

Interstate Compact on the Placement of Children

Michigan Assessment

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Table of Contents

A. Introduction	2
B. State laws, Court Rules, and Policy Directives	2
1. Interstate Compact on Placement of Children	3
2. Michigan Social Welfare Act.....	3
3. Uniform Child Custody Jurisdiction and Enforcement Act.....	3
4. Revised Judicature Act	3
5. Michigan Court Rules:.....	4
a. Discovery	4
b. Interactive Video Technology.....	4
c. Telephone or Other Communication Equipment	5
d. Facsimile Communication Equipment.....	5
e. Video Depositions	5
f. Request for Subpoena in Interstate Case	5
g. Out-of-State Attorney Rule (<i>Pro Hac Vice</i>)	5
h. Michigan Rules of Evidence	6
6. Department of Human Services Policy.....	6
a. Interstate Adoption Procedures	6
b. Interstate Foster Care Procedures	6
C. Summary of Interstate Placement Process	7
1. Placing Child Out of State (Michigan as sending state)	7
2. ICPC Home Study Process (Michigan as receiving state).....	9
3. Court Hearing Process When Child Is Placed Out of State	9
D. Sending Evidence Between States	10
E. Case Review	11
F. Statistics	12
G. Recommendations to Eliminate Barriers	15
H. Suggested Practice Reforms	16
I. Survey to Judges	16
Conclusion	17
Appendices	18

Michigan ICPC Statewide Assessment

A. Introduction

The federal Safe and Timely Interstate Placement of Foster Children Act of 2006¹ requires, as a condition of the states receiving Court Improvement Program (CIP) grant funds, that each state's highest court assess its role, responsibilities, and effectiveness in the interstate placement of foster children, and implement improvements to expedite these placements. Specifically, state courts must assess (a) the effectiveness of their laws pertaining to information sharing with out-of-state courts, (b) the methods available for obtaining information and testimony from agencies and parties in other states without requiring travel, and (c) the procedures to permit parents, children, attorneys, and others to participate in cases without requiring interstate travel. The assessment also must identify any legal barriers that prevent timely judicial decisions regarding interstate placement.

In Michigan, the State Court Administrative Office's (SCAO) Child Welfare Services Division led the assessment by coordinating a specialized team of professionals from the Michigan Department of Human Services (DHS) Interstate Compact Office and Foster Care Management Program, as well as court administrators, and family court referees from around the state. Appendix 1 lists the members of the ICPC Review Committee.

The Review Committee's assessment included in-depth case reviews; a survey of judges regarding information sharing and conducting interstate hearings; input from the DHS ICPC Administrator; a review of state laws, court rules, and policy directives; an overview of the ICPC process and common practices; and finally, recommendations for improvement. The report was vetted through the CIP statewide task force before finalization.

Overall, courts around the state are satisfied that Michigan has an efficient, accessible, and timely ICPC office. This report contains detailed recommendations for improvement, which would require changes to the interstate compact as well as state law or court rules.

B. State laws, Court Rules, and Policy Directives

Michigan's laws, court rules, and policy directives provide adequate measures to ensure that out-of-state parties, attorneys, and caseworkers can participate in cases without being physically present in a Michigan courtroom. The legal authorities also provide flexible methods to obtain information and testimony from agencies and parties in other states without requiring interstate travel. A brief summary of the relevant laws follows. A link is provided to access each law.

¹ Public Law 109-239.

Michigan ICPC Statewide Assessment

1. Interstate Compact on Placement of Children (ICPC) [[MCL 3.711 to 3.717](#)]

This act provides for Michigan's joinder in the ICPC with all other jurisdictions that also adopt the compact. The ICPC is designed to ensure protection and services to children placed in another state for foster care or adoption. The compact regulates activities concerning the placement of Michigan children across state lines (e.g., seeking permission for the placement from the receiving state), and the acceptance of children from other states (e.g., conducting home assessments to determine the suitability of a placement). The compact also establishes administrative procedures and financial responsibilities for the states involved in interstate placement. Michigan enacted its ICPC act in 1985. It substantially replicates the model interstate compact law, which has been enacted by all 50 states, the District of Columbia, and the Virgin Islands.

2. Michigan Social Welfare Act (MSWA) [[MCL 400.1 to 400.122](#)]

MCL 400.115c authorizes DHS to approve or disapprove the placement of a child in: (a) the Michigan home of an unrelated person when the placement would be made by a person who is not a resident of Michigan; or (b) in any Michigan home when the placement would be made by an agency outside of Michigan. The law prescribes general procedures for seeking approval for the placement of a child in this state. The ICPC law, in MCL 3.716, adopts the MSWA procedures by reference. This part of the MSWA was enacted in 1978.

Two related sections of the MSWA, MCL 400.115r and 400.115s, adopt the interstate compacts on adoption and medical assistance, respectively, by authorizing DHS to enter into interstate compacts to provide adoption and medical assistance for adoptees with special needs. These sections were enacted in 2002.

3. Uniform Child Custody Jurisdiction and Enforcement Act [[MCL 722.1101 to 722.1406](#)]

This law governs proceedings in which legal custody, physical custody, or parenting time for a child is an issue. Child custody issues typically arise in domestic relations cases (e.g., divorce), but the law also applies to custody proceedings in abuse/neglect, dependency, guardianship, and termination of parental rights cases. This law does not govern adoption proceedings. The law essentially grants full faith and credit to out-of-state custody orders, and allows individuals not residing in Michigan to participate in Michigan court proceedings by electronic means. It also clarifies jurisdictional issues that often arise when custody issues cross state lines. The law was enacted in 2001.

4. Revised Judicature Act [[MCL 600.101 to 600.9948](#)]

MCL 600.916 makes the "unauthorized practice of law" a criminal offense, but allows a person who is licensed and authorized to practice law in another state to act as an attorney in a Michigan case "while temporarily in this state and engaged in [that] particular matter." The Michigan Supreme Court has promulgated a special

Michigan ICPC Statewide Assessment

rule that further clarifies this exception. See section 5(g) below regarding how out-of-state attorneys can be temporarily allowed to practice in Michigan courts.

5. Michigan Court Rules:

a. Discovery

MCR 3.922(A) lists the types of evidence that are discoverable in child protective proceedings, and further provides a catch-all provision that allows the court to permit the discovery of other evidence, including untimely requested materials that would have been discoverable if timely requested. In addition, MCR 3.922(E) requires the proponent of special types of evidence to file with the court an advance written notice of intent to introduce evidence of out-of-court hearsay statements, e.g., the testimony of an individual who heard a child under 10 years of age make a statement regarding an act of child abuse, child neglect, sexual abuse, or sexual exploitation performed with or on the child.

b. Interactive Video Technology

Since July 2000, Michigan's family courts have used interactive video technology (IVT) to conduct certain involuntary commitment and child protective proceedings. IVT allows a person who is unable to be present at a judicial proceeding to participate as if physically present in the courtroom. For example, when a party is incarcerated, courts can use their IVT equipment to connect with the prison's IVT equipment, thus allowing the prisoner to participate in the hearing, and also reducing costs by eliminating most transportation and security measures.

The initial authorization for the court's use of IVT was limited to communicating with specific facilities, such as prisons and hospitals. Over the years, as technology has evolved, the number of IVT-equipped facilities has increased, providing additional opportunities for courts to allow individuals to participate in judicial proceedings from remote locations. Recognizing this trend, in October 2006, the State Court Administrative Office (SCAO) created a workgroup of judges and SCAO staff to review the existing rules and identify new ways to improve the IVT process.

