

Relative Scenario

DSS filed a petition alleging neglect and the children were placed in nonsecure custody with DSS. DSS placed the children in a foster home. The children were adjudicated neglected. At disposition, DSS had identified appropriate relatives who were willing and able to provide proper care and supervision for the children in a safe home. Those relatives live in Georgia. DSS has not requested a home study or started the ICPC approval. However, the relatives testify to their willingness to have the child reside with them, describe their home (which is suitable), and their plans to enroll the children in school. One respondent parent supports the placement with the relative.

Does the ICPC apply before DSS can place the children with the relative?

Why or why not?

The children have continued to reside in NC but the relatives have weekly phone FaceTime contact with the children and visit them, unsupervised, one time a month. At the previous permanency planning hearing, the court has ordered guardianship and custody with a suitable person as the concurrent plans (reunification has been eliminated). At this permanency planning hearing, DSS and the GAL are recommending guardianship be granted to the relatives in Georgia.

Does the ICPC apply before you can order guardianship?

Why or why not?