

	INDIANA DEPARTMENT OF CHILD SERVICES PROBATION SERVICES MANUAL	
	Chapter 2: Placements	Effective Date: 12/12/2019
	Section 27: Out of State Placement	Version: 2

There are two Processes covered in this section: (A) Placement in an Out of State Facility and (B) Youth Returning from and Out of State Placement

A. PLACEMENT IN AN OUT OF STATE FACILITY

31-37-19-3 Placement in shelter care facility outside county of residence; placement in home or facility outside Indiana

Sec. 3.

(b) A juvenile court may not place a child in a home or facility that is not a secure detention facility and that is located outside Indiana unless:

(1) the placement is recommended or approved by the director of the department or the director's designee; or

(2) the court makes written findings based on clear and convincing evidence that:

(A) the out-of-state placement is appropriate because there is not a comparable facility with adequate services located in Indiana;

(B) institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship; or

(C) the location of the home or facility is within a distance not more than fifty (50) miles from the county of residence of the child.

- 1) If a Juvenile Probation Officer is recommending an out-of-state placement, a review will need to be submitted to the assigned DCS Probation Consultant, and the consideration report will need to be signed by the Department of Child Services Director or their designee.
 - a. The normal 3 day placement/service review timeframe is not applicable to out of state placement reviews.
 - b. The Indiana Department of Child Services (DCS) will consider placement of a child in an out-of-state residential facility when the placement is in the best interest of the child and all appropriate in-state facility options have been exhausted (including but not limited to, existing DCS contracted providers and/or services; offers of a one (1)-to-one (1) supervision rate to address the child's needs; and any potentially appropriate waivers and/or variances).
 - c. When considering an out-of-state placement, facilities with an active DCS contract should be considered first. **DCS will not place a child in a residential facility without a fully executed contract** (see IC 31-40-1-2).
- 2) The Order must have Court's signature (signature of the Judge) and it must have the following out-of-state wording: (see IC 31-37-19-3)

- a. *Child has been adjudicated delinquent.*
 - b. *The out-of-state placement is appropriate because there is not a comparable facility with adequate services located in Indiana;*
 - c. *Institutional care in the other jurisdiction is in the best interest of the child and will not produce undue hardship; or*
 - d. *The location of the home or facility is within a distance not more than fifty (50) miles from the county of residence of the child.*
 - e. ***Please contact your DCS Service Consultant immediately after the youth is ordered to an out of state facility.***
 - f. ***Please send a copy of the court order when it is approved/signed by the presiding Judge.***
- 3) Once the DCS director or designee approves the out of state placement; Eligibility and the ICPC process will need to be completed.
 - 4) The Juvenile Probation Officer (or designated supervisor) will complete the ICPC packet and enter the necessary information into MaGIK/ KidTraks:
 - a. *Enter the placements prior to the out of state placement into MaGIK/KidTraks*
 - b. *Enter the Court Hearing at the time of initial placement with all information filled out into MaGIK/KidTraks*
 - c. *Upload the court order at the time of initial placement into MaGIK/KidTraks for it to be sent to CEU (central eligibility unit)*
 - d. *Enter all household members into MaGIK/KidTraks*
 - e. *Enter income information for all household members into MaGIK/KidTraks*
 - 5) The Probation Department should complete the ICPC forms and send them via email to the DCS ICPC Compact Consultant, Antoinette.Boyles@dcs.IN.gov.
 - a. ICPC forms can be found on the DCS website under *Child Welfare Policies Ch 9 - ICPC (Interstate Compact forms)* located at <http://www.in.gov/dcs/2532.htm>.
 - b. The forms can be submitted to ICPC electronically.
 - 6) DCS ICPC compact Administrator will complete their process, and will then contact the Probation Department to report when the child can be moved to the out-of-state placement.

B. YOUTH RETURNING FROM AND OUT OF STATE PLACEMENT

- 1) When the youth returns from an out of state placement:
 - a. Please work with the assigned DCS Probation Consultant to ensure that any needed Services are put in place to ensure successful transition into the community
 - b. The SF26174/CW0100b form will need to be completed and sent to the DCS ICPC Compact Consultant, Antoinette.Boyles@dcs.IN.gov

i. The form is located at <http://www.in.gov/dcs/files/26174.pdf>