



INTERSTATE COMMISSION FOR JUVENILES

Serving Juveniles While Protecting Communities

2013 ANNUAL BUSINESS MEETING

Docket Book

October 7 – 9, 2013

Tempe, Arizona



**Interstate Commission for Juveniles
2013 Annual Business Meeting
October 7 - 9**

The Tempe Mission Palms- Tempe, Arizona
Mountain Standard Time

MONDAY, OCTOBER 7, 2013

- 2:00 p.m. **Executive Committee Meeting**
Joshua Tree
- 6:00 p.m. **Welcoming Reception**
Courtyard West

TUESDAY, OCTOBER 8, 2013

- 7:00 a.m. - 8:00 a.m. **Breakfast**, provided
Cloister
- 8:00 a.m. – 10:00 a.m. **Training I: JIDS**
Abbey South
- 10:30 a.m. – 12:00 p.m. **Training II: Runaways**
Abbey South
- **Breakout #1** – *Abbey North*
 - **Breakout #2** – *Colonnade*
 - **Breakout #3** - *Cavetto*
 - **Breakout #4** – *Campanile*
- 12:00 p.m. – 1:30 p.m. **Lunch** [*on own*]
- 1:30 p.m. – 3:00 p.m. **Training III: Rules**
Abbey South
- 3:30 p.m. – 5:00 p.m. **Region Meetings -**
- **East Region** – *Cavetto*
 - **Midwest Region** – *Colonnade*
 - **South Region** – *Abbey North*
 - **West Region** – *Dolores*
- *5:00 p.m. – 6:00 p.m. **Public Hearing**
San Pedro

* Robyn Peterson available in *Abbey South* to discuss JIDS



**Interstate Commission for Juveniles
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WEDNESDAY, OCTOBER 9, 2013

- 7:00 a.m. **Breakfast, provided**
Cloister
- General Session**
Palm A,B,C
- 8:00 a.m. **Call to Order**
Flag Presentation
 - *AZ Deptment of Juvenile Corrections Special Ceremonies Unit***National Anthem**
 - *AZ Department of Corrections Special Ceremonies Unit*
- Welcome and Opening Remarks**
 - *Terry Clark, Chair***Approval of Agenda**
Approval of 2012 Annual Business Meeting Minutes
- 8:15 a.m. **Welcome Address**
 - *Dona Marie Markley*
- 8:30 a.m. **Executive Committee Report**
 - *Terry Clark, Chair*
- 8:45 a.m. **Training, Education and Public Relations Committee Report**
 - *Jean Hall, Chair*
- 9:00 a.m. **Compliance Committee Report**
 - *Summer Foxworth, Chair*
- 9:15 a.m. **Information and Technology Committee Report**
 - *Traci Marchand, Chair*
- 10:00 a.m. **Break**
- 10:15 a.m. **Finance Committee Report**
 - *Patrick Pendergast, Chair*



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WEDNESDAY, OCTOBER 9, 2013 CONTINUED

- 10:30 a.m. **Legal Counsel Report**
- *Rick Masters, Legal Counsel*
- 11:00 a.m. **Regional and Work Group Committee Reports**
- *East, Damian Seymour*
 - **Midwest and AAICPC/ICJ MOU Work Group, Rose Ann Bisch**
 - *South, Judy Miller*
 - *West, Anne Connor*
- 11:30 a.m. **Lunch** *[on own]*
- 1:00 p.m. **Rules Committee Report**
- *Rose Ann Bisch, Chair*
- 2:30 p.m. **Break**
- 2:45 p.m. **Old Business**
- 3:15 p.m. **New Business**
- 3:45 p.m. **Officer Elections**
- *Nominees Address Commission*
 - *Vote for Officers*
 - *Oath of Office, Judge David Stucki*
- 4:30 p.m. **Adjourn**
- 5:00 p.m. **Newly Elected Officers and Region Chairs Meeting**
The Boardroom, 2nd floor



**INTERSTATE COMMISSION FOR JUVENILES
ANNUAL BUSINESS MEETING
October 17, 2012
MINUTES
The InterContinental – Kansas City, MO**

Call to Order

The meeting was called to order by Chair Clark (PA) at 8:00 a.m. CST. The Air Force Junior ROTC Color Guard at Lee Summit High School presented the flags.

Roll Call

A. Lippert, Executive Director, called the roll. Forty-nine out of fifty-one member states and territories were in attendance. Forty-seven *voting* members were present, establishing a quorum.

Members

- | | |
|-------------------------|----------------------------------|
| 1. Alabama | Patrick Pendergast, Designee |
| 2. Alaska | Barbara Murray, Commissioner |
| 3. Arizona | John Crabtree, Designee |
| 4. Arkansas | Judy Miller, Designee |
| 5. California | <i>Not in attendance</i> |
| 6. Colorado | Summer Foxworth, Commissioner |
| 7. Connecticut | Maria Genca, Designee |
| 8. Delaware | Sean Heblen, Designee |
| 9. District of Columbia | Bruce Wright, Commissioner |
| 10. Florida | Jean Hall, Commissioner |
| 11. Hawaii | Linda Kiyotoki, Designee |
| 12. Idaho | Alicia Ehlers, Designee |
| 13. Illinois | Billie Greer, Designee |
| 14. Indiana | Bob Champion, Designee |
| 15. Iowa | Gerry Prine, Designee |
| 16. Kansas | Brad Burke, Commissioner |
| 17. Kentucky | Paul Gibson, Commissioner |
| 18. Louisiana | Angela Bridgewater, Commissioner |
| 19. Maine | Mark Boger, Commissioner |
| 20. Maryland | Sherry Jones, Commissioner |
| 21. Massachusetts | Fred White, Designee |
| 22. Michigan | Ted Forrest, Commissioner |
| 23. Minnesota | Rose Ann Bisch, Commissioner |

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24. Mississippi	Melonie Taylor-Gore, Designee
25. Missouri	Julie Hawkins, Commissioner
26. Montana	Gloria Soja, Designee
27. Nebraska	Kari Rumbaugh, Commissioner
28. Nevada	Anne Connor, Commissioner
29. New Hampshire	Eric Borrin, Commissioner
30. New Jersey	Robert Mercado, Designee
31. New Mexico	Dale Dodd, Commissioner
32. New York	Shaina Kern*
33. North Carolina	Traci Marchand, Commissioner
34. North Dakota	Lisa Bjergaard, Commissioner
35. Ohio	Robyn Peterson, Commissioner
36. Oklahoma	Robert Hendryx, Designee
37. Oregon	Philip Cox, Commissioner
38. Pennsylvania	Terry Clark, Commissioner
39. Rhode Island	JoAnn Niksa, Designee
40. South Carolina	<i>Not in attendance</i>
41. South Dakota	Nancy Allard, Commissioner
42. Tennessee	Sherry Bolden-Rivers, Commissioner
43. Texas	<i>Not in attendance</i>
44. Utah	Krista Airam, Designee
45. Vermont	<i>Not in attendance</i>
46. Virginia	Letta Porter-Jones, Designee
47. Virgin Islands	B. Patricia Welcome, Commissioner
48. Washington	Jeff Patnode, Designee
49. West Virginia	Michael Lacy, Commissioner
50. Wisconsin	Shelley Hagan, Commissioner
51. Wyoming	Gary Hartman, Commissioner

*non-voting representative

Ex-Officios:

1. American Probation and Parole Association (APPA) – Deena Corso
2. Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) – Jean Taylor
3. Council of Juvenile Correctional Administrators (CJCA) – *Not in attendance*
4. Conference of State Court Administrators (COSCA) – Sally Holewa
5. International Association of Chiefs of Police (IACP) – *Not in attendance*
6. Interstate Commission for Adult Offender Supervision (ICAOS) – Kimberly Schwant
7. National Association of Attorneys General (NAAG) - *Not in attendance*
8. National Children’s Advocacy Center (NCAC) – *Not in attendance*
9. National Conference of State Legislatures (NCSL) - *Not in attendance*
10. National Council of Juvenile and Family Court Judges (NCJFCJ) – Judge David Stucki
11. National Juvenile Detention Association (NJDA) – *Not in attendance*
12. National Runaway Switchboard (NRS) – *Not in attendance*
13. National Sheriffs’ Association (NSA) - *Not in attendance*
14. National Association for Crime Victims [Justice Solutions] - Trudy Gregorie

Agenda

R. Peterson (OH) made a motion to approve the agenda as presented. S. Hagan (WI) seconded. The motion passed by a majority vote.

Minutes

S. Foxworth (CO) made a motion to approve the 2011 Annual Business Meeting October 26, 2011 minutes as presented. F. White (MA) seconded. The motion passed by a majority vote.

Opening Remarks

Chair Clark welcomed everyone to the 5th Annual Business Meeting of the Interstate Commission for Juveniles and introduced guest speaker, Bill Heberle, Principle Assistant to the Missouri Division of Youth Services.

Welcome

Bill Heberle welcomed the attendees to Kansas City, Missouri and commended states on their work of supervising youth. Mr. Heberle shared past work experiences with the Juvenile Justice System and complimented the ICJ on its progress over the past five years.

Executive Committee Report by Terry L. Clark (PA)

- Chair Clark reported the following accomplishments by the Commission since the previous annual business meeting:
 - The Memorandum of Understanding between ICJ and AAICPC is fully executed and available on the ICJ website.
 - CSG published a news article regarding ICJ's progress and membership.
 - ICJ contracted with InStream, Inc. to develop the Juvenile Interstate Data System (JIDS).
 - ICJ attended a planning meeting sponsored by the Global Youth National Partnership for Juvenile Services for a proposed multi-track training institute.
 - Published an age matrix which is posted on the Commission's website.
 - Approved three administrative policies: posthumous resolution, asset disposal, and record retention.
 - Approved six legal advisory opinions currently available on the Commission's website.
 - Published the fiscal year 2012 Annual Report
 - Created an ad hoc committee to look at issues surrounding out-of-state detention.
 - Conducted an outreach meeting with a representative from the state of Georgia.
- Chair Clark reported activities involving Ex-Officio affiliate organizations as follows:
 - The AAICPC/ICJ Work Group continues to study the prevalence of overlapping cases.
 - ICJ presented at the 2012 American Probation and Parole Association Summer Institute.
 - The Conference of Chief Justices joined ICJ as an Ex-Officio member.
 - The National Council of Juvenile and Family Court Judges announced the ICJ on-demand legal training to its membership.
 - ICJ continued resource sharing with the Interstate Commission for Adult Offender Supervision and attended their 2012 Annual Business Meeting.
- **F. White (MA) made a motion to approve the Executive Committee Report as presented. S. Foxworth (CO) seconded. The motion passed by a majority vote.**

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Training, Education and Public Relations Committee Report by Jean Hall (FL)

- Chair Hall recognized the members of the Training Committee and acknowledged their contributions.
- Chair Hall reported the following accomplishments by the Training Committee:
 - Updated the quick reference guide, rule amendment training, and training curriculums to reflect rule changes approved at the 2011 Annual Business Meeting.
 - Launched six on-demand self-paced training modules. In the first three months of launch, 686 total on-demand courses were completed.
 - Approved the 2012 Annual Business Meeting training curriculums.
 - Presented at national conferences for: Association of Administrators for the Interstate Compact on the Placement of Children (AAICPC); American Probation and Parole Association Summer Institute (APPA); and National Symposium on Juvenile Services (NPJS).
 - Administered 56 national training sessions for 1,850 individuals.
 - Published one training bulletin: #01-2012: Form IA/VI Best Practice.
- **R. Mercado (NJ) made a motion to approve the Training, Education and Public Relations Committee Report as presented. B. Greer (IL) seconded. The motion passed by a majority vote.**

Compliance Committee Report by Dale Dodd (NM)

- Chair Dodd recognized the members of the Compliance Committee.
- Chair Dodd reported that the Compliance Committee scheduled meetings to review non-compliance for dues payments and the failure of four states to report their state council development. Both of these issues were resolved prior to the annual business meeting.
- **R. Peterson (OH) made a motion to accept the Compliance Committee Report as presented. M. Boger (ME) seconded. The motion passed by a majority vote.**

Technology Committee Report by Traci Marchand (NC)

- Chair Marchand recognized the contributions of the Technology Committee current members, past members, past chair, power users, and the National Office.
- Chair Marchand gave a chronological progression of JIDS development highlighting the following milestones to date:
 - October 2011. Reviewed all responses to the Request for Information (RFI) and narrowed the search to three vendors.
 - December 2011. Selected a vendor and negotiated a contract.
 - January 2012. Signed an agreement with InStream, Inc.
 - February 2012. Conducted a discovery meeting with power users and InStream.
 - March - May 2012. Collaborated with InStream during the development of JIDS.
 - June 2012. Began testing JIDS at the National Office.
 - September 2012. Conducted User Acceptance Testing (UAT.)
 - October 2012. Provided helpdesk training. Submitted user and legacy loads.
- Chair Marchand announced the multiple training opportunities that will be offered to compact offices and field staff via WebEx and the JIDS help desk portal.
- Chair Marchand presented the Technology Committee's recommendation to set JIDS' launch date for November 5 and a legacy load deadline for November 16.

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- B. Champion (IN) suggested postponing JIDS' launch until after January 1 to allow additional time to train staff.
- The Commission debated the pros and cons of the proposed November dates and the amount of time needed to train compact offices and field staff.
- D. Dodd (NM) questioned JIDS' security. A. Lippert clarified that any misuse of JIDS is subject to penalty in accordance with the privacy policy and user agreement, which is signed by all users prior to gaining access to JIDS.
- **P. Cox (OR) made a motion to approve the Technology Committee Report as presented (which includes the recommended November 5 and November 16 dates). S. Jones (MD) seconded. B. Champion (IN) and B. Burke (KS) opposed. The motion passed by a majority vote.**

Finance Committee Report by Lisa Bjergaard (ND)

- Chair Bjergaard acknowledged and commended the members of the Finance Committee.
- Chair Bjergaard reported that the Finance Committee discussed investment opportunities, reserve funds, dues structure, and costs to develop a national system.
- The Committee reviewed the current dues structure against a revised dues projection that incorporated the 2010 census numbers and self-reported data for fiscal year 2011. Based on this analysis, the Finance Committee made a recommendation to create a new dues tier. The Executive Committee endorsed this recommendation which creates a new lowest tier for members whose dues ratio falls below .001 percent, setting the fee of that tier at \$6,000 annually, and making it retroactively effective for fiscal year 2013. This change would affect one member state, the Virgin Islands.
- **E. Borrin (NH) made a motion to accept the recommendation of the Finance Committee to create a new lower dues tier. M. Boger (ME) seconded. L. Bjergaard (ND) abstained. The motion passed by a 42 - 3 vote.**
- Chair Bjergaard reported the Finance Committee met monthly to review updates to the fiscal year 2012 and fiscal year 2013 budgets and to draft a fiscal year 2014 budget.
 - Chair Bjergaard reported on the fiscal year 2012 budget, which closed at 30 percent under budget.
 - Chair Bjergaard reported on the current fiscal year 2013 budget, highlighting line item adjustments which resulted in a \$15,000 reduction in expenses. She noted the dues assessment did not account for the lower dues tier and anticipates carrying \$169,000 into reserves.
 - Chair Bjergaard presented a fiscal year 2014 draft budget, highlighting the differences from fiscal year 2013 and fiscal year 2014. She noted the dues assessment did not reflect the lower dues tier and projects carrying \$131,000 into reserves.
- E. Borrin (NH) inquired as to the strategic plan for the large amount in reserves. Chair Bjergaard reported that the Finance Committee follows the financial guidelines set by the Council of State Governments. A. Lippert added that the budget is based on the goals set forth by the Commission.
- B. Burke (KS) proposed reducing annual dues. Chair Bjergaard clarified the purpose of the Finance Committee noting the dues structure will be revisited and budget recommendations made to accomplish the goals of the Commission.
- R. Peterson (OH) questioned re-calculating dues using the 2010 census data. Chair Bjergaard explained the Finance Committee re-calculated the dues projection with 2010 census figures and self-reported data and recommended postponing any action until a national system was in

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place allowing the availability of more accurate data. Chair Bjergaard cautioned that re-calculating may result in both a decrease and increase for some state dues.

- B. Greer (IL) spoke in favor of maintaining a healthy reserve to accomplish the goals of the Commission including future enhancements to the national system.
- B. Champion (IN) questioned the percentage increase for salaries, benefits, and rent. A. Lippert clarified the modest increase to be based on approval by the Executive Committee, annual renewal of hospitalization benefits, and a rent schedule based on a 5-year lease.
- **F. White (MA) made a motion to accept the Fiscal Year 2014 Budget presented amended to include the new dues tier. P. Pendergast (AL) seconded. The motion passed by a 44 - 2 vote.**
- **P. Welcome (VI) made a motion to accept the Finance Committee Report as presented. F. White (MA) seconded. The motion passed by a majority vote.**

Legal Report by R. Masters, Legal Counsel

- R. Masters, Legal Counsel, reported that there were no litigation matters during the year and six legal advisory opinions were issued.
- R. Masters highlighted the work of the AAICPC/ICJ MOU Work Group and the status of their requests for legal clarification.
- R. Masters updated that Association of Juvenile Compact Administrators (AJCA) is no longer considered a non-profit organization by the IRS due to its failure to file the appropriate IRS forms over the past three years. He advised that transferring the remaining financial assets to ICJ to be legally acceptable.

Region Reports

Regional Representatives by Judy Miller (AR)

- Regional Representative Miller reported the four region representatives met via teleconference twice to discuss commonalities across the regions, state council development, JIDS, and the officer's nomination process.
- **R. Bisch (MN) made a motion to accept the Regional Representatives Report as presented. J. Hall (FL) seconded. The motion passed by a majority vote.**

South Region by Judy Miller (AR)

- Representative Miller reported that the South Region met twice via WebEx to discuss regional issues, state councils, JIDS, non-member state Georgia, processing forms, proposed rule amendments, and the 2013 officers' slate. The region also proposed two rule amendments.
- Representative Miller announced she was re-elected as the South Region Representative.
- **T. Marchand (NC) made a motion to accept the South Region Report as presented. P. Pendergast (AL) seconded. The motion passed by a majority vote.**

Midwest Region by Rose Ann Bisch (MN)

- Representative Bisch (MN) reported the Midwest Region met six times. She highlighted the topics of discussion and the resulting proposed rule amendment regarding supervision fees and the region's recommendation to the rules committee for a holistic review of the ICJ rules for clarity.
- **T. Forrest (MI) made a motion to accept the Midwest Region Report as presented. B. Burke (KS) seconded. The motion passed by a majority vote.**

AAICPC/ICJ MOU Work Group by Rose Ann Bisch (MN)

- Co-Chair Bisch clarified the AAICPC/ICJ MOU Work Group consists of seven ICPC and seven ICJ members. Co-Chair Bisch reported the accomplishments of the Work Group as outlined below:

Phase I

- MOU agreement fully executed by both ICJ and AAICPC.

Phase II

- Began development of scenarios and guidelines for: residential placements, runaways, and family settings.
- Submitted three requests for legal advice.

Phase III

- Finalize residential placements, runaways, and family settings scenarios.
 - Develop best practice and training guidelines.
- Co-Chair Bisch reported the Work Group has developed a better understanding of their roles and recommended the AAICPC/ICJ MOU Work Group continue to exist.
 - **F. White (MA) made a motion to approve the AAICPC/ICJ MOU Work Group report as presented. G. Prine (IA) seconded. The motion passed by a majority vote.**

East Region by Mark Boger (ME)

- Representative Boger reported that the East Region met four times and discussed state personnel and legislative changes, state council development, non-members Georgia and Puerto Rico, JIDS' development, MOU implementation, proposed rule amendments, recommended a dues structure adjustment for smaller jurisdictions, prepared a 2013 officers' slate, and elected Fred White (MA) as the East Region Representative.
- **E. Borrin (NH) made a motion to approve the East Region Report as presented. S. Jones (MD) seconded. The motion passed by a majority vote.**

West Region by Summer Foxworth (CO)

- Representative Foxworth reported that the West Region met six times and discussed Georgia's supervision requests, HIPPA compliance (resulting in an advisory opinion), state council development, proposed rule amendments, time frames to extradite juveniles over age 18 held in adult facilities, and the abolishment of juvenile parole in California.
- **M. Boger (ME) made a motion to accept the West Region Report as presented. F. White (MA) seconded. The motion passed by a majority vote.**

Out-of-State Detention Ad Hoc Committee by Fred White (MA)

- Chair White acknowledged the Out-of-State Detention Ad Hoc Committee members.
- Chair White briefed on the purpose of the committee's formation and the Committee's recommendation to address the issue with a new rule. Chair White reported the Committee's comments and recommendation will be forwarded to the Executive Committee.
- **P. Cox (OR) made a motion to approve the report of the Out-of-State Detention Ad Hoc Committee as presented. R. Mercado (NJ) seconded. B. Greer (IL) opposed. The motion passed by a majority vote.**

Agenda/Lunch

- **B. Champion (IN) made a motion to adjust the agenda to break for lunch and return at 12:30 p.m. CST. F. White (MA) seconded. The motion passed by majority vote.**

Rules Committee by Chair G. Hartman (WY)

- Chair Hartman acknowledged the members of the Rules Committee and their contributions.
- Chair Hartman reported the Rules Committee met telephonically and held one face-to-face meeting in Louisville, Kentucky to consider the 118 comments resulting in the following 14 proposed rule amendments for consideration by the Commission.

1-101: Substantial Compliance submitted by the Rules Committee

- **M. Lacy (WV) made a motion to approve the proposed amendment to Rule 1-101: Substantial Compliance as presented. P. Pendergast (AL) seconded. The motion passed by a 46 - 0 vote.**

3-101: Approved Forms submitted by the Executive Committee

- **K. Rumbaugh (NE) made a motion to add a new bullet point *Case Closure Notification* to the proposed amendment to Rule 3-101. S. Foxworth (CO) seconded. The makers of the motion amended their proposal to include the form number. The motion passed by a 45 - 0 vote.**
- P. Pendergast (AL) suggested future consideration by the Rules Committee to consider language reflecting the insertion of scanned documents into JIDS.
- **F. White (MA) made a motion to approve the proposed amendment to Rule 3-101: Approved Forms as amended. M. Lacy (WV) seconded. The motion passed by a 45 - 1 vote.**

3-102: Optional Forms submitted by the Executive Committee

- **K. Rumbaugh (NE) made a motion to amend the proposed Rule 3-103 to delete the bullet point *Case Closure Notification*. R. Mercado (NJ) seconded. The motion passed by a 45 - 0 vote.**
- **P. Cox (OR) made a motion to approve the proposed amendment to Rule 3-102: Optional Forms as amended. R. Peterson (OH) seconded. The motion passed by a 46 - 0 vote.**

3-103: Form Modifications or Revisions submitted by the Executive Committee

- **M. Boger (ME) made a motion to approve rescinding Rule 3-103: Form Modifications or Revisions. T. Marchand (NC) seconded. The motion passed by a 44 - 1 vote.**

4-102: Sending and Receiving Referrals submitted by the Rules Committee

Paragraph 3 (a) first paragraph

- **P. Pendergast (AL) made a motion to approve the proposed amendment to Rule 4-102 (3) (a) (first paragraph) as presented. D. Dodd (NM) seconded. The motion passed by a 45 - 1 vote.**

Paragraph 3 (a) second paragraph

- The Commission discussed to clarify the proposed 10-day time frame and the term *State Committed (Parole)* reaching a consensus to the language as presented.