As a result, effective May 1, 2007, MCR 3.904 eliminated many of the original restrictions on the types of facilities and technologies that courts can use to conduct IVT hearings. Specific to child protective proceedings, MCR 3.904 now states "Two-way interactive video technology may be used to conduct preliminary hearings or review hearings."

The Michigan Supreme Court approved those amendments of MCR 3.904 on February 14, 2007. That same day, the Court entered Administrative Order No. 2007-1, allows courts to seek expanded use of IVT with SCAO's approval. Administrative Order No. 2007-1 states, in part:

Michigan ICPC Statewide Assessment

“ ... this Court encourages courts in appropriate circumstances to expand the use of IVT in those proceedings and matters to hearings not enumerated in the new rules by seeking permission from the State Court Administrative Office. The goal of the expanded use of IVT is to promote efficiency for the court and accessibility for the parties while ensuring that each party’s rights are not compromised.”

c. Telephone or Similar Voice Communication Equipment

Michigan has long endorsed the practice of allowing individuals to participate in a judicial proceeding via audio technology. Since 1985, MCR 2.402 has allowed a court, on its own motion or on the written request of a party, and after proper notice to all parties, to authorize using “communication equipment” for a motion hearing, pretrial conference, scheduling conference, or status conference. MCR 2.402 defines communications equipment as “... a conference telephone or other electronic device that permits all those appearing or participating to hear and speak to each other.”

d. Facsimile Communication Equipment

MCR 2.406 allows a court to permit the filing of pleadings, motions, affidavits, opinions, orders, or other documents by facsimile communication equipment. Courts may impose a fee for facsimile filings, and may establish a maximum number of pages that may be sent at one time. Documents sent by facsimile are considered original documents.

e. Video Depositions

MCR 2.315 authorizes and prescribes rules for conducting video depositions (i.e., audio and visual electronic recording). Video depositions are governed by the same rules as other depositions unless the nature of the video deposition makes compliance impossible or unnecessary.

f. Request for Subpoena in Interstate Case

MCR 2.305(D) states that when the deposition examination will occur in another state, a party may petition the court of that state for a subpoena or equivalent process to require the deponent to attend the examination. MCR 2.305(E) allows a person authorized to take depositions by the laws of another state to take a deposition in Michigan by petitioning the court in the Michigan county in which the deponent resides, is employed, transacts business, or is found, for a subpoena to compel the deponent to give testimony.

g. Out-of State Attorney Rule (*Pro Hac Vice*)

The Rules Concerning the State Bar of Michigan allow any person who is duly licensed to practice law in another state or territory, or in the District of Columbia, or in any foreign country, to engage in the trial of a specific case before a Michigan court or administrative tribunal when associated with, and on motion of,

Michigan ICPC Statewide Assessment

an active member of the State Bar of Michigan who appears of record in the case.² Out-of-state attorneys allowed to practice in Michigan have the same obligations and responsibilities as licensed Michigan attorneys.³

The Michigan Supreme Court is poised to issue an order, which will become effective September 1, 2008, to regularize the practice of out-of-state attorneys seeking instate temporary admissions. The new *pro hac vice* rule will allow an out-of-state attorney to be authorized to appear temporarily in no more than five cases within a 365-day period. Because misconduct will subject the out-of-state attorney to disciplinary action in Michigan, a fee equal to the discipline and client-protection fund portions of a bar member's annual dues will be imposed. The Court plans to review these rules again within two years of their effective date.

h. Michigan Rules of Evidence

The Michigan Rules of Evidence do not apply at dispositional or permanency planning hearings – except for two privileges that MRE 501 implicitly incorporates. Even at dispositional and permanency planning hearings, the court will recognize the privileges for attorney-client communications and for communications made to a member of the clergy acting in professional character while hearing a confession or similar statement.

6. Michigan Department of Human Services Policies

a. Interstate Adoption Procedures [[CFF 932-1](#)]

This policy provides procedures for DHS staff to follow when completing an interstate adoption. The procedures are designed to protect the rights of the child, and are based upon the principle that adoption is a service to the child rather than the adult adoption applicants. The policy outlines specific types of requests for Michigan adoptive placements for children who are under the supervision of an out-of-state court or government agency; coordination with other state laws; and other details of the interstate adoption process.

b. Interstate Foster Care Procedures [[CFF 932-2](#)]

This policy describes procedures for DHS staff to follow when placing a child outside Michigan, either in a foster home, or with a relative. The policy outlines the requests for services that may be referred to local DHS offices when the child is in another state. Those services include home studies, placement supervision, and evaluation and supervision. This policy also describes the process to follow upon receipt of a referral from another state. Finally, it explains ICPC Regulation 7.

² Supreme Court Rules Concerning the State Bar, Rule 15, Section 2.

³ People v. Bruinsma, 34 Mich. App. 167 (1971).

Michigan ICPC Statewide Assessment

c. Border Agreements

Michigan does not currently have an ICPC border agreement with any other state. The Review Committee concluded that, although certain counties might benefit from a border agreement, having one is not a necessity. In addition, for Michigan to supervise a child physically located in another state would be cost-prohibitive, and there is no conclusive evidence that the quality of supervision would improve.

d. ICPC Regulation 7 (Priority Placement)

Regulation 7 allows the court to order a “priority placement” of a child into another state when necessary. The regulation specifies information that must be included in the court order, specifies time frames for the receiving state to make a determination and notify the sending state, and outlines the circumstances in which the court may order a priority placement. The Review Committee learned that many court staff are not familiar with Regulation 7. Their lack of knowledge limits the courts’ use of priority placements because the process requires a court order. We anticipate that the 2006 federal Safe & Timely Interstate Placement Act, which generally requires completing home studies within 60 days, will reduce the need for courts to issue priority placement orders.

e. ICPC Regulation 9 (Visitation)

Regulation 9 distinguishes between a **visit** with a friend or relative in another state and a **placement** in another state. The regulation allows a child to visit a friend or relative in another state for up to 30 days, if the purpose is to provide the child with a social or cultural experience. The visitation must have a beginning date and an ending date, and should be limited to close friends or relatives. Most Regulation 9 visitations are not subject to other ICPC requirements, but the regulation does state that a visit that lasts longer than 30 days, or for which a request for a home study or supervision is made, is considered a placement subject to ICPC requirements. One exception to this 30-day rule is if the visit begins and ends within the period of a child’s vacation from school. This would allow, for example, a child to spend summer vacations with grandparents in another state without being subject to ICPC requirements.

C. Summary of interstate placement process

The interstate placement processes summarized in this section apply to all temporary court wards except those who qualify for Indian Child Welfare Act treatment. The ICPC Review Committee determined the current practices from a statewide survey of Michigan courts,⁴ a round table discussion of common practices, a review of DHS interstate policies and procedures, and the case review summarized in section D.

1. Placing Child Out of State (Michigan as sending state)

- a. First, an out-of-state person is identified as a potential placement option for a Michigan child.

⁴ The survey to courts is attached as Appendix 3.

Michigan ICPC Statewide Assessment

- b. The DHS caseworker initiates an interstate placement request, or a court orders the initiation. The caseworker then sends the DHS ICPC office the initial referral packet, which must include all of the following information:
 - i. Form DHS 4332 (Interstate Compact Placement Request, ICPC Form 100A) and a cover letter on DHS letterhead summarizing the child's current situation and permanency plan, indicating why out-of-state placement is sought, citing specific concerns to be evaluated by the receiving state, and providing details of the potential placement's ability to care for the child.
 - ii. Social history.
 - iii. Current court order indicating the child's legal status and the agency with legal custody.
 - iv. Form DHS 4334 (financial/medical plan).
 - v. Form DHS 352 (Title IV-E verification).
 - vi. Other pertinent information (i.e., birth certificate, social security number, and immunization records).

