

	GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL			
	Chapter:	(11) Adoption	Effective Date:	August 2015
	Policy Title:	Placement of a Georgia Child Into Another State for the Purpose of Adoption		
Policy Number:	11.18	Previous Policy #:	110.5; 110.16	

CODES/REFERENCES

Title IV-E of the Social Security Act, Section 471(a)(25) & (26)
Safe and Timely Interstate Placement of Foster Children Act of 2006, P.L. 109-239

REQUIREMENTS

The Division of Family and Children Services (DFCS) shall:

1. Ensure the following prior to preparing and submitting the Interstate Compact on the Placement of Children (ICPC) adoption packet for placing a child in DFCS custody into another state for the purpose of adoption:
 - a. Parental rights of both parents were terminated or surrendered;
 - b. The Child Life History has been registered with the Adoption Exchange, State Permanency Unit (see policy [11.5 Adoption: Child Life History](#));
 - c. An out-of-state family has been selected; and
 - d. If the parental rights of at least one of the parents of the child being placed out-of-state were severed through a voluntary surrender and the receiving state does not acknowledge voluntary surrenders, a confirming court order needs to be obtained.
2. Assist the Juvenile Court with the ICPC process, when custody is being given by the Juvenile Court Judge to relatives who reside out of the state of Georgia for the purpose of adoption.

NOTE: The Juvenile Court shall be considered the sending agency

3. *Treat any such report that is received from another State or Tribe (or from a private agency under contract with another State/Tribe) as meeting any requirements imposed by the State or Tribe for the completion of a home study before placing a child in the home, unless, within 14 days after receipt of the report, DFCS determines, based on grounds that are specific to the content of the report, that making a decision in reliance on the report would be contrary to the welfare of the child; and*
4. *Not impose any restriction on the ability of an agency administering, or supervising the administration of, a State or Tribal program operated under a plan approved under this part to contract with a private agency for the conduct of such a home study.*

PROCEDURES

ICPC Adoption Placement Request

The Social Services Case Manager will:

1. Select the out-of-state family.
2. If the parental rights were severed through voluntary surrender on at least one of the parents of the child being placed out-of-state and the receiving state does not

acknowledge voluntary surrenders, a court order confirming the voluntary surrender(s) is necessary (see policy [17.12 Legal: Voluntary Surrender of Parental Rights](#)):

- a. Consult with the Special Assistant to Attorney General (SAAG);
 - b. Request that the SAAG file the petition, with copies of the voluntary surrender documents attached, in Superior or Juvenile Court, asking for a hearing as soon as possible;
 - c. This is not a termination action; therefore, there is no one to be served and it should be possible to have the hearing in a timely manner; and
 - d. The court order will confirm that all parental rights are terminated based on voluntary surrender(s) being signed and not revoked within the 10-day period.
3. Ensure the adoption assistance funding source determination is made by the Revenue Maximization Unit (Rev Max) and documented in Georgia SHINES (see policy [12.2 Adoption Assistance: Adoption Assistance Application](#)).
4. Prepare and/or upload the following documents in Georgia SHINES External Documentation (for each document uploaded, review the External Documentation Detail Page in Georgia SHINES, associate each document with the relevant person(s) by selecting the person's name in the Person's section, check the ICPC document box and clearly indicate the type of document):
- a. Interstate Compact on the Placement of Children Request (ICPC 100A) in Georgia SHINES and link to External Documentation;
NOTE: In the case where the Juvenile Court has given custody to relatives who reside out of the state for the purpose of adoption, the Juvenile Court Judge/Designee will sign the Interstate Compact on the Placement of Children Request (ICPC 100A) prior to the child leaving the state of Georgia.
 - b. Statement of Case Manager/Potential Placement/Party Under ICPC Regulation 2;
 - c. Interstate Compact on the Placement of Children (ICPC) Financial and Medical Plan;
 - d. Verification that parental rights were severed on both parents:
 - i. TPR court order (see policy [17.11 Legal: Termination of Parental Rights](#)); or
 - ii. Voluntary surrender documents (see policy [17.12 Legal: Voluntary Surrender of Parental Rights](#)); and
 - iii. TPR court order confirming voluntary surrender (if applicable).
 - e. Death certificate, if one or both parents are deceased.
 - f. Comprehensive Child and Family Assessment (CCFA) prepared within the last year (see policy [10.10 Foster Care: Comprehensive Child and Family Assessment](#)); If the CCFA was prepared over a year ago, a social summary must be completed for the child. The social summary will be prepared in narrative format on agency letter head and include:
 - i. Reason(s) the child entered care
 - ii. Permanency plan
 - iii. Current situation
 - iv. Brief child history (including medical, psychological and educational)
 - g. Copy of the case plan/case review, including the individualized needs for each child and family member;
NOTE: The case plan will be, at a minimum, signed by the Social Services Case Manager.
 - h. Copy of the child's social security card;
 - i. Copy of the child's birth certificate/verification;
 - j. Trauma assessment and/or psychological (if completed) on the child;