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- **S. Hagan (WI) made a motion to approve the proposed amendment to Rule 4-102 (3) (a) (second paragraph) as presented. B. Greer (IL) seconded. The motion passed by a 40 - 5 vote.**

Paragraph 3 (a) third paragraph

- **G. Prine (IA) made a motion to approve the proposed amendment to Rule 4-102 (3) (a) (third paragraph) as presented. M. Lacy (WV) seconded. The motion passed by a 42 - 4 vote.**

Paragraph 3 (b)

- **T. Forrest (MI) made a motion to approve the proposed amendment to Rule 4-102 (3) (b) as presented. R. Mercado (NJ) seconded. The motion passed by a 45 - 1 vote.**

Paragraph 3 (c)

- **M. Boger (ME) made a motion to approve the proposed deletion of paragraph 3 (c) in Rule 4-102 as presented. R. Peterson (OH) seconded. The motion passed by a 44 - 2 vote.**

Paragraph 6

- **J. Hall (FL) made a motion to approve the proposed amendment to Rule 4-102 (6) as presented. P. Cox (OR) seconded. The motion passed by a 44 - 2 vote.**

4-103: Transfer of Supervision Procedures for Juvenile Sex Offenders submitted by the Rules Committee

Paragraph 2

- **M. Lacy (WV) made a motion to approve the proposed deletion of paragraph 2 in Rule 4-103 as presented. J. Hawkins (MO) seconded. The motion passed by a 43 - 3 vote.**

Paragraph 2

- **S. Hagan (WI) made a motion to approve the proposed new paragraph 2 in Rule 4-103 as presented. S. Foxworth (CO) seconded. The motion passed by a 42 - 4 vote.**

Paragraph 2 (a)

- P. Cox (OR) and R. Bisch (MN) questioned to whom *upon notification* implies. J. Hawkins (MO) clarified the notifications to be between the ICJ offices.
- **J. Miller (AR) made a motion to approve the proposed amendment to Rule 4-103 (2) (a) as presented. N. Allard (SD) seconded. The motion passed by a 24 - 22 vote.**

Paragraph 2 (b)

- F. White (MA) noted the proposed language conflicts with his state requirement regarding the receipt of a complete packet to accept supervision.
- **M. Lacy (WV) made a motion to approve the proposed amendment to Rule 4-103 (2) (b) as presented. P. Pendergast (AL) seconded. The motion passed by a 40 - 6 vote.**

Paragraph 2 (c)

- R. Bisch (MN) voiced concern to the proposed time frame of five business days.
- **M. Lacy (WV) made a motion to approve the proposed amendment to Rule 4-103 (2) (c) as presented. P. Gibson (KY) seconded. The motion passed by a 39 - 7 vote.**

Paragraph 2 (d)

- **R. Peterson (OH) made a motion to approve the first sentence proposed in Rule 4-103 (2) (d) as presented. F. White (MA) seconded. The motion passed by a 40-5 vote.**
- R. Bisch (MN) suggested additional language to Rule 4-103 (2) (d) to allow the receiving state the option to supervise while awaiting reporting instructions. Commissioners and Designees debated the proposed language to be contradictory of the first sentence.
- **R. Bisch (MN) made a motion to insert a second sentence to Rule 4-103 (2) (d): *The receiving state shall have the authority to supervise juveniles pursuant to reporting***

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instructions from the receiving state. F. White (MA) seconded. The motion passed by a 25 - 20 vote.

- R. Masters made a point of order, questioning the language approved in the second sentence of Rule 4-103 (2) (d) and whether it correctly represented the intent of the motion. R. Bisch (MN) clarified the intent and the source of the proposed language.
- **A. Connor (NV) made a motion to modify the second sentence to read: *Upon receipt of reporting instructions, the receiving state shall have the authority to supervise juveniles.*** R. Bisch (MN) made a point of order that the Commission approved the proposed language and therefore cannot be amended again without first voting to reconsider.
- **F. White (MA) made a motion to reopen discussion on the approved motion to Rule 4-103 (2) (d). G. Prine (IA) seconded. The motion passed by a majority vote.**
- **A. Connor (NV) made a motion to amend the second sentence's structure to read: *Upon receipt of the reporting instructions, the receiving state shall have the authority to supervise juveniles.*** R. Hendryx (OK) seconded. The motion passed by a 25 - 19 vote.

Paragraph 3

- **M. Boger (ME) made a motion to approve the proposed deletion of paragraph 3 in Rule 4-103 as presented. M. Lacy (WV) seconded. The motion passed by a 43 - 2 vote.**
- **P. Cox (OR) made a motion to approve the proposed new paragraph 3 in Rule 4-103 as presented. R. Mercado (NJ) seconded. The motion passed by a 43 - 1 vote.**

Paragraph 8

- B. Burke (KS) spoke in favor of maintaining the language in paragraph 8 in order to require travel permits to be received prior to juvenile sex offenders entering a new state.
- J. Hawkins (MO) and B. Greer (IL) spoke in favor of deleting paragraph 8 due to the movement of the juvenile population with parents.
- **B. Burke (KS) made a motion to reinsert the original language of paragraph 8 in Rule 4-103; to delete the language *with the exception of expedited transfers*; and to re-number as paragraph 7. B. Champion (IN) seconded. The motion failed by a 21 - 24 vote.**
- **M. Lacy (WV) made a motion to approve the proposed deletion of paragraph 8 in Rule 4-103 as presented. B. Greer (IL) seconded. The motion passed by a 35 - 11 vote.**

4-104: Supervision/Services Requirements submitted by the Midwest Region

- IN, KS, and ID spoke in favor of the proposed amendment to Rule 4-104 speaking to the issue for states that currently impose fees to be in conflict of Rule 4-104 (1) to govern out-of-state juveniles by the same standards they do their own.
- MO, NC, NM, NJ, WV, RI, MA, OR, PA, OK, VI, UT, and MD spoke against the proposed amendment speaking to the financial burden on juveniles, fee collection methods, enforcement, consequences, and violations for non-payment.
- **F. White (MA) made a motion to call to question. S. Foxworth (CO) seconded. The motion passed by a 40 - 6 vote.**
- **B. Champion (IN) made a motion to approve the proposed amendment in paragraph 4 to Rule 4-104: Supervision/Services Requirements as presented. J. Patnode (WA) seconded. The motion failed by a 12 - 33 vote.**

4-106: Closure of Cases submitted by the Rules Committee

- **K. Rumbaugh (NE) made a motion to amend the 10 business days to 30 in the proposed amendment to Rule 4-106, paragraph 4. J. Miller (AR) seconded. The motion failed by a 9 - 36 vote.**

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- **P. Pendergast made a motion to approve the proposed amendment to Rule 4-106 (4) as presented. R. Mercado (NJ) seconded. The motion passed by a 38 - 7 vote.**
- **B. Greer (IL) made a motion to approve the proposed amendment to Rule 4-106 (1) (a) as presented. S. Jones (MD) seconded. The motion passed by a 44 - 0 vote.**

5-102: Travel Permit submitted by the Rules Committee

Paragraph 1

- D. Dodd (NM) spoke against the proposed 24-hour time frame.
- **M. Lacy (WV) made a motion to approve the proposed amendment to Rule 5-102 (1) as presented. M. Taylor-Gore (MS) seconded. The motion passed by a 33 - 12 vote.**

Paragraph 1, Subsections a - h

- P. Cox (OR) and M. Boger (ME) expressed concern for juveniles not categorized in the proposed Rule 5-102 (1) sub-sections (a) - (h).
- B. Burke (KS) recommended moving paragraph 2 to paragraph 1 as a new subsection to address juveniles moving across state lines through ICPC without the knowledge of ICJ.
- IL, MO, WI, and AR spoke against moving paragraph 2 to paragraph 1.
- **B. Burke (KS) made a motion to add a new subsection to Rule 5-102 (1) (i). *Juveniles being transferred into out-of-state residential treatment facilities who are under the terms and conditions of probation or parole.* D. Dodd (NM) seconded. The motion failed by an 11 - 34 vote.**
- **S. Hagan (WI) made a motion to approve the proposed amendment to Rule 5-102 (1) (a) - (h) as presented. J. Hall (FL) seconded. The motion passed by a 37 - 8 vote.**

Paragraph 2

- B. Burke (KS) proposed new language in the form of a motion. IL, MO, and WV spoke against the new language proposed.
- **B. Burke (KS) made a motion to amend paragraph 2 of Rule 5-102 to strike: *A travel permit may be used* and to insert: *A state may require a travel permit to be used.* D. Dodd (NM) seconded. The motion failed by a 7 - 37 vote.**
- **B. Greer (IL) made a motion to approve the proposed amendment to Rule 5-102 (2) as presented. P. Cox (OR) seconded. The motion passed by a 43 - 1 vote.**

Paragraph 3

- **R. Peterson ((OH) made a motion to approve the proposed amendment to Rule 5-102 (3) as presented. P. Cox (OR) seconded. The motion passed by a 42 - 2 vote.**

Paragraph 3a

- **R. Mercado (NJ) made a motion to approve the proposed amendment to Rule 5-102 (3) (a) as presented. T. Forrest (MI) seconded. The motion passed by a 42 - 2 vote.**

Paragraph 4

- **R. Peterson (OH) made a motion to approve the proposed amendment to Rule 5-102 (4) as presented. F. White (MA) seconded. The motion passed by a 42 - 3 vote.**

Paragraph 5

- D. Dodd (NM) recommended broadening the language to the responsibility of the sending state rather than specific personnel titles.
- **D. Dodd (NM) made a motion to delete the term *supervising officer* in paragraph 5 of the proposed amendment to Rule 5-102. P. Pendergast (AL) seconded. The motion passed by a 28 - 16 vote.**
- **P. Welcome (VI) made a motion to approve the proposed amendment to Rule 5-102 (5) as amended. L. Porter-Jones (VA) seconded. The motion passed by a 40 - 5 vote.**

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6-102: Voluntary Return of Out-of-State Juveniles submitted by the Rules Committee

- S. Hagan (WI) questioned the use of the word *may* to eliminate notification of due process. R. Masters clarified the term *may* will allow the use of optional ICJ forms at the discretion of the states and does not impact the due process notification.
- **B. Burke (KS) made a motion to consider, and to approve the proposed amendment to Rule 6-102: Voluntary Return of Out-of-State Juveniles submitted by the Rules Committee as presented. M. Boger (ME) seconded. The motion passed by a 43 - 2 vote.**

6-102: Voluntary Return of Out-of-State Juveniles submitted by the South Region

- Chair Hartman clarified that due to the approval of the proposed amendment to Rule 6-102 as submitted by the Rules Committee, the proposed amendment submitted by the South Region would not be considered.

6-103: Non-Voluntary Return of Out-of-State Juveniles submitted by the Rules Committee

- B. Greer (IL) questioned the language proposed in paragraph 3 regarding the issuance of certified copies in electronic data system. L. Porter-Jones (VA) clarified the Rules Committee addressed the issue in the proposed language in paragraph 8.
- **P. Welcome (VI) made a motion to approve the proposed amendment to Rule 6-103: Non-Voluntary Return of Out-of-State Juveniles as presented. F. White (MA) seconded. The motion passed by a 41 - 3 vote.**

6-104A: Absconder under ICJ Supervision submitted by the Rules Committee

- **P. Welcome (VI) made a motion to approve the proposed new Rule 6-104A: Absconder under ICJ Supervision as presented. N. Allard (SD) seconded. The motion passed by a 42 - 2 vote.**

7-101: Adoption of Rules and Amendments submitted by the Rules Committee

- Chair Hartman and R. Masters clarified the intent and impact of the proposed amendment to Rule 7-101 to avoid confusion and passage of rule amendments from the Commission floor with unintended consequences.
- R. Masters clarified the procedure in accordance with Robert's Rules of Order. The proposed amendment would be voted up or down with the option to suspend voting to allow amendments from the floor with a 2/3 majority vote.
- B. Burke (KS), F. White (MA), and S. Hagan (WI) spoke against amending the rule. B. Greer (IL) and P. Welcome (VI) spoke in favor of the proposed amendment.
- **P. Welcome (VI) made a motion to approve the proposed amendment to Rule 7-101: Adoption of Rules and Amendments as presented. M. Lacy (WV) seconded. The motion failed by a 19 - 26 vote.**

Approval of all Rule Amendments

- **R. Peterson (OH) made a motion to approve for adoption the proposed amendments to the ICJ Rules:**
 - **1-101: Substantial Compliance;**
 - **3-101: Approved Forms;**
 - **3-102: Optional Forms;**
 - **3-103: Form Modifications or Revisions (rescinded);**
 - **4-102: Sending and Receiving Referrals;**

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- **4-103: Transfer of Supervision Procedures for Juveniles Sex Offenders;**
- **4-106: Closure of Cases;**
- **5-102: Travel Permits;**
- **6-102: Voluntary Return of Out-of-State Juveniles;**
- **6-103: Non-Voluntary Return of Out-of-State Juveniles; and**
- **6-104A: Absconder under ICJ Supervision (new rule).**

S. Foxworth (CO) seconded. The motion passed by a 42 - 2 vote.

- **A. Connor (NV) made a motion that the adoption of amended Rules 3-101, 3-102, and 3-103 become effective November 1, 2012. P. Cox (OR) seconded. The motion passed by a 40 - 3 vote.**
- **S. Hagan (WI) noted the JIDS impact to Rule 6-103.**
- **P. Cox (OR) made a motion that the adoption of amended Rule 6-103 become effective November 1, 2012; and the adoption of amended Rules 1-101, 4-102, 4-103, 4-106, 5-102, 6-102, and 6-104A become effective April 1, 2013. F. White (MA) seconded. The motion passed by a 26 - 18 vote.**
- **P. Cox (OR) made a recommendation that proposed rule amendment comments remain on the Commission's website beyond the close of the 30-day comment period.**

Old Business

2011 Annual Meeting Minutes

- **F. White (MA) made a motion to reopen the discussion regarding the approved 2011 Annual Business Meeting minutes. S. Jones (MD) seconded. The motion passed by a majority vote.**
- **F. White (MA) made a motion to amend the 2011 Annual Business Meeting minutes to reflect the attendance of the New York non-voting representative, Shaina Kern and Kansas non-voting representative, Anthony Ellis. B. Burke (KS) seconded. The motion passed by a majority vote.**
- **L. Porter-Jones (VA) made a motion to amend the 2011 Annual Business Meeting minutes to reflect her attendance as the Virginia non-voting representative. J. Niksa (RI) seconded. The motion passed by a majority vote.**
- **P. Cox (OR) commented that numerous state compact office personnel and guests attend the annual business meeting seated in the perimeter of the Commissioner/Designee table.**
- **A. Lippert clarified the designee appointment and voting status process. The minutes reflect the recording of the roll call by state representatives (voting and non-voting) seated at the table.**
- **B. Greer (IL) made a motion to rescind the two motions regarding the inclusion of non-voting members in the minutes. J. Miller (AR) seconded. The motion passed by a two-thirds majority vote.**
- **Shania Kern (NY) confirmed her attendance at the table during the 2011 Annual Business Meeting as a non-voting state representative.**
- **G. Prine (IA) made a motion to amend the 2011 Annual Business Meeting minutes to reflect the attendance by New York non-voting representative, Shaina Kern. R. Mercado (NJ) seconded. The motion passed by a majority vote.**

Rule 4-103

- **F. White (MA) made a motion to reopen the discussion regarding the approved amendment to Rule 4-103, paragraph 2, subsection (d). J. Hawkins (MO) seconded. The motion failed 20 - 22 due to the lack of a two-thirds majority vote.**

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- R. Bisch (MW) questioned and J. Hawkins (MO) contested the validity of earlier actions to reopen discussion on Rule 4-103 (2) (d) without a confirmed two-thirds majority vote.
- R. Masters clarified in accordance with Robert's Rules of Order, a motion cannot be reconsidered without receiving a two-thirds majority vote. Actions taken out of order would go back to status quo prior to the vote to reconsider.
- The Commission determined the status quo to be the approved motion made by R. Bisch (MN) on page 9 of the minutes, negating all subsequent actions.

New Business

Public Comments

- Chair Clark opened the floor for any comments from the public. There were none.

Rules Committee Recommendation

- B. Burke (KS) recommended that next year the Rules Committee considered proposing a rule amendment to strike the language *excluding residential facilities* in Rule 4-101 (2) (f) (1).

2013 Annual Business Meeting

- Chair Clark announced the ICJ 2013 Annual Business Meeting will be held October 7-9, 2013 in Tempe, Arizona.

Recognition

- Chair Clark acknowledged the contributions of the Vice Chair, Treasurer, Committee Chairs, and Region Representatives and presented each with a small token of appreciation.
- Vice-Chair Foxworth acknowledged the leadership of Chair Clark and presented him with a token of appreciation.

Officer Elections

- Midwest Region Representative R. Bisch (MN) presented the 2013 officers' slate from the regions:

Treasurer -

Philip Cox (OR)

Vice Chair -

Summer Foxworth (CO)

Fred White (MA)

Chair -

Patrick Pendergast (AL)

Eric Borrin (NH)

Terry L. Clark (PA)

- Patrick Pendergast (AL) declined the nomination, all others accepted.

Treasurer -

- R. Bisch (MN) presented Philip Cox (OR) for Treasurer and opened the floor for additional nominations.
- **F. White (MA) made a motion that nominations cease. R. Mercado (NJ) seconded. The motion passed.**
- The candidate addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected Philip Cox (OR) as Treasurer.

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Vice Chair -

- R. Bisch (MN) presented Summer Foxworth (CO) and Fred White (MA) for Vice Chair and opened the floor for additional nominations.
- **F. White (MA) made a motion that nominations cease. R. Mercado (NJ) seconded. The motion passed.**
- The candidates addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected Summer Foxworth (CO) as Vice Chair.

Chair -

- Representative R. Bisch (MN) presented Eric Borrin (NH) and Terry L. Clark (PA) for Chair and opened the floor for additional nominations.
- **R. Hendryx (OK) made a motion that nominations cease. B. Greer (IL) seconded. The motion passed.**
- The candidates addressed the Commission prior to vote and responded to any questions from the floor.
- Representative Bisch announced the Commission elected Terry L. Clark (PA) as Chair.

Oath of Office

- Judge David Stucki, National Council of Juvenile and Family Court Judges Ex-Officio, delivered the oath of office to the 2013 Commission Officers and Regional Representatives:
 - Chair: Terry L. Clark (PA)
 - Vice Chair: Summer Foxworth (CO)
 - Treasurer: Philip Cox (OR)
 - Midwest: Rose Ann Bisch (MN)
 - West: Anne Connor (NV)
 - East: Fred White (MA)
 - South: Judy Miller (AR)

Adjourn

- **R. Peterson (OH) made a motion to adjourn. S. Foxworth (CO) seconded. Chair Clark adjourned the meeting by acclamation at 4:12 p.m. CST.**



NOTICE OF PUBLIC HEARING

In accordance with ICJ Rule 7-101(3), prior to the Commission voting on any proposed rule or amendment, the text of the proposed rule or amendment shall be published by the Rules Committee no later than 30 days prior to the meeting at which vote on the rule is scheduled. The following rules are scheduled for vote on October 9, 2013:

Rule 1-101 Definitions: “Adjudicated Status Offender,” “Aftercare,” “Custody,” “Home Evaluation/Investigation,” “Juvenile Sex Offender,” “Residential Facility”, “Sanction”, Rule 2-102, Rule 4-101, Rule 4-101A, Rule 4-102, Rule 4-103, Rule 4-104, Rule 5-102, Rule 6-103, Rule 6-103A, Rule 6-104, Rule 6-106, Rule 7-101, New Rule: ICPC Recognition, New Rule: Reporting Juvenile Non-Compliance, Failed Placement, and Returns, Form IA/VI, Form VII, and Form XI.

Interested persons may submit notice to the Commission of their intent to attend and submit written comments to:

Ashley Lippert, Executive Director
Interstate Commission for Juveniles
836 Euclid Avenue, Suite 322
Lexington, KY 40502
alippert@juvenilecompact.org
Phone: 859.721.1062
Fax: 859.721.1059

Public Hearing Location

San Pedro, Tempe Mission Palms, 60 East Fifth Street, Tempe, AZ 85281
Tuesday, October 8, 2013
5:00 p.m. (MST)

2013 Proposed Rule and Form Amendments

to be effective April 1, 2014

#	RULE No.	Description	Amendment Proposed by:	Rules Committee Recommendation for Adoption	Fiscal Impact	Passed	Failed
Section 100 Definitions							
1	1-101	Adjudicated Status Offender	Rules Committee	yes	none		
2	1-101	Aftercare	Rules Committee	yes	none		
3	1-101	Custody	Rules Committee	yes	none		
4	1-101	Home Evaluation/Investigation	Rules Committee	yes	none		
5	1-101	Juvenile Sex Offender	Rules Committee	yes	none		
6	1-101	Residential Facility <i>new</i>	Rules Committee	yes	\$150		
7	1-101	Sanction <i>new</i>	Rules Committee	yes	none		
Section 200 Dues Formula and Data Collection							
8	2-102	Data Collection	Rules Committee	yes	none		
Section 400 Transfer of Supervision							
9	4-101	Processing Referrals	Rules Committee	yes	none		
10	4-101A	Transfer of Students	Rules Committee	yes	none		
11	4-102	Sending and Receiving Referrals	Rules Committee	yes	none		
12	4-103	Transfer of Supervision Procedures for Juv Sex Offenders	Rules Committee	yes	none		
13	4-104	Supervision/Services Requirements	Rules Committee	yes	none		
Section 500 Supervision in Receiving State							
14	5-102	Travel Permits	Rules Committee	yes	none		
15	5-102	Travel Permits	West Region	no	none		
Section 600 Return of Juveniles							
16	6-103	Non-Voluntary Return of Out of State Juveniles	Rules Committee	yes	none		
17	6-103A	Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent	Rules Committee	yes	none		
18	6-104	Return of Juveniles Whose ICJ Placement Has Failed	Rules Committee	yes	none		
19	6-106	Public Safety	Rules Committee	yes	none		
Section 700 Adoption and Amendment of Rules							
20	7-101	Adoption and Amendments of Rules	Rules Committee	yes	none		
New Rules							
21	#	(ICPC Recognition)	Rules Committee	yes	none		
22	#	(violations) Reporting Juvenile Non-Compliance, Failed Placement and Returns	Rules Committee	yes	\$600		
Form Proposals							
23	IA/VI	Application for Services and Waiver	Rules Committee	yes	\$150		
24	VII	Out-of-State Travel Permit and Agreement to Return	West Region	no	\$300		
25	XI	Absconder From Supervision Violation Report	Rules Committee	yes	\$1,200		

Proposed by Rules Committee

RULE 1-101: Definitions

Adjudicated Status Offender: a person found to have committed an offense that would not be a criminal offense if committed by an adult; ~~[e.g., child in need of supervision (CINS), (CHINS), person in need of supervision (PINS), deprived child, undisciplined child, etc.], and who are eligible for services under the provisions of the ICJ.~~

Justification:

The language being deleted is to make the definition consistent with the language that is already in the statutory language.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 1-101: Definitions

~~Aftercare (temporary community placement): a condition in which a juvenile who has been committed in the sending state who is residing and being supervised in the community (for purposes of ICJ, see state committed).~~

Justification:

Rescinding this definition; not used in the Rules.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on January 9, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 1-101: Definitions

~~Custody: the status created by legal authorities for placement of a juvenile in a staff secured or locked facility approved for the detention of juveniles.~~

Justification:

The recommendation is to rescind this language because custody is used in different rules to mean different things. By deleting the definition it allows custody to be defined by how it is being used in a rule.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 1-101: Definitions

Home Evaluation/Investigation: ~~an legal and social~~ evaluation and subsequent report of findings to determine if placement in a proposed and specified resource home/place is in the best interest of the juvenile and the community.