The Review Committee identified two common delays in this process: (1) When a private agency supervises the case, the private agency worker must send the initial referral packet to a DHS worker (referred to as a "monitor"), who then forwards the request to the ICPC office. This may add a few extra days to the process. (2) In approximately 10-15% of cases, the request to the ICPC office does not contain all of the required information. When this occurs, the ICPC office must contact the sending person to ask for the missing information, typically by telephone or email. Obtaining the required information can add several days to the process.

- c. The DHS ICPC office sends two sets of the placement request to the receiving state's ICPC office. DHS's goal as stated in a DHS policy is to send 95% of cases within two business days. **Note:** The type of home assessment requested by DHS will depend on the case. A *relative home study* for foster care placement is the quickest assessment. *Adoptive placement assessments* take longer. Relative home studies are frequently requested to expedite the placement. They include a criminal records check and a central registry check.
- d. The receiving state ICPC office sends request to its local office.
- e. The receiving state's local office conducts the assessment according to its state laws. States take different amounts of time to conduct the assessment and return the results. The federal Safe & Timely Interstate Placement Act should help expedite assessments.

Michigan ICPC Statewide Assessment

- f. The receiving state's local office sends assessment results to its state ICPC office. The receiving state approves or denies the placement request.
- g. The receiving state ICPC office sends assessment results and approval or denial to the DHS's ICPC office.
- h. The DHS ICPC office notifies the appropriate local caseworker. The DHS caseworker will send the information to the private agency.

2. ICPC Home Study Process (Michigan as receiving state)

Each local office has designated a contact person and a backup person for interstate cases. Upon receiving a request for the placement of an out-of-state child in Michigan, the DHS ICPC office logs the information into the computer system, and sends a brief email to notify the local contact person of the assessment request. The ICPC office mails the complete request to the local office, and sends follow up letters every 20 days seeking a progress report on the home study. The ICPC office typically receives assessment reports back within 30-60 days. The technical steps involved in the process are as follows.

- a. The DHS ICPC office receives a placement request from the sending state.
- b. The DHS ICPC office date stamps the request, logs the case information into the data system, emails an alert and a brief summary of the request to the local office contact,⁵ sends a hard copy of the request to the local office via regular mail, and emails progress inquiries to the local office contact at day 20 and day 40.
- c. The local office conducts the home evaluation, following specified procedures depending on the type of evaluation requested (e.g., relative/unrelated caregiver/guardianship home study; foster family home evaluation; or adoptive home evaluation). All decisions regarding the appropriateness of the placement are the responsibility of the local agency. The DHS ICPC office will not alter the local agency's recommendation.
- d. Upon request, the local office faxes the home evaluation results to the DHS ICPC office. That office reviews the evaluation for completeness, logs the status into the database, completes Form 100A, and, upon request, faxes it to the sending state.

3. Court hearing process when child is placed out of state

⁵ The brief summary includes the name, date of birth, address and phone number of the person to be studied and his or her relationship to the child, the names and ages of children to consider for placement, and any critical information that may impact the evaluation, e.g., the special needs of child.

Michigan ICPC Statewide Assessment

- a. The receiving state sends all written reports to the DHS ICPC office, which keeps one copy and forwards a copy to DHS, then transfers the reports to the DHS local worker.
- b. Courts typically hold telephonic hearings in interstate cases (a small number of courts have video technology available).
- c. The notice procedures are the same as for intrastate placements, and there are no known problems with this notice process.
- d. Court rules require the child's LGAL to have contact with the child, which LGALs typically do by telephone in interstate cases. MCR 3.915(B)(2)(a) requires the court to inquire at each hearing whether the LGAL has met or had contact with the child as required by MCL 712a.17d. That statute requires the LGAL to meet with or observe the child prior to certain hearings; however, the law allows the court to approve an alternative means of contact with the child if good cause is shown on the record. The alternative means of contact could be by telephone.
- e. Out-of-state individuals are not required to travel to Michigan in order to participate in a Michigan hearing, nor are they required to be in a court facility in their state of residence.

D. Sending evidence between states

The majority of documentation in interstate cases flows from the sending state's ICPC office to the receiving state's ICPC office. The DHS's ICPC office does not have a written policy describing how to authenticate evidence received from another state. Upon request, the local office faxes the home evaluation results to the DHS ICPC office. The ICPC office reviews the evaluation for completeness, logs the status into the database, completes Form 100A, and, upon request, faxes it to the sending state.

Section 111(3) of the Uniform Child Custody and Jurisdiction Enforcement Act states: “[d]ocumentary evidence transmitted from another State to a court of this State by technological means that do not produce an original writing may not be excluded from evidence on an objection based on the means of transmission.” MCL 722.1111(3).

In addition, Michigan Rules of Evidence (MRE) 901 allows authentication “by evidence sufficient to support a finding that the matter in question is what [the party that offers it] claims [it to be].”

MRE 901 provides the following examples of approved methods for authenticating or identifying documents. For a complete list of the approved authentication methods, see MRE 901. Here are several examples taken from the rule and from the *self*-authentication rule, MRE 902.

Michigan ICPC Statewide Assessment

- a. *Testimony of witness with knowledge:* Testimony that a matter is what it is claimed to be.⁶
- b. *Nonexpert opinion on handwriting:* Nonexpert opinion as to the genuineness of handwriting, based upon familiarity not acquired for purposes of the litigation.
- c. *Public records or reports:* Evidence that a writing authorized by law to be recorded or filed and in fact recorded or filed in a public office, or a purported public record, report, statement, or data compilation, in any form, is from the public office where items of this nature are kept.
- d. *Methods provided by statute or rule:* Any method of authentication or identification provided by the Michigan Supreme Court or by a Michigan statute.
- e. *Self-Authenticating Writings:* MRE 902 lists several types of **self-authenticating** writings that require no extrinsic evidence of their authenticity in order to be admitted into evidence.⁷

E. Case Review

The ICPC Review Committee reviewed eight cases, including six cases in which Michigan was the sending state, and two cases in which Michigan was the receiving state. The selected cases represented various counties in the state.

Difficulties with the ICPC process were apparent in three of the six cases in which Michigan was the *sending* state. A summary of the case-specific obstacles to expeditious placement in those three “sending cases” follows. Appendix 4 provides a summary of each case reviewed.

- a. After waiting four months for a home study and approval/denial to place the child in Tennessee (TN), the Michigan judge placed the child in TN without approval. TN closed the case citing a violation of the ICPC.
- b. Before the child’s birth, the expectant teenage parents arranged a direct placement adoption with a relative in Ohio. The placement was delayed because of unfamiliarity with ICPC Form 100A. Specifically, the adoptive parents signed Line 1 on the form (name of agency or person financially responsible for the child), which should have been signed by the biological parents. However, the biological parents were minors and could not sign the form, and the judge who could have signed on their behalf refused to do so because signing that line could imply the signer’s individual financial responsibility for the child. In addition, the adoptive parents were listed on Line 2 on the form (name of person child is to be

⁶ In *People v. Hack*, 219 Mich. App. 299 (1996), the defendant's videotape of the victims was properly authenticated where two witnesses who were present on the date of the offense identified the video and its contents from their own personal knowledge and its admission was not barred by any other rule of evidence.

