to another party state.

Types of Placements Covered:

Articles II (d), III and VI of the ICPC identify the four types of placements of children which are subject to compliance:

- a) Placement preliminary to an adoption.
- b) Placements into foster care, including foster homes, group homes, residential treatment facilities and institutions.
- c) Placements with parents and relatives/kin when a parent or relative is not making the placement.
- d) Placements of adjudicated delinquents in institutions in other states.

Not all placements of children into other party states are subject to compliance with the Compact. Refer to **Exceptions/Limitations to Compact Compliance**

Exceptions/Limitations to Compact Compliance:

- a) **Placements:** Compact compliance is not required for:
 - 1. Placement made into a medical or psychiatric hospital or facility; or institutions for the mentally retarded or mentally ill or boarding schools, or "any institution primarily educational in character." (**Article II(d)**); or
 - 2. Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between said states which has force of law. (**Article VIII (b)** and **Regulation. #3. 3 (e)**).

- b) **Sending Agents: Article VIII (a)** excludes from ICPC compliance the sending or bringing of a child by a parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or the child's non-agency guardian who has responsibility for the child in one party state, and leaving the child with a parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt or the child's non-agency guardian in the receiving party state. The wording of the provision is specific in that exclusion from ICPC occurs only when both the sending agent and the placement recipient belong to the enumerated classes of individuals (*i.e.*, a placement of a child made by a parent whose rights to plan for the child has not been diminished by a court action or through a custodial action and the placement is with the designated enumerated class in another State is exempt from compliance with the ICPC).
- c) **Court/Parent Placement: Regulation #2, 3 (a)** excludes from ICPC compliance the placement of a non-custodial child in the jurisdiction of the sending state court with the parent from another state from whom child was not removed wherein the Court has no evidence that the parent is unfit, does not seek any evidence from the receiving state that the parent is either fit or unfit and the court relinquishes jurisdiction over the child immediately upon placement with that parent. Under these circumstances, the receiving state has no responsibility for supervision or monitoring for the court having made the placement.
- d) **Divorce or Custodial Change:** Placements of children across state lines which result from the exclusive jurisdiction of a divorce court, or probate court or as a result of paternity proceedings are not subject to compliance with the ICPC. Specific examples include requests for a study or supervision of a parent in another state related to a change in custody between divorced parents, whether agreed upon or adversarial or a change in visitation schedule or supervision during a visitation schedule which is based on a divorce court action. Such requests should be directed to private entities licensed in the receiving state to conduct such studies; any fee affiliated is the responsibility of the contract agent. **(Regulation #3 (d)).**
- e) **Child Protective Services Investigations:** Child protective services investigations which require contacts in another state to document or report on the circumstances of a child or family or location of child or adult, identify or confirm enrollment in school, supervision or well-being check or other services does not constitute or meet the definition as a placement required under the Compact. Therefore, a child protective services investigation is not subject to compliance with the ICPC nor ICPC procedures. Contact the Child Protective Services Hotline in each State for assistance. **(Article II (d)).**
- Note:** If the inferred or stated purpose or intention of the child protective services investigation request is placement, compliance with the ICPC is required.
- f) **Courtesy Studies:** Request for courtesy study or courtesy supervision or courtesy case management services on behalf of a non-custodial child who is not under the jurisdiction of a court in a party state does not establish appropriate safety, protection and jurisdictional terms for the ICPC nor meet criteria for placement compliance under the ICPC. This includes a request for courtesy study or courtesy supervision or courtesy case management services by a sending state court on the placement of a child with a parent wherein jurisdiction was relinquished. Such requests should be directed to private entities licensed in the receiving state to conduct such courtesy studies; any fee affiliated is the responsibility of the contract agent. **(Reg. #2, 3(b)).**

Safeguards Offered by the Compact:

Articles I and V of the ICPC outlines the safeguards provided for the child and placement resource and the parties involved in the child's placement:

- a) Provides the sending agency or person the opportunity to obtain home studies and an evaluation of the proposed placement to ascertain the suitability of the environment and the appropriateness and qualifications of the proposed placement resource or institution to care for the child.
- b) Allows the prospective receiving state to ensure that the placement is not "contrary to the interests of the child" and that its applicable laws and policies have been followed before it approves the placement.
- c) Guarantees the child's legal and financial protection by fixing these responsibilities with the sending agency person.
- d) Ensures that the sending agency or person continues to have financial responsibility for support and maintenance of the child during the period of placement.
- e) Ensures that the sending agency or person established and retains jurisdiction over the child once the child moves to the receiving state sufficient to determine all matters in relation to the custody, supervision, care and disposition of the child, which it would have had if the child had remained in the sending agency's state.
- f) Provides the sending agency or person the opportunity to obtain services, supervision and regular reports on the child's adjustment and progress in the placement until the child is adopted, reaches majority, becomes self-supporting or is discharged with concurrence of the appropriate authority in the receiving state.

These safeguards are routinely available when the child, the person, or responsible agency and the placement resource are all in a single state or jurisdiction. When the placement involves two states or jurisdictions, however, these safeguards are available through compliance with the Compact.

Penalties for Illegal Placement:

Article IV of the ICPC states that "the sending, bringing, or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact, constitutes a violation of the laws respecting the placement of children of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving state. Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation constitutes full and sufficient grounds for the suspension or revocation of any license, permit, or other legal authorization held by the sending agency which empowers or allows it to place, or care, for children."

