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California is a decentralized State. ICPC functions, except those involving group home or residential treatment placements, are delegated to the county social services departments licensed public and private adoption agencies, or one of the California Department of Social Services' Adoption District Offices. A listing of authorized county and state ICPC liaisons and public and private agencies is maintained by the Out-of-State Placement Policy Unit on an annual basis.

All ICPC 100A requests for Group Home/Residential Treatment placements into and out of California must be directed to the Out-of-State Placement Policy Unit effective January 15, 1999. Case specific correspondence and telephone inquiries for all other ICPC cases should continue to be directed to the appropriate local agency. Correspondence and telephone inquiries on policy and statewide issues should continue to be directed to the Deputy Compact Administrator.

FAX: (916) 651-8144

GENERAL INFORMATION

ICPC Code Citation. Cal. Civ. Code Sections 264-274, adopted in 1975.

Statutory Penalties Under Article IV. A placement, otherwise legal, does not become a misdemeanor by virtue of placement in violation of the Compact. It is a misdemeanor for an unlicensed agency to advertise adoption services (Civ. Code Section 224p) or to place a child for adoption, (Civ. Code Section 224q); for any individual or agency to offer to pay a parent for the placement for adoption, for the consent to an adoption or for cooperation in the completion of an adoption of his child. (Cal. Pen. Code Section 273); for any person to violate provisions of the California Community Care Facilities Act (Health and Safety Code Section 1500 et. seq.) which requires the licensing of facilities providing non-medical care, day care, or home finding agency services for children (Health and Safety Code Section 1540).

Age of Majority. 18 years. (Civ. Code Section 25.1)

Court Jurisdiction. Juvenile Court: dependency and delinquency petitions. (Welf. And Inst. Code Sections 300, 8501, or 8502). Superior Court: Adoptions petitions (Civ. Code Section 2285). Dissolution of marriage, custody, and support of minor children of the marriage (Civ. Code Section 4351). Guardian and conservator ship petitions. (Prob. Code Section 2200).

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SPECIAL INFORMATION

Child Custody Investigations – Contact ICPC Unit for name and address of court mediation office or probate investigation office at the local level.

Interstate Compact on Juveniles (ICJ) – In California the ICJ office address is as follows and is not a part of the California Department of Social Services.

Department of the Youth Authority
4241 Williamsborough Drive, Suite 223
Sacramento, CA 95823
Telephone: (916) 262-1368

Group Home/Residential Treatment Placements – All group home and residential treatment placements into or out of California must be processed and approved by the Out-of-State Placement Policy Unit.

REQUIREMENTS

Reports. Adoption: Four post-placement reports are usually required. For out-of-state adoption, refer to laws of that state. Foster care: Monthly or less frequently.

Licensing Requirements. Foster care facilities are required to be licensed unless specifically exempted by statute or regulations. (Health and Safety Code Section 1530).

PLACEMENTS

Independent Adoptive Placements. Lawful if made by parents. In respect to independent adoptions, “placement” means the selection of a prospective adoptive parent or for a minor child by the parent or parents. The selection shall be personally made by the parent or parents of the child and may not be delegated to an agent. The act of selection by the parent or parents shall be based upon his, her, or their personal knowledge of the prospective adoptive parent or parents. (Civil Code Section 224q).

Adoption Petition. Petitioners must be residents of county in which petition is filed (Civil Code Section 226). Petition is to be filed immediately after independent placement is made. For agency placements it is filed with the concurrence of the agency upon completion of the post-placement supervisory period. The minimum period between filing the petition and the granting of the adoption decree in independent adoptions is six months. For agency adoptions the petition is calendar for hearing as soon as filed.

Residential Placements.

- Placement Requiring Interstate Approval: All placements governed by the Interstate Compact on the Placement of Children require approval by the appropriate local agency ICPC liaison.
- Requirements for Placements: ICPC-100A, child summary, financial and medical care plan, court order or evidence of authority to place.
- Approval of Facilities: Approval of facilities and licensing of facilities and home finding agencies is performed by the State Department of Social Services.
- Rate Setting: The responsible county determines the rate.

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- Monitoring of the Child: Unless supervision is requested, the sending agency has responsibility for ongoing monitoring.

Group Home/Residential Treatment Placements: All group home and residential treatment placements into or out of California must be processed and approved by the Out of State Placement Policy Unit.

PAYMENTS

AFDC Payments. Sending agency is responsible for payments until there is concurrence on the termination of sending agency's jurisdiction.

Medicaid Payments. Prior authorization of medical services under Medi-Cal is required for children placed out-of-state unless child is IV-E eligible for Medicaid in the receiving state.

Foster Care Payments. Rates are determined by those in effect in the receiving state.

Special Education Payments. Determination is the responsibility of the local school district.

USEFUL TELEPHONE NUMBERS

Child Abuse Registry. (916) 227-3285 name checks for victims and suspects for out of state investigative agencies on former California residents only.

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Mental Health Compact Office. None. Responsibility for interstate transfers rest with the superintendent of the individual State Hospital, the local Director of the Regional Center for the Developmentally Disabled or the local Director of Mental Health Services.

California Missing Children's Clearinghouse. Telephone: 1-800-222 FIND