⁷ See MRE 901, Self-Authentication.

Michigan ICPC Statewide Assessment

placed with). They could not be listed in *both* Lines 1 and 2. The ICPC process itself was not necessarily problematic; however, completing the required form caused delay.

- c. Three children were placed in their grandparents' care for over two years, and the grandparents wanted to adopt the children. Pursuant to foster care policy, the grandparents could not obtain a foster care license because they had an open pond on their land. The open pond is not a barrier to adoption, but prohibits the grandparents from receiving an adoption subsidy because the subsidy is based on the foster care subsidy, for which they do not qualify.

Of the two cases reviewed in which Michigan was the *receiving* state, the foster care case was resolved within two months, but the adoption case had taken over three months and was still pending. As to the latter, Michigan had trouble identifying what information Missouri (MO) sought in its original request, and Michigan was still waiting for MO to complete the proper legal procedures so the Michigan court could finalize the adoption.

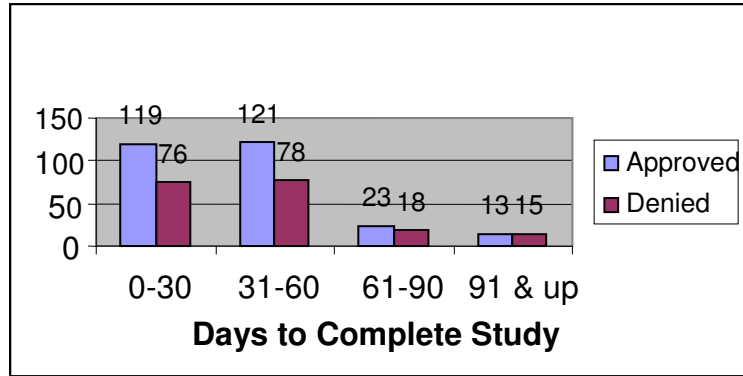
F. Statistics

For fiscal year (FY) 2007,⁸ Michigan had 16,784 children in “out-of-home care,” defined as children not living in their own parent’s home. Michigan received 559 home study requests from other states wishing to place children in Michigan for foster care. At the same time, Michigan sent 563 home study requests to other states where Michigan wanted to place foster children.

⁸ October 1, 2006 – September 30, 2007.

Michigan ICPC Statewide Assessment

**Table 1: Home Study Requests to Michigan
(Michigan as Receiving State)
FY 2007 (10/1/06 – 9/30/07)**



As shown in Table 1, Michigan completed 463 of the home study requests received during FY 2007. Of those completed studies, 195 (42%) were completed within 30 days; 199 (43%) were completed between 31 and 60 days; 41 (9%) were completed between 61 and 90 days; and the remaining 28 (6%) took longer than 90 days to complete. Ninety-six of the FY 2007 study requests remained pending at year's end.

**Table 2: Home Study Requests to Other States
(Michigan as Sending State)
FY 2007 (10/1/06 – 9/30/07)**

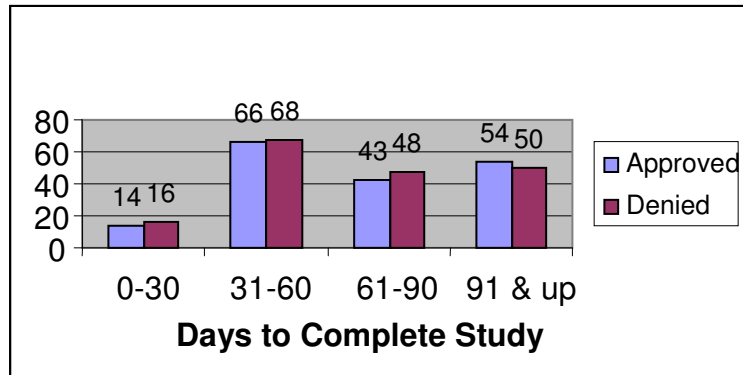
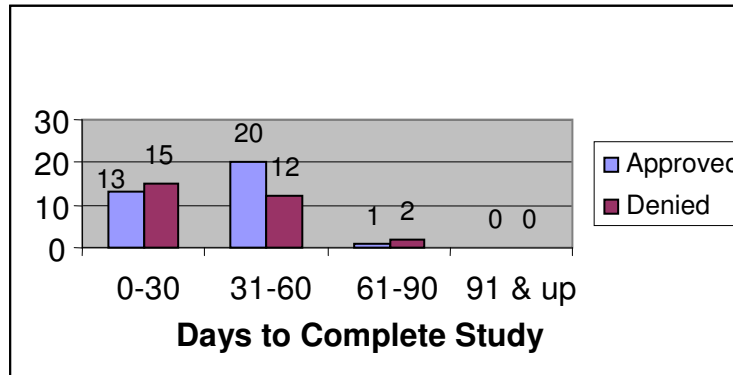


Table 2 shows the results of home study requests Michigan submitted to other states. Those states completed 359 of the 563 home study requests that Michigan sent out during FY 2007. Of those completed, only 30 (8%) were completed within 30 days; 134 (37%) were completed between 31 and 60 days; 91 (25%) were completed between 61 and 90 days; and 104 (29%) took longer than 90 days to complete. The remaining 204 Michigan requests were still pending at year's end.

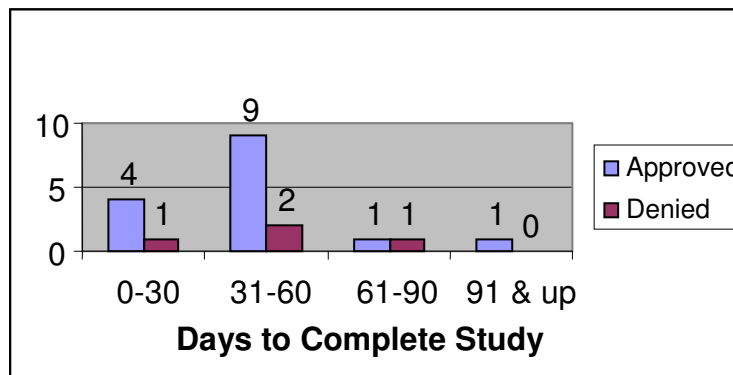
Michigan ICPC Statewide Assessment

**Table 3: Home Study Requests to Michigan
(Michigan as Receiving State)
FY 2008 Q1 (10/1/07 – 12/31/07)**



As shown in Table 3, during the first quarter of FY 2008, Michigan conducted 63 home studies for other states seeking to place a foster child in Michigan. An additional 72 first-quarter requests remained pending at quarter's end. Of the 63 home studies conducted, 28 (44%) were completed within 30 days, and 32 (51%) were completed between 31 and 60 days. Three studies (5%) were completed between 61 and 90 days, and no studies took longer than 90 days to complete.

**Table 4: Home Study Requests to Other States
(Michigan as Sending State)
FY 2008 Q1 (10/1/07 – 12/31/07)**



During the same 2008 fiscal year first quarter, as shown in Table 4, Michigan requested 128 home studies to place a foster child out of state. The receiving states completed 19 of the

Michigan ICPC Statewide Assessment

home studies within the quarter. The remaining 109 Michigan requests remained pending at quarter's end. Of the 19 home studies conducted, 5 (26%) were completed within 30 days, 11 (58%) were completed between 31 and 60 days, and 2 (11%) were completed between 61 and 90 days.