Violations involve:

- Placement of a child into a receiving state without filing of a notice of intent to place or prior to filing a notice of intent to place by a sending agent or agency or person **(Article III (a))**;
- Placement of a child into a receiving state without an appropriate report regarding the circumstances of the proposed placement or written notice from appropriate public authority in the receiving state that the proposed placement does not appear to be contrary to the interests of the child **(Article I (b) and Article III (d))**;
- Dismissal of jurisdiction prior to the child being adopted, prior to the child reaching the age of majority, prior to the child becoming self-supporting or prior to being discharged with concurrence of the appropriate authority in the receiving state **(Article V (a))**; or
- TCA sec 37-5-405 cites violation of child placement law constitutes a class "A" misdemeanor that carries a fine up to \$200 and/or imprisonment to six (6) months.
- Other Tennessee child-placing/child-caring laws applicable to violations under **Article IV** of the ICPC includes but is not limited to: TCA sec 36-1-101 to 36-1-143 Adoption; 37-5-401-406 Trafficking in Children; TCA sec 71-3-501 to 71-3-531 Programs and Services for Children; TCA sec 37-5-507 Unlicensed Placements and TCA sec 36-1-108 thru 36-1-109 Entities authorized to Place Children/Illegal Payments with Placement.

Interstate Compact on the Placement of Children (ICPC) Web References

References:

[American Public Human Services Association](#) Web site

Text for the Interstate Compact on the Placement of Children, Regulations, Standardized Forms and State Pages

[Lexis Nexus Custom Solution](#) Web site

Interstate Compact on the Placement of Children TCA sec 37-4-201-207

[The TN Department of Children's Services Interstate Compact on the Placement of Children Practice and Procedure Manual](#): DCS/Judicial/Independent and Private Agency Adoptive Placement:

Interstate Compact on the Placement of Children (ICPC) Tennessee Administration

Pursuant to **Article VII** and **ICPC Regulation #5**, the Tennessee DCS State ICPC office is responsible to process all ICPC Compact referrals and other documents associated with the ICPC and serve as a resource for inquiries into requirements for placement under the purview of the ICPC.

Tennessee Department of Children's Services Interstate Compact on the Placement of Children ICPC State Office Contact Information

The following sites will provide current contact information as well as directions for processing the ICPC referrals to the office of TN Department of Children's Services Interstate Compact on the Placement of Children.

<https://www.tn.gov/dcs/program-areas/interstate-compact/icp/dcs-interstate-compact-contact.html>

<http://www.aphsa.org/content/AAICPC/en/resources/StateInformation.html>

Procedures for Compliance with the Interstate Compact on the Placement of Children for an Independent or Private Agency Adoptive Placement / Non-Custodial Placement: ICPC Independent or Private Agency Adoptive Placement Referral

This manual provides practice and procedures which meet requirements for compliance with the Interstate Compact on the Placement of Children and supports Tennessee statutory requirements and licensing standards for placements of children preliminary to an adoption when the “sending agent” as defined under the ICPC is a birthparent or birthparents; or Non-Agency guardian(s) with right of consent; or a licensed child-placing agency who is vested with partial or complete guardianship of a child; or a Court with jurisdiction of a child and sole authority to place the child for adoption with relatives other than those described in the ICPC Article VIII.

Articles I, III and V of the ICPC and **Regulation 12** serve as the basis for the procedures for ICPC compliance for the independent or private agency foster or adoptive placement of a child into another State. These procedures include a referral process, study process, the basis for and the authority to issue a decision regarding the placement, the case-management process and closure process including permanency or disruption for each child. This manual details specific procedural application.

Compliance with the Interstate Compact on the Placement of Children, herein after referred to as ICPC, (TCA 37-4-201 et seq.) is required for placements of a child or children across State lines for the purpose of foster care or preliminary to an adoption. This includes all independent or private agency foster or adoptive placements initiated by:

- A birthparent or birthparents; or
- Non-Agency guardian(s) with right of consent; or,
- A licensed child-placing agency who is vested with partial or complete guardianship of a child; or,
- A Court with jurisdiction of a child and sole authority to place the child for adoption with relatives other than those described in the **ICPC Article VIII**.

A. Referral:

Article III (a) and (b) and Article II (d): "Prior to sending, bringing, or causing any child to be sent or brought into a receiving state for placement in foster care or preliminary to a possible adoption, or in a child-caring agency or institution, the sending agency shall furnish the appropriate public authorities in the receiving state written notice of the intent to send, bring or place the child in the receiving state."

1. Per the ICPC statute, a written notice i.e. a referral must be filed by the appropriate sending agency or person with the ICPC Sending State authority prior to any "placement" (the physical removal of a child from the sending state) into a receiving state. In addition, the "placement" of the child into the receiving state is not authorized until and unless the receiving State ICPC authority has issued a written notice on the Form ICPC 100A that the "placement is not contrary to the interests of the child."
2. During the course of planning for a child and prior to any actual physical placement of a child into a receiving party state, the sending state agent (birthparent(s), non-agency guardian(s) with right to consent; a licensed child-placing agency or a court with exclusive jurisdiction over the placement of a child) is responsible to develop and initiate an ICPC Independent or Private Agency Adoptive Placement Referral seeking compliance for the placement of the child with the identified resource.
3. The ICPC Independent or Private Agency Adoptive Placement Referral will contain the following required documentation:
 - a) **Cover Letter:** A cover letter from the sending state agent, vested with the authority to "place" a child for adoption or their designated representative, which is appropriately signed and dated. The cover letter, at a minimum:
 - Identifies all parties involved in the proposed placement arrangement including the identity and the address of birth parent(s) and/or legal parent(s) and/or legal guardian(s) and the representative (legal or otherwise) of the birthparent (s), the child and/ or the adoptive resource;
 - Addresses issues such as how and when the arrangements for the potential placement of the specified child became known to all parties and summarize the intended arrangements for the placement of the designated child with the designated resource;
 - Identifies legal procedures involved in addressing the rights of the birthparent, birthparents, legal parent or legal guardian, or alleged father;
 - Identifies the party with jurisdictional responsibility for the child, which includes authority to return of the child to the sending state if the placement disrupts prior to finalization or the finalization is not achieved as prescribed;

- Identifies the party financially responsible for the child designated in a statement by the prospective placement resource or a contractual agreement with an agency;
- Identifies the post-placement supervisory agency in the receiving state;
- Identifies the state where the adoption is finalized and clarify the time frame that “permanency through adoption” will or can be achieved;
- Verifies that all parties have been informed of compliance with the ICPC and the requirements thereto and consequences of violation of the law to the safety and legal standing of the child in each state: and,
- The entity or representative of the parent or birthparent and/or prospective adoptive parents who are assisting or making arrangements for the adoption placement on behalf of the parents or prospective adoptive parents or the child-placing agent or agency must attach verification of their current licensure to practice.

