ICPC RESOURCES

Some of the documents listed below can be found at https://www.law.umich.edu/centersandprograms/pl/Pages/ICPC-Advocacy.aspx. For general information about the Interstate Compact on the Placement of Children and current reform efforts, visit the website of the Association of the Administrators of the Interstate Compact on the Placement of Children at: http://icpc.aphsa.org/Home/home_news.asp

Articles


Caselaw
ICPC Does Not Apply To Placements With Biological Parents
McComb v. Wambaugh, 934 F.2d 474 (3d Cir. 1991)
In re Emoni W., 305 Conn. 723; 2012 Conn. LEXIS 290 (Conn. 2012)
Dep’t of Children and Family Services v. K.N., 858 So.2d 1087 (Fla. Ct. App. 2003) (not applicable to return of child to fit, custodial parent after child had been kidnapped by noncustodial parent)
Dep’t of Children and Family Services v. L.G., 801 So.2d 1047 (Fla. Ct. App. 2001) (not applicable to interstate move of mother who already had custody of children)

ICPC Applies To Placements With Biological Parents
In the Interest of C.N., 953 So.2d 870 (La. Ct. App. 2007)
In the Matter of Tumari W., 2009 N.Y. App. Div. LEXIS 6669 (N.Y. Supr. Ct 2009) (but noting that ICPC may not apply if BF had filed for custody)
In the Matter of J.T., 2008 N.Y. Misc. LEXIS 7324 (Fam. Ct. N.Y. 2008)

ICPC Does Not Apply To Visits With Biological Parents

ICPC Does Not Apply To Placements With Relatives
Arkansas Dep’t of Health and Human Services v. Jessica Jones, 2007 Ark. App. LEXIS 46 (Ark. Ct. App. 2007) (inapplicable where custody was being restored to paternal grandparents at preliminary hearing)

ICPC Applies To Placements With Relatives
In the Matter of V.A., 727 N.E.2d 901 (NC 2012)
In re T.T.B., 724 N.W.2d 300 (Minn. 2006)
In re Miller, 36 P.2d 989 (Or. Ct. App. 2001)

**ICPC Model Regulations Are Not Binding On States**

**ICPC Model Regulations Are Binding**

**Best Interest Of The Child Trumps Strict Compliance With The ICPC**
R.F. v. Dep't of Children and Families, 50 So.3d 1243 (Fla Dist. Ct. App. 2011)
In re Adoption 3598, 701 A.2d 110 (Md. Ct. App. 1997)
In re Adoption 10087, 597 A.2d 456 (Md. Ct. App. 1991)

**Effects of Violating ICPC**
R.F. v. Dep't of Children and Families, 50 So.3d 1243 (Fla Dist. Ct. App. 2011)
(permitting ICPC violation to further the best interests of the child).
In re Matter of the Adoption of Infant H., 2009 Ind. LEXIS 339 (Ind. 2009) (reversing adoption order where trial court failed to comply with the ICPC)
In re Paula G., 672 A.2d 872 (R.I. 1996) (reversing order placing children with out of state relatives where trial court failed to comply with the ICPC). 
In re Eli F., 212 Cal.App.3d 228 (1989) (reversing order placing children with out of state relatives where the court had no evidence of completion of ICPC process)

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