G. Recommendations to Eliminate Barriers to Safe and Timely Placement

- 1. Michigan should adopt an appeals process.** Michigan does not have an administrative or judicial process to review placement denials that are based on negative home study conclusions. Decisions to deny placements due to negative home studies are the type of subjective determinations for which review is essential to ensure a correct placement for the child, and provide due process for the parties.
- 2. The judge should retain authority to place the child in an approved out-of-state placement when the judge does not concur with DHS's placement recommendation.** The court maintains jurisdiction over the child and the case regardless of whether the child is placed in Michigan or out of state. As with intrastate cases, if the court disagrees with the placement recommendation, the court should retain the ability to hear testimony and work with all parties to ensure appropriate placement.
- 3. There should be a single, national, standardized home study process.** Allowing states to apply their own standards for the home study process creates distrust in the reliability of other states' home study processes and results. A national, standard home study process would bolster confidence in the home study results.
- 4. Michigan's ICPC should allow county-to-county border agreements.** DHS should collaborate with contiguous states to amend the ICPC to authorize county-to-county border agreements. These border agreements could expedite the home study process and subsequent permanency for children.
- 5. Congress should appropriate the funding authorized in the federal Safe & Timely Interstate Placement Act, which provides incentive funding for timely home studies (\$1,500 for each home study conducted within 30 days).** The Act authorized \$10 million for fiscal years 2007 -2010, but Michigan has not received any of the incentive funding for which it qualified.
- 6. Create a national model for progress reports and time frames for submitting reports to courts.** There is a wide variance in the style and substance of periodic progress reports, which makes quick review of the reports difficult. Generally, all courts seek the same information at a review hearing. Creating a model progress

Michigan ICPC Statewide Assessment

report for interstate cases would let caseworkers know what the report should include, and help courts review the status and progress of the case.

- 7. Federal ICPC Form 100A is outdated. The current form's Line 1 should be signed only by the agency or persons that are legally responsible for the child. In addition, the form should be amended to clarify who is required to sign the form, and what responsibility the signature implies.** Specifically, the Line 1 caption "Name of Agency or Person Financially Responsible for Child" is problematic. A judge may not want to sign this line because it implies financial responsibility.

H. Suggested Practice Reforms

- 1. Judges in the sending state should take an active role by periodically inquiring about the status of a home study being conducted by another state.** SCAO will recommend that judges expedite home studies by taking an active role in monitoring their progress. This could be accomplished by requiring periodic (e.g., bi-weekly or monthly) status reports from agency workers via email, fax, or other electronic means, or by judge-to-judge phone calls in egregious cases.
- 2. SCAO should train court staff on interstate placement issues.** The interstate placement caseload is relatively small, and not all courts are familiar with interstate placement requirements. Court staff on the ICPC Review Committee had limited or no knowledge of the priority placement option (Regulation 7), which may accelerate placements. Upon completion of this assessment, SCAO will publish a policy for the courts and offer ICPC training to court staffs statewide.
- 3. SCAO and DHS should provide guidance to court and DHS staff about informal communications with interstate workers.** Communications between interstate workers may build a rapport and sometimes make the process move faster, but the guidance should emphasize that written approval of the placement is required before a child can be placed in another state.

I. Results of Survey Sent to Judges

SCAO conducted a survey of family division judges to identify any legal barriers that prevent timely judicial decisions regarding interstate placement; determine the methods used for obtaining information from other states; and seek counsel on whether Michigan laws provide adequate means for ensuring fair administration of justice when a child is placed out of state.

Michigan ICPC Statewide Assessment

The survey was web-based, allowing courts to submit their responses in a simple and expeditious manner. Thirty-one circuit courts responded to the survey, representing 54% of all Michigan circuit courts.⁹

Of the 31 circuit court responses:

- Eighteen courts (58%) had an interstate case within the previous 12 months.
- The most common method of conducting an interstate hearing is by telephone conference (71%).
- Thirteen courts (42%) have video equipment available for testimony.
- The majority of courts (90%) obtain placement information from the other state via written reports. Seven courts (23%) allow email communication.
- Nine courts (29%) require all information to go through DHS's Interstate Compact Office.
- Nineteen courts (68% of the 28 that responded to this particular question) are satisfied that Michigan laws allow for timely and thorough decisions regarding interstate placement.
- Twenty-one courts (68%) expressed interest in judicial education regarding interstate placements.
- The most common complaint expressed by courts concerned the amount of time it takes to receive information from other states (e.g., home studies and progress reports).
- The judges' most common recommendation for improvement was that the federal government should provide either an incentive for timeliness, or a penalty for slowness, in providing information to the sending state.

Conclusion

Michigan's Review Committee successfully collaborated to conduct a thorough assessment of our interstate placement laws, policies, and procedures. The committee met on seven occasions for all-day, in-person meetings, and also communicated by email and telephone. The fact that the interstate process is predominantly *state* supervised but *locally* administered causes some delays. This report's recommendations may help to alleviate some of those delays. SCAO will follow through on the recommendations that affect the courts.

The Review Committee identified several barriers that prevent timely judicial decisions regarding interstate placement, as well as solutions to those barriers. We concluded that our state's laws and court rules adequately allow electronic communication and information exchanges between states so that cases can proceed without requiring interstate travel.

SCAO thanks each member of the Review Committee for participating in this project. The dedication demonstrated by these professionals allowed Michigan to conduct an effective, timely review of our interstate placement processes. This collaborative effort should serve as a model for subsequent cross-jurisdictional projects.

⁹ There are 57 circuit courts in Michigan.

Michigan ICPC Statewide Assessment

Appendix 1: Michigan ICPC Assessment Team Membership

Michael Boltz

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Calhoun County Circuit Court

Mary Chaliman

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Division-Juvenile Unit
Lenawee County

Michigan ICPC Statewide Assessment

Appendix 2: Relevant State Laws, Court Rules, Policies

State Laws

Interstate Compact on Placement of Children [[MCL 3.711 – 3.717](#)]

Michigan Social Welfare Act [[MCL 400.115c, 400.115r, 400.115s](#)]

Uniform Child Custody Jurisdiction and Enforcement Act [[MCL 722.1101 – 722.1406](#)]

Revised Judicature Act [[MCL 600.916](#)]

Michigan Court Rules:

Discovery [MCR 3.922 and 3.972(C)(2)]

Interactive Video Technology [Administrative Order No. 2007-01, and MCR 3.904]

Telephone or Other Communication Equipment [MCR 2.402]

Use of Facsimile Communication Equipment [MCR 2.406]

Video Depositions [MCR 2.315]

Request for Subpoena in Interstate Case [MCR 2.305]

Out-of State Attorney Rule [MCR State Bar Rule 15-2]

Department of Human Services Policy

Interstate Adoption Procedures

Interstate Foster Care Procedures

Michigan ICPC Statewide Assessment

Appendix 3: ICPC Questionnaire to Court Staff Regarding ICPC Practices

1. How often do interstate placements occur in your jurisdiction?
2. What are your practices on sharing information with out-of-state courts?
3. What methods do you use to obtain information and testimony from agencies and parties in other states without requiring interstate travel by the agencies and parties?
4. How do you permit parents, children, other necessary parties, and attorneys to participate in cases that involve interstate placement without requiring those parties to travel interstate?
5. What barriers do you face to safe and timely interstate placement?