- b) **ICPC form [CS-0525, Interstate Compact Placement Request \(100A\)](#):** The ICPC form 100A “Interstate Compact Placement Request” is a required form which establishes a written notice of the intent to send, bring or place a child into the Receiving State. The ICPC form 100A is to be completed, signed and dated by the appropriate ICPC “sending state agent” who has the authority to place the child.

The ICPC Form 100A contains:

- The name, and date of birth of the child;
- The identity of the birthparent(s) or legal parents or legal guardian(s) or private licensed agency or the court (sending agent);
- The name and address of the person, agency or institution to or with which the sending agent proposes to send, bring or place the child (receiving entity); and
- Establishes the circumstances of the proposed placement.

- c) **Background Forms:** Background forms (s) are defined as social and medical history appropriately completed by or on both birthparents. If these forms are completed by other than the birthparent(s), the interviewer/reporter must be identified and attach verification as to their licensure to practice.

Note: *The Social-Medical History on the Birthparent filed as part of the TN surrender process is the required background forms; otherwise the social and medical history document may be one that is universal and acceptable for use by either the sending agency or the receiving agency.*

- d) **Surrender/Termination/Consent/Relinquishment/Waiver Documents:** All documents, which address the rights of birthparents, any legal parent or guardian who maintains right of consent or any alleged father. These documents include surrenders, terminations, consents, relinquishments, or

waivers as well as documentation of and/or results of orders of publication or putative father registry on alleged fathers conducted in accordance to appropriate law of the sending state or if requested, by the receiving state (presumed to be the state of finalization), in accordance with the laws of the receiving state. If a parent is permitted and elects to follow the laws of a state other than his or her state of residence to address his or her rights to the child, then he or she should specifically waive, in writing, the laws of his or her state of residence and acknowledge that he or she has a right to sign a surrender/termination/consent/relinquishment/waiver under the laws of his or her state of residence and is informed as to the process and procedure and legal consequences of the election to surrender/terminate/consent/relinquish/waiver pursuant to the laws of the receiving state.

- e) **Certification:** Certification by a licensed attorney or authorized agent of a private adoption agency or independent entity that the surrender/termination/consent/relinquishment/waiver is in compliance with the applicable laws of the sending state, or where elected or requested, the laws of the receiving state.
- f) **Custodial Status of Child:** All documents which establish the child or children's legal custodial status. Persons, corporations, agencies or other entities who are issued partial or complete guardianship or temporary custody by an appropriate authority must document verification of current licensure and must address their ability to make a foster or adoptive placement.

*Pursuant to TCA 36-1-111 (r) (2) and TCA 36-1-111 (r) (6) (C) neither the Tennessee surrender nor the parental consent itself is sufficient to vest custodial or guardianship authority with the licensed child-placing agency or the prospective adoptive parents. Upon satisfactory completion of the necessary requirements and execution of the Surrender or parental consent by the licensed child-placing agency or the prospective adoptive parents, the court may enter an Order of Guardianship or Partial Guardianship to the licensed child-placing agency or the prospective adoptive parents. The Court where the surrender or parental consent and the Order of Guardianship or Partial Guardianship is executed or filed will maintain jurisdiction of all matters pertaining to the child pursuant to TCA and **Article V (a)** of the ICPC.*

- g) **ICPC Compliance Statement:** Documentation of compliance with the Interstate Compact on the Placement of Children which includes documentation of retention of jurisdiction by the sending state agent pursuant to **Article V (a)** of the ICPC.

Note: *The Tennessee Surrender incorporates a Statement of Compliance with the ICPC.*

- h) **ICWA Compliance Statement:** Documentation of compliance with the Indian child Welfare Act, 25 U.S.C.1901 et seq.

Note: *The Tennessee Surrender incorporates a Statement of Compliance with the ICWA.*

i) **Documentation of the Physical/Medical/Psychological Status of the Child:** This documentation includes but is not limited to;

- The birth medical or discharge summary on the child;
- Current pediatric or medical reports on the child including immunization records;
- Current medical and/or psychological treatment records; and
- Current prescription records.

Note: All documents must be validated or authorized by the appropriate treating physician or medical authority preferably on professional letterhead or form. For older children, this documentation may include school records and summary issued by the current caregiver.

j) **Certification of Social or Legal Counseling:** Certification documents of any social or legal counseling for the birthparents. Attach a copy of or verification of current license to practice.

Note: *The Tennessee Surrender incorporates a statement of compliance for social or legal counseling. If provided, the counseling services are to be documented as part of the referral on forms [CS-0643, Certification of Completion of Legal Counseling Related to Adoption Placement Decision for Parents](#) and [CS-0941, Certification of Completion of Social Counseling Related to Adoption Placement Decision by Parents](#).*

k) **Affidavit Regarding the Physical Custody:** Affidavit regarding the physical custody of the child prior to surrender or consent and/or after surrenders or consent.

Note: *The Tennessee Surrender incorporates a statement of compliance regarding the physical custodial status of the child at the time of the surrender.*

l) **Affidavit of Fees:** Affidavit of fees encumbered related to the placement.