Justification:

Changes recommended for clarity.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on May 17, 2013 by a 5-0-1 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 1-101: Definitions

Juvenile Sex Offender: a juvenile having been adjudicated for an offense involving sex or of a sexual nature **as determined by the sending state** or who may be required to register as a sex offender in the sending or receiving state.

Justification:

Clarifying which state determines if an offense is of a sexual nature.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 4-1-1 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 1-101: Definitions

Residential Facility: a staffed program that provides custodial care and supervision to juveniles.

Justification:

This term is used throughout the rules and for consistency needed to be defined to include all facilities not just treatment base facilities.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

Rule 4-101(f)(2) contains “residential facilities” and 5-102(2) contains “residential treatment facility.” Form VII contains “residential treatment facilities.”

JIDS’ Impact:

Strike language in header of Form VII.

Fiscal Impact:

Cost estimate \$150 (1 service hour).

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 5-0-1 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 1-101: Definitions

Sanction: Requirement imposed upon a juvenile for non-compliance with terms of supervision.

Justification:

Adding definition for clarity of term used in Rule 4-104.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 2-102: Data Collection

1. As required by Article III (K) of the compact, member states shall gather, maintain and report data regarding the interstate movement of juveniles who are supervised under this compact and the return of juveniles who have absconded, escaped or fled to avoid prosecution or run away. Each member state shall report annually by July 31st.
2. Runaways, escapees, absconders and accused delinquents:
 - a. The total number of runaways, escapees, absconders and accused delinquents located in and located out of the reporting state processed during the reporting period.
 - b. The total number of Requisitions (Form I and Form II) sent from and received by the reporting state during the reporting period.
 - c. The total number of juveniles who were not returned per Requisition (Form I and Form II) by or to the reporting state during the reporting period.
 - d. The reason(s) the juvenile was not returned per Requisition (Form I and II) by or to the reporting state during the reporting period.
3. Airport Supervision:
 - a. The total number of airport supervision requests met during the reporting period.
4. Parole Supervision:
 - a. The total number of incoming parole cases received from other states for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - b. The total number of outgoing parole cases sent from the reporting state for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - c. The total number of incoming parole cases terminated during the reporting period.
 - d. The total number of outgoing parole cases terminated during the reporting period.
 - e. The number of incoming / outgoing failed placements for violations and the number of incoming / outgoing returned.
 - f. The number of incoming / outgoing failed placements for reasons other than violations and the number of incoming / outgoing returned.
5. Probation Supervision:
 - a. The total number of incoming probation cases received from other states for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - b. The total number of outgoing probation cases sent from the reporting state for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - c. The total number of incoming probation cases terminated during the reporting period.
 - d. The total number of outgoing probation cases terminated during the reporting period.

- e. The number of incoming / outgoing failed placements for violations and the number of incoming / outgoing returned.
- f. The number of incoming / outgoing failed placements for reasons other than violations and the number of incoming / outgoing returned.

~~6. Institutionalization:~~

- ~~a. The total number of juveniles from their state who are institutionalized in a public facility in other states during the reporting period.~~
- ~~b. The total number of juveniles from other states who are institutionalized in a public facility in their state during the reporting period.~~

~~7. Out of State Confinement:~~

- ~~a. The total number of juveniles from the reporting state confined in other states during the reporting period.~~
- ~~b. The total number of juveniles from other states confined in the reporting state during the reporting period.~~

6. 8. This Rule will not expire until the Electronic Information System approved by the Commission is fully implemented and functional.

Justification:

Deleted language was relevant to Article X of old Compact and is no longer needed.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on January 9, 2013 by a 7-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 4-101: ~~Processing Referrals~~ Eligibility Requirements for the Transfer of Supervision

1. Each state that is a party to the ICJ shall process all referrals involving juveniles, for whom services have been requested, provided those juveniles are under juvenile jurisdiction in the sending state.
2. No state shall permit a juvenile who is eligible for transfer under this compact to relocate to another state ~~the transfer of supervision of a juvenile eligible for transfer~~ except as provided by the Compact and these rules. ~~A sending state shall request transfer of a juvenile, who is eligible for transfer of supervision to a receiving state under the compact.~~ A juvenile shall be eligible for transfer under ICJ if the following conditions are met:
 - a. is classified as a juvenile in the sending state; and
 - b. is an adjudicated delinquent, adjudicated status offender, or has a deferred adjudication in the sending state; and
 - c. is under the jurisdiction of a court or appropriate authority in the sending state; and
 - d. has a plan inclusive of relocating to another state for a period exceeding ninety (90) consecutive days in any twelve (12) month period; and
 - e. has more than ninety (90) days or an indefinite period of supervision remaining at the time the sending state submits the transfer request; and
 - f.
 1. Will reside with a parent, legal guardian, relative, non-relative or independently, excluding residential facilities; or
 2. Is a full time student at an accredited secondary school, or accredited university, college, or licensed specialized training program and can provide proof of acceptance and enrollment.
3. ~~All cases being transferred to another state are pursuant to the ICJ except cases involving concurrent jurisdiction under the Interstate Compact on Placement of Children, known as ICPC. A juvenile who is not eligible for transfer under this Compact is not subject to these rules.~~ If a child is placed pursuant to the ICJ and is also subject to the ICPC, placement and supervision through the ICPC would not be precluded.
4. A juvenile who is not eligible for transfer under this Compact is not subject to these rules.

Justification:

Title change for consistency with rule.

(2) Language change to clarify that a compact eligible juvenile cannot relocate without a valid transfer.

(2)(f)(2) Clarified language to include full-time students at “accredited” secondary schools.

(3) Amended language to provide clarity for cases with concurrent jurisdiction with the ICPC.

(4) Moved from 3.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 5-1-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

***RULE 4-101A: Transfer of Students* Rescind**

1. Juveniles as defined in Rule 1-101, eligible for transfer as defined by Rule 4-101, who have been accepted as full-time students at a secondary school, or accredited university/college, or state licensed specialized training program and can provide proof of enrollment, shall be considered for supervision by the receiving state.
2. Supervision shall be provided the juvenile according to Rule 4-104.
3. If the juvenile's placement fails, procedures to return the juvenile shall be made by the sending state according to Rule 6-104.

Justification:

Rescinding this rule; redundant and unnecessary to distinguish full-time students from other eligible juveniles in a separate rule. Rule 4-101(f) addresses full-time students.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 7-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 4-102: Sending and Receiving Referrals

Each ICJ Office shall forward all its cases within five (5) business days of receipt. Each ICJ Office shall adhere to the following screening process when sending and receiving referrals. Supervision shall not be provided without written approval from the receiving state's ICJ Office. The sending state shall maintain responsibility until supervision is accepted by the receiving state.

1. Each ICJ Office shall develop policies/procedures on how to handle ICJ matters within their state.
2. Each ICJ Office shall ensure all requests and coordination for ICJ supervision are between ICJ Offices.
3. The ICJ Office in the sending state shall comply with the rules listed below:
 - a. State Committed (Parole) Cases – The ICJ Office in the sending state shall ensure the following referral documents are complete and forwarded to the receiving state forty five (45) calendar days prior to the juvenile's anticipated arrival: Form IV, Form IA/VI and Order of Commitment. The ICJ Office in the sending state should also provide copies, (if available) of the Petition and/or Arrest Report(s), Legal and Social History, and any other pertinent information deemed to be of benefit to the receiving state. Parole conditions, if not already included, shall be forwarded to the receiving state upon the juvenile's release from an institution. Form V shall be forwarded prior to placement in the receiving state.

When it is necessary to place a State Committed (parole) juvenile out of state prior to the acceptance of supervision, under the provision of Rule 5-101(4), the sending state shall determine if the circumstances of the juvenile's immediate placement justify the use of a travel permit, including consideration of the appropriateness of the placement. If approved by the sending state, it shall provide the receiving state with the approved travel permit along with a written explanation as to why ICJ procedures for submitting the referral could not be followed.

The sending state ICJ Office shall provide the complete ICJ referral to the receiving state ICJ office within ten (10) business days of the travel permit being issued. The receiving state shall make the decision whether or not it will expedite the ICJ referral.

- b. Probation Cases – The ICJ Office in the sending state shall ensure the following referral documents are complete and forwarded to the receiving state within five (5) business days of receipt: Form IV, Form IA/VI, Order of Adjudication and Disposition, Conditions of Probation and Petition and/or Arrest Report(s). The ICJ Office in the sending state should also provide copies (if available) of Legal and Social History, and any other pertinent information deemed to be of benefit to the receiving state. Form V

shall be forwarded prior to placement if the juvenile is not already residing in the receiving state.

4. The sending state shall be responsive and timely in forwarding additional documentation at the request of the receiving state. The receiving state will not delay the investigation pending receipt of the additional documentation.
5. The receiving state's ICJ Office shall request its local offices complete a home evaluation within thirty (30) calendar days after receipt of referral.
6. The receiving state's ICJ Office shall, within forty five (45) calendar days of receipt of the referral, forward to the sending state the hHome eEvaluation along with the final approval or disapproval of the request for supervision or provide an explanation of the delay to the sending state.

Justification:

(4) Recommended to clarify that the timely acquisition of additional documentation by the receiving state will not delay the investigation.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 4-103: Transfer of Supervision Procedures for Juvenile Sex Offenders

1. When transferring a juvenile sex offender, the sending state shall not allow the juvenile to transfer to the receiving state until the sending state's request for transfer of supervision has been approved, or reporting instructions have been issued by the receiving state unless Rule 4-103(2) is applicable.
2. When it is necessary to place a juvenile sex offender out of state with a custodial parent or legal guardian prior to the acceptance of supervision, and there is no custodial parent or legal guardian in the sending state, ~~under the provision of Rule 5-101(4)~~, the sending state shall determine if the circumstances of the juvenile's immediate placement justify the use of a travel permit, including consideration of the appropriateness of the placement. If approved by the sending state's ICJ Office, the following procedures shall be initiated:
 - a. Upon notification, the sending state shall provide the receiving state with an approved travel permit along with a written explanation as to why ICJ procedures for submitting the referral could not be followed.
 - b. The sending state shall transmit a complete ICJ referral to the receiving state within ten (10) business days of the travel permit being issued. The receiving state shall make the decision whether it will expedite the ICJ referral or process the referral according to Rule 4-102.
 - c. Within five (5) business days of receipt of the travel permit, the receiving state shall advise the sending state of applicable registration requirements and/or reporting instructions, if any. The sending state shall be responsible for communicating the registration requirements and/or reporting instructions to the juvenile and his/her family in a timely manner.
 - d. The sending state shall maintain responsibility until supervision is accepted in the receiving state. The receiving state shall have the authority to supervise juveniles pursuant to reporting instructions ~~from the receiving state~~. issued under 4-103(2)(c).
3. When transferring a juvenile sex offender, documentation should be provided to the receiving state: Form IA/VI, Form IV, Form V, Order of Adjudication and Disposition, Conditions of Probation, Petition and/or Arrest Report, Risk Assessment, Safety Plan Specific Assessments (if available), Legal and Social History information pertaining to the criminal behavior, Victim Information, i.e., sex, age, relationship to the offender, sending state's current or recommended Supervision and Treatment Plan, and all other pertinent materials. NOTE: Parole conditions shall be forwarded to the receiving state upon the juvenile's release from an institution.

4. In conducting home evaluations for juvenile sex offenders, the receiving state shall ensure compliance with local policies or laws ~~when~~ when issuing reporting instructions. If the proposed ~~residence~~ placement is unsuitable, the receiving state may deny acceptance referred to in Rule 5-101(4).
5. Juvenile sex offender shall abide by the registration laws in the receiving state, i.e., felony or sex offender registration, notification or DNA testing.
6. A juvenile sex offender who fails to register when required will be subject to the laws of the receiving state.

Justification:

- (2) This amendment is needed to clarify which provisions of Rule 5-101(4) apply to this rule.
- (2)(d) This language is needed to clarify where the reporting instructions being referenced can be found.
- (4) Recommended for clarity.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on March 7, 2013 by a 7-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 4-104: Supervision/Services Requirements

1. After accepting supervision, the receiving state will assume the duties of ~~visitation and~~ supervision over any juvenile, ~~including juvenile sex offenders~~, and in exercise of those duties will be governed by the same standards of ~~visitation and~~ supervision that prevails for its own juveniles released on probation or parole.
2. At the time of acceptance or during the term of supervision, the appropriate authority in the receiving state may impose conditions on a juvenile transferred under the interstate compact if that condition would have been imposed on a juvenile in the receiving state. Any costs incurred from any conditions imposed by the receiving state shall not be the responsibility of the sending state.
3. Both the sending and receiving states shall have the authority to enforce terms of probation/parole, which may include the imposition of sanctions. ~~detention time in the receiving state~~. Any costs incurred from any enforcement sanctions shall be the responsibility of the state seeking to impose such sanctions.
4. The receiving state shall furnish written progress reports to the sending state on no less than a quarterly basis. Additional reports shall be sent in cases where there are concerns regarding the juvenile or there has been a change in placement.
5. Neither sending states nor receiving states shall impose a supervision fee on any juvenile who is supervised under the provisions of the ICJ.
6. The sending state shall be financially responsible for treatment services ordered by the appropriate authority in the sending state when they are not available through the supervising agency in the receiving state or cannot be obtained through Medicaid, private insurance, or other payor. The initial referral shall clearly state who will be responsible for purchasing treatment services.
7. The age of majority and duration of supervision are determined by the sending state. Where circumstances require the receiving court to detain any juvenile under the ICJ, the type of incarceration shall be determined by the laws regarding the age of majority in the receiving state.
8. Juvenile restitution payments or court fines are to be paid directly from the juvenile/juvenile's family to the adjudicating court or agency in the sending state. Supervising officers in the receiving state shall encourage the juvenile to make regular payments in accordance with the court order of the sending state. The sending state shall provide the specific payment schedule and payee information to the receiving state.
9. Supervision for the sole purpose of collecting restitution is not a justifiable reason to open a case.

Justification:

(2) added to give the receiving state clear authority to impose conditions on a transferred juvenile, if the same conditions are applied to its own juveniles. Further, the language clarifies that the cost incurred due to conditions imposed by the receiving state are not the responsibility of the sending state.

(3) added “sanctions” and took out “detention time in the receiving state,” as the term “sanctions” implies detention time and other requirements that may be imposed upon a juvenile in non-compliance with terms of supervision.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 5-102: Travel Permits

1. Travel permits shall be mandatory for juveniles traveling out-of-state for a period in excess of twenty-four (24) consecutive hours and who have committed or which the adjudicated offenses or case circumstances include any of the following:
 - a. Sex-related offenses;
 - b. Violent offenses that have resulted in personal injury or death;
 - c. Offenses committed with a weapon;
 - d. Juveniles who are state committed;
 - e. Juveniles testing placement and who are subject to the terms of the Compact;
 - f. Juveniles returning to the state from which they were transferred for the purposes of visitation;
 - g. Juveniles transferring to a subsequent state(s) with the approval of the initial sending state;
 - h. Transferred juveniles in which the victim notification laws, policies and practices of the sending and/or receiving state require such notification;
2. ~~A travel permit may be used as a notification of juveniles traveling to an out-of-state private residential treatment facility who are under the terms or conditions of probation or parole.~~ Juveniles placed in residential facilities shall be excluded from this rule; however, states may elect to use the Travel Permit Form for notification purposes.
3. The permit shall not exceed ninety (90) calendar days. If for the purposes of testing a placement, a referral packet is to be received by the receiving state's ICJ Office within thirty (30) calendar days of the effective date of the Travel Permit. The issuing state shall ensure the juvenile has been instructed to immediately report any change in status during that period.
 - a. When a Travel Permit exceeds thirty (30) calendar days, the sending state shall provide specific instructions for the juvenile to maintain contact with his/her supervising agency.
4. Authorization for out-of-state travel shall be approved at the discretion of the supervising person. An exception would be when the sending state has notified the receiving state that travel must be approved by the sending state's appropriate authority. The sending state's ICJ Office shall forward the Travel Permit via electronic communication, as appropriate, to the state in which the visit or transfer of supervision will occur. The authorized Travel Permit should be provided and received prior to the juvenile's movement. The receiving state upon receipt of the Travel Permit shall process and/or disseminate appropriate information in accordance with established law, policy, practice or procedure in the receiving state.
5. If a travel permit is issued, the sending state is responsible for victim notification in accordance with the laws, policies and practices of that state. The sending and receiving

states shall collaborate to the extent possible to comply with the legal requirements of victim notification through the timely exchange of required information.

Justification:

(2) As written all juveniles meeting the criteria under (1) (a)-(h), require a travel permit. Unless youth in residential placements are excluded from this requirement any youth going into a residential program that meets the criteria under (1) (a)-(h) would need a travel permit. This was not the intention of the rule when it was originally drafted and creates unintended consequences.

If included, state must comply with the all rules pertaining to travel permits, including (3) which limits a travel permit to 90 days. Therefore the recommendation is to exclude juveniles going into residential placement from the rule. This would not prohibit states from sending travel permits if they want, it would just not be required.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 5-1-0 vote.

Effective Date:

April 1, 2014

Proposed by West Region

RULE 5-102: Travel Permits

1. Travel permits shall be mandatory for juveniles traveling out-of-state for a period in excess of twenty-four (24) consecutive hours and who have committed or which the adjudicated offenses or case circumstances include any of the following:
 - a. Sex-related offenses;
 - b. Violent offenses that have resulted in personal injury or death;
 - c. Offenses committed with a weapon;
 - d. Juveniles who are state committed;
 - e. Juveniles testing placement and who are subject to the terms of the Compact;
 - f. Juveniles returning to the state from which they were transferred for the purposes of visitation;
 - g. Juveniles transferring to a subsequent state(s) with the approval of the initial sending state;
 - h. Transferred juveniles in which the victim notification laws, policies and practices of the sending and/or receiving state require such notification;
 - i. Juveniles who are subject to probation supervision.
2. A travel permit may be used as a notification of juveniles traveling to an out-of-state private residential treatment facility who are under the terms or conditions of probation or parole.
3. The permit shall not exceed ninety (90) calendar days. If for the purposes of testing a placement, a referral packet is to be received by the receiving state's ICJ Office within thirty (30) calendar days of the effective date of the Travel Permit. The issuing state shall ensure the juvenile has been instructed to immediately report any change in status during that period.
 - a. When a Travel Permit exceeds thirty (30) calendar days, the sending state shall provide specific instructions for the juvenile to maintain contact with his/her supervising agency.
4. Authorization for out-of-state travel shall be approved at the discretion of the supervising person. An exception would be when the sending state has notified the receiving state that travel must be approved by the sending state's appropriate authority. The sending state's ICJ Office shall forward the Travel Permit via electronic communication, as appropriate, to the state in which the visit or transfer of supervision will occur. The authorized Travel Permit should be provided and received prior to the juvenile's movement. The receiving state upon receipt of the Travel Permit shall process and/or disseminate appropriate information in accordance with established law, policy, practice or procedure in the receiving state.
5. If a travel permit is issued, the sending state is responsible for victim notification in accordance with the laws, policies and practices of that state. The sending and receiving states shall collaborate to the extent possible to comply with the legal requirements of victim notification through the timely exchange of required information.

Justification:

New language added to include juveniles on probation supervision.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee did not recommend for adoption on April 10, 2013 by a 6-0-1 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 6-103: ~~Non-Voluntary Return of Out-of-State Juveniles~~ Non-Voluntary Return of Non-Delinquent Runaways and/or Accused Status Offenders *(Replacing entire rule 6-103)*

A requisition applies to all juveniles in custody who refuse to voluntarily return to their home/demanding state; or juveniles whose whereabouts are known, but are not in custody.

1. The home/demanding state's office shall maintain regular contact with the authorities preparing the requisition to ensure accurate preparation and timely delivery of said documents to minimize detention time.
2. When the juvenile is a non-delinquent runaway and/or an accused status offender, the parent/legal guardian or custodial agency must petition the court of jurisdiction in the home/demanding state for a requisition. When the juvenile is already in custody, this shall be done within sixty (60) calendar days of notification of the youth's refusal to voluntarily return.
 - a. The petitioner may use Form A, Petition for Requisition to Return a Runaway Juvenile, or other petition. The petition must state the juvenile's name and date of birth, the name of the petitioner, and the basis of entitlement to the juvenile's custody, the circumstances of his/her running away, his/her location at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering his/her own welfare or the welfare of others and is not an emancipated minor.
 1. The petition shall be verified by affidavit.
 2. The petition is to be accompanied by a certified copy of the document(s) on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees.
 3. Other affidavits and other documents may be submitted with such petition.
 - b. The home/demanding state's appropriate authority shall initiate the requisition process upon notification by the holding state's ICJ Office that a non-delinquent juvenile in custody refuses to voluntarily return and the parent or legal guardian in the home/demanding state is unable or refuses to initiate the requisition process.
 1. The judge in the home/demanding state shall determine if:
 2. The petitioner is entitled to legal custody of the juvenile;
 3. The juvenile ran away without consent;

4. The juvenile is an emancipated minor; and
5. It is in the best interest of the juvenile to compel his/her return to the state.
 - c. When it is determined that the juvenile should be returned, the judge in the home/demanding state shall sign the Form I, Requisition for Runaway Juvenile.
 - d. The Form I accompanied by the petition and supporting documentation shall be forwarded to the home/demanding state's ICJ Office.
3. Upon receipt of the Requisition Form I, the home/demanding state's ICJ Office shall ensure the requisition packet is in order. The ICJ Office will submit the requisition packet through the electronic data system to the ICJ Office in the state where the juvenile is located. The state where the juvenile is located may request and shall be entitled to receive originals or duly certified copies of any legal documents.
4. The ICJ Office in the state where the juvenile is located will forward the Requisition Form I to the appropriate court and request that a hearing be held within thirty (30) calendar days of the receipt of the requisition. If not already detained, the court shall order the juvenile be held pending a hearing on the requisition. This time period may be extended with the approval of both ICJ Offices.
5. The court in the holding state shall inform the juvenile of the demand made for his/her return and may elect to appoint counsel or a guardian ad litem. The purpose of said hearing is to determine if the Requisition Form I is in order.
 - e. If the requisition is found to be in order by the court, the judge shall order the juvenile's return to the home/demanding state.
 - f. If the requisition is denied, the judge shall issue written findings detailing the reason(s) for denial.
6. In all cases, the order concerning the requisition shall be forwarded immediately from the holding court to the holding state's ICJ Office which shall forward the same to the home/demanding state's ICJ Office.
7. Juveniles held in detention, pending non-voluntary return to the demanding state, may be held for a maximum of ninety (90) calendar days.
8. Juveniles shall be returned by the home/demanding state within five (5) business days of the receipt of the order granting the requisition. This time period may be extended with approval from both ICJ Offices.