Michigan ICPC Statewide Assessment

Appendix 4: Summary of Case Review

CASE 1: Cass County

This case involves two children, ages 7 and 11. The mother is a resident of Cass County, Michigan, and the father lives in Indiana. The first child protective services (CPS) involvement came when the mother, her boyfriend, and children were involved in a bad car accident in which the boyfriend died. The mother, who was driving the vehicle, had a blood alcohol content of .12 and tested positive for cocaine; she was also pregnant at the time. There were three children in the vehicle who were not injured. The children were transported to Kalamazoo hospital; the mother was not hospitalized. Kalamazoo CPS initiated an investigation, and referred the case to Cass DHS. The mother was gainfully employed, and not likely to be IV-E eligible.

The father did not attempt to change custody one week after the accident; therefore, a DHS referral was made. The father did not appear suitable; however, his parents, who also live in Indiana, were good prospects for placement. Cass Co. was hoping for a guardianship with the paternal grandparents; however, the grandparents did not take any action to establish a guardianship. The grandparents claimed that they wanted the children but didn't want to take the legal steps necessary to establish a guardianship.

The mother wanted to regain custody of the children; Cass recommended the grandparents in Indiana live with the mother and children in Michigan; however, the grandparents were not willing to move. Prior to the accident, the father had occasional visitation with the children.

Status as of this review date (11/14/07): Children are placed with paternal grandparents, who are seeking a guardianship.

Summary: Overall, the ICPC process worked well in this case. Relatives were identified early, and interstate home study requests were timely conducted.

Area for improvement: Send the court order requesting the interstate home study to the local DHS office faster (it took 22 days).

Timeline

Aug 5: Accident

Aug 6: Original pick-up order/DHS referral. This was an after-hours pick up order. Title IV-E findings were made.

Aug 7: Preliminary hearing (father did not appear; mother was present. Neither was represented by counsel at this hearing). Cass circuit court ordered an interstate relative home study for "all appropriate relatives".

Aug 29: DHS received copy of Aug 7 order, and interstate home study request received for four interstate referrals (father and three relatives in Indiana).

Sept 5: Four relative home study requests sent to Indiana ICPC office.

Sept 11: Indiana ICPC office sent home study request to local agency.

Sept 24: Cass DHS received "courtesy" home study from Child and Family Services of Southwest MI (it is likely that the paternal grandparents paid for the courtesy study to speed up the process.) This assessment would not comply with interstate requirements.

Michigan ICPC Statewide Assessment

Oct 15: Disposition hearing, court sent children to paternal grandparents in Indiana for “extended visit” (which can last up to 30 days).

Oct 17: **Memo** dated Oct 17 – Indiana report recommends placement with father, under assistance and guidance of grandparents. This is not an official placement decision (see Oct 22).

Oct 22: Indiana form 100a received (**official approval**) for placement with grandparents. Indiana approved all four placement options – one received Oct 22; the other three received Oct 24. The approvals were forwarded to Cass DHS on those dates. Cass circuit court received only the home study for the grandparents.

Oct 26: Order – children sent to paternal grandparents under supervision of DHS. Waiting for grandparents to seek guardianship so Cass can close the case.

CASE 2: Emmet County

This case involves one child, 10 months old (DOB 7-6-06). The mother is a resident of Emmet County, Michigan, while the father lives in Tennessee. The mother had a significant history of mental illness, was viewed as high risk for potentially abusing the child - the court took jurisdiction of the child. The father had suicidal tendencies (previously voluntarily committed himself to a mental institution), committed multiple domestic violence incidents in front of the child, and had ongoing CPS involvement. He was determined as being at substantial risk for potentially abusing the child. Tennessee DHS determined that he had to complete substance abuse treatment and parenting classes. The child is IV-E eligible – placement with the father is not IV-E eligible.

Timeline

May 10, 2007: Petition for removal.

May 10: Preliminary hearing. Court established jurisdiction, removed child, ordered supervised parenting time for both parents. Next hearing scheduled for May 29.

May 29: Mother voluntarily relinquished parental rights.

July 2: Emmet DHS request for interstate parent home study for father in Tennessee received by DHS ICPC office.

July 9: DHS ICPC sent home study request to Tennessee ICPC office.

July 13: Tennessee ICPC office referred study request to local office.

Aug 21: Court adopted DHS recommendation to place child with the father, who was present at the hearing.

Aug 22: Email sent by Emmet DHS office to DHS ICPC office saying she spoke with Tennessee worker, and that a home study for the father was completed and approved; and that the Judge ordered placement with the father in Tennessee. DHS ICPC office requested copy of home study. As of review date (11-14-07), DHS ICPC office has not received the home study. DHS ICPC office advised Emmet Co caseworker that placement is illegal.

Aug 23: Email from TN local worker saying she recommended placement with the father, as long as it is approved by her regional administrator.

Aug 29: Tennessee regional administrator wanted more information about the father (e.g., mental health treatment and driver’s license info); sent back to local TN office.

Sept 20: Mother’s parental rights terminated

Michigan ICPC Statewide Assessment

Sept 28: Emmet County foster care worker email to DHS ICPC office asking if ICPC office has received the home study (the worker states it was completed July 30 and that the mother's rights were terminated Sept 20). Permanency planning hearing scheduled for Oct 16.

Oct 25: Received correspondence from Tennessee DHS dated Oct 20 that they closed their case due to violation of ICPC law (specifically, because the MI court ordered placement with the father in violation of the ICPC).

Nov 2: Tennessee ICPC office sent correspondence to DHS ICPC office: copy of 8-21-07 order placing child with father.

Status as of this review date (11/14/07): Tennessee closed the case. The child is still living with the father in Tennessee.

Summary: The ICPC process did not work very well in this case. The father was identified early, however, the interstate home study was not conducted timely. The court ordered placement in Tennessee without the approval of that state. MI workers may have relied too heavily on informal communications from a caseworker in Tennessee, instead of waiting for official approval from the state.

Area for improvement: Training. We should advise court and DHS staff that informal communication may build a rapport with interstate workers and sometimes make the process move faster, but written approval of the placement from the other state is required before we make a placement in the state. The training will also provide general guidance to the court about the ICPC process and legal requirements.

CASE 3: Eaton County

This case involves a newborn (DOB 10-27-07). The mother and father are teenagers, both residents of Eaton County, Michigan. Prior to the child's birth, the parent's identified maternal relatives, who live in Ohio, for adoption. The adoptive parents contacted an Ohio licensed adoption agency and obtained a home study, which was completed before the child's birth.

Timeline

Oct 27: Child is born.

Oct 31: Adoptive parents filed petition for adoption.

Nov 6: Parents signed consent to adoption; court terminated parental rights and placed child with adoptive parents in Ohio. The court directed Catholic Charities in Ohio to supervise the adoptive placement. DHS Form 100a signed by adoptive parents and attorney and sent to DHS ICPC office.

Typically, the DHS ICPC office would send form 100a and the completed home study to Ohio. However, there were problems with the completed Form 100a, which caused delay. Specifically, the adoptive parents signed section 1 on the form (Name of Agency or Person Financially Responsible for Child) which should have been signed by the biological parents. Because the mother is a minor, the judge could have signed section 1. However, the judge would not do so, because it infers financial responsibility. Additionally, the adoptive parents were named in section 2 on the form (Name of Person Child is to be Placed With). The adoptive parents cannot be named in both sections 1 and 2. The DHS

Michigan ICPC Statewide Assessment

ICPC office anticipates that Ohio will deny the request because the form was dated the same day as the termination of parental rights.