Note: *The Tennessee Surrender form incorporates a testimonial statement regarding fees as validated by the birthparent(s) and the prospective adoptive parents.*

m) **At-Risk Statement:** Affidavit of an “at-risk” placement acknowledging such situations as non-termination of parental rights, revocation periods, unique medical, ICWA concerns or other situations, signed by the prospective adoptive resource.

n) **Home Study:** The current home study or updated study or preliminary study or pre-placement report on the prospective adoptive resource which is child-specific and conducted in accordance to the appropriate law of the receiving state, including:

- Verification of compliance with federal and state background clearances;
- FBI fingerprinting and Child Abuse/Neglect clearances; and
- Sex Offender Registry clearance as appropriate to the law of the receiving state. A copy of the current licensure of the home study preparer or agency licensure is to be included.

Note: *TCA 36-1-111 (a) (1) and (t) (1-2) advises the Tennessee prospective adoptive parent may request a licensed child-placing agency, a licensed clinical social worker or if indigent under federal poverty guidelines, the Department of Children's services to conduct a home study or preliminary home study for use in the ICPC proceedings or the court, through an order of reference may direct that a home study of the Tennessee prospective adoptive parent be conducted by a licensed child-placing agency or a licensed clinical social worker unless the prospective adoptive parents are indigent under current federal guidelines, in which case the order shall be directed to the Tennessee Department of Children's Services.*

o) **Post-Placement Supervision:** A written statement on letterhead from the licensed person or licensed agency in the receiving state that is providing post-placement supervision (may be included in an adoption study acknowledging the obligation to provide post-placement supervision; same licensed person or agency as cited on [CS-0525, Interstate Compact Placement Request \(100A\)](#)).

p) **Other Documentation:** Other documentation that may be required by the Receiving State policy.

B. Processing:

Pursuant to **Article VII** and **ICPC Regulation #5**, the TN DCS State ICPC office is responsible to process all ICPC Compact referrals and other documents associated with the ICPC and serve as a resource for inquiries into requirements for placement compliance under the purview of the ICPC.

1. The ICPC Independent or Private Agency Adoptive Placement Referral packet is to be submitted by the sending state agent to the Sending State ICPC office in a secure and expeditious manner according to agreed- upon specifics such as the number of packets, originals/copies and mode of distribution i.e. courier or other delivery or mail or Overnight or Certified mail or scanned/e-mailed or fax.

Note: *TN ICPC State Office requires 2 (2) completed copies of the ICPC Independent or Private Agency Adoptive Placement Referral containing all forms and documentation and attachments listed in #2 above to be submitted to the TN ICPC State Office by courier or secure hand-delivery or US mail or Overnight or Certified Mail. TN ICPC State Office does not accept an ICPC Independent or Private Agency Adoptive Placement Referral packet by Scan/E-mail or fax.*

2. The ICPC Independent or Private Agency Adoptive Placement Referral is reviewed for required information and documents by the Sending State ICPC Administrator who is responsible to notify the sending state agency or person or their representative in writing of additional documentation or information needed.

Note: *The TN ICPC Administrator/Alternate will review the referral packet for required documents and information within 3 business days of receipt of the referral packets. If the packet is incomplete, the TN ICPC Administrator/Alternate will notify the TN sending state agent or agency or their representative in writing of additional documentation or information needed and the mode of transmission which may be used to submit those documents to the TN ICPC State Office. With permission from the TN ICPC Administrator/Alternate, limited additional documents may be faxed or scanned/e-mailed to assist in the timely filing of the Referral. The additional documentation or information needed must be submitted/received within 10 business days of notice or the ICPC Independent or Private Agency Adoptive Placement Referral is closed as incomplete and destroyed. The TN ICPC Administrator/Alternate will enter the referral as an intake/case in the Tennessee Family and Children Tracking System (TFACTS). The TN ICPC Administrator/Alternate maintains a duplicate paper file with copies of all ICPC documents per each child involved in an active ICPC transaction.*

3. The ICPC Independent or Private Agency Adoptive Placement Referral which includes all requirements, supporting documentation and attachments are submitted to the Receiving State ICPC Office by the Sending State ICPC Office in the most expeditious manner as agreed to between the two state ICPC offices.

Note: *The TN ICPC Administrator/Alternate will review the referral packet for required documents and information within 3 business days of receipt of the referral packet or receipt of the additional information requested. TN ICPC State Office will process a complete ICPC referral packet to the Receiving State ICPC Office within that 3 business day period by the most expeditious means agreed to between the States. TN ICPC Office processing is limited to US Mail or if agreed to, scan or e-mail. If the TN sending agency or representative desires processing to be by Overnight Mail, the referral*

packet will need to contain a label and appropriate size envelope and business or charge account # for use by the TN ICPC State Office

C. Study

“Article I (b) the appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.”

1. The Receiving State ICPC Office has the responsibility to review the ICPC Independent or Private Agency Adoptive Placement Referral upon receipt to determine whether additional documents or information is required per law in the Receiving State. This review includes the responsibility to confirm the validity of the home study preparer/agency as a licensed entity in the Receiving State; to confirm that the study itself meets all standards as required and that the agency or entity identified in the Receiving state to conduct post-placement supervision is a valid agency to perform those duties. If additional documents or information is needed or if the home study preparer/agency or the study itself or the supervisory agency does not meet standards as required in the Receiving State, the Receiving State ICPC office is responsible to notify all parties of the circumstances and the corrective actions needed. The Receiving State ICPC office is also responsible to suspend the issuance of any decision regarding placement until the corrective action has been satisfied.
2. All studies or assessment reports conducted on the proposed resource in the Receiving State are conducted by authorized public or private agency in the receiving state in accordance to applicable Federal and State laws and policy and licensing standards of the Receiving State. Pursuant to the ICPC, the study or assessment report on the proposed resource in the Receiving State is used to determine the safety and appropriateness of that proposed resource for the placement of the specific child or children designated in the ICPC Independent or Private Agency Adoptive Placement Referral.