9. The duly accredited officers of any compacting state, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference.

Justification:

This rule replaces the previous Rule 6-103 and splits up the returns process for Form I and Form II non-voluntary returns. The intent of this proposal is to provide clarity in the returns processes. Proposed Rule 6-103A addresses the “Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent.”

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

NEW RULE 6-103A: Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent.

A requisition applies to all juveniles in custody who refuse to voluntarily return to their home/demanding state; or juveniles whose whereabouts are known, but are not in custody.

1. The home/demanding state's office shall maintain regular contact with the authorities preparing the requisition to ensure accurate preparation and timely delivery of said documents to minimize detention time.
2. When the juvenile is an Escapee, Absconder or Accused Delinquent the Requisitioner in the home/demanding state shall present to the court or appropriate authority a Requisition Form II, requesting the juvenile's return. When the juvenile is already in custody, this shall be done within sixty (60) calendar days of notification of the youth's refusal to voluntarily return.
 - a. The requisition shall be verified by affidavit and shall be accompanied by copies of supporting documents that show entitlement to the juvenile. Examples may include:
 1. Judgment
 2. Order of Adjudication
 3. Order of Commitment
 4. Petition Alleging Delinquency
 5. Other affidavits and documents may be submitted with such requisition.
 - b. When it is determined that the juvenile should be returned, the judge or the appropriate authority in the home/demanding state shall sign the Form II, Requisition for Absconder, Escapee or Accused Delinquent.
 - c. The Form II accompanied by the supporting documentation shall be forwarded to the home/demanding state's ICJ Office.
3. Upon receipt of a Requisition Form II, the home/demanding state's ICJ Office shall ensure the requisition packet is in order. The ICJ Office will submit the requisition packet through the electronic data system to the ICJ Office in the state where the juvenile is located. The state where the juvenile is located may request and shall be entitled to receive originals or duly certified copies of any legal documents.

4. The ICJ Office in the state where the juvenile is located will forward the Requisition Form II to the appropriate court and request that a hearing be held within thirty (30) calendar days of the receipt of the requisition. If not already detained, the court shall order the juvenile be held pending a hearing on the requisition. This time period may be extended with the approval of both ICJ Offices.
5. The court in the holding state shall inform the juvenile of the demand made for his/her return and may elect to appoint counsel or a guardian ad litem. The purpose of said hearing is to determine if the Requisition Form II is in order.
 - a. If the requisition is found to be in order by the court, the judge shall order the juvenile's return to the home/demanding state.
 - b. If the requisition is denied, the judge shall issue written findings detailing the reason(s) for denial.
6. In all cases, the order concerning the requisition shall be forwarded immediately from the holding court to the holding state's ICJ Office which shall forward the same to the home/demanding state's ICJ Office.
7. Juveniles held in detention, pending non-voluntary return to the demanding state, may be held for a maximum of ninety (90) calendar days.
8. Requisitioned juveniles shall be accompanied in their return to the home/demanding state unless both ICJ Offices determine otherwise. Juveniles shall be returned by the home/demanding state within five (5) business days of the receipt of the order granting the requisition. This time period may be extended with approval from both ICJ Offices.
9. The duly accredited officers of any compacting state, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference.

Justification:

This rule replaces the previous Rule 6-103 and splits up the returns process for Form I and Form II non-voluntary returns. The intent of this proposal is to provide clarity in the returns processes. Proposed Rule 6-103 addresses the “Non-Voluntary Return of Non-Delinquent Runaways and/or Accused Status Offenders.”

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

***RULE 6-104: Return of Juveniles Whose ICJ Placement Has Failed* [Rescind]**

1. If it is determined necessary to return a juvenile, whose placement has failed, to the Sending State and the ICJ Application for Compact Services and Memorandum of Understanding and Waiver Form (ICJ Form IA/VI) has the appropriate signatures, no further court procedures will be required for the juvenile's return.
2. Upon notifying the sending state's ICJ Office, a duly accredited officer of a sending state may enter a receiving state and apprehend and retake any such juvenile on probation or parole. If this is not practical, a warrant may be issued and the supervising state shall honor that warrant in full.
3. Upon notice of a juvenile's failed placement for purposes of his/her return, the sending state shall return the juvenile in a safe manner, pursuant to ICJ Rules 6-106 and 6-111, and within five (5) business days. This time period may be extended with the approval of both ICJ Offices.
4. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive and not reviewable within the receiving state. In those cases where the juvenile is suspected of having committed a criminal offense or an act of juvenile delinquency in the receiving state, the juvenile shall not be returned without the consent of the receiving state until discharged from prosecution, or other form of proceeding, imprisonment, detention, or supervision.
5. The officer of the sending state shall be permitted to transport delinquent juveniles being returned through any and all states party to this Compact, without interference.

Justification:

Rescinding this rule, to replace with proposed Rule: *Reporting Juvenile Non-Compliance, Failed Placement and Retaking* (new violations rule) recommended placing in Section 500. This language is being retained in another rule.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

Dependent upon approval of new proposed violations rule.

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on May 8, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 6-106: Public Safety

1. The home/demanding state's ICJ Office shall determine appropriate measures and arrangements to ensure the safety of the public and of juveniles being transported based on the holding and home/demanding states' assessments of the juvenile.
2. If the home/demanding state's ICJ Office determines that a juvenile is considered a risk to harm him/herself or others, the juvenile shall be accompanied on the return to the home/demanding state.
3. ~~Pursuant to ICJ Rule 6-103(12), requisitioned juveniles are to be accompanied in their return to the home/demanding state unless both ICJ Offices determine otherwise.~~

Justification:

Strike paragraph (3). The language was incorporated into the proposed Rule 6-103A: *Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent*.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

Dependent upon approval of proposed Rule 6-103 and 6-103A. Recommend moving to section 700 (7-102).

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

RULE 7-101: Adoption of Rules and Amendments

Proposed new rules or amendments to the rules shall be adopted by majority vote of the members of the Commission in the following manner.

1. Proposed new rules and amendments to existing rules shall be submitted to the Rules Committee for referral and final approval by the full Commission:
 - a. Any ICJ Compact Commissioner or Designee may submit proposed rules or amendments for referral to the Rules Committee during the annual meeting of the Commission. This proposal would be made in the form of a motion and would have to be approved by a majority vote of a quorum of the Commission members present at the meeting.
 - b. Standing ICJ Committees may propose rules or amendments by a majority vote of that committee.
 - c. ICJ Regions may propose rules or amendments by a majority vote of members of that region.
2. The Rules Committee shall prepare a draft of all proposed rules or amendments and provide the draft to the Commission for review and comments. All written comments received by the Rules Committee on proposed rules or amendments shall be posted on the Commission's Website upon receipt. Based on these comments, the Rules Committee shall prepare a final draft of the proposed rules or amendments for consideration by the Commission not later than the next annual meeting falling in an odd-numbered year.
3. Prior to the Commission voting on any proposed rules or amendments, said text shall be published at the direction of the Rules Committee not later than thirty (30) days prior to the meeting at which a vote on the rule or amendment is scheduled, on the official Web site of the Commission and in any other official publication that may be designated by the Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.
4. Each proposed rule or amendment shall state:
 - a. The place, time, and date of the scheduled public hearing;
 - b. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments; and
 - c. The name, position, physical and electronic mail address, telephone, and telefax number of the person to whom interested persons may respond with notice of their attendance and written comments.

5. Every public hearing shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Commission from making a transcript or recording of the public hearing if it so chooses.
6. Nothing in this section shall be construed as requiring a separate public hearing on each rule or amendment. Rules or amendments may be grouped for the convenience of the Commission at public hearings required by this section.
7. Following the scheduled public hearing date, the Commission shall consider all written and oral comments received.
8. The Commission shall, by majority vote of a quorum of the Commissioners, take final action on the proposed rule or amendment by a vote of yes/no. No additional rules or amendments shall be made at the time such action is taken. A rule or amendment may be referred back to the Rules Committee for further action either prior to or subsequent to final action on the proposed rule or amendment. The Commission shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
9. Not later than sixty (60) days after a rule is adopted, any interested person may file a petition for judicial review of the rule in the United States District Court of the District of Columbia or in the federal district court where the Commission's principal office is located. If the court finds that the Commission's action is not supported by substantial evidence, as defined in the Model State Administrative Procedures Act, in the rulemaking record, the court shall hold the rule unlawful and set it aside. In the event that a petition for judicial review of a rule is filed against the Commission by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
10. Upon determination that an emergency exists, the Commission may promulgate an emergency rule or amendment that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. An emergency rule or amendment is one that must be made effective immediately in order to:
 - a. Meet an imminent threat to public health, safety, or welfare;
 - b. Prevent a loss of federal or state funds;
 - c. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
 - d. Protect human health and the environment.

11. The Chair of the Rules Committee may direct revisions to a rule or amendments adopted by the Commission, for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions shall be posted on the official web site of the Interstate Commission for Juveniles and in any other official publication that may be designated by the Interstate Commission for Juveniles for the publication of its rules. For a period of thirty (30) days after posting, the revision is subject to challenge by any Commissioner or Designee. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the Executive Director of the Commission, prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

Justification:

(2) The change indicates proposals shall be brought before the Commission no later than the odd numbered years. This change would still allow rules to be voted on in even numbered years if the Commission felt it was necessary.

(8) The intent of this proposal is to eliminate confusion and unintended consequences resulting from amending rules from the floor of the Commission meeting, without properly vetting. This amendment limits the final vote of rule amendments to a simple yes or no vote; however, this amendment would not prohibit discussion prior to a vote.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on April 10, 2013 by a 7-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

NEW RULE: ICPC Recognition

ICJ recognizes the authority of ICPC under Article V of the Interstate Compact for the Placement of Children and supports their authority to return ICPC youth who have run away from their out-of-state placement resulting in a demand for their return by the sending state. In the event a juvenile is held in a secure facility beyond twenty-four (24) hours (excluding weekends and holidays), the appropriate provisions of the ICJ rules shall apply.

Justification:

There is a potential conflict between the Article V of the ICPC and Article I(C) of the ICJ. This rule recognizes the authority of ICPC under Article V, as well as ICJ's responsibility to ensure public safety and the safe return of runaways to the demanding state in the event they are held in a secure facility beyond 24 hours. Proposed to go in Section 500. Adoption of this rule potentially will increase return costs for ICJ offices.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

None

Fiscal Impact:

\$0

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014

Proposed by Rules Committee

NEW RULE: Reporting Juvenile Non-Compliance, Failed Placement and Retaking

1. At any time during supervision if a juvenile is out of compliance with conditions of supervision the receiving state shall notify the sending state of the conditions violated within ten (10) business days of discovery.
2. A violation report shall contain:
 - a. The date of the new citation or technical violation that forms the basis of the violation;
 - b. Description of the new citation or technical violation;
 - c. Status and disposition, if any;
 - d. Supporting documentation regarding the violation including but not limited to police reports, drug testing results, or any other document to support the violation.
 - e. Efforts or interventions made to redirect the behavior;
 - f. Sanctions if they apply;
 - g. Receiving state recommendations.
3. The sending state shall respond to a report of a violation made by the receiving state no later than ten (10) business days following receipt by the sending state. The response shall include the action to be taken by the sending state and the date that action will occur.
4. The decision of the sending state to retake a juvenile shall be conclusive and not reviewable within the receiving state. If the sending state determines the violation requires retaking or retaking is mandatory, the following shall be considered:
 - a. In those cases where the juvenile is suspected of having committed a criminal offense or an act of juvenile delinquency in the receiving state, the juvenile shall not be retaken without the consent of the receiving state until discharged from prosecution, or other form of proceeding, imprisonment, detention, or supervision.
 - b. The ICJ Application for Compact Services and Memorandum of Understanding and Waiver Form (ICJ Form IA/VI) has the appropriate signatures; no further court procedures will be required for the juvenile's return.
 - c. A duly accredited officer of a sending state may enter a receiving state and apprehend and retake any such juvenile on probation or parole. If this is not practical, a warrant may be issued and the supervising state shall honor that warrant in full.
 - d. The sending state shall return the juvenile in a safe manner, pursuant to the ICJ Rules within five (5) business days. This time period may be extended with the approval of both ICJ Offices.
 - e. The officer of the sending state shall be permitted to transport delinquent juveniles being returned through any and all states party to this Compact, without interference.

5. The sending state's ICJ Office shall facilitate transportation arrangements for the return of the juvenile(s) within five (5) business days in accordance with these rules when:
 - a. A legal guardian remains in the sending state and the placement in the receiving state fails; or
 - b. A juvenile student transfer placement fails.

Justification:

The Rules Committee was tasked with developing a clear violation process. This rule addresses the process in dealing with any violation of supervision. Any previous rule addressing a violation of a transferred juvenile has been combined with this rule to make the process easier to follow.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

Add/modify fields to Form IX – Quarterly Progress Report or Violation Report; new escalation email in “Violation Report and Reply” workflow

Fiscal Impact:

Cost estimate \$600 (4 service hours).

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014



INTERSTATE COMPACT FOR JUVENILES

FORM IA/VI

APPLICATION FOR SERVICES AND WAIVER

Form IA

APPLICATION FOR COMPACT SERVICES

TO: _____ (Receiving State) FROM: _____ (Sending State)

I, _____, hereby apply for supervision as a parolee or probationer to the Interstate Compact for Juveniles. I understand that the very fact that supervision will be in another state makes it likely that there will be certain differences between the supervision I would receive in this state and supervision which I will receive in any state to which I am asking to go. However, I urge the authorities to whom this application is made, and all other judicial and administrative authorities, to recognize that supervision in another state, if granted as requested in this application, will be a benefit to me and will improve my opportunities to make a good adjustment. In order to get the advantages of supervision under the Interstate Compact for Juveniles, I do hereby accept such differences in the course and character of supervision as may be provided, and I do state that I consider the benefits of supervision under the Compact to be worth any adjustments in my situation which may be occasioned.

In view of the above, I do hereby apply for permission to be supervised on parole probation in _____ (Receiving State)

FORM VI

MEMORANDUM OF UNDERSTANDING AND WAIVER

I, _____, realize that the grant of parole probation and especially the privilege to leave the State of _____ to go to the State of _____ is a benefit to me. In return for these advantages, I promise:

1. That I will make my home with _____ (Name, Relationship, and Address) until a change of residence is duly authorized by the proper authorities of the receiving state.
2. That I will obey and live up to the terms and conditions of parole probation as fixed by both the sending and receiving states. I understand and accept that a failure to comply with these terms and conditions may result in sanctions in the sending or receiving state. ~~See, Rule 4-104(1) and (2).~~
3. That I will return at any time to the sending state if asked to do so by the parole probation authorities in that state. I further understand that if I do not obey or live up to these promises, I may be returned to the sending state. I have read the above or have had the above read and explained to me, and I understand its meaning and agree thereto.

(Juvenile's Signature) (Date) (Witness' Signature) (Date)

I, in my capacity as the ~~placement resource~~ parent/legal guardian for _____ (Juvenile's Name) do approve and subscribe to the above Memorandum of Understanding and hereby waive any right which I may have to contest the return of the juvenile referred to herein to the sending state or jurisdiction from any state or jurisdiction within or outside the United States, in which he she may be found. I also undertake to cooperate with the supervising authorities and to assist them in securing the return of the juvenile referred to herein to the sending state whenever, in their judgment, such return may be necessary or desirable.

(Placement resource's Parent/legal guardian's signature) (Date) (Witness' Signature) (Date)

Permission is hereby granted to the above-named juvenile to apply for, reside in, and be supervised by the State of _____ (Receiving State) provided that the receiving state accepts supervision and the juvenile complies with the terms of supervision.

(Date) **SIGNED:** (If probation, sending state's JUDGE; If parole, sending state's COMPACT OFFICIAL)

Proposed by Rules Committee

Justification:

Strike “See, Rule 4-104(1) and (2)” to remove rule reference in form. Any time a rule referenced in a form changes, the form may require editing which has a JIDS and fiscal impact. Replacing “placement resource” with “parent/legal guardian” to ensure a parent or legal guardian is signing the waiver.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

Strike “placement resource” and replace with “parent/legal guardian” in Form IA/VI text.

Fiscal Impact:

Cost estimate \$150 (1 service hour).

Rules Committee Action:

The Rules Committee recommended for adoption on July 23, 2013 by a 6-0-0 vote.

Effective Date:

April 1, 2014



INTERSTATE COMPACT FOR JUVENILES

OUT OF STATE TRAVEL PERMIT AND AGREEMENT TO RETURN

FORM VII

VACATION/VISIT ONLY VISIT FOR TESTING PLACEMENT PLACEMENT IN PRIVATE RESIDENTIAL TREATMENT FACILITY

To: _____ From: _____
(Receiving State) (Sending State)

From: _____
(Name, Title) (Agency/Department) (Phone #)

Re: _____
(Juvenile's Name) (DOB) (Race/Sex)

***If known, *Ht:** _____ ***Wt:** _____ ***Eye Color:** _____ ***Hair Color:** _____
(Offense) (Court/Agency #) (Legal Status)

Current Placement

Name: _____ Relationship: _____
Address: _____ Phone: _____

Permission is granted to the above-named juvenile to visit the State of _____
from _____ until _____
(Date) (Date)

He She will be staying with/at _____
(Name/Facility) (Relationship)
at _____
(Full Address) (City) (State) (Zip) (Phone #)

Reason for Visit: _____

Mode of Transportation: _____

Special Instructions: _____

Completed by: _____
(Name) (Title) (Date)

I, the undersigned, recognize that I am under the legal custody/jurisdiction of the State of _____, Department/Court _____. I hereby agree that I will comply with the rules and regulations of my state of jurisdiction and the State of _____ and with the above conditions and instructions. I will return to the State of _____ on _____ voluntarily and without further formality. In signing this agreement, I also understand that my failure to comply with the conditions may result in my being considered absent without leave (AWOL), and a warrant and requisition may be issued for my apprehension and return to the State of _____ for further disciplinary action.

I have read the above **OR** I have had the above read and explained to me, and I understand the meaning of it and agree thereto.

(Juvenile's Signature) (Date)

Witnessed by: _____
(Signature of Caseworker or Probation/Parole Officer) (Title) (Date)

Approved by: _____
(Signature of Supervisor) (Title) (Date)

Proposed by West Region

Justification:

Recommended to provide physical description.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

Add four new fields to Form VII.

Fiscal Impact:

Cost estimate \$300 (2 service hours).

Rules Committee Action:

The Rules Committee did not recommend for adoption on April 10, 2013 by a 7-0-0 vote.

Effective Date:

April 1, 2014



INTERSTATE COMPACT FOR JUVENILES

Absconder From Supervision Violation Report

FORM XI

Sending State: _____ Receiving State: _____

Case #: _____ Case #: _____

Juvenile's Name: _____ DOB: _____

Absconder's Last Known Contact Information

(Street address) (City) (State) (Zip)

Phone #: _____ Date of last contact with supervising agent: _____

Details of the juvenile's absconding:

Pending charges in the receiving state? YES NO If YES, please describe below:

(Name of Juvenile Worker) (Date)

By checking this box, I confirm the validity of the information contained within this form.

(Supervisor Name) (Date)

By checking this box, I confirm the validity of the information contained within this form.

Compact Administrator/Official Name (Date)

By checking this box, I confirm the validity of the information contained within this form.

Proposed by Rules Committee

Justification:

Eliminate form as it was the intent of the Rules Committee when proposing Rule 6-104A: Absconder Under ICJ Supervision to use the Violation Report for this process.

Effect on Other Rules, Advisory Opinions or Dispute Resolutions:

None

JIDS Impact:

Delete Form XI and add 4 fields to Form IX; 2 report changes.

Fiscal Impact:

Cost estimate \$1200 (8 service hours).

Rules Committee Action:

The Rules Committee recommended for adoption on May 17, 2013 by a 7-0-1 vote.