Nov 8: Letter received from Ohio agency that home study was completed, adoptive parents were found suitable, and the agency will provide services.

Nov. 9: Lawyer for adoptive parents brought revised form 100a (adoptive parents only signed Section 2).

Status as of this review date (11/14/07): Line 1 on Form 100a needs to be signed to proceed.

Summary: The ICPC process worked well in this case; however, unfamiliarity with, or resistance to, form 100a, which is required for interstate placement, has caused delay.

Area for improvement: Recommendation to remove private adoptions from certain ICPC requirements, by either amending federal law or changing ICPC agreements.

CASE 4: Oakland

This case involves three children, born in 1998, 2002, and 2003. One of the children is a half-sibling. The parents live in Oakland County, Michigan and the grandparents identified for placement live in Washington.

In 2005, the grandmother came to Oakland County to take custody of all three children (the oldest child is not biologically related to her). She stayed in Michigan temporarily with the children. The court approved the grandmother returning to Washington with the children, prior to a home study being conducted. The court terminated parental rights on the oldest child on 8/16/06, and the grandparents wanted to adopt her. In August 2006, a referral was made for a foster care home study. Subsequently, in December, a referral was made for an adoption home study. Washington may approve the grandparents as an adoptive home, but is not able to license them as foster parents because they have an open pond on their land (this is not a barrier to adoption). However, to be eligible for an adoptive subsidy, DHS requires a foster care payment history on which to base the adoption subsidy. Since the grandparents cannot be approved for foster care, DHS seemingly cannot allow an adoptive subsidy. Washington requires fingerprint checks, which has significantly delayed the process (it has taken several months to get the results due to errors, such as fingerprint smudging). There are no competing parties for the adoption. The grandparents have a positive family assessment from Washington.

Timeline

June 6, 2005: Children placed with grandparents; reunification with parents is the permanency goal.

Aug 16, 2006: Court terminated parental rights for all three children.

Aug 2006: Request to Washington for interstate relative home study for two boys who are related to the grandparents, and a foster care study for the girl, who is not biologically related to the grandparents.

Dec 2006: Request sent to Washington ICPC office for adoption home study for all three children.

Aug 8, 2007: Court hearing. Still waiting for adoption approval from Washington. Referee finds case is moving smoothly, except for slow approval.

Michigan ICPC Statewide Assessment

Status as of this review date (12/7/07): Michigan is still awaiting approval for adoption.

Summary: The ICPC process did not work well in this case. The grandparents were identified for foster care, and subsequently adoption (post termination of parental rights), but errors and policy barriers have caused significant delay.

Area for improvement: DHS policy or MI statute could be modified to allow DHS to grant an adoptive subsidy without a prior foster care subsidy.

Case 5: Wayne County

This case involves one child who is 9 years old (DOB 11-9-98). The mother resides in Wayne County, Michigan. The grandparents identified for placement reside in Arkansas.

Timeline

Jan. 8, 2000: Child is 13 months old, removed from home for child abuse/neglect. Petition is submitted and authorized.

Jan 20, 2000: CA/N writ takes two more siblings into custody.

Jan. 27, 2000: Amended petition provides more details on the mother's inability to care for the children.

Aug. 24, 2000: Michigan ICPC office requested a relative home study.

Oct. 2000: Arkansas approved relative placement.

Nov. 9, 2000: Child is placed with grandparents in Arkansas. Permanency goal at this point is reunification.

Jan. 23, 2001: Termination petition

Jan. 29, 2001: Authorization of termination petition.

Feb. 1, 2001: Parties made judge demand.

Jan. 22, 2003: Father's parental rights terminated.

June 13, 2003: Mother's parental rights terminated. Child is now a state ward.

Dec. 12, 2003: DHS foster care worker requested adoption home study.

June 15, 2004: Arkansas local office completes home study and recommends adoption.

Status as of this review date (12/07/07): The adoption has not been finalized. DHS did not assign an adoption worker to the case. Post-termination review hearings were regularly conducted, with the foster care worker attending the hearings.

Summary: It is difficult to gauge the ICPC process in this case. Unique difficulties have led to a stagnant process (in addition to there not being a DHS adoption worker assigned to the case, the court file went missing for a period of time).

Area for improvement: Effective hearings and legal representation could have identified these problems earlier.

6. Case 6: Lenawee County

This case involves seven children, ages 3 months, 2 years, 9 years (twins), 10 years, 12 years, and 13 years. The parents reside in Lenawee County, Michigan. Relatives were identified for placement in Ohio, Kentucky, and Adrian, Michigan.

Michigan ICPC Statewide Assessment

FEB 1, 2007: CPS became involved as a result of assaultive behavior by the putative father of two of the children. The putative father had five criminal warrants outstanding, and was a registered sex offender. The mother and legal father of the other children have an extensive criminal and protective services history. Two of the children were immediately placed with fictive kin.

FEB 2: Preliminary hearing conducted. The mother and one father were present with attorneys. The children were placed with DHS for care and supervision.

FEB 8: Mother's attorney requested home studies in Ohio, Kentucky, and Adrian, MI.

FEB 20: Adjudication hearing. Parents admit enough of the petition for the court to take jurisdiction. Current placements continued.

MAR 12: DHS caseworker completed Adrian home study.

MAR 20: Dispositional hearing and adjudication hearing on 2nd (legal) father. The father lives out-of-state and has exhibited minimal interest in the child. Reported by the DHS caseworker, Kentucky and Adrian home studies are initiated. Current placement of the children continued.

MAR 25: Placement of 1 child with fictive kin (Adrian home study) and another child placed in same home as a relative placement.

MAR 31: One more child placed with fictive kin (Adrian home study) and another child placed in same home as a relative placement. Four children now in this home.

JUNE 19: Dispositional review hearing. Placements of children continued.

JULY 9: Home study in Kentucky completed for two children.

AUG 17: Petition with the court and a pickup order authorized on newborn.

AUG 21: Preliminary hearing conducted and newborn child placed with DHS for care and supervision. Newborn still in hospital with significant health problems. When released from the hospital, newborn to be placed with grandparents in Kentucky, under a power of attorney until the grandparents can obtain a guardianship. 9/27/07 newborn placed with maternal grandparents, in Kentucky.

SEPT 18: Adjudication hearing/dispositional review hearing on 6 of the children. Father did not appear for the adjudication. His arraignment was continued until Dec. 11th. Mother admitted enough of the petition for the court to take jurisdiction. The placement of the 6 children was continued. Newborn still in hospital.

SEPT 24: DHS ICPS office requested a relative home study for the newborn child to be placed with the grandparents in Kentucky.

SEPT 27: Newborn released from hospital, and placed with grandparents in Kentucky, after two heart surgeries. The grandparents stayed in the hospital for a week receiving training on the special needs of the child.

NOV 2: A second child has been sent to the grandparents in Kentucky.

Status as of this review date (12/07/07): Next review hearing Dec. 11th.

Summary: The court placed the newborn with the maternal grandparents before the home study request for that child was approved. The court had approved home studies for the other children to be placed with the grandparents, but did not have approval for that child to be placed there.

Area for improvement: Provide guidance to the court on how to make a Priority Placement request. The court has to put something specific in the order to direct a priority

Michigan ICPC Statewide Assessment

placement. SCAO could accomplish this with an administrative memorandum to the courts.

7. Case 7: Michigan as RECEIVING STATE (Kentucky as sending state)

NOV 7: ICPC office received relative home study request for placement with paternal aunt in Oakland county.