Note: *The home study or pre-placement study of a prospective TN resource for a proposed ICPC independent or private agency adoptive placement of a child from another State is conducted by a TN licensed child-placing agency or a TN licensed clinical social worker and conforms to the rules and standards established under DCS Licensing Standards (T.C.A sec. 71-3-501-71-3-531. Violations 37-5-507 and 36-1-108 thru 36-1-109; 36-1-111; 36-1-116) unless the resource can document indigence, where upon the TN Department of Children's Services, the public agency may be issued an order of reference by a TN court to conduct a study for a non-custodial child.*

D. Decision

“Article III (d) The appropriate public authorities in the receiving state shall notify the sending agency in writing to the effect that the proposed placement does not appear contrary to the interest of the child”.

1. The Receiving State ICPC Office is vested with the authority to determine a decision regarding placement of a child into their State under the ICPC. Upon receipt of the completed home study or resource assessment, the Receiving State ICPC Office determines from the home study or resource assessment “that the proposed placement does not appear contrary to the interest of the child” and record in writing a decision approving or denying the placement of the specific child with the specific resource on form [CS-0525, Interstate Compact Placement Request \(100A\)](#), Section IV –Action by Receiving State Pursuant to **Article III(d)** of the ICPC.
2. The Receiving State ICPC Office submits [CS-0525, Interstate Compact Placement Request \(100A\)](#), and the home study or resource assessment to the Sending State ICPC Office in the most expeditious manner as agreed to between the two state ICPC offices.

E. Placement

“Article III (d) the child shall not be sent, brought or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state shall notify the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.”

1. Upon confirmation of written decision on the ICPC 100A by the appropriate ICPC authority in the receiving State, the Sending State ICPC Office will notify their parties and transmit the hard copies of [CS-0525, Interstate Compact Placement Request \(100A\)](#) confirming the decision by the most expeditious manner.

Note: *The TN ICPC Administrator/Alternate will confirm the written decision on the ICPC 100A verbally to the TN sending state agent, agency or representative; following up with a fax or scanned/email as necessary. In addition, a hard copy is provided for documentation purposes if needed.*

2. If the placement is denied by the Receiving State ICPC, no placement is authorized. The child remains in the jurisdiction of the Sending State/Sending agency. The ICPC record is closed.

3. A placement which is approved is valid for a period of 6 months from the date of signature on the ICPC 100A by the Receiving State ICPC Administrator.
4. The Sending State agent or agency or representative is responsible to make arrangements for the child to be physically placed into the receiving State with the appropriate resource and assuring that all necessary documents are available to the resource for that placement. The Sending State agent or agency or representative is to complete and submit form, [CS-0523, Interstate Compact on the Placement of Children Report on Child's Placement Status](#) to the Sending State ICPC office simultaneous with the placement or within 30 days of the placement in order to secure supervision.
5. As cited in **Article V**. Retention of Jurisdiction, and as confirmed by the sending agent, or agency or representative pursuant to the Sending State's law, the Sending State retains jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care and disposition of the child which it would have had if the child remained in the sending agency's state, until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction also includes the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agent or agency continues to have financial responsibility for support and maintenance of the child during the period of placement as appropriate under the Sending State laws. Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA) may be applicable along with the ICPC regarding jurisdiction.

F. Supervision

1. Compliance with the ICPC requires filing of an ICPC form [CS-0523, Interstate Compact on the Placement of Children Report on Child's Placement Status \(100 B\)](#) to denote the date the child was physically removed from the sending state as well as to identify the designated resource and location of the child in the receiving State and instigates the post-placement supervision by the identified agency in the Receiving State.
2. An ICPC form [CS-0523, Interstate Compact on the Placement of Children Report on Child's Placement Status \(100 B\)](#) is filed with the respective State ICPC offices during the interim if the placement status or location status of the child changes.
3. During the interim between placement and up through permanency (finalization of adoption), ICPC placements are subject to periodic supervision and written progress reports by the identified post-placement agency in the Receiving State. The content and the frequency of the progress reports are dictated in arrangements made between and among parties and are dictated by the requirements of

the Receiving state or the State of finalization. These progress reports are to be transmitted in a timely fashion through and between the Sending and Receiving State ICPC Offices.

G. Closure

1. The ICPC form [CS-0523, Interstate Compact on the Placement of Children Report on Child's Placement Status \(100 B\)](#) is filed along with a copy of the Court Order of Adoption by the authorities in the Receiving State or State of Finalization. These documents must be available to both the Sending State ICPC Office and the Receiving State ICPC Office in a timely manner. These documents denote the achievement of permanency for the child through adoption. Upon receipt of such documents, the ICPC record in both States is closed to further services under the Compact.

Note: *The TN ICPC Administrator/Alternate will close the ICPC instance or case in the TFACTS system and depending upon the circumstances of the record, the ICPC working record is submitted to the TN DCS State Office Adoption Unit for registration or is destroyed through shredding.*

H. Disruption of a Tennessee Child Placed in Another State

Upon notice of the disruption of a Tennessee child's private or independent adoptive placement into another State by the Receiving State ICPC office, Tennessee State ICPC office will immediately determine and advise the Tennessee sending agent or agency or court who may retain jurisdiction over the child of the circumstances of the disruption. Tennessee State ICPC office will coordinate the designated course of action with the Tennessee sending agent or agency or court of jurisdiction and the Receiving State ICPC office. Per ICPC Regulations, the Tennessee sending agent or agency or Court of jurisdiction has 5 days to negotiate a return of the child to the jurisdiction of the State of Tennessee unless an alternate plan is agreed to or established between the Tennessee court and the placement party in the Receiving State.

Appendix A

Interstate Compact on the Placement of Children

Tenn. Code Ann. § 37-4-201

TENNESSEE CODE ANNOTATED
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*** Current through the 2012 Regular Session ***

Title 37 Juveniles
Chapter 4 Interstate Compacts
Part 2 Interstate Compact on the Placement of Children

37-4-201. Text of Compact.

