



**STATE OF NEW HAMPSHIRE**  
**OFFICE OF THE GOVERNOR**

**CHRISTOPHER T. SUNUNU**  
Governor

May 6, 2022

Dear Governors,

There is no greater trust we put in government than keeping our most vulnerable children safe, and ensuring open lines of communication regarding highly sensitive and critical child welfare cases is of the utmost importance. Our most vulnerable are counting on us to get this right, and it is in this shared mission that I am writing to you to please work with your legislatures to pass the critical updates included in the 2009 Interstate Compact for the Placement of Children (ICPC).

As you may be aware, the ICPC was initially passed in 1965 and is not well suited for the modern day. This revision has been designed to address some of the deficiencies of the ICPC to create clear processes and expectations for communication. For example, the current regulatory framework provides no process for dispute resolution should states disagree about a matter. While regulations were developed to better address these gaps, in many states, including New Hampshire, pursuant to case-law, these regulations operate more as guidelines than enforceable law. Further, the current ICPC lacks clarity as to which types of child placements apply, which has led to different states creating and applying different standards.

I am working with my legislature to pass legislation this session that would adopt the 2009 ICPC, which will become effective when 35 states have enacted it. Thank you to the 13 states that have already adopted the 2009 ICPC, and to those of you working through the legislative process now.

For the remaining states, please urge your legislature to swiftly enact these important improvements. Once in place, the ICPC will apply to placements of children in foster care with parents in other states unless the court found: 1) that the parent already has a substantial relationship with the child, and 2) that the placement is in the child's best interest. This expansion will help ensure the safety of children at their most vulnerable.

Short term action can be taken while we wait for ICPC reform to become a reality. Here in New Hampshire, we are working on legislation that will allow the New Hampshire Division for Children, Youth and Families to establish a process where children placed by the Division outside of New Hampshire with non-custodial parents will receive the additional protection of a home-study when appropriate and necessary to ensure the child's best interests are protected.

We know there are many children with parents that live in different states. These provisions will help us keep children that have been identified as at risk for abuse or neglect safe, even when they are crossing state lines.

Let's please work together to make these critical improvements in our child welfare systems so that we can continue to improve our communication while putting the safety of our children first.

Sincerely,

Christopher T. Sununu  
Governor