Effective Date:

April 1, 2014

New Order of Rules

Rule #	Title	Former #
Section 100 Definitions		
1-101	Definitions	
Section 200 General Provisions		
2-101	Dues Formula	
2-102	Data Collection	
2-103	Adoption of Rules and Amendments	7-101
Section 300 Forms		
3-101	Approved Forms	
3-102	Optional Forms	
3-103	Form Modifications or Revisions [Rescinded]	
Section 400 Transfer of Supervision		
4-101	Eligibility Requirements for the Transfer of Supervision	
4-101A	Transfer of Students [Rescinded]	
4-102	Sending and Receiving Referrals	
4-103	Transfer of Supervision Procedures for Juvenile Sex Offenders	
4-104	Authority to Accept/Deny Supervision	5-101
4-105	Communication Requirements Between States	
4-106	Closure of Cases	
4-107	Victim Notification	
Section 500 Supervision in Receiving State		
5-101	Supervision/Services Requirements	4-104
5-102	Absconder Under ICJ Supervision	
5-103	Reporting Juvenile Non-Compliance, Failed Placement and Retaking	new
5-104	ICPC Recognition	new

New Order of Rules

Rule #	Title	Former #
Section 600		
Voluntary and Non-Voluntary Return of Juveniles/Runaways		
6-101	Release of Runaways to Parent or Legal Guardian	
6-102	Voluntary Return of Out-of-State Juveniles	
6-103	Non-Voluntary Return of Non-Delinquent Runaways and/or Accused Status Offenders	
6-103A	Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent	6-103
Section 700 Additional Return Requirements for Sections 500 and 600		
7-101	Financial Responsibility	6-105
7-102	Public Safety	6-106
7-103	Charges Pending in Holding/Receiving State	6-107
7-104	Warrants	6-108
7-105	Custodial Detention	6-109
7-106	Transportation	6-110
7-107	Airport Supervision	6-111
7-108	Provision of Emergency Services [Rescinded]	6-112
Section 800 Travel Permits		
8-101	Travel Permits	5-102
Section 900 Dispute Resolution, Enforcement, Withdrawal, and Dissolution		
9-101	Informal Communication to Resolve Disputes or Controversies and Obtain Interpretation	8-101
9-102	Formal Resolution or Disputes and Controversies	8-102
9-103	Enforcement Actions Against a Defaulting State	8-103
9-104	Judicial Enforcement	8-104
9-105	Dissolution and Withdrawal	8-105
Section 1000 Transition Rule		
10-101	Transition Rule [Rescinded]	9-101

Interstate Commission for Juveniles
Annual Data Collection Report
INTERSTATE MOVEMENT OF JUVENILES
July 1, 2012 - June 30, 2013

STATE	From Your State Returned								From Other States Returned								Airport Sup Req Met	O/S Conf In Other State	O/S Conf In Your State		
	Run	Esc	Absc	Acc Del	Total	Form I	Not Ret	Form II	Not Ret	Run	Esc	Absc	Acc Del	Total	Form I	Not Ret				Form II	Not Ret
Alabama	17	1	11	0	29	0		0		7	0	14	0	21	1	0	0		0		
Alaska	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arizona	30	0	19	26	75	0	0	0	0	35	0	29	31	95	0	0	0	0	0	11	
Arkansas	15	1	5	0	21	0	0	2	0	51	0	10	0	61	3	1	0	0	0	0	0
California	22	0	45	4	71	0	0	4	0	24	1	25	6	56	0	0	3	0		0	0
Colorado	17	0	39	7	63	0		3	0	26	0	20	5	51	0	0	2	0	16	0	0
Connecticut	4	1	1	3	9	0	0	0	0	1	0	5	1	7	0	0	0	0		0	0
Delaware	2	1	15	0	18	2		6				6		6	1			0	6	18	
District of Columbia	1	0	2	71	74	0		17	8	1	0	0	61	62	0		1	0		0	0
Florida	83	0	48	72	203	3	0	2	0	104	4	74	111	293	1	0	3	0	0	0	0
Hawaii	3	0	0	0	3	0		0		3	0	0	0	3	0		0		0	0	0
Idaho	8	2	42	2	54	0	0	1	0	7	2	23	0	32	0	0	1	0		0	0
Illinois PA	53	0	39	8	100	15	0	6	1	38		7	8	53	2	0	5	0	32	0	0
Illinois PR			9		9							20		20							
Iowa	2	0	8	0	10	0	0	0	0	0	0	6	6	12	0	0	0	0	0	0	0
Indiana	26				26	1		1		21				21	0		0		1	0	0
Kansas	19	0	45	5	69	0	0	2	0	12	0	7	3	22	0	0	2	0	0	0	0
Kentucky	33	0	2	20	55	0	0	0	0	22	5	22	0	49	2	0	0	0	10	0	0
Louisiana	30	0	10	5	45					47	0	15	8	70					0	0	0
Maine	4	1	3	1	9	0	0	0	0	1	0	2	2	5	0	0	0	1	0	0	0
Maryland			76		76	1		3				113		113	15	6			0	0	5
Massachusetts	0	0	19	0	19	0	0	0	0	0	0			0							
Michigan	21	7	9	0	37	1	0	0	0	11	2	10	0	23	0	0	1	0	13	0	0
Minnesota	23	0	9	11	43	0		0		8	0	14	8	30	2	0	0		4	0	0
Mississippi	3		1		4	0	0	0	0	20				20	0	0	1	0	0	0	0
Missouri	17	1	14	2	34	1	0	2	0	23	0	66	3	92	0	0	0	0	1	0	0
Montana	10	0	18	1	29	0		0		12	0	18	2	32	0		0				
Nebraska	22	0	20	0	42	1	0	0	0	18	0	8	4	30	1	0	0	0	3	0	0
Nevada	13	1	23	8	45	1		1		14	0	87	3	104	1				3	0	0
New Hampshire	4	3	10	2	19	0	0	0	0	6	1	12	0	19	0	0	0	0	0	3	17
New Jersey PA	0	0	3	0	3		0		0			3	2	5		0		0			
New Jersey PR	4	1	22	0	27	1	0	1	0	8	0	28	2	38	0	0	0	0	1	0	0
New Mexico	35	1	19	2	57	0	0	1	0	12	0	24	9	45	0	0	2	0	0	0	0
New York	18		43		61	0		1	0	16		48		64	1	0	2	1	3		
North Carolina	15	0	2	2	19	1	0	2	0	58	0	5	2	65	2	0	5	1	33	0	0
North Dakota	3	0	0	2	5	1	0	0	0	7	0	3	0	10	0	0	0	0	0	5	
Ohio	18	0	30	12	60	0	0	2	0	44	0	20	26	90	1	0	2	0	0	0	0
Oklahoma	38	10	4	3	55	0	0	1	0	26	23	2	4	55	0	0	1	0	0		
Oregon	15	0	38	0	53	0	0	1	1	43	0	41	0	84	1	1	3	0	3		
Pennsylvania	17	1	40	10	68	1	0	2	0	13	0	23	14	50	1	0	2	0	11	0	0
Rhode Island	1	1	0	0	2	0	0	0	0	1	1	1	0	3	0	0	0	0	0	1	2
South Carolina	7	1	8	6	22	2	2	5	1	26	0	11	4	41	0	0	1	1	0	0	0
South Dakota	10		27		37			2		11		13		24			3		0		
Tennessee	29	0	38	0	67	0	0	1	0	22	0	35	0	57	0	0	1	0	3	0	0
Texas	53	1	44	11	109	2	1	4	1	97	2	56	11	166	1	0	2	0	65		
Utah	6		28		34					32		14		46	1				3		
Vermont	2	0	0	0	2	0	0	0	0	2	0	0	0	2	0	0	0	0	0	0	1
Virgin Islands	0				0	0		0						0	0		0		0	0	0
Virginia	5	1	72	0	78	0	0	5	0	3	0	46	0	49	0	0	4	0	3	0	2
Washington	26	0	36	2	64	0		3	0	14	0	26	4	44	0		0		3		
West Virginia	10	0	3	0	13	0		0		4	2	8	7	21	1	0	0				
Wisconsin	13	0	16	0	29	1	0	2	0	4	0	10	0	14	0	0	2	0	2	0	0
Wyoming	5	0	3	0	8	0	0	0	0	4	1	1	0	6	0	0	0	0	0	0	0
Total	812	36	1018	298	2164	35	3	83	12	959	44	1031	347	2381	38	8	49	4	224	10	50

Interstate Commission for Juveniles
Annual Data Collection Report
INTERSTATE MOVEMENT OF JUVENILES
July 1, 2012 - June 30, 2013

STATE	PAROLE SUPERVISION											PROBATION SUPERVISION											Inst Pub Facility		
	Inc	Sex Off	Inc Term	Out	Sex Off	Out Term	Fail	Viol	Ret	Failed	Ret	Inc	Sex Off	Inc Term	Out	Sex Off	Out Term	Fail	Viol	Ret	Failed	Ret	In State	In Other	
Alabama	33	6	12	13	8	7					173	18	55	54	9	21									
Alaska	1	0	0	0	0	0	0	0	0	0	42	4	16	58	6	13	0			0			0	0	
Arizona	30	7	14	17	2	20	10	9	0	0	161	16	178	197	9	177	89	88	11	11				0	
Arkansas	13			11							76			67										0	0
California	32	6	29	4	1	8	0	0	0	0	249	38	206	431	44	303	0	0	0	0			0	0	
Colorado	48	6	25	65	11	44					221	20	113	499	61	269								0	0
Connecticut	5	0	3	8	0	6	1	1	1	0	38	3	17	17	2	7	2	2	1	1			0	0	
Delaware	2	1	0	16	3	11	0	0	0	0	82	7	78	114	12	101	0	0	0	0			0	0	
District of Columbia	8	1	1	22	0	7	0	0	0	0	94	1	30	27	0	5	0	0	0	0			0	0	
Florida	119	15	68	118	17	73	0	0	0	0	926	91	409	711	51	379	4	4	0	0			0	0	
Hawaii	1	1	0	1	0	1	0	0	0		4	0	11	7	0	16	1	1	1	1			0	0	
Idaho	12	4	5	30	10	17	2	2	0	0	80	11	40	237	6	131	3	3	0	0					
Illinois	18	9	4	27	6	8	6	6	0	0	167	15	81	442	18	181	1	1	1	0					
Iowa	88	18	52	4	2	2	0	0	0	0	316	32	140	120	26	62	0	0	0	0			0	0	
Indiana	9	1	2	6	1	1	0	0	0	0	193	29	97	294	45	143	0	0	0	0			0	0	
Kansas	34	7	27	53	17	16	1	1	0	0	116	11	71	287	39	126	0	0	0	0			0	0	
Kentucky	24	2	7	37	7	7	0	0	1	1	171	24	63	91	7	16	0	0	0	0			0	0	
Louisiana	22	4	10	20	1	8		1	0		167	20	57	186	25	72	3	1					0	0	
Maine	2	0	1	2	0	1	1	1	0	0	12	2	8	12	0	7	2	2	0	0			0	0	
Maryland	60	5	14	19	3	2	0	0	0	0	317	31	171	294	17	76	0	1	1	1			1		
Massachusetts	4	0	0	3	0	14	1	0	0																
Michigan	15	1	5	0	0	0	0	0	0	0	86	1	75	19	1	7	1	1	0	0			0	0	
Minnesota	7	0	1	0	0	0	0	0	0	0	115	6	43	80	6	26	21	21	0				0	0	
Mississippi	10	3	10	2	0	6	0	0	0	0	84	1	93	63	0	55	2	2					0	1	
Missouri	275	34	34	44	4	39	3	3			191	10	178	33	2	21	4	4					0	0	
Montana	6	2	2	3	0	0	0	0	0	0	58	1	43	24	5	11	3	2	0				0	0	
Nebraska	12	2	8	37	1	22	3	3		0	45	2	19	102	2	38	2	0	0	0			0	0	
Nevada	15	2	15	16	0	17	1	1	0	0	149	11	128	93	13	98	0	0	0	0			0	0	
New Hampshire	4	0	4	1	0	0	3	3	0	3	29	3	20	33	1	18	4	4	1	1			0	0	
New Jersey	11	1	5	37	1	15	3	3	0	0	184	17	33	224	21	31	6	6					0	0	
New Mexico	19	4	7	40	3	7	2	2	0	0	144	21	59	258	8	128	3	2	0	0			0	0	
New York	21	1	14	31	2	20	4	4	6	6	463	63		170	13										
North Carolina	40	5	42	3	0	4	0		0		180	10	214	110	10	119	2	2	0				0	0	
North Dakota	10	3	4	4	1	3	0	0			59	7	25	88	3	39	0		0				0	0	
Ohio	29	6	10	25	10	12	1	1	0	0	206	31	63	187	87	139	0	0	0	0			0	0	
Oklahoma	17	7	15	3	0	9	0	0	1	0	163	18	144	46	6	55	0	0	1	0			0	2	
Oregon	16	9	11	16	3	14	4	4	0	0	173	13	121	90	10	35	8	8	2	0					
Pennsylvania	35	5	13	5	0	2	0	0	0	0	266	17	111	358	18	146	0	0	0	0			0	0	
Rhode Island	2	1	2				0	0	0	0	16	0	18	14	0	21	1	0	4	1			0	0	
South Carolina	18	1	15	10	1	15	4	0	3	3	88	10	93	94	7	99	19	6	27	27			0	0	
South Dakota	7	1	3	30	1	14	0	0	0	0	34	3	15	42	2	14	0	0	0	0					
Tennessee	16	1	29	44	6	62	5	4	0	0	89	3	132	100	4	91	1	1	1	0			0	0	
Texas	81	9	95	50	10	55	7	5	1	0	541	55	596	519	91	626	20	20	6	1					
Utah	5	3	1	1	0	0	0	0	1	1	63	6	29	49	15	16	3	3							
Vermont	1	0	1	0	0	0	0	0	0	0	4	1	0	8	0	4	0	0	0	0			0	0	
Virgin Islands	0	0	0	0	0	0	0	0	0		0	0	0	0	0	0			0	0			0	0	
Virginia	18	1	28	50	2	69					144	6	206	201	6	344							0	0	
Washington	54	16	42	44	24	41	0	0	0	0	350	43	233	316	76	268	0	0	1	0					
West Virginia	1	1	0				0	0	0	0	34	3	14	14	0	11	0	0	0	0					
Wisconsin	18	3	7	11	1	2	0				95	10	29	106	5	62	0						0	0	
Wyoming	3	0	0	1	1	0	0	0	0	0	76	8	24	38	3	20	0	0	0	0			0	0	
TOTAL	1331	215	697	984	160	681	62	54	14	14	7734	753	4599	7624	792	4647	205	185	58	44	1	3			

ICJ
Working Budget
Fiscal Years 2013-2015

	A	L	M	O	P
1					FY15
2		FY13	FY13	FY14	Proposed
3		Budget	Actual	Budget	Budget
4	REVENUE				
5	DUE ASSESSMENT	931,000.00	931,000.00	931,000.00	931,000.00
6	Carried Over Reserves	49,296.00			
7	Refunds				
8	INTEREST INCOME	8,000.00	5,538.80	8,000.00	8,000.00
9	Total Administration Revenue	988,296.00	936,538.80	939,000.00	939,000.00
10					
11	EXPENSE				
12	60000 SALARIES & WAGES	228,000.00	216,667.64	230,000.00	240,000.00
13	61000 EMPLOYEE BENEFITS	105,000.00	100,549.78	116,500.00	123,000.00
14	CSG CONTRACT STAFF				
15	61079 EDUCATION, ACCREDITATION	2,000.00	700.00	2,000.00	2,000.00
16	61089 PROFESSIONAL MEMBERSHIP FEES	300.00		300.00	300.00
17	62000 SUPPLIES	5,000.00	2,338.14	5,000.00	5,000.00
18	62010 POSTAGE	1,000.00	807.99	1,000.00	1,000.00
19	62090 COMPUTER SERVICES/SUPPORT	14,000.00	8,995.12	14,000.00	14,000.00
20	62130 OUTSIDE WEB SUPPORT				
21	62140 SOFTWARE PURCHASE	1,600.00	1,694.18	1,600.00	1,600.00
22	62280 INSURANCE	2,304.00	1,884.00	2,304.00	2,304.00
23	62310 PHOTOCOPY	1,000.00	21.87	1,000.00	1,000.00
24	62360 DIRECT TELEPHONE EXPENSE	3,000.00	2,529.16	3,000.00	3,000.00
25	62370 CELL PHONE EXPENSE	1,980.00	2,347.60	1,500.00	1,500.00
26	62410 MARKETING/ADVERTISING	500.00	385.00	500.00	500.00
27	66000 EQUIPMENT PURCHASE	12,000.00	4,744.37	12,000.00	12,000.00
28	68200 WEB/VIDEO CONFERENCE (WebEx)	16,000.00	13,713.11	14,450.00	14,450.00
29	68230 MEETING EXPENSE	1,000.00	207.20	1,000.00	1,000.00
30	72000 CONSULTANT SERVICES	25,000.00	12,381.54	25,000.00	25,000.00
31	74000 STAFF TRAVEL	10,000.00	3,621.34	10,000.00	10,000.00
32	78050 PRINTING	3,000.00	1,987.09	5,000.00	5,000.00
33	78130 BENCHBOOK PRODUCTION				
34	80000 LEGAL SERVICES	35,000.00	33,475.00	35,000.00	35,000.00
35	80030 DEFENSE LITIGATION				
36	85000 RENT	21,818.00	21,871.00	22,475.00	23,150.00
37	91010 INDIRECT COST	56,292.73	49,555.93	57,917.34	59,892.46
38	Total Administration Expenditures	545,794.73	480,477.06	561,546.34	580,696.46
39					
40	OTHER EXPENSE				
41	Executive Committee Meetings	15,000.00	14,654.22	15,000.00	15,000.00
42	Annual Meeting	102,300.00	78,473.72	93,000.00	101,000.00
43	Finance Committee	1,000.00	102.82	1,000.00	1,000.00
44	Compliance Committee	1,000.00	91.09	1,000.00	1,000.00
45	Rules Committee	15,000.00	13,977.60	15,000.00	15,000.00
46	Technology Committee	15,000.00	10,130.92	15,000.00	15,000.00
47	Training/Education Committee	15,000.00	7,654.51	15,000.00	15,000.00
48	ICPC Workgroup	2,000.00	698.43	2,000.00	2,000.00
49	Executive Director Search				
50	JAD Sessions/Function Req				
51	JIDS	136,096.00	90,401.00	62,132.00	62,132.00
52	Other Indirect Cost	34,775.54	24,861.20	25,200.18	26,120.18
53	Total Other Expense	337,171.54	241,045.51	244,332.18	253,252.18
54					
55	Total Commission Expenses	882,966.27	721,522.57	805,878.52	833,948.64
56					
57	Over/Under Budget	105,329.73	215,016.23	133,121.49	105,051.36



TRAINING, EDUCATION & PUBLIC RELATIONS COMMITTEE REPORT

Interstate Commission for Juveniles

**Annual Business Meeting
Tempe, Arizona
October 9, 2013**

To: Commissioners and Designees of the Interstate Commission for Juveniles

**From: Jean Hall, Chair, Training, Education & Public Relations Committee and
Commissioner, State of Florida**

The Commission expanded training efforts in FY 2013 to accommodate JIDS' launch. In addition to updating existing training resources, the Committee published a training bulletin outlining the requirements of the amended Travel Permit rule. In addition, the Committee produced ten workflow tutorials, offering users a step-by-step guide to navigate processes in JIDS, such as the transfer of supervision and returns.

The National Office reported a substantial increase in the On Demand self-paced training usage. By adding JIDS training modules to the five ICJ Rules modules, usage increased by well over 500 percent since October 2012.

- Total number of states that received training assistance through the Technical and Training Assistance Policy: **6**
- Total number of live training sessions conducted: **62**
- Total number of individuals attending live trainings: **1,850**
- Total number of individuals completing live JIDS trainings: **1,497**
- Total number of On Demand courses completed: **3,923**



COMPLIANCE COMMITTEE REPORT

Interstate Commission for Juveniles

**Annual Business Meeting
Tempe, Arizona
October 9, 2013**

To: Commissioners and Designees of the Interstate Commission for Juveniles

From: Summer Foxworth, Chair, Compliance Committee and Commissioner, State of Colorado

The Compliance Committee met 3 times this year.

Our Primary focus was bringing all member States into Compliance regarding the formation of a State Council as required under Article IX of the Compact.

Upon the recommendation from the Compliance Committee, the Executive Committee approved taking enforcement action on the 11 States that had not formed their State Council. Legal Counsel sent letters to the States in default, prompting 10 States to finalize appointments and organize their Counsel. The State of California failed to respond.

The Executive and Compliance Committees determined that the State of California is in default of the Compact by failing to:

- 1) Establish a State Council as required under Article IX of the Compact
- 2) Failure to provide adequate resources and support to the California ICJ office as required under Article VII, A. 2. Legal Counsel sent a Corrective Action Letter to the State of California on July 26th requesting that a detailed Corrective Action Plan be submitted within 60 days to avoid further sanctions.



INFORMATION TECHNOLOGY COMMITTEE REPORT

Interstate Commission for Juveniles

**Annual Business Meeting
Tempe, Arizona
October 9, 2013**

To: Commissioners and Designees of the Interstate Commission for Juveniles

**From: Traci Marchand, Chair, Information Technology Committee and Commissioner,
State of North Carolina**

FY 13 JIDS Statistics

Total number of juvenile cases: 10,800
Total number of users: 4,000
Total number of Transfer of Supervision cases: 4,728
Total number of Runaway cases entered: 1,086
Total number of Travel Permits entered: 5,600

WEBSITE Statistics

Total number of visits: 63,544
Average number of visits per day: 174
Total number of page views: 296,054
Total number of visits by a mobile/tablet device: 1,325
Total number of registered users: 7,456
Total number of unique visitors: 23,623



FINANCE COMMITTEE REPORT

Interstate Commission for Juveniles

**Annual Business Meeting
Tempe, Arizona
October 9, 2013**

To: Commissioners and Designees of the Interstate Commission for Juveniles

From: Pat Pendergast, Chair, Finance Committee, Designee, State of Alabama

The Commission entered FY 2013 with a healthy reserve, allowing the Finance Committee to recommend funding for JIDS enhancements that the Executive Committee approved. Discussion this year centered on the current dues structure, implementing enhancements to JIDS, increasing training and reducing Annual Business Meeting expenses. Moreover, the Committee approved both the FY 2014 and 2015 budgets.

The National Office continues to be a careful steward of the Commission's finances and is diligent in its efforts to maximize the efficiency of the Commission's operations. The Finance Committee operates under a twofold mission: to be vigilant about good stewardship practices in economic uncertainty and to continue to build a reserve fund, allowing the Commission to carry out its goals.

- Amended the lowest dues tier
- Approved \$50,000 increase for JIDS enhancements
- Reduced budget for 2013 Annual Business Meeting
- Finished the fiscal year 20% under budget
- Maintains a reserve fund, with a current balance of \$1,058,888



EAST REGION REPORT

Interstate Commission for Juveniles

Annual Business Meeting
Tempe, Arizona
October 9, 2013

To: Commissioners and Designees of the Interstate Commission for Juveniles

From: Damian Seymour, East Regional Representative and Designee, State of Delaware

Over the course of the past year, the East Region discussed the following:

- Establishing State Councils and updates for those who are established
- Compliance letters issued to states for failure to establish a state council
- Applicable staff changes
- JIDS discussion and state experiences while training
- PREA resolution and the added disclaimer
- Issuance of FY 14 dues invoices and the ability of state to pay within the previous fiscal year
- Annual submission of state statistics for the annual report
- Rules Committee Chair presented five Strategic Initiatives from the Strategic Plan.
- Emphasized the stabilization of the rules to achieve the initiatives
- Proposed Rule Changes
- 2014 Officers Slate
- East Region Representative Election



MIDWEST REGION REPORT

Interstate Commission for Juveniles

Annual Business Meeting
Tempe, Arizona
October 9, 2013

To: Commissioners and Designees of the Interstate Commission for Juveniles

From: Rose Ann Bisch, Midwest Regional Representative and Commissioner, State of Minnesota

- The Midwest Region meets on a quarterly basis or as needed, met 4 times since the last Annual Business Meeting.
- The Midwest Region looked at the following issues:
 - An amendment to the By-Laws to restrict the number of consecutive years a member can hold an officer position. This would need to be presented to the full Commission at the ABM and requires a 2/3 majority to pass.
 - Looked at an optional Youth Restitution Worksheet, but it was not forwarded out of the region for further consideration.
 - The region did make a motion that the Rules Committee organize and clarify the ICJ Rules and eliminate conflicting inconsistencies. .
 - The region asked that the Rules Committee also look at the issue of violations and provide some clarification.
 - Reviewed the state council status for all region members.
 - The region met in June to discuss the proposed rule amendments and provide feedback to the Rules Committee.
 - The region met in September to discuss the final rule amendments.



AAICPC/ICJ MOU WORKGROUP REPORT

Interstate Commission for Juveniles

**Annual Business Meeting
Tempe, Arizona
October 9, 2013**

To: Commissioners and Designees of the Interstate Commission for Juveniles

**From: Rose Ann Bisch, Co-Chair, AAICPC/ICJ MOU Workgroup and Commissioner,
State of Minnesota**

MOU workgroup was tasked with writing an MOU between ICJ and AAICPC. The MOU workgroup established the broad objective to prepare a general MOU creating a foundation upon which the ICJ and AAICPC could continue working together. Goals of the MOU are: Communication, Cooperation and Collaboration.