The Interstate Compact on the Placement of Children is hereby enacted into law and entered into with all other jurisdictions legally joining therein in form substantially as follows:

Article I. Purpose and Policy.

It is the purpose and policy of the party states to cooperate with each other in the interstate placement of children to the end that:

(a) Each child requiring placement receives the maximum opportunity to be placed in a suitable environment and with persons or institutions having appropriate qualifications and facilities to provide a necessary and

desirable degree and type of care.

(b) The appropriate authorities in a state where a child is to be placed may have full opportunity to ascertain the circumstances of the proposed placement, thereby promoting full compliance with applicable requirements for the protection of the child.

(c) The proper authorities of the state from which the placement is made may obtain the most complete information on the basis of which to evaluate a projected placement before it is made.

(d) Appropriate jurisdictional arrangements for the care of children are promoted.

Article II. Definitions

As used in this compact:

(a) "Child" means a person who, by reason of minority, is legally subject to parental, guardianship or similar control;

(b) "Placement" means the arrangement for the care of a child in a family free or boarding home or in a child-caring agency or institution but does not include any institution caring for the mentally ill, mentally defective or epileptic or any institution primarily educational in character, and any hospital or other medical facility;

(c) "Receiving state" means the state to which a child is sent, brought, or caused to be sent or brought, whether by public authorities or private persons or agencies, and whether for placement with state or local public authorities or for placement with private agencies or persons; and

(d) "Sending agency" means a party state, officer or employee thereof; a subdivision of a party state, or officer or employee thereof; a court of a party state; a person, corporation, association, charitable agency or other entity which sends, brings, or causes to be sent or brought any child to another party state.

Article III. Conditions for Placement

(a) No sending agency sends, brings, or causes to be sent or brought into any other party state any child for placement in foster care or as a preliminary to a possible adoption unless the sending agency complies with each and every requirement set forth in this article and with the applicable laws of the receiving state governing the placement of children therein.

(b) Prior to sending, bringing or causing any child to be sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency furnishes the appropriate public authorities in the receiving state written notice of the intention to send, bring, or place the child in the receiving state. The notice contains:

(1) The name, date and place of birth of the child.

(2) The identity and address or addresses of the parents or legal guardian.

(3) The name and address of the person, agency or institution to or with which the sending agency proposes to send, bring, or place the child.

(4) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made.

(c) Any public officer or agency in a receiving state which is in receipt of a notice pursuant to paragraph (b) of this article may request of the sending agency, or any other appropriate officer or agency of or in the sending agency's state, and is entitled to receive therefrom, such supporting or additional information as it may deem necessary under the circumstances to carry out the purpose and policy of this compact.

(d) The child will not be sent, brought, or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state notifies the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child.

Article IV. Penalty for Illegal Placement.

The sending, bringing, or causing to be sent or brought into any receiving state of a child in violation of the terms of this compact constitutes a violation of the laws respecting the placement of children of both the state in which the sending agency is located or from which it sends or brings the child and of the receiving

state. Such violation may be punished or subjected to penalty in either jurisdiction in accordance with its laws. In addition to liability for any such punishment or penalty, any such violation constitutes full and sufficient grounds for the suspension or revocation of any license, permit, or other legal authorization held by the sending agency which empowers or allows it to place, or care for children.

Article V. Retention of Jurisdiction

(a) The sending agency retains jurisdiction over the child sufficient to determine all matters in relation to the custody, supervision, care, treatment and disposition of the child which it would have had if the child had remained in the sending agency's state, until the child is adopted, reaches majority, becomes self-supporting or is discharged with the concurrence of the appropriate authority in the receiving state. Such jurisdiction includes the power to effect or cause the return of the child or its transfer to another location and custody pursuant to law. The sending agency continues to have financial responsibility for support and maintenance of the child during the period of the placement. Nothing contained herein defeats a claim of jurisdiction by a receiving state sufficient to deal with an act of delinquency or crime committed therein.

(b) When the sending agency is a public agency, it may enter into an agreement with an authorized public or private agency in the receiving state providing for the performance of one (1) or more services in respect of such case by the latter as agency for the sending agency.

(c) Nothing in this compact is construed to prevent a private charitable agency authorized to place children in the receiving state from performing services or acting as agent in that state for a private charitable agency of the sending state; nor to prevent the agency in the receiving state from discharging financial responsibility for the support and maintenance of a child who has been placed on behalf of the sending agency without relieving the responsibility set forth in paragraph (a) of this article.

Article VI. Institutional Care of Delinquent Children

A child adjudicated delinquent may be placed in an institution in another party jurisdiction pursuant to this compact but no such placement is made unless the child is given a court hearing on notice to the parent or guardian with opportunity to be heard, prior to such child being sent to such other party jurisdiction for institutional care and the court finds that:

(1) Equivalent facilities for the child are not available in the sending agency's jurisdiction; and

(2) Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue

hardship.

Article VII. Compact Administrator.

The executive head of each jurisdiction party to this compact designates an officer who is general coordinator of activities under this compact in his jurisdiction and who, acting jointly with like officers of other party jurisdictions, has power to promulgate rules and regulations to carry out more effectively the terms and provisions of this compact.

Article VIII. Limitations.

This compact will not apply to:

(a) The sending or bringing of a child into a receiving state by the child's parent, stepparent, grandparent, adult brother or sister, adult uncle or aunt, or the child's guardian and leaving the child with any such relative or non-agency guardian in the receiving state.

(b) Any placement, sending or bringing of a child into a receiving state pursuant to any other interstate compact to which both the state from which the child is sent or brought and the receiving state are party, or to any other agreement between the states which has the force of law.

Article IX. Enactment and Withdrawal.