- k. Medical, dental and immunization records.
- l. Cover letter which will include the following:
 - i. How the family was identified for the child;
 - ii. The reasons the family is the most appropriate placement for the child;
 - iii. The child's eligibility for adoption assistance and how the prospective family can apply if applicable (Title IV-E or Title IV-B);
 - iv. The tentative plans that have been made for placement visits and telephone staffing;
 - v. Any additional information, explanations or clarifications that are necessary; and
 - vi. Signatures of SSCM, SSS and County Director/Designee.
- 5. Notify the Social Services Supervisor that the ICPC packet is ready for review and provide the completed cover letter to the SSS for approval.

NOTE: Please adhere to the procedures outlined in the Georgia SHINES Job Aide “Documenting ICPC Cases in Georgia SHINES (Georgia is the Sending State)” for completing the ICPC request.

The Social Services Supervisor will:

1. Review Georgia SHINES External Documentation for the required documents' completeness, quality and accuracy of the ICPC information.
2. Review, make an approval decision and sign the Cover Letter.
3. Obtain the County Directors/Designee's approval and signature on the Cover Letter.
4. Upload the Cover Letter to Georgia SHINES External Documentation.
5. Prepare and send an email to icpc@dhs.ga.gov notifying the ICPC Unit of the ICPC request with the subject line “New ICPC Request.”

The ICPC Administrator will:

1. Locate the required information in Georgia SHINES.
2. Review for quality and completeness.
3. Request missing information or clarification needed from the county department with a deadline. Failure to meet the deadline will result in a denial of the request.
4. Submit a request for a child specific addendum to the ICPC family evaluation to the receiving state's ICPC Administrator.
5. Sign the Interstate Compact on the Placement of Children Request (ICPC 100A).
6. Prepare the packet for the receiving state.
7. Forward the packet to the ICPC Administrator in the adoptive family's state.

Approval Decision for Placement

If The Receiving State Approved Placement

The ICPC Administrator will:

1. Upload the following documents in Georgia SHINES External Documentation:
 - a. The child-specific family evaluation addendum (see policy [14.14 Resource Development: Family Evaluation Addendums](#));
 - b. The signed Interstate Compact on the Placement of Children Request (ICPC 100A) from the receiving state's ICPC Administrator indicating the approval of the

- placement; and
 - c. The travel waiver allocating funding for the child to be placed out of state (see policy [15.7 Interstate Compact on the Placement of Children: ICPC Related Travel Expenses](#)).
2. Notify the Social Services Case Manager and County Director/Designee that permission was granted and placement can proceed.