The workgroup was established with fourteen voting members, 7 ICJ and 7 ICPC. The MOU was approved at the 2011 ICJ Annual Business Meeting in October and the 2012 AAICPC Annual Meeting in May.

- Outreach to the National Council of Juvenile and Family Court Judges (NCJFCJ) and the Judiciary Survey
- Update on the Coalition of Juvenile Justice Safety Opportunity and Success Project
- Proposal to conduct a survey to find out how ICPC and ICJ can help serve the judiciary when dealing with juveniles of mutual interest.
- Request for legal guidance on several issues:
 - When does ICJ need to be involved in the return of an ICPC case?
 - Who qualifies as legal guardian under ICJ rule 6-101?
 - Are there times when both compacts can be in place?

Based on the results of the legal guidance the workgroup proposed two rule amendments that will allow ICPC and ICJ to work together more effectively with juveniles of mutual interest. In addition, the workgroup reviewed case scenarios of mutual interest.

Moving forward, the workgroup will develop best practices and training based on the results of the vote on the proposed rules at the ABM and will continue to encourage communication and cooperation between ICPC and ICJ at the local, state and national level. The final goal of the MOU workgroup is to develop a manual to include guidelines and best practices on cases of mutual concern.



RULES COMMITTEE REPORT

Interstate Commission for Juveniles

Annual Business Meeting
Tempe, Arizona
October 9, 2013

To: Commissioners and Designees of the Interstate Commission for Juveniles

From: Rose Ann Bisch, Chair, Rules Committee and Commissioner, State of Minnesota

- Held eleven teleconferences and one face-to-face meeting.
- Focused on ensuring consistency between rules and processes – this will continue to be the focus in FY 14.
- The Committee is proposing 25 amendments at the 2013 Annual Business Meeting.
 - 19 from the Rules Committee
 - 2 from the West Region
 - 2 from the Midwest Region
 - 2 based on suggestions from the ICPC/ICJ MOU workgroup
 - 2 as a result of the strategic planning initiative
- New this year is a round-table discussion at the Annual Business Meeting, to provide Commissioners and Designees a forum for discussion of the rule amendments prior to vote.
- The Rules Committee's goal is to increase understanding and interpretation of the ICJ rules by minimizing rule changes.



INTERSTATE COMMISSION FOR JUVENILES

Serving Juveniles While Protecting Communities

Strategic Planning Report

March 12, 2013

CONTEXT

A. Brief History of ICJ

The Interstate Compact for Juveniles was developed through the work of a coalition comprised of the Office of Juvenile Justice and Delinquency Prevention (OJJDP), the Council of State Governments (CSG), and the Association of Juvenile Compact Administrators (AJCA). Its design drew from the best aspects of its predecessor compact, AJCA, and was designed to overcome a number of contentious issues` that existed within that compact.

By 2003, the new Interstate Compact for Juveniles became available for introduction in the states. On August 26, 2008, Illinois became the 35th state to adopt the Compact triggering national activation. The Commission was established to serve as the governing board. Every state, with the exception of Georgia, and the territory of Puerto Rico, has joined the new Compact. The Commission elects the Executive Committee.

The mission of ICJ is:

“The Interstate Commission for Juveniles, the governing body of the Interstate Compact for Juveniles, through means of joint and cooperative action among the compacting states, preserves child welfare and promotes safety interests of citizens, including victims of juvenile offenders, by providing enhanced accountability, enforcement, visibility, and communication in the return of juveniles who have left their state of residence without permission and in the cooperative supervision of delinquent juveniles who travel or relocate across state lines.”

ICJ’s vision statement is:

“The Interstate Commission for Juveniles will promote public safety, victim’s rights and juvenile accountability that is balanced with safeguarding those juveniles.”

Early in the March 12 Planning Session, there was discussion about this mission and vision. Members agreed that any strategies and goals developed during this session would need to be consistent with these foundational statements.

B. The Executive Committee and Ex-Officio Members

All of the members of the Executive Committee participated in the pre-meeting SWOT analysis via individual phone interviews conducted by Fahy Mullaney. Members who participated in the March 12 Planning Meeting have an asterisk (*) by their name in the list below.

Chair

*Terry L. Clark, Commissioner / Director Division of Operations
Pennsylvania Department of Public Welfare

Vice Chair

*Summer Foxworth, Commissioner / Deputy Compact Administrator
Colorado Interstate Compact for Juveniles

Treasurer

*Philip Cox, Commissioner / Assistant Director
Oregon Youth Authority

Compliance Committee Chair

Sharon Harrigfeld, Commissioner / Director
Idaho Department of Juvenile Corrections

Finance Committee Chair

*Patrick J. Pendergast, Designee / Compact Administrator
Alabama Department of Youth Services

Technology Committee Chair

*Traci Marchand, Commissioner / Deputy Compact Administrator
North Carolina Department of Public Safety, Division of Juvenile Justice

Rules Committee Chair / AAICPC/ICJ MOU Work Group Co-Chair / Midwest Region Representative

*Rose Ann Bisch, Commissioner / Deputy Compact Administrator
Minnesota Department of Corrections

Training, Education and Public Relations Committee Chair

*Jean Hall, Commissioner / Compact Administrator
Florida Department of Juvenile Justice

East Region Representative

*Fred White, Designee / Director of Community Operations / Deputy Compact Administrator
Massachusetts Department of Youth Services

South Region Representative

*Judy Miller, Designee / Deputy Compact Administrator
Arkansas Division of Youth Services

West Region Representative

*Anne Connor, Commissioner / Compact Administrator
Nevada Division of Child and Family Services

Victims Ex-Officio

*Trudy Gregorie, Director
Justice Solutions, Washington, D.C.

Legal Counsel – Ex-Officio

*Richard L. Masters
Louisville, Kentucky

C. The ICJ Staff

The entire staff of ICJ participated in the pre-meeting SWOT Analysis survey and in the Planning Session. The staff includes:

Ashley Lippert: Executive Director

Jack P. Branum: Project Manager

Emma Goode: Administrative and Logistics Coordinator

Jennifer Adkins: Training and Administrative Coordinator

D. The Impetus for this Planning Work

The new Interstate Commission for Juveniles has been operational since August 2008. Its successful record is marked by an ability to harness the best of the past Compact and move forward on the frontiers of common language across the states, clarification of rules, compliance, enforcement, and accountability. However, the Executive Committee felt that there was still much work to do to strengthen the Commission stressing the importance of strategically looking ahead to 2016.

E. The Statement of Work

The strategic planning work, listed below, was divided into five (5) segments with a target delivery date for each segment. The full narrative of the Statement of Work is attached as Appendix A.

1. Information Gathering (by February 10, 2013)
2. Preliminary Meeting Design (by February 15, 2013)
3. Final Meeting and Process Design (by February 20, 2013)
4. Group Planning Session (March 12, 2013)
5. Codifying the Strategic Planning Products (by March 21, 2013)

F. The Consultant for This Work

Fahy G. Mullaney is a self-employed consultant and trainer with twenty-eight years' experience in strategic planning, vision/mission development, and executive management training. He has consulted in 48 of the 50 states and internationally, working with numerous state and federal agencies within the respective criminal justice systems. He is the author of two NIC monographs: Economic Sanctions in Community Corrections and Marketing Community Corrections, the latter co-authored with Sherry Haller. His manual, "Organizational Vision Development," has been used widely. He resides in Charlottesville, Virginia.

G. The Agenda for March 12th Planning Session

Strategic planning is a matter of determining where the organization is now, where it would like to be in the near future, and how to move from one stage to the other. A more detailed description of strategic planning is in Appendix C. The planning terms employed in this session are in Appendix D. The agenda for the meeting was designed to elicit from the participants a

shared understanding of ICJ's current state, a view of the desired future and a set of strategic initiatives and goals that will move the organization from current state toward the desired future. A copy of the agenda is in Appendix B.

DESCRIPTION OF THE CURRENT STATE OF ICJ

The Executive Committee and ICJ National Office staff analyzed of the status of ICJ using three lenses: (A) The Life Cycle of Organizations, (B) Assessment of progress on the stated values of the organization and (C) a SWOT Analysis. The nature and results are described below.

A. The Life Cycle of Organizations

This instrument provides insight into organizational culture, weakness, and strength and examines the organization's four Gene Factors: *Energy*, *Program*, *Administration*, and *Inclusion*. This analysis places the organization in one of the phases of the Life Cycle of Organizations. The Life Cycle materials are attached in Appendices E and F.

There were differing views as to where ICJ was in the life cycle. Some felt that ICJ was in the *Adolescence* phase in that it possessed an abundance of *Energy* and had settled on the *Inclusion* aspect, but that *Program* and *Administration* were still under development as marked by the new data system and the remaining work to be done on compliance and accountability. Another view was that ICJ was emerging from the *Maturity* stage and through its re-design and restructuring it has left the *descendent* side of the cycle and is returning the *ascendant* side. The reader can examine the implications of each of these two views by using the Interpretation of the Life Cycle of Organizations. (Appendix G).

When asked, "What are the implications of this analysis for areas of work to be done?" the participants listed the following:

1. Letting go of the past....making change.
2. Developing the "programs" of ICJ.
3. Developing coping and conflict management skills.
4. Broaden the participation in leadership.

These implications are echoed in the results of further analyses arrived at by the participants.

B. Assessment of Stated ICJ Values

At the launch of the re-designed Compact in 2004, a set of Values was developed. During this planning session, participants indicated the extent to which those Values have been fulfilled. The Values are listed below and in Appendix H. With each, there is a number from one (1) to five (5) representing the following rating:

- 1 = Totally inadequate fulfillment of the value
- 2 = Inadequate fulfillment of the value
- 3 = Modest fulfillment of the value
- 4 = Mostly successful fulfillment of the value
- 5 = Totally successful fulfillment of the value

The values are listed below with the numerical rating that represents an average of the individual ratings of the participants. Those with the lower ratings suggest targets for work and are printed in bold type below.

<u>Rating</u>	<u>ICJ Value</u>
5	The establishment of an independent compact operating authority to administer ongoing compact activity, including a provision for staff support
5	Gubernatorial appointments of representatives for all member states on a national governing commission
3	The increased visibility that the new Interstate Compact for Juveniles has with Ex-Officio Members and State Councils in each state
5	The Commission’s National Office that provides support to the Commission and the member states
5	The Commission’s General Counsel
3	Rule-making authority and the provisions for significant sanctions to support essential compact operations
3	Enforcement provisions of the new Compact
5	Mandatory funding mechanism sufficient to support essential Commission operations (staffing, data collection, training/education, etc.)
3	Requirements to collect standardized information

C. The SWOT Analysis

This instrument asks that one assess an organization on four (4) dimensions: (1) the Strengths of the organization, (2) the Weaknesses of the organization, (3) the Opportunities that are present in the organization’s environment and (4) the Threats that exist in the organization’s environment. The Strengths and Weaknesses focus on the internal organizational issues, while the Opportunities and Threats focus on those factors outside the organization that may soon pose opportunities or threats for the organization. (See the SWOT Analysis information in Appendix I.)

Three weeks prior to the March 12, 2013 planning session, each member of the Executive Committee and National Office Staff were asked to complete the SWOT Analysis worksheet. The consultant then called the Executive Committee members who reported the specifics of their analysis. The consultant compiled this data and listed it verbatim in clusters by similarity. This appears in a document titled “*SWOT Summary and Clusters*” attached in Appendix J. For this section of the report, only the “Summary” is included below.

STRENGTHS

- A. Internal organization is representative, with effective committees and is drawing new people into leadership
- B. ICJ and state offices have credibility and authority to accomplish the work
- C. National staff is knowledgeable, skilled and effective
- D. The collaborative spirit and ICJ experience of commissioners and staff
- E. The new data system provides potential for accountability and decision-making

WEAKNESSES

- A. Rules are often unclear, misunderstood or interpreted to suit
- B. Data base glitches and difficulty of use
- C. Commissioners: Role in state office and high turnover leads to low knowledge of ICJ
- D. Weak accountability
- E. State-level service issues that reduce impact
- F. Unclear national aims and understaffing in national office
- G. Remnants of a “status quo” culture
- H. ICJ committee membership choices need to be improved

OPPORTUNITIES

- A. Expansion and deepening of partnerships
- B. Areas for Additional Organizational Development of ICJ
- C. National developments that present opportunities
- D. Miscellaneous opportunities

THREATS

- A. Reduction in funding
- B. State Actions and positions that threaten ICJ
- C. Lack of accountability
- D. Loss of knowledge, direction and willingness to change
- E. National Law, Policy, Attitudes
- F. Threats to ICJ image and reputation

Before moving to the list of “major implications for action” derived from this SWOT Analysis, it is fitting to note and celebrate the significant strengths that ICJ possesses. It is remarkable that in its short tenure as the “new” Compact, the participants in the SWOT Analysis named these salient strengths and did so enthusiastically. This speaks to the strength and resources ICJ possesses and can put to use in moving the organization forward.

The participants identified six (6) major implications for action from their review of the “SWOT Summary and Clusters.” They are:

1. We must address **the glitches in the data system and the difficulties users** are having with the system, in order to get every state entering data into the system and, as a result, being able to analyze this data for trends, gaps in service, quality, and quantity of service and the like.
2. The **rules must be “stabilized.”** This means clarifying some rules, altering others and educating on the rules so that interpretation and applications are uniform.

3. Our compact **must have “compliance with enforcement.”** To date no formal complaints have been lodged and no penalties for non-compliance have been used as enforcement. For the system to raise the bar for quality of service, the difficult and sometimes unpleasant, work of compliance and enforcement must be in place.
4. The Commission sees **the need for “effective use of resources.”** The Commission has considerable resources such as a strong, skilled national staff and financial resources to allocate judiciously.
5. ICJ must **enhance its education for its Commissioners.** The election of new state governors very often prompts the naming of new commissioners. This results in a high turnover rate for ICJ commissioners. There must be enhancements to the current education process for commissioners, if the ICJ Commission is to be the knowledgeable, committed decision-making body that is necessary.
6. Two of the means to address number five (5) above are to provide **mentoring and orientation for Commissioners.** These educational tools would be useful in addressing the needs and implications described in five (5) above.

KEY FEATURES OF THE PREFERRED FUTURE FOR ICJ

Having explored their perceptions of the current state of ICJ, the participants turned their eyes toward the future. Each one completed a list of the *features of the preferred state of ICJ in 2016* using the Vision worksheet (See Appendix K). Working in groups, they shared their list of features, chose the most salient 3 or 4, and reported those out to the entire group. Below, grouped by similar features, are the outcomes of that discussion.

A. Data System

- *A reliable, user-friendly data system*
- *JIDS works*

B. Rules

- *Well-tested and solidly written rules*
- *Rules written with clarity and based on best practices*

C. National Perception of ICJ

- *ICJ is understood and not seen as a barrier*
- *Who We R!*

D. Broad, Deep Participation in ICJ

- *Active state councils in all member states*
- *All states are in the Compact*
- *Engaged/Active committee members*
- *Active participation*

E. Other non-clustered, “stand alone” features

- *Embrace change*
- *Mufti-faceted training and outreach*
- *Personal contact vs. email*
- *ICJ be determined evidence-based best practice*
- *Grant funding*

FIVE STRATEGIC INITIATIVES FOR 2013-2016

Participants designed the Strategic Initiatives based on their review of the data they had produced on the current organization and the identified features of the desired future. (They used the Strategic Initiatives Worksheet in Appendix L for this work). Participants selected the following five (5) Strategic Initiatives to move ICJ from its current state toward its desired future.

- 1. Enhance both compliance and enforcement within ICJ.**
- 2. Minimize changes to the rules and increase understanding.**
- 3. Refine processes with stabilization of rules and forms along with enhancing features of JIDS.**
- 4. Enhance state ICJ compact office staff participation in decision-making, meetings, missions, and goals.**
- 5. Enhance training and promote awareness of ICJ.**

GOALS FOR EACH STRATEGIC INITIATIVE

Working in groups, the participants developed goals for each of the Strategic Initiatives. (See Goal worksheets in Appendix M and N). The understanding is, when completed, ICJ will have fulfilled the aim(s) of the strategic initiative. The groups also identified the resources required to achieve the goal.

1. Enhance both compliance and enforcement within ICJ.

<u>Goals</u>	<u>Resources Required</u>
A. Identify categories of non-compliance & and prioritize enforcement efforts, including deadline for sanction of states with no councils	Regional Reps National Office Self reports
B. Development of audit plan including categories to be audited, audit procedure and selection criteria	JIDS & Compliance Cmte National office
C. Development of a plan to investigate enforcement cases including sources of information; procedure for investigating non-compliance and development of the criteria for imposing sanctions	Compliance Cmte JIDS Self Reports Media reports State complaints

2. Minimize changes to the rules and increase understanding.

<u>Goals</u>	<u>Resources Required</u>
A. Close examination of the language, being consistent and making modifications standard (this goal is to increase understanding.)	National Office Rules Cmte
B. Move to a two-year rule making cycle	National Commission

Address at regional mtgs. before making proposal

3. Refine processes with stabilization of rules and forms along with enhancing features of JIDS.

<u>Goals</u>	<u>Resources Required</u>
A. Provide a quarterly training for each region, tailored to Region needs. Capitalize on excellent resources provided by the Commission	Website/WebEx National Office Training Cmte
B. Keep states updated on priority enhancements (List on website) Encourage submitting helpdesk tickets	I.T. Committee Website
C. Authorize JIDS access to users only after participation in live or recorded training.	Stats from Website National Office On-demand reports

4. Enhance state ICJ staff participation in decision-making, meetings, missions, and goals.

<u>Goals</u>	<u>Resources Required</u>
A. Survey staff regarding staff's perception of their of their involvement in the administration of ICJ. <ol style="list-style-type: none">1. Ask what gaps they perceive in it.2. Ask what 3 things they see as biggest issues.3. Ask if they'd be interested in participating in focus groups, workgroups at a local level, regional level and/or national level.	Survey Monkey *Initiate by Sept. 1
B. Analyze survey results to determine if there is: <ol style="list-style-type: none">1. Staff interest in system involvement.2. Share data results with them.3. Give board data, identify options to meet the needs expressed by staff.	

5. Enhance training and promote awareness of ICJ.

<u>Goals</u>	<u>Resources Required</u>
A. Education: FAQs for: <ol style="list-style-type: none">1. Caregivers/legal custodians2. Youth3. Court personnel4. Victims5. Field staff6. State ICJ compact offices	Website link Training Committee Printable PDFs Current resources on Website Ex-officio members Tri-fold brochures

- B. Commissioner Training
1. Link to PowerPoint in welcome email
 2. WebEx orientation – 3-4 times/year. Put dates in welcome email.

Current Resources:
Website and PowerPt.

- C. Promote resources to Staff
- Send all updates (website, JIDS, training) to All users (5,000+)

Mail Chimp (we currently have email list.)

IMMEDIATE NEXT STEPS

<u>WHAT WILL BE DONE</u>	<u>WHO WILL DO IT</u>	<u>BY WHEN</u>
1. Strategic Planning Report	Fahy Mullaney	March 16
2. Report sent to Exec. Cmte	Ashley Lippert	March 18
3. Exec Cmte reviews	Exec. Cmte	
4. Exec Cmte adopts Report	Exec. Cmte	April 25
5. Exec Cmte charges Cmtes & Regions to act	Exec. Cmte	April 26

CONSULTANT’S OBSERVATIONS AND COMMENTS

Observation A

The strategic initiatives and their attendant goals will founder unless woven into the existing committee structure of ICJ.

Recommendation A.1

Systematically integrate the Initiatives and Goals into the work of the standing committees. Ensure the “receiving committee” understands the goal(s) and commits to achieving it. If necessary, or appropriate, create a task force (specific task, limited time) to see that a goal is achieved. Provide support, resources, guidance, and encouragement. Hold accountable those to whom the work is assigned. Acknowledge success and celebrate it loudly.

Observation B

We did not name a person or group to serve as the transition agent who sees that the Plan is implemented over time. This means that it likely falls to the Executive Director and staff unless otherwise decided. Some immediate tasks to be undertaken in this Transition Agent role.

Recommendation B.1

The list of goals for each Strategic Initiative is probably not a fully complete list of what needs to be done to move forward on a given Initiative. This means that whatever committee or task force accepts responsibility for an Initiative may need help to review the list of goals and amend and/or add goals as appropriate.

Most of the goals are without target dates for completion. So again, some committees may need support and/or monitoring to ensure that dates are set, that the dates are realistic, and that action steps are in place to achieve the goal by the stated date.

Finally, and perhaps most importantly, each goal needs a metric for measurement, e.g. the number of days of training to be provided, etc. It is only fair to those doing the work that they know the extent of what is to be done. A good way to generate the metrics is to ask: How will we know when this goal is achieved?

Observation C

It appears to this consultant, that ICJ is on the cusp of major breakthroughs that will elevate ICJ to a still higher level and that compliance/enforcement is essential to one breakthrough and comprehensive/reliable data is key to another. (ICJ is at “adolescence” on the Life Cycle and these are “P” and “A” issues that fit this stage). The first Strategic Initiative, “Enhance both compliance and enforcement within ICJ,” represents a commitment to identify entities that are out of compliance, offer assistance to achieve compliance and levy sanctions if there is willful resistance. This initiative is critical to injecting integrity into the system. Delaying action on this will risk putting the current Compact in the backdraft of the old compact culture and thus never achieving its potential.

With regard to data entry, collection, and its analysis, we are all aware that it is the “fuel” of an organization in that it gives power to assessment of progress, success, weakness, and re-direction. Evidence-based practice is impossible without it, and it serves as the “curriculum” for a Learning Organization, one that keeps evaluating its work, reviewing the information, learning its meaning and making adjustments that are indicated.

Recommendation C.1

While knowing the risks of disturbing some members by pushing forward on these two fronts and acknowledging that the work should be done as tactfully as possible, this consultant believes that it is on these two dimensions that ICJ will see the greatest return on its investment.

Observation D

The mission, vision and value statements of ICJ have served the organization well. However, I’m guessing that they have been in place since 2004-5 since that is when ICJ was formally assembled. So it is appropriate to re-visit them and see if they are still fitting to where ICJ is now. For example, the “Values” are comprised mostly of aims that have been achieved and do not require attention to sustain, e.g. having legal counsel or a national staff. New values could be identified, such as “accountability” and “comprehensiveness of data” which came up several times in the planning session.

Recommendation D.1

Devise and implement a process for reviewing and potentially revising the Mission, Vision and Values.

Observation E

Several persons mentioned the importance of enlarging the number of partners and deepening relationships with them during the SWOT Analysis information gathering; however, it did not emerge as a matter of particular interest or concern during the planning session.

Recommendation E.1

Consider testing this issue with the Executive Committee and national staff to see if it warrants any action at this time.

Observation F

The fact that Georgia is not a member of the Compact seems to be a nagging concern that goes unresolved. Perhaps this matter is beyond the influence of the executive committee or national staff. Perhaps it has simply been an issue that has been avoided.

Recommendation F.1

Levy whatever influence is possible to bring Georgia into the Compact.