This compact is open to joinder by any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and, with the consent of congress, the Government of Canada or any province thereof. It becomes effective with respect to any such jurisdiction when such jurisdiction has enacted the same into law. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but will not take effect until two (2) years after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the governor of each other party jurisdiction. Withdrawal of a party state does not affect the rights, duties and obligations under this compact of any sending agency therein with respect to a placement made prior to the effective date of withdrawal.

Article X. Construction and Severability

The provisions of this compact is liberally construed to effectuate the purposes thereof. The provisions of this compact is severable and if any phrase, clause, sentence or provision of this compact is declared to be

contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person or circumstances is held invalid, the validity of the remainder of this compact and the applicability thereof to any government, agency, person or circumstance is not be affected thereby. If this compact is held contrary to the constitution of any state party thereto, the compact remains in full force and effect as to the remaining states and in full force and effect as to the state affected as to all severable matters.

HISTORY: Acts 1974, Ch. 477, § 1; 1977, Ch. 131, § 1; T.C.A., § 37-1401.

Appendix B

ICPC Regulation 12

Regulation No. 12

Private/Independent Adoptions

The following regulation, as adopted by the Association of Administrators of the Interstate Compact on the Placement of Children, is declared to be in effect on and after October 1, 2012. Words and phrases used in this regulation have the same meanings as in the Compact, unless the context clearly requires another meaning. If a court or other competent authority invokes the Compact, the court or other competent authority is obligated to comply with **Article V** (Retention of Jurisdiction) of the Compact.

Intent of Regulation No. 12: The intent of this regulation is to provide guidance and ICPC requirements for the processing of private agency or independent adoptions. The ICPC process exists to ensure protection and services to children and families involved in executing adoptions across state lines and to ensure that the placement is in compliance with applicable requirements. It is further the intent **of Regulation No. 12** for the sending agency to comply with each and every requirement set forth in **Article III** of the ICPC that governs the placement of children therein.

Application of Regulation No. 12: This regulation applies to children being placed for private adoption or independent adoption whether being placed by a private agency or by an Independent Adoption Entity, as defined herein, or with the assistance of an Intermediary, as defined herein, and as in compliance with the other articles and regulations.

Conditions for placement as stated in ICPC Article III: Prior to sending, bringing, or causing any child to be sent or brought into a receiving state for placement in foster care or as a preliminary to a possible adoption, the sending agency furnishes the appropriate public authorities in the receiving state written notice of the intention to send, bring, or place the child in the receiving state. The notice contains:

- (a) The name, date, and place of birth of the child;
- (b) The identity and address or addresses of the parents or legal guardian. If the identity or address of a birth parent and/or legal parent is not provided, an explanation as to why it has not been provided is included to the extent that it is consistent with the laws of the applicable state;

- (c) The name and address of the person, agency, or institution to or with which the sending agency proposes to send, bring, or place the child;
- (d) A full statement of the reasons for such proposed action and evidence of the authority pursuant to which the placement is proposed to be made.
Compliance with this requirement may be met by submission of the documentation required under Section 6 below.

Legal and financial responsibility during placement: For placement of a child by a private agency for independent adoption, the private agency is:

- (a) Legally responsible for the child, including return of the child to the sending state if the adoption does not occur during the period of placement.
- (b) Financially responsible for the child absent a contractual agreement to the contrary or a statement by the prospective adoptive parent or parents that they will assume financial responsibility.

Sending agency or party case documentation required with ICPC-100A private agency/independent adoption request:

For placement by a private agency or independent entity, the required content to accompany a request packet for approval includes the following:

- a) ICPC-100A: Form requesting ICPC approval to make placement;
- b) Cover letter: A request for approval signed by the person requesting approval identifying the child, birth parent(s), the prospective adoptive parent(s), a statement as to how the match was made, name of the intermediary, if any, and the name of the supervising agency and address;
- c) Consent or relinquishment: signed by the parents in accordance with the law of the sending state, and, if requested by the receiving state, in accordance with the laws of the receiving state. If a parent is permitted and elects to follow the laws of a state other than his or her state of residence, then he or she should specifically waive, in writing, the laws of his or her state of residence and acknowledge that he or she has a right to sign a consent under the law of his or her state of residence. The packet contains a statement detailing how the rights of the parents are legally addressed;
- d) Certification by a licensed attorney or authorized agent of a private adoption agency or independent entity that the consent or relinquishment is in compliance with the applicable laws of the sending state, or where requested, the laws of the receiving state;
- e) Verification of compliance with Indian Child Welfare Act (25 U.S.C. 1901, et. seq.);
- f) Legal risk acknowledgement signed by the prospective adoptive parents, if applicable in either the sending or receiving state;

- g) Statement of authority: A copy of the current court order pursuant to which the sending agency has authority to place the child or, if the authority does not derive from a court order, a statement of the basis on which the sending agency has authority to place the child and documentation that supervision is on-going;
- h) Current case history for the child, including custodial and social history, chronology of court involvement, social dynamics, education information (if applicable), and a description of any special needs of the child. If an infant, at a minimum, a copy of the medical records of the birth and hospital discharge summary for the child, if the child has been discharged;
- i) Foster home license: If the receiving state placement resource previously lived in the sending state and that state has required licensure, certification, or approval, a copy of the most recent license, certificate, or approval of the qualification of the placement resource(s) and/or their home showing the status of the placement resource as a qualified placement resource, if available. If the receiving state placement resource was previously licensed, certified, or approved as a foster or adoptive parent in the sending state and such license, certificate, or approval was involuntarily revoked, a statement of when such revocation occurred and the reasons for such revocation;
- j) Adoptive home study or approval: A copy of the most recent adoption home study or approval of the prospective adoptive family must be provided, including, in accordance with the law of the receiving state, verification of compliance with federal and state background clearances, including FBI fingerprint and Child Abuse/Neglect clearances and Sex Offender Registry clearance, a copy of any court order approving the adoptive home (if entered), and a statement by the person or entity that the home is approved or a revised current home study update if the home study is more than 12 months old;
- k) A copy of the Order of Appointment of Legal Guardian, if applicable;
- l) Affidavit of Expenses, if applicable; and
- m) Copy of sending agency's license or certification, if applicable;
- n) Biological parents' information—social history, medical history, ethnic background, reasons for adoption plan, and circumstances of proposed placement. If the child was previously adopted, the adoptive parents provide the information set forth in this section for the biological parents, if available;
- o) A written statement from the person or entity that is providing post-placement supervision (may be included in adoption home study) acknowledging the obligation to provide post-placement supervision; and
- p) Authority for the prospective adoptive parents to provide medical care, if applicable.
- q) If a home study is completed by a licensed private agency in the receiving state, the sending state does not impose any additional requirements to complete the home study that are not required by the receiving state unless the adoption is finalized in the sending state.