The Social Services Case Manager will:

1. Proceed with placement planning and present the Child Life History to the adoptive family (see policy [11.5 Adoption: Child Life History](#)).
2. Within five business days of the adoptive placement:
 - a. Complete the Interstate Compact Report on Child's Placement Status (ICPC 100B) in Georgia SHINES.
NOTE: The receiving state will not begin post placement services until the Interstate Compact Report on Child's Placement Status (ICPC 100B) is received.
 - b. Upload in Georgia SHINES External Documentation any current/updated information (i.e., court orders, medical, psychological, etc.) for the child. For each document uploaded, review the External Documentation Detail Page in Georgia SHINES, associate each document with the relevant person(s) by selecting the person's name in the Person's section, check the ICPC document box and clearly indicate the type of document.
3. Notify the assigned ICPC Administrator via email (icpc@dhs.ga.gov) of the adoptive placement and ensure the information has been uploaded in Georgia SHINES External Documentation. In addition, a manual case alert may be added in Georgia SHINES from the Case-To-Do List page.

NOTE: When the receiving state has approved a prospective adoptive resource, the sending state makes the final decision whether to use the approved prospective adoptive resource. The ICPC approval by the receiving state is valid for six months from the date the Interstate Compact Report on Child's Placement Status (ICPC 100B) was signed by the receiving state.

If the Receiving State Denied Placement

The ICPC Administrator will:

1. Upload in Georgia SHINES External Documentation the signed Interstate Compact on the Placement of Children Request (ICPC 100A) obtained from the receiving state indicating the denial of the placement and reason(s) for denial.
2. Notify the Social Services Case Manager and County Director/Designee that the prospective adoptive placement resource was denied by the receiving state and placement cannot proceed.

The Social Services Case Manager will:

1. Consult with the Social Services Supervisor and the County Director/Designee to determine if reconsideration of the denial by the receiving state is appropriate, and if so, which of the following options to use:
 - a. Request that the receiving state reconsider the denial of the adoptive placement without a new family evaluation. The Social Services Case Manager will send any clarifying information that would be useful in making a decision to Georgia's ICPC Administrator who will forward it to the sending state's ICPC Administrator; or

NOTE: If the receiving state's ICPC office chooses to overturn the denial it can be based on review of the evidence presented by DFCS and any other new information deemed appropriate; or

- b. Request a new family evaluation to re-examine the reason(s) for the original denial of the prospective adoptive placement if the reason(s) for the denial has been corrected (i.e., moved to a new residence with adequate bedrooms).

NOTE: The receiving state is not obligated to accept the new family evaluation

request, but it may agree to proceed with a new family evaluation if it believes the reason(s) for denial has been corrected.

NOTE: DFCS may request a reconsideration of the denial of the prospective adoptive placement within 90 days from the date the Interstate Compact on the Placement of Children Request was signed by the receiving state. After 90, days there is nothing that precludes DFCS from requesting a new family evaluation.

Post Placement Reports

The ICPC Adoption Administrator will:

1. Upload to Georgia SHINES External Documentation the post placement reports upon receipt from the receiving agency in the pre-adoptive family's state.
2. Notify the Social Services Case Manager of receipt of the post placement reports by sending a Georgia SHINES alert.

The Social Services Case Manager will:

1. Obtain the post placement reports from Georgia SHINES External Documentation and review for accuracy.

NOTE: A mandatory minimum of six months post placement period is required.

Recommendation for Release and Consent to Adopt

The Social Services Case Manager will:

1. Request the recommendation to release the child to the pre-adoptive family for adoption from the receiving state's Case Manager after at least six months of post placement supervision.

NOTE: The recommendation will be sent by the receiving state's Case Manager to their ICPC Administrator who will forward it to Georgia's ICPC Administrator. Georgia's ICPC Administrator will receive and upload to Georgia SHINES External Documentation and notify the Social Services Case Manager.