Observation G

The executive director and staff are highly committed, energetic, skilled and knowledgeable as evidenced by the comments of staff, some of which are recorded in the SWOT Analysis and by this consultant's own observations.

Recommendation G.1.

Hold on to 'em!

APPENDIXES

Appendix A

**Statement of Work
for the
Interstate Commission for Juveniles (ICJ)
Strategic Planning with the Board - March 12, 2013**

A. Data Collection (February 10)

The consultant will request and review documents on the history and current state of ICJ to deepen his understanding of the history and current context for this strategic planning.

As a way to gain additional contextual information and to elevate engagement of board members, the consultant will make phone contact with the Executive Committee. It may be that a worksheet such as the SWOT Analysis will be distributed to those on the “Call List” prior to the call.

B. Preliminary Meeting Design (February 15)

A preliminary agenda for the strategic planning portion of the meeting will be developed in concert with the Executive Director.

C. Final Meeting and Process Design (Feb. 20)

The consultant and the executive director will agree upon the final design for the strategic planning work. The consultant will develop the processes, handouts, worksheets, etc. for use in delivering the agreed upon agenda.

D. Group Planning (March 12)

The board and staff will engage in the strategic planning work guided by the consultant. Consensus will be sought on core strategies and goals. Immediate next steps will be agreed upon with target dates and names of those responsible for the tasks involved.

E. Codify Strategic Planning Products (March 21)

The consultant will write and deliver a report that details the core strategies and goals and other products of the planning session along with the information from the environmental scan and the description of the desired near-future which served as the bases for these strategies and goals. It is expected that the staff, on a time schedule determined by the executive director, will enter the products of the planning session into the appropriate documents, staff assignments and meeting agendas so that the strategies and goals are integrated into the life and work of ICJ.

APPENDIX B

Strategic Planning Agenda March 12, 2013 - Lexington, Kentucky

8:00 A.M. - INTRODUCTORY MATTERS

- a. Welcome, Statement of Purpose and Logistics
- b. Introductions and Expectations
- c. Definitions of Planning Terms
- d. The Products, Agenda and Ground Rules for the Day

8:30 A.M. - GAINING CLARITY ON THE CURRENT STATE OF ICJ

- a. ICJ's Position on The Life Cycle of Organizations
- b. Assessing Fulfillment of the ICJ Values
- c. Reflecting on SWOT Analysis Data

10:00 A.M. – SEEING THE FUTURE THAT BECKONS

- a. ICJ's Formal Vision
- b. Describing the “Preferred Near-Future”

11:00 A.M. - DRAFTING THE STRATEGIC INITIATIVES

- a. The Challenges of Planning for Change
- b. Creating a Pool of Possible Strategic Initiatives

11: 45 A.M. - SELECTING THE STRATEGIC INITIATIVES

- a. Identifying the Clusters of Shared Ideas
- b. Choosing the Strategic Initiatives

12:00 Noon - LUNCH

1:00 P.M. – SELECTING THE STRATEGIC INITIATIVES continued

1:45 P.M. - SETTING “SMART” GOALS FOR THE STRATEGIC INITIATIVES

- a. Work Groups for Each Strategic Initiative
- b. Review of Work Group Products

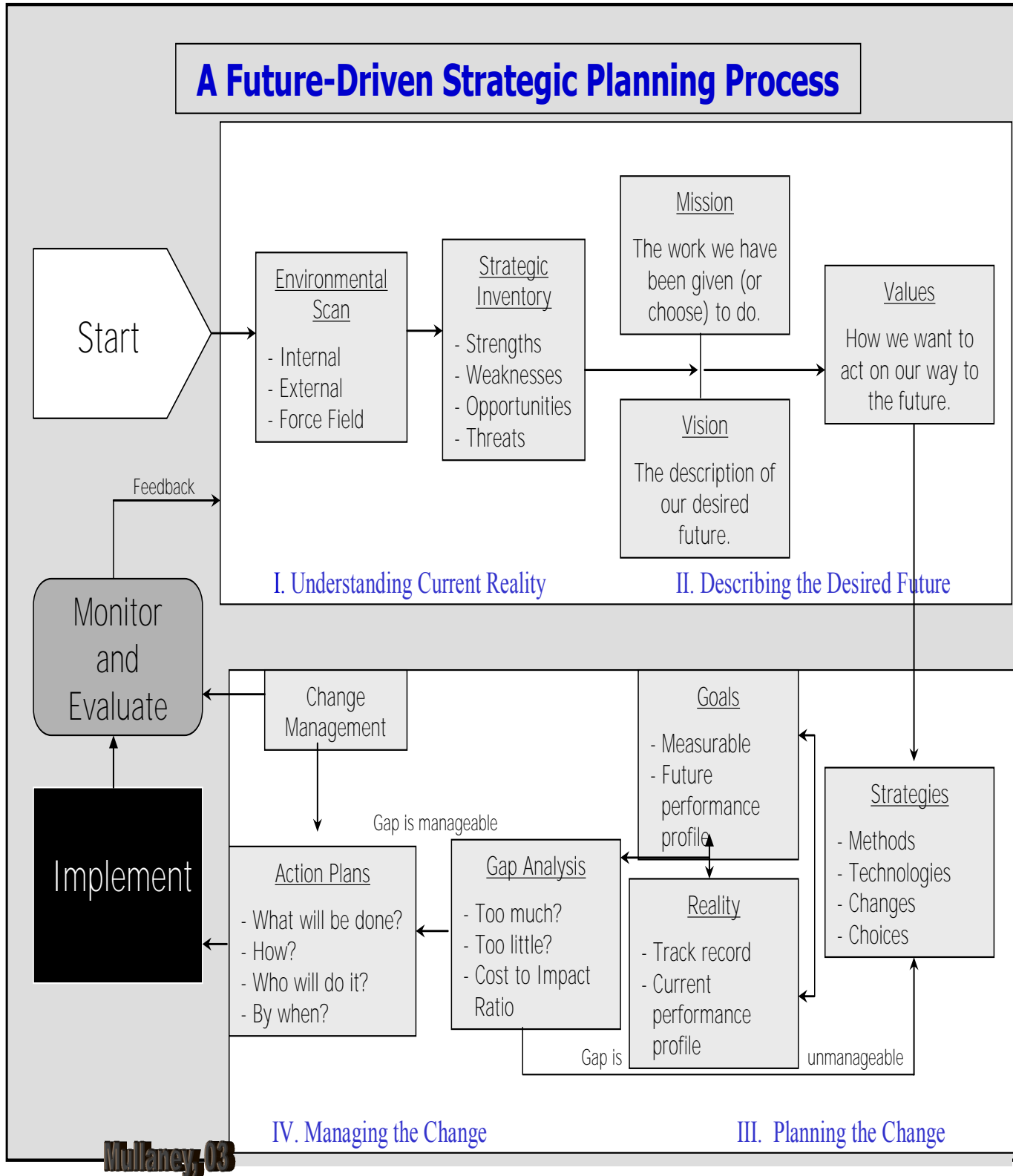
3:20 P.M. - NEXT STEPS

- a. Identify Steps (For next 60 days) to Sustain Momentum
- b. Set Assignments and Target Dates
- c. The Means to Shepherd the Transition
- d. Informing Key Constituencies of Strategic Directions

3:45 P.M. - CLOSING STATEMENTS

4:00 P.M. - ADJOURNMENT

APPENDIX C



APPENDIX D

Definitions of Our Planning Terms

MISSION: *The mandated purpose of the organization.*

“The work that the world gives us to do or that we have charged ourselves with.”

VISION: *A description of the desired future.*

“The way I want it to be.”

STRATEGIES: *The 4-5 key “Action Aims” of our work.*

“The ways we’ll focus our business.”

GOALS: *Attainable targets that, when achieved, move the organization forward toward its mission and along the pathway of the Strategies..*

“Targets that we know we can reach, that get us where we want to go.”

ACTION STEPS: *The specific steps that will be take to achieve each of the goals that we have adopted.*

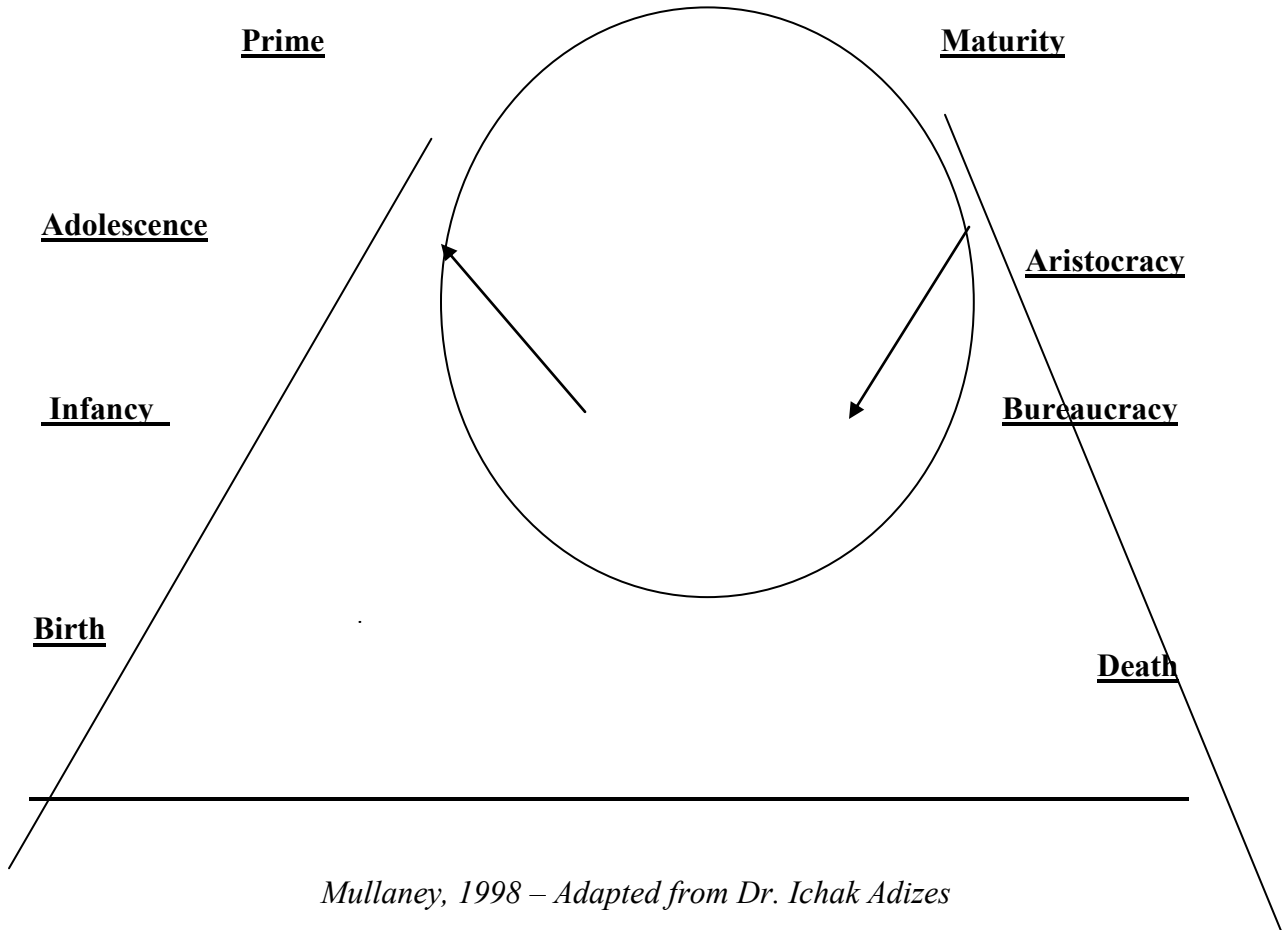
“The stuff we need to be doing day by day in order to get where we want to be.”

TRANSITION: *One tool for the organization to use in launching, TEAM:* *guiding, resourcing and holding people accountable in the implementation of the strategic plan.*

“The folks that make sure “The Plan” doesn’t gather dust on the shelf.”

APPENDIX E

THE LIFE CYCLE OF ORGANIZATIONS



APPENDIX F

GENE FACTORS IN THE LIFE CYCLE OF ORGANIZATONS

E e
ENERGY LEVEL

P p

PROGRAM

Optimistic?
Based?

Customer

Hopefulness?

Variety?

Potential?

Multiple Audiences?

Vision?

Knowledge Based?

Eagerness?
Enthusiasm?
Expectancy?

Timely?

Comprehensive?

A a
ADMINISTRATION
Budget?

I i

INCLUSION

Commitment?

Goals?
Efficient?

Collegiality?

Communication?

Measurable Objectives?

Shared
Decision-Making?

Timely?

Policy and Procedures?

Listening?

Participation?

Evaluation?

Empowered?

Job Descriptions?

Affection?

APPENDIX G

The Life Cycle of Organizations Interpreting the Gene Factors

Key to Descriptions	
1. Culture Type	4. Weaknesses
2. Characteristics	5. Dangers
3. Major Strengths	6. Developmental Intervention

ASCENT PHASE

Birth– E p a i

1. Star culture (Charismatic leader(s))
2. Integrated around vision and charisma of founder.
3. High levels of energy and enthusiasm.
4. Insufficient base to support programs and services.
5. Spurious enthusiasm and/or unresponsiveness.
6. Broaden and maintain personal contacts.

Infancy – E p a I

1. Process culture (Setting things in motion)
2. Quality of relationships correlates with levels of energy and enthusiasm.
3. Open and unrestricted inclusiveness, contagious enthusiasm.
4. Undeveloped programs, conditional inclusiveness.
5. Disillusionment, erosion of membership and potential.
6. Generate sense of mission, develop specific programs and services.

Adolescence – E P a I

1. Busy Bee culture.
2. Focused on service and program development.
3. Program development, adaptiveness, doingness.
4. Unrealistic idealism, leader burnout, program proliferation.
5. Conflict over purposes and mission. Founder's dilemma.
6. Broaden participation in leadership. Develop integrated approach to services.

Prime – E P A I

1. Wisdom culture.
2. Interaction between inner/outer, intentionality/inclusion, programmatic/visionary.
3. Creative conflict.
4. Lack of “solutions.” Vulnerability.
5. Dominance of one or another polarity. Loss of a sense of nearness.
6. Develop conflict coping skills among staff and maintain flow between intra- and extra-dependency.

Key to Descriptions

- | | |
|--|---|
| 1. Culture Type
2. Characteristics
3. Major Strengths | 4. Weaknesses
5. Dangers
6. Developmental Intervention |
|--|---|

2. Well established administrative procedures, structure, staff, programs and support.
3. Stability, sense of worth, continuity.
4. Energetic, but unenthusiastic.
5. Unresponsiveness to new opportunities and changed conditions.
6. Analyze church's history and current context. Restate its vision and mission.

Aristocracy – e p A (I)

1. Plantation culture.
2. Domination by “pillars” of the Church. Busy but unenergetic.
3. Efficiency. Strong ties among insiders.
4. Guardedness. Status consciousness. Exclusiveness.
5. Dwindling base of support. Loss of mission and vision.
6. Restore sense of purpose, generate awareness of vital reasons to be.

Bureaucracy – e p A i

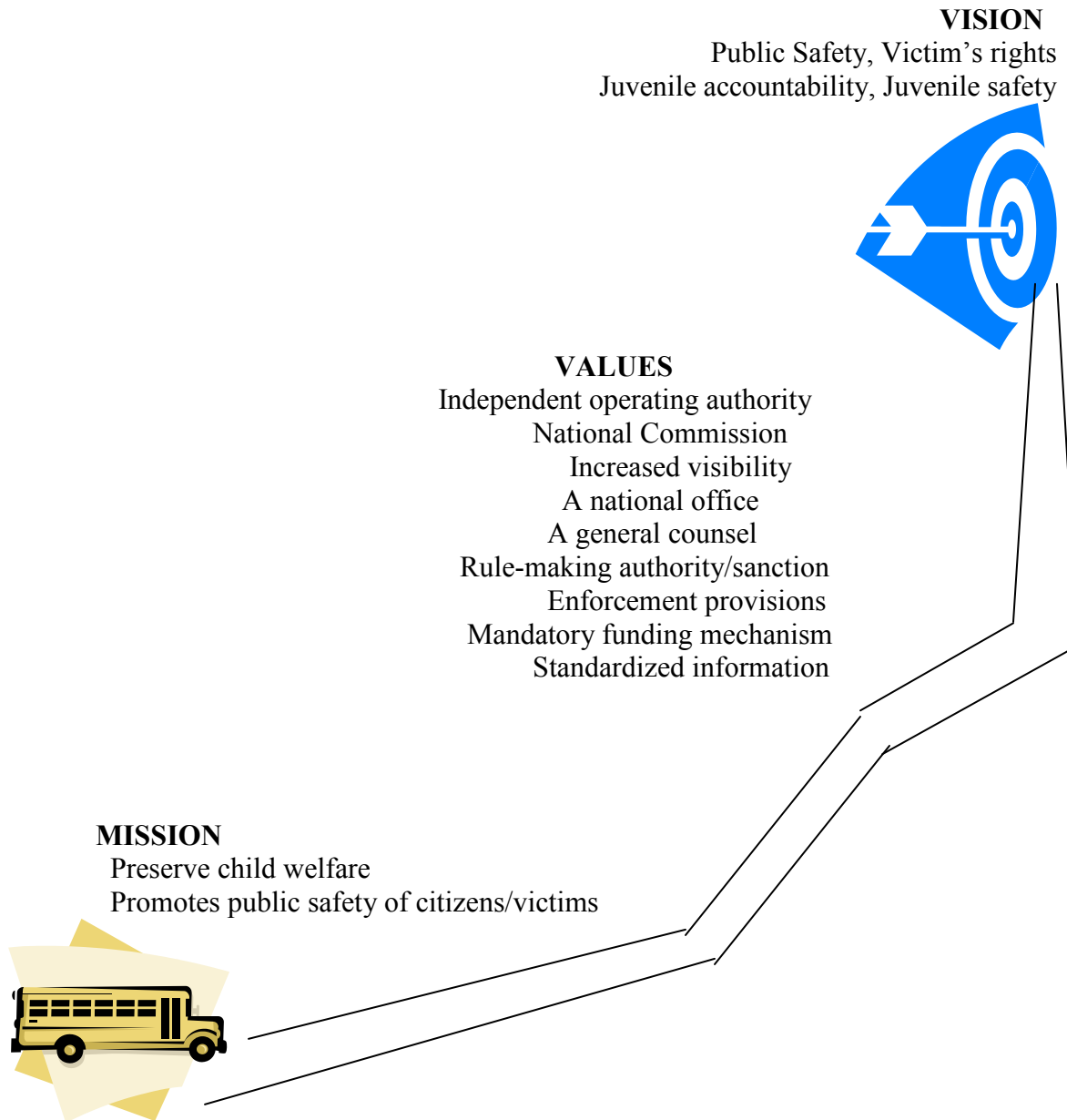
1. Disillusioned Macho culture.
2. The Golden Age is no longer sought. Maintaining one's turf personal and corporately is primary.
3. Strong sense of boundaries.
4. Rigidity. Muteness. Defensiveness. Hostility. Suspicion.
5. Unregenerateness. Ultimacy of institutional structures. Personalizing systemic problems.
6. Generate a new identity. Empower the powerless.

Death – a

1. Artifact culture.
2. Complete disintegration.
3. Absorption into another entity.
4. Despair. Anomie. Complete loss of memory, identity, hope.
5. No new life beyond.
6. Construct a completely new organization.

APPENDIX H

ICJ'S JOURNEY



APPENDIX I

The S.W.O.T. Analysis

S.W.O.T. is a tool to use in a strategic planning process. It is useful in assessing the current status of things and in gaining insight into strategies for moving forward. The term S.W.O.T. stands for:

- Strengths
- Weaknesses
- Opportunities
- Threats

The process focuses on four key questions;

1. What major *internal strengths* does the organization have in the pursuit of the issue at hand?
2. What are the organizations major *internal weaknesses* that inhibit the achievement of our goals?
3. What major *external opportunities* do we have to achieve our goals?
4. What major *external threats* do we face in the pursuit of our goals?

The process is balanced in that it gives an internal and external reading on the organization. It is especially helpful to garner this reading from knowledgeable people who are outside the organization itself.

**Worksheet for
A SWOT Analysis
Of
*The Interstate Compact for Juveniles***

Strengths (Internal to the ICJ)

*

*

*

*

Weaknesses (Internal to the ICJ)

*

*

*

*

Opportunities (In the external environment of ICJ)

*

*

*

*

Threats (In the external environment of ICJ)

*

*

*

*

APPENDIX J

SUMMARY OF CLUSTERS FROM SWOT ANALYSIS Interstate Compact for Juveniles – March 12, 2013

STRENGTHS

- A. Internal organization is representative, with effective committees and is drawing new people into leadership.
- B. ICJ and state offices have credibility and authority to accomplish the work.
- C. National staff is knowledgeable, skilled and effective
- D. The collaborative spirit and ICJ experience of commissioners and staff.
- E. The new data system provides potential for accountability and decision-making.

WEAKNESSES

- A. Rules are often unclear, misunderstood or interpreted to suit.
- B. Data base glitches and difficulty of use.
- C. Commissioners: Role in state office and high turnover leads to low knowledge of ICJ
- D. Weak accountability.
- E. State-level service issues that reduce impact
- F. Unclear national aims and understaffing in national office.
- G. Remnants of a “status quo” culture
- H. ICJ committee membership choices need to be improved.

OPPORTUNITIES

- A. Expansion and deepening of partnerships
- B. Areas for Additional Organizational Development of ICJ
- C. National developments that present opportunities
- D. Miscellaneous opportunities

THREATS

- A. Reduction in funding
- B. State Actions and positions that threaten ICJ
- C. Lack of accountability
- D. Loss of knowledge, direction and willingness to change
- E. National Law, Policy, Attitudes
- F. Threats to ICJ image and reputation

CLUSTERED DATA FROM SWOT ANALYSIS
Interstate Compact for Juveniles – March 12, 2013

STRENGTHS

A. Internal organization is representative, with effective committees and is drawing new people into leadership.

1. ICJ is set up as a representative org. with elections to the exec. Comm.. Gives controls and a place in decision-making.
2. ICJ is set up as a representative org. with elections to the exec. Comm.. Gives controls and a place at decision-making.
3. Active and interested leaders... Executive Committee.
4. Schedule for regular meetings of the exec. Comm.. and regions. Sets up flow of info from regions to exec. Comm. and vice versa.
5. We have specific committees to see that the goals of the Compact are fulfilled.
6. Regional meetings and executive committee communicate with each other, and hold each other accountable.
7. The new Compact is well-organized, more structured. e.g. the business meeting is organized, taken seriously by attendees.
8. Solid budget and membership and training.
9. Infusing Executive Committee and standing committees with new members and new ideas. "opening" the organization.
10. Beginning to rotate people in and out of committees.
11. New commissioners stepping up to serve on committees, etc.
12. The compact gives opportunity for input from states: all states have a vote, there are regional meetings, website, etc.
13. ICJ is set up as a representative org. with elections to the exec. Comm.. Gives controls and a place at decision-making.