Authorization to travel: Additional documents may be requested:

- a) Except as set forth herein, the child is not sent, brought, or caused to be sent or brought into the receiving state until the appropriate public authorities in the receiving state notifies the sending agency, in writing, to the effect that the proposed placement does not appear to be contrary to the interests of the child. Art. III (d).
- b) The sending and receiving state ICPC office may request additional information or documents prior to finalization of an approved placement. Travel by the prospective adoptive parents into the receiving state with the child will not occur until the required content of the request packet for approval has been submitted, received and reviewed by the sending and receiving ICPC offices and approval to travel has been given, provided, however, a receiving state may, at its sole discretion, approve travel while awaiting provision of additional documentation requested.

Approval by the receiving state ICPC office:

A provisional or final approval for placement must be obtained in writing from the receiving state ICPC office in accordance with the Interstate Compact on the Placement of Children. A signed Form 100A must be provided by the receiving state if the writing was in any other form. In any event, approval or denial must be given within three (3) business days of the receipt of the completed packet by the receiving state Compact Administrator.

Upon placement of a child by the sending agency following approval by the receiving state Compact Administrator, the sending agency, within five (5) business days of placement of the child, submits a completed 100B form confirming placement to the sending state Compact Administrator. Upon finalization of the adoption, if the sending agency is a private adoption agency, the private adoption agency provides to the sending state Compact Administrator a copy of the final judgment of adoption together with a 100B form for closure, which is then be sent to the receiving state Compact Administrator within thirty (30) business days of entry of judgment. Upon finalization of an independent adoption, the sending agency or entity provides a copy of the final judgment of adoption together with a 100B form for closure within thirty (30) business days of entry of judgment to the sending state Compact Administrator who sends it to the receiving state Compact Administrator.

Notification if child placed in violation of Article III:

A child placed into the receiving state prior to a decision for placement constitutes a violation of **Article III** and the laws respecting the placement of children of both states; subject to liability cited in **Article IV**. Penalty for Illegal Placement. A: parties to the placement arrangements, including prospective foster parents, the sending agency, private licensed child-placing agency or legal counsel are responsible for notifying the appropriate ICPC authorities in both states of the circumstances and to coordinate action to provide for the safety and well-being of the child pending further action. If a child has been placed in the receiving state in violation of **Article III**, a Form 100B indicating the date the child was placed in the prospective adoptive home, together with items listed in Section 6 above, is then filed with the sending state Compact Administrator who forwards them to the receiving state's Compact Administrator. If required documents are provided, the sending state and the receiving state give due and appropriate consideration

to placement as permitted under the sending and receiving state laws.

Definitions:

- a) **Adoption** is the method provided by state law that establishes the legal relationship of parent and child between persons who are not so related by birth or some other legal determination, with the same mutual rights and obligations that exist between children and their birth parents. This relationship can only be termed -adoption after the legal process for adoption finalization is complete.
- b) **Adoption Home Study:** is a home study conducted for the purpose of placing a child for adoption with a placement resource. The adoption home study is the assessment and evaluation of a potential adoptive parent.
- c) **Adoption Facilitator:** is an individual that is not licensed or approved by a state as an adoption agency, child-placing agency, or attorney, and who is engaged in the matching of birth parents with adoptive parents.
- d) **Independent Adoption:** is an adoption arranged by a birth parent or other person or entity as designated, defined, and authorized by the laws of the applicable state or states, to take custody of and to place children for adoption.
- e) **Independent Adoption Entity:** is any individual or entity authorized by the law of the applicable state or states to take custody of and to place children for adoption and to place children for adoption other than a state, county, or licensed private agency.
- f) **Intermediary:** is any person or entity who is not an Independent Adoption Entity as defined above, but who acts for or between any parent and any prospective parent, or acts on behalf of either, in connection with the placement of the parent's child born in one state, for adoption by a prospective parent in a different state.
- g) **Legal Risk Placement:** means a placement made preliminary to an adoption where the prospective adoptive parents acknowledge in writing that a child can be ordered returned to the sending state or the birth mother's state of residence, if different from the sending state, and a final decree of adoption is not be entered in any jurisdiction until a: required consents or termination of parental rights are obtained or are dispensed with in accordance with applicable law.
- h) **Legal Risk Medical Statement:** is an acknowledgment by the prospective adoptive parents that known physical, emotional, or other relevant history of the child has been disclosed.
- i) **Private Agency:** is a licensed or state approved agency whether domestic or international that has been given legal authority to place a child for adoption.
- j) **Private Agency Adoption:** is an adoption arranged by a licensed or approved agency whether domestic or international that has been given legal custody or responsibility for the child including the right to place the child for adoption.

Appendix C

ICPC Forms and Instructions

[*CS-0525, Interstate Compact Placement Request \(100A\)*](#)

[*CS-0523, Interstate Compact on the Placement of Children Report on Child's Placement Status \(100 B\)*](#)