NOV 7: ICPC office sent request to Oakland County.

NOV 28: Follow up letter sent to Oakland County.

DEC 18: Follow up letter sent to Oakland County.

JAN 7: Follow up letter sent to Oakland County. Received results approving the placement.

JAN 8: Sent results to Kentucky

8. Case 8: Michigan as receiving state (Missouri as sending state)

Adoption request for two Missouri sibling state wards – Michigan parents found the children on line, and attained a private home study, conducted by Bethany Christian Services.

Sept 18: Referral from MO requesting placement of 2 children – included private study results – and arrangement for supervision. Sent to Livingston County DHS office.

Sept 18: ICPC asked MO follow-up questions over the next month because it was unclear what they wanted.

Oct 10: MO wanted update of private home study.

Nov 20: ICPC received study results from Livingston county, confirming private agency study.

Nov 20: Sent results of study to MO, but included statement that child cannot be placed here because MI has to accept and finalize the adoption.

Status as of this review date (Jan 8): Still waiting for MO to follow legal procedures (send birth certificate, copy of termination of parental rights, etc) to allow Livingston County to file a petition for adoption.

Michigan ICPC Statewide Assessment

Appendix 5: Survey to Judges

1. Have you had any cases in the previous 12 months in which the child was placed in out-of-state foster care or adoption?
 Yes No
2. How do you conduct review hearings for out-of-state placements without requiring parties, attorneys, and caseworkers to travel? (check all that apply)
 Telephone conference Video conference Written testimony
 Other _____
3. Does your court have video equipment available for video depositions or testimony?
 Yes No
4. How are out-of-state parties sworn in for testimony when the hearing is conducted by conference call or videoconference? (check all that apply)
 The parties are sworn in by the other state By the Michigan jurist during the conference Other _____
5. What evidence regarding the placement do you require from other states? (check all that apply)
 Written report Verbal testimony Photos Videos
 Audio tapes Other _____
6. What are your acceptable methods for receiving information from the other state? (check all that apply)
 Facsimile Regular mail Certified mail Email
 Phone call
 All information must go through the DHS Interstate office. We do not accept information directly from other states.
 Other _____
7. How do you typically share information with courts in other states?
 Facsimile Regular mail Certified mail Email
 Phone call
 All information is sent through the DHS Interstate office. We do not have direct contact with other state courts.

Michigan ICPC Statewide Assessment

Appendix 6: Survey to ICPC Administrator

How ICPC works in Michigan

1. Please describe how a typical interstate placement proceeds step by step.

The Michigan Assessment, Section C – Summary of interstate placement process, pages 8-9-10, describes the process.

2. Who is notified of interstate placement decisions and when?

When the decision is received by the MI Interstate Compact Office, the Sending Agency is notified within 2 business days of receipt of the decision by the MI Interstate Compact Office.

3. When do Regulation 7 (expedited placement) procedures apply?

Regulation 7 applies when the court orders a priority home study to be completed. The child qualifies for a priority home study under certain conditions/requirements outlined in ICPC Regulation 7.

a. How does a Regulation 7 case proceed, step-by-step and how does it differ from other cases?

Please refer to Manual Item CFF 932-2 – Priority Placement.

4. Are there areas of your state where interstate placements proceed relatively rapidly and slowly? If so, why and how?

Overall, MI performs at a better rate based on data kept as a requirement of the Safe & Timely Interstate Placement Act of 2006.

5. Who is notified of interstate placement actions and decisions and when in the process?

Based on notification decision in #2 above, the Sending Agency must notify the Interstate Compact Office if and when the child is placed. For details, see Manual Item CFF 932-1 and 932-2.

6. What is the administrative or judicial process, if any, to resolve disagreements regarding interstate placement decisions including who may initiate that process?

There is no appeal process.

a. How and when do courts generally become involved in interstate placement decisions?

Michigan ICPC Statewide Assessment

Courts are generally involved when reviewing the placement decision by the caseworker.

b. How does court performance affect timely and safe interstate placements?

Court-ordered illegal placements can delay the interstate process and negatively impact cooperation with other states.

Timeliness of the issuance of the court orders delays the sending of the Interstate Compact Referral.

7. What are the normal mistakes you see from agencies with ICPC transmittals?

The mistakes seen most often are incomplete referral packets.

a. What do you spend most of your time doing regarding these cases? Why? And what are you doing to expedite solutions for those challenges?

This office developed a PowerPoint presentation that is available on the DHS Public Web Site to provide technical assistance to the field, court and those interested about the interstate compact.

We train and explain the Interstate Compact Process and policy to workers on an as-needed basis.

We contact caseworkers by telephone or email to request additional case information missing in referral packets.

8. What is the average turn around time for a file, when accurate, being sent on to the receiving state ICPC office?

Generally, paperwork is turned around the same day it's received in the ICPC office.

9. What is the average time until you hear from the receiving state ICPC office? What is the contact about? What states are slow in doing this? What states are fast in doing this?

A transmittal is received within 5-10 business days from the receiving state confirming that the home study request was sent to their local office. There is not much variance between states.

10. How do you remind yourself of the need to be in touch with another state about a case? Do you have a tickler system? Do you just wait until you hear from them?

The Interstate Data Log System generates daily reminders for updates and contacts.

Michigan ICPC Statewide Assessment

11. What if they don't respond to your contact? How much time passes until you contact them again?

States are contacted 60 days after the referral is sent and every 30 days thereafter.

Michigan ICPC Statewide Assessment

Appendix 7: Interstate Placement Statistics

Fiscal Year 2007

<p align="center">Requests from Other States to Place Children in Michigan (Michigan as Receiving State) Fiscal Year 2007 (10/1/06 – 9/30/07)</p>					
<p align="center">Number of Days to Complete Home Study</p>					
	0-30 days	31-60 days	61-90 days	91 days & up	Total
Approved	119	121	23	13	276
Denied	76	78	18	15	187
Total approved/denied	195	199	41	28	463
Incomplete	48	20	9	19	96
Total	243	219	50	47	559

<p align="center">Michigan Requests to Place Children in Other States (Michigan as Sending State) Fiscal Year 2007 (10/1/06 – 9/30/07)</p>					
<p align="center">Number of Days to Complete Home Study</p>					
	0-30 days	31-60 days	61-90 days	91 days & up	Total
Approved	14	66	43	54	177
Denied	16	68	48	50	182
Total approved/denied	30	134	91	104	359
Incomplete	63	38	26	77	204
Total	93	172	117	181	563

Michigan ICPC Statewide Assessment

<p align="center">Michigan Requests to Place Children in Other States (Michigan as Sending State) First Quarter Fiscal Year 2008 (10/1/07 – 12/31/07)</p>					
<p align="center">Number of Days to Complete Home Study</p>					
	0-30 days	31-60 days	61-90 days	91 days & up	Total
Approved	4	9	1	1	15
Denied	1	2	1	0	4
Incomplete	37	34	38	0	109
Total	42	45	40	1	128

First Quarter Fiscal Year 2008

FY 2008 – Q1

<p align="center">Requests from Other States to Place Children in Michigan (Michigan as Receiving State) First Quarter Fiscal Year 2008 (10/1/07 – 12/31/07)</p>					
<p align="center">Number of Days to Complete Home Study</p>					
	0-30 days	31-60 days	61-90 days	91 days & up	Total
Approved	13	20	1	0	34
Denied	15	12	2	0	29
Incomplete	32	25	15	0	72
Total	60	57	18	0	135