2. Upon receipt of the recommendation of consent to adopt from the ICPC Administrator, the Social Services Case Manager will provide the following documents to the ICPC Administrator:
 - a. Cover letter (identifying the prospective adoptive family's attorney's name, address and phone number)
 - b. Name Change Following Adoption (see policy [11.14 Adoption: Finalizing the Adoption](#))
 - c. Certified birth certificate (see policy [11.2 Adoption: Putative Father Registry & Birth Certificates](#))
 - d. Placement Agreement (see policy [11.9 Adoption: Adoption Placement Signing](#))

- e. Adoption Assistance Agreement (see policy [12.6 Adoption Assistance: Reviewing and Signing the Adoption Assistance Agreement](#))
- f. Affidavit of Disclosure for Adoption (see policy [11.9 Adoption: Adoption Placement Signing](#))
- g. Putative father registry certificate (see policy [11.2 Adoption: Putative Father Registry & Birth Certificates](#))
- h. Birth Family Background Information for Child (see policy [11.1 Adoption: Adoption Preparation](#))

The ICPC Administrator will:

1. Upon receipt of the recommendation for the child to be released to the pre-adoptive family for adoption finalization, contact Social Services Case Manager for concurrence.
2. Upon notification of concurrence from the Social Services Case Manager:
 - a. Prepare the Affidavit of Consent to Adoption and forward it to the agency in the pre-adoptive family's state or directly to the pre-adoptive family's attorney; and
 - b. Send a copy of the cover letter to the receiving state's ICPC Administrator, Case Manager and the County Director/Designee.

NOTE: The pre-adoptive family's agency will send the legal papers to the pre-adoptive family's attorney in order for the adoption petition to be filed. Occasionally, agencies in other states send legal papers directly to the county department. Forward any papers received to Georgia's ICPC Unit for processing.

If Adoption Finalization Occurs In the Receiving State

Following finalization of the adoption, the ICPC Administrator will:

1. Obtain from the receiving state's ICPC Administrator:
 - a. A certified copy of the final decree of adoption; and
 - b. Interstate Compact on the Placement of Children Report on Child's Placement Status (ICPC 100B) indicating that the adoption has been finalized in the receiving state and ICPC services are terminated; and
2. Notify the Social Services Case Manager and the County Director/Designee that the adoption is final.

The Social Services Case Manager will:

1. Update the legal status to reflect the adoption finalization.

NOTE: Updating the legal status in Georgia SHINES will notify the Adoption Exchange/State Permanency Unit by a system generate alert.
2. Within ten business days of the adoption finalization, complete and sign the Adoption Assistance Memorandum indicating adoption finalization and obtain the Social Services Supervisors signature of approval.

NOTE: The Adoption Assistance Memorandum should indicate the date of adoption finalization and the child's new name as it should appear on the Medicaid card.
3. Forward the signed and approved Adoption Assistance Memorandum to:
 - a. Rev Max;
 - b. Regional Accounting; and
 - c. Social Services Administrative Unit.
4. Prepare and submit the record for sealing and retention (see policy [2.3 Information Management: Adoption Case Record](#) for the procedures for preparing an adoption

record for permanent retention and to be sealed).

NOTE: When Juvenile Court is the sending agency, the county department will submit a copy of the final decree of adoption along with a copy of the Interstate Compact on the Placement of Children Report on Child's Placement Status to the Juvenile Court. Juvenile Court will notify the county department of the termination of jurisdiction.

PRACTICE GUIDANCE

Georgia's ICPC Unit is the county department's point of contact in the ICPC process. The ICPC Unit utilizes Georgia SHINES to gather information for the packet. For each document included in the ICPC adoption packet on the Georgia SHINES External Documentation Detail Page, clearly identify the type of document, check the ICPC document box and associate the document with the relevant person. When communicating with the Georgia ICPC Unit, ensure to include the child's full name, adoptive placement resource name and Georgia SHINES/ICPC case number. Georgia's DFCS staff is restricted from communicating with the receiving state's child welfare agency/child placing agency (CPA) until the adoptive placement is approved through the ICPC process.

When a child is already placed with an approved ICPC pre-adoptive family in another state on foster care status at the point the child becomes legally free for adoption, an ICPC adoption packet shall be submitted to the Georgia ICPC Administrator. The ICPC Administrator will request from the receiving state an updated home study, which would reflect information surrounding the adoption. At that point, authorization can be provided to the other state to proceed with the Adoption Placement Signing (see policy [11.9 Adoption: Adoption Placement Signing](#)).

Following are a few key ICPC points to take into consideration when submitting an ICPC request:

1. All states do not recognize degrees of familial relations beyond the first degree.
2. All states may not accept IMPACT certification.
3. Proof of paternity (legitimation order, DNA results or child support court order) is required for all requests on fathers or paternal relatives.

When custody has been given by a Juvenile Court Judge to relatives who reside out of the state of Georgia for the purpose of adoption, there has usually been ICPC correspondence to secure a family evaluation. The county department will usually know prior to the hearing that the relatives are recommended and that it is probable that custody will be granted. The county department may assist the court by completing the Interstate Compact on the Placement of Children Request and have it available for the Juvenile Court Judge to sign.

DFCS allows for a purchase of service payment in the amount of \$5,000 per child to a licensed CPA agency for adoptive placement of a special needs child. Purchase of services can be used when DFCS has no suitable adoptive placement resource for a child or when an out-of-state CPA resource better meets the needs of the child. DFCS' resources should be explored but may be considered concurrently with CPA's resources. Purchase of services funds may again be requested for a child if the placement disrupts and adoption dissolution occurs and another resource has been identified through an out-of-state CPA. Adoptive placements identified through an out-of-state CPA are subject to the ICPC process described in this

section. See Field Fiscal Services Costar Manual section [3004 Adoptions Programs: ICPC Foster to Adopt/Adoptive Home Study and Out of State Adoption Home Study](#), for the procedures to request funds and process purchase of service payments. Placement activities should not begin until the funding request has been approved by the county department.

Adoption Assistance

Adoption Assistance is funding used to facilitate the adoption of children with special needs who might otherwise not be adopted. Adoption assistance is assistance provided on behalf of an eligible child to offset the costs associated with adopting and meeting the ongoing needs of the child. Adoption assistance can be provided in the form of payments, medical coverage and reimbursement of non-recurring expenses.

Child Placing Agency (CPA)

A CPA is an agency that places children in foster and adoptive resource homes for individualized care, supervision and oversight. CPAs are responsible for assessing the placement regarding the appropriateness of the room, board and watchful oversight that the prospective foster and adoptive families will provide. The CPA's employees and their foster and adoptive parents work as a team to provide a stabilizing and nurturing environment that promotes safety, well-being and permanency.

Pre-Adoptive Family

Pre-adoptive family means the permanent placement of a child in an adoptive resource placement for the purpose of adoption but adoption has not occurred.

Receiving State

A receiving state is 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 private agencies or persons.

Sending Agency

A member state, officer or employee thereof; a subdivision of a member state, or officer or employee thereof; a court of a member state; a person, corporation, association, charitable agency or other entity having legal authority over a child who sends, brings, or causes to be sent or brought any child to another state.

FORMS AND TOOLS

[Affidavit of Consent to Adoption \(Affidavit 1\)](#)

[Affidavit of Consent to Adoption \(Affidavit 2\)](#)

[Association of Administration of the Interstate Compact on the Placement of Children](#)

[Documenting ICPC Cases in Georgia SHINES \(Georgia is the sending state\) - Georgia SHINES Job Aide](#)

[ICPC Cover Letter – Sample](#)

[Interstate Compact on the Placement of Children \(ICPC\) Financial and Medical Plan](#)

[Interstate Compact on the Placement of Children \(ICPC\) Financial and Medical Plan - Instructions](#)

[Interstate Compact Report on Child's Placement Status \(ICPC 100B\)](#)

[Interstate Compact Report on Child's Placement Status - Instructions \(ICPC 100B-I\)](#)

[Interstate Compact Placement Request \(ICPC 100A\)](#)

Interstate Compact Placement Request – Instructions (ICPC 100A-I)
Purchase of Adoption Service Agreement Placement of a DFCS Child in an Out-of-state
Adoptive Home
Statement of Case Manager/Potential Placement/Party Under ICPC Regulation 2