B. ICJ and state offices have credibility and authority to accomplish the work.

1. Benefits from the re-organization of the compact, from the original include management and governing structure; allows states to enforce provisions of the act, gives credibility in the member states, helps enhance their programs and ask for additional staff if needed.
2. Formation of State Councils raises profile, creates communication and gives credibility.
3. Federal backing...the congressional delegations are supportive.
4. Infrastructure that gives authority to states and national office: Uniform set of rules and statutes.
5. Rule making authority enforcing federal agreement.
6. States executive level support.
7. We can ensure the safety and welfare of juveniles & public safety by implementing the rules.

B. National staff is knowledgeable, skilled and effective

1. National staff. Executive Director is knowledgeable, skilled, and solution-focused.

Other staff members are very able. Together they produce a lot of work.

2. Experience and skills/knowledge of staff.
3. National Compact staff. Incredible asset to compact states.
4. Robust central administrative support...well organized and responsive.
5. Current staff – extremely professional, qualified and skillful in relationships and leadership.

C. The collaborative attitude and ICJ experience of commissioners and state staff

1. Experience of Commissioners. They know how to solve problems.
2. ‘Cooperative attitude among the member: Can call each other, help each other, veteran member help new members
3. Compact members are working toward same goals of moving juveniles safely and legally across state lines.
4. Collaborative spirit of leadership. Respect for other’s opinions
5. Compact staff in the states. They call each other, brainstorm solutions, etc. the collaboration. Georgia is the exception

D. The new data system provides potential for accountability and decision-making.

1. The data base launched Nov. ’12 is an example of forward thinking that marks ICJ.
2. New data system
3. Juvenile Interstate Tracking System (JITS) is finally in place.
4. Development of a data –informed system of decision-making
5. Accountability factor for what we do with juveniles.

WEAKNESSES

A. Rules are often unclear, misunderstood or interpreted to suit.

1. A rule cannot be written for every scenario. Has to be room for interpretation and readiness

to work through to a solution that is good for the juvenile.\

2. Unclear definitions and rules.
3. Perhaps too many rules.
4. Various interpretations of rules, leads to wanting to change rules.
5. Lack of full understanding of rules and procedures. States sometimes think rule says something other than what it does. Perhaps they don’t want to change.
6. Tendency to interpret rules and policies from a jurisdictional view. Requires arbitration by national when states disagree.

B. Data base glitches and difficulty of use.

1. JITs has glitches that are hard to work around
2. We launched the new database without it being adequately tested in pilot states. As result we may lose track of juveniles
3. Issues with new data system.
4. The database might be “over developed.” It is difficult to use.
5. Not all states are using the system, so the number will be thrown off.
6. Launch of data system left some states struggling...not using the system as intended.

C. Commissioners: Role in state office and high turnover leads to low knowledge of ICJ

1. Constant change of commissioners. Need education for new members.
2. Commissioner in some states doesn't have decision-making power for that state.
3. Commissioners from some states don't actually work in the compact process so are without hands-on knowledge.
4. Not all commissioners do the day-to-day work so don't see the impact of decisions.
5. Political nature of the appointment of commissioners, so some don't know the ins and outs of compact work.

D. Weak accountability.

1. Lack of reporting on compliance, although the data system will help.
2. Weakened enforcement /accountability from (a) a desire to get along so states don't lodge complaints and (b) lost sight of original mission/ vision that speaks to authority and responsibility for enforcement.
3. Pattern of states/commissioners to avoid taking action against another state and seeking compliance.
4. We struggle with enforcing compliance.

E. State-level service issues that reduce impact.

1. Time constraints of state staff (understaffed) reduces involvement in regional meetings.
2. Lack of funding for transportation and treatment requirements. Counties have “no skin in the game” because state foots the bill. Could Compact be written to address this?
3. Over dependency on forms /emails. Need more phone conversations to work out the cases.
4. Time zone difference makes it difficult to get support from national office during peak work hours; especially support for the data system.
5. Still a few states that are hard to work with and need targeted attention.
6. Georgia is not a part of the compact.

7. Georgia not yet a member.
8. Hard to get quorums for regional meetings.

F. Unclear national aims and understaffing in national office.

1. We are not clear about our aims. We are more than “communication.” We are about public safety, victims and juvenile safety. We don’t do any training on this.
2. Not clear what the aims and goals are for the compact.
3. ICJ has no long term goals and aims. Needs a strategic plan adopted by the whole commission.
4. National office is understaffed. They produce huge amount of quality work, but deserve more staff, e.g. trained mediator to handle non-compliance and another person in IT.

G. Remnants of a “status quo” culture

1. Some members resist change, albeit fewer and fewer of them.
2. Ingrained sense of the familiar...but moving now toward appropriate change.

H. ICJ committee membership choices need to be improved.

1. Executive committee does always select the best equipped person to chair committees. Need to match skills, availability, and commitment to the issues that the committee deals with
2. Failure to rotate leadership of the committees

OPPORTUNITIES

A. Expansion and deepening of partnerships

1. Deepen our relationship with the Interstate Compact for Placement of Children. This can lead to better service for children and attend to public safety.
2. Continue to strengthen liaisons with partner organization/agencies.
3. Expanding our partnerships with ex-officio members.
4. Meaningful collaboration with other orgs/agencies with which we have overlap or shared agenda (e.g. federal agencies).
5. Compact cultivating relationships with current and additional agencies that share our agenda.
6. Continue to work with other human service compacts to further goals of ICJ, e.g. ICPC
7. We have the opportunity to increase cooperation with and education of the court and law enforcement; e.g. in cases of runaway juveniles to ensure their safe return.

B. Areas for Additional Organizational Development of ICJ

1. Evaluation of current dues structure. We have paid for data system and repairs and have money left. What’s fair for each state in terms the volume of traffic, etc.

2. Compact now has sufficient resources (funds, national staff) to do whatever needs to be done now and for the immediate future.
3. Using our national system effectively in applying for grants and in other ways that benefit the states.
4. Finding more venues to allow people to state opinions and receive training.
5. Better coordination with kids who fall under both ICJ and ICPC.
6. Compliance can be viewed as the way to discover barriers to services, training/resource needs, rather than seeing it as a punitive arm of the Compact.
7. Changes in state leadership (governor, legislators) present opportunity for code and funding changes as ICJ educate these leaders and shape the changes.
8. Commission can become more visible: to other agencies via training at their conferences, with judges, etc.
9. Expanding the profile and national awareness of ICJ. This strengthens the role of each state council and the buy-in by state leadership.
10. Opportunity to highlight the ICJ and Commission to stakeholders so they will be familiar with us and the organization.

C. National developments that present opportunities

1. School safety, juvenile safety are critical national issues (Newtown). We will get support because of the national interest.
2. All changes in Juv. Justice System being proposed at state and nat'l level & trickle down to states where changes can be made.
3. Social view of juvenile justice from "tough on crime" and trying juveniles as adults to more enlightened views...ICJ can be a part of this.

D. Miscellaneous opportunities

1. For member states to give feedback once we've used the data system for a while to see what they want/need that they're not getting.
2. Draw on the strong support that we have from state leaders.
3. With the Compact we're keeping kids safer, turning lives around and keeping them out of the adult system.
4. Opportunity to build stronger families, driven by the way that the compact requires receiving states to take responsibility for the kid.

THREATS

A. Reduction in funding

1. Depending on what states want, it might not be within our budget.
2. Budget cuts are always a threat.
3. Possible cuts in state funding and/or changes in state laws with change in administrations
4. Tight state budgets that lead to staff and budget cuts.

5. After evaluation of dues, it could result in some states paying more dues.

B. State Actions and positions that threaten ICJ.

1. Michigan's suit regarding right of state law to supersede compact. If this is upheld it would have huge impact on ICJ.
2. Compacting states doing business with non-compacting states means there is no incentive for that state to be a partner in the compact.
3. Politics of the Compact: e.g. Georgia hasn't signed up.
4. Some states put too many intricacies in their code
5. Some states do not have authority to require probation officers to act on a case, so if their cooperation is not won by persuasion, a case may flounder.
6. Economy and political change causes re-organization in states and turnover in commissioners.
7. Concern that Georgia and Puerto Rico are not members
8. Changing political dynamics within states...impacts the position and voice of ICJ.
9. Not knowing the changes in various state laws regarding sex offenders.

C. Lack of accountability

1. Lack of compliance with the rules. Courts and executive agencies are not taking actions necessary and appropriate to effectuate the compact's intent. (e.g. probation officers in border counties supervising kids in another state rather than routing it through the compact.
2. Compacting state not doing its job and some tragic outcomes resulting in bad publicity all to the detriment of ICJ. (See "F" below)

D. Loss of knowledge, direction and willingness to change

1. Turnover of commissioners, thus loss of institutional memory and means that there are new people to train and orient.
2. No long range plan
3. Tendency to fall back on the old comfortable ways
4. Data system...some states are slow to fully embrace the system.

F. National Law, Policy, Attitudes

1. Shift in national thinking about the movement of juveniles across state lines.
2. New PREA requirements are difficult. May be liability to state or ICJ if juvenile is placed in facility that is non-compliant with PREA requirements.
3. Pending changes in Juv. Justice System if they occur without ICJ at the table.
4. Lack of airline cooperation to have safe, reliable transportation. (Airline won't allow restraints on a run-risk kid. Also because we must move the kid within five days, the airfare costs are higher. Is there a way to get airline agreement, so we get special rate, ala the "grief fare" for persons

- who have had a death in the family.
5. Returning absconders without the cooperation of courts and law enforcement is difficult. Need cooperation/education. – This is threat and opportunity.
 6. Parental rights – In the case of juveniles there are parents who rights must be factored in. e.g. case of sex offender who cannot leave the state vs. right of parents in another state to have their juvenile in the home.
 7. Lack of information available to families. They need an easy way to learn what the process is so they can proceed with a transfer. (Put this on ICJ website?)

F. Threats to ICJ image and reputation

1. Bad publicity on a case
2. ICJ public image. Some think of ICJ as more bureaucracy
3. See C-2 above.

APPENDIX K

VISION FEATURES 2016

STEP 1. (Individual Work) The future has come and ICJ has become what you had hoped for.

Complete the sentence below to record the **key features** of ICJ that you envision now that it has arrived at the hoped for destination.

It's 2016 and ICJ has arrived at its envisioned destination. Its features include:

- a.*
- b.*
- c.*
- d.*
- e.*

STEP 2. (Planning Group Work) Hear from others in your planning group and record their ideas as they share them, so everyone has a list of all the ideas.

STEP 3. (Planning Group Work) *Discuss these ideas; select your group's top five choices. Compose a **phrase for each of the five features** that you have chosen. (No compound features!)*

STEP 4. (Planning Group Work) Write with **marking pen** each of your five vision elements (NO COMPOUND FEATURES) on a **separate** sheet of legal sized paper and then post your sheets of paper on the sticky sheet on the wall.

APPENDIX L

STRATEGIC INITIATIVES

Step One

(Individual Work) The 4-5 broad initiatives that I see as constituting the “strategic issues” for ICJ over the next three or four years are:

- 1.
- 2.
- 3.
- 4.
- 5.

Step Two

In your small group, hear and record each person’s strategic issues.

Step Three

Discuss, debate and then select the four or five that your group believes are most fitting for ICJ over the next three years.

Step Four

With a broad-tipped marking pen write each one on an 8 ½ x 14” piece of paper and post on the sticky sheet. (No compound strategic initiatives)

**S.M.A.R.T.
GOALS**

APPENDIX M

Specific – Clearly describes what will be done.

Measurable - Can be seen, heard, counted....measured in some way, so we know when it's been done.

Attainable - Is within the “reach” of the agency’s resources and commitment.

Relevant – Represents a high priority issue, one that addresses core strategies.

Timebound - Has a completion date.

Examples of “UN-SMART” GOALS:

- a. Increase the training for staff.
- b. Develop plans for increasing case disposition.

Examples of “SMART” GOALS:

- A. Provide three (3) training opportunities for each staff person during fiscal year 2005.
- B. Complete a written plan and implementation schedule for increasing case disposition by 10% in 2005. (*Anyone recognize this?*)

APPENDIX N

FROM STRATEGY TO ACTION

STRATEGIC
INITIATIVE _____

WHAT? (Goals)	WITH WHAT RESOURCES?	BY WHEN?
1.		
2.		
3.		

THE INTERSTATE COMPACT FOR JUVENILES

ARTICLE I

PURPOSE

The compacting states to this Interstate Compact recognize that each state is responsible for the proper supervision or return of juveniles, delinquents and status offenders who are on probation or parole and who have absconded, escaped or run away from supervision and control and in so doing have endangered their own safety and the safety of others. The compacting states also recognize that each state is responsible for the safe return of juveniles who have run away from home and in doing so have left their state of residence. The compacting states also recognize that Congress, by enacting the Crime Control Act, 4 U.S.C. Section 112 (1965), has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime.

It is the purpose of this compact, through means of joint and cooperative action among the compacting states to: (A) ensure that the adjudicated juveniles and status offenders subject to this compact are provided adequate supervision and services in the receiving state as ordered by the adjudicating judge or parole authority in the sending state; (B) ensure that the public safety interests of the citizens, including the victims of juvenile offenders, in both the sending and receiving states are adequately protected; (C) return juveniles who have run away, absconded or escaped from supervision or control or have been accused of an offense to the state requesting their return; (D) make contracts for the cooperative institutionalization in public facilities in member states for delinquent youth needing special services; (E) provide for the effective tracking and supervision of juveniles; (F) equitably allocate the costs, benefits and obligations of the compacting states; (G) establish procedures to manage the movement between states of juvenile offenders released to the community under the jurisdiction of courts, juvenile departments, or any other criminal or juvenile justice agency which has jurisdiction over juvenile offenders; (H) insure immediate notice to jurisdictions where defined offenders are authorized to travel or to relocate across state lines; (I) establish procedures to resolve pending charges (detainers) against juvenile offenders prior to transfer or release to the community under the terms of this compact;

(J) establish a system of uniform data collection on information pertaining to juveniles subject to this compact that allows access by authorized juvenile justice and criminal justice officials, and regular reporting of Compact activities to heads of state executive, judicial, and legislative branches and juvenile and criminal justice administrators; (K) monitor compliance with rules governing interstate movement of juveniles and initiate interventions to address and correct non-compliance; (L) coordinate training and education regarding the regulation of interstate movement of juveniles for officials involved in such activity; and (M) coordinate the implementation and operation of the compact with the Interstate Compact for the Placement of Children, the Interstate Compact for Adult Offender Supervision and other compacts affecting juveniles particularly in those cases where concurrent or overlapping supervision issues arise. It is the policy of the compacting states that the activities conducted by the Interstate Commission created herein are the formation of public policies and therefore are public business. Furthermore, the compacting states shall cooperate and observe their individual and collective duties and responsibilities for the prompt return and acceptance of juveniles subject to the provisions of this compact. The provisions of this compact shall be reasonably and liberally construed to accomplish the purposes and policies of the compact.

ARTICLE II

DEFINITIONS

As used in this compact, unless the context clearly requires a different construction:

- A. "By –laws" means: those by-laws established by the Interstate Commission for its governance, or for directing or controlling its actions or conduct.
- B. "Compact Administrator" means: the individual in each compacting state appointed pursuant to the terms of this compact, responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this compact.

- C. "Compacting State" means: any state which has enacted the enabling legislation for this compact.
- D. "Commissioner" means: the voting representative of each compacting state appointed pursuant to Article III of this compact.
- E. "Court" means: any court having jurisdiction over delinquent, neglected, or dependent children.
- F. "Deputy Compact Administrator" means: the individual, if any, in each compacting state appointed to act on behalf of a Compact Administrator pursuant to the terms of this compact responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this compact.
- G. "Interstate Commission" means: the Interstate Commission for Juveniles created by Article III of this compact.
- H. "Juvenile" means: any person defined as a juvenile in any member state or by the rules of the Interstate Commission, including:
 - (1) Accused Delinquent – a person charged with an offense that, if committed by an adult, would be a criminal offense;
 - (2) Adjudicated Delinquent – a person found to have committed an offense that, if committed by an adult, would be a criminal offense;
 - (3) Accused Status Offender – a person charged with an offense that would not be a criminal offense if committed by an adult;
 - (4) Adjudicated Status Offender - a person found to have committed an offense that would not be a criminal offense if committed by an adult; and
 - (5) Non-Offender – a person in need of supervision who has not been accused or adjudicated a status offender or delinquent.
- I. "Non-Compacting state" means: any state which has not enacted the enabling legislation for this compact.

- J. "Probation or Parole" means: any kind of supervision or conditional release of juveniles authorized under the laws of the compacting states.
- K. "Rule" means: a written statement by the Interstate Commission promulgated pursuant to Article VI of this compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, or an organizational, procedural, or practice requirement of the Commission, and has the force and effect of statutory law in a compacting state, and includes the amendment, repeal, or suspension of an existing rule.
- L. "State" means: a state of the United States, the District of Columbia (or its designee), the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands.

ARTICLE III

INTERSTATE COMMISSION FOR JUVENILES

- A. The compacting states hereby create the "Interstate Commission for Juveniles." The commission shall be a body corporate and joint agency of the compacting states. The commission shall have all the responsibilities, powers and duties set forth herein, and such additional powers as may be conferred upon it by subsequent action of the respective legislatures of the compacting states in accordance with the terms of this compact.
- B. The Interstate Commission shall consist of commissioners appointed by the appropriate appointing authority in each state pursuant to the rules and requirements of each compacting state and in consultation with the State Council for Interstate Juvenile Supervision created hereunder. The commissioner shall be the compact administrator, deputy compact administrator or designee from that state who shall serve on the Interstate Commission in such capacity under or pursuant to the applicable law of the compacting state.
- C. In addition to the commissioners who are the voting representatives of each state, the Interstate Commission shall include individuals who are not commissioners, but who are

- members of interested organizations. Such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general, Interstate Compact for Adult Offender Supervision, Interstate Compact for the Placement of Children, juvenile justice and juvenile corrections officials, and crime victims. All non-commissioner members of the Interstate Commission shall be ex-officio (non-voting) members. The Interstate Commission may provide in its by-laws for such additional ex-officio (non-voting) members, including members of other national organizations, in such numbers as shall be determined by the commission.
- D. Each compacting state represented at any meeting of the commission is entitled to one vote. A majority of the compacting states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the by-laws of the Interstate Commission.
- E. The commission shall meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the compacting states, shall call additional meetings. Public notice shall be given of all meetings and meetings shall be open to the public.
- F. The Interstate Commission shall establish an executive committee, which shall include commission officers, members, and others as determined by the by-laws. The executive committee shall have the power to act on behalf of the Interstate Commission during periods when the Interstate Commission is not in session, with the exception of rulemaking and/or amendment to the compact. The executive committee shall oversee the day-to-day activities of the administration of the compact managed by an executive director and Interstate Commission staff; administers enforcement and compliance with the provisions of the compact, its by-laws and rules, and performs such other duties as directed by the Interstate Commission or set forth in the by-laws.
- G. Each member of the Interstate Commission shall have the right and power to cast a vote to which that compacting state is entitled and to participate in the business and affairs of the Interstate Commission. A member shall vote in person and shall not delegate a vote

to another compacting state. However, a commissioner, in consultation with the state council, shall appoint another authorized representative, in the absence of the commissioner from that state, to cast a vote on behalf of the compacting state at a specified meeting. The by-laws may provide for members' participation in meetings by telephone or other means of telecommunication or electronic communication.

- H. The Interstate Commission's by-laws shall establish conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure any information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.
- I. Public notice shall be given of all meetings and all meetings shall be open to the public, except as set forth in the Rules or as otherwise provided in the Compact. The Interstate Commission and any of its committees may close a meeting to the public where it determines by two-thirds vote that an open meeting would be likely to:
 - 1. Relate solely to the Interstate Commission's internal personnel practices and procedures;
 - 2. Disclose matters specifically exempted from disclosure by statute;
 - 3. Disclose trade secrets or commercial or financial information which is privileged or confidential;
 - 4. Involve accusing any person of a crime, or formally censuring any person;
 - 5. Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
 - 6. Disclose investigative records compiled for law enforcement purposes;
 - 7. Disclose information contained in or related to examination, operating or condition reports prepared by, or on behalf of or for the use of, the Interstate Commission with respect to a regulated person or entity for the purpose of regulation or supervision of such person or entity;

8. Disclose information, the premature disclosure of which would significantly endanger the stability of a regulated person or entity; or
 9. Specifically relate to the Interstate Commission's issuance of a subpoena, or its participation in a civil action or other legal proceeding.
- J. For every meeting closed pursuant to this provision, the Interstate Commission's legal counsel shall publicly certify that, in the legal counsel's opinion, the meeting may be closed to the public, and shall reference each relevant exemptive provision. The Interstate Commission shall keep minutes which shall fully and clearly describe all matters discussed in any meeting and shall provide a full and accurate summary of any actions taken, and the reasons therefore, including a description of each of the views expressed on any item and the record of any roll call vote (reflected in the vote of each member on the question). All documents considered in connection with any action shall be identified in such minutes.
- K. The Interstate Commission shall collect standardized data concerning the interstate movement of juveniles as directed through its rules which shall specify the data to be collected, the means of collection and data exchange and reporting requirements. Such methods of data collection, exchange and reporting shall insofar as is reasonably possible conform to up-to-date technology and coordinate its information functions with the appropriate repository of records.

ARTICLE IV

POWERS AND DUTIES OF THE INTERSTATE COMMISSION

The commission shall have the following powers and duties:

1. To provide for dispute resolution among compacting states.
2. To promulgate rules to effect the purposes and obligations as enumerated in this compact, which shall have the force and effect of statutory law and shall be binding in the compacting states to the extent and in the manner provided in this compact.

3. To oversee, supervise and coordinate the interstate movement of juveniles subject to the terms of this compact and any by-laws adopted and rules promulgated by the Interstate Commission.
4. To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the by-laws, using all necessary and proper means, including but not limited to the use of judicial process.
5. To establish and maintain offices which shall be located within one or more of the compacting states.
6. To purchase and maintain insurance and bonds.
7. To borrow, accept, hire or contract for services of personnel.
8. To establish and appoint committees and hire staff which it deems necessary for the carrying out of its functions including, but not limited to, an executive committee as required by Article III which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.
9. To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties and determine their qualifications; and to establish the Interstate Commission's personnel policies and programs relating to, inter alia, conflicts of interest, rates of compensation, and qualifications of personnel.
10. To accept any and all donations and grants of money, equipment, supplies, materials, and services, and to receive, utilize, and dispose of it.
11. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, personal, or mixed.
12. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal or mixed.
13. To establish a budget and make expenditures and levy dues as provided in Article VIII of this compact.
14. To sue and be sued.

15. To adopt a seal and by-laws governing the management and operation of the Interstate Commission.
16. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.
17. To report annually to the legislatures, governors, judiciary, and state councils of the compacting states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.
18. To coordinate education, training and public awareness regarding the interstate movement of juveniles for officials involved in such activity.
19. To establish uniform standards of the reporting, collecting and exchanging of data.
20. The Interstate Commission shall maintain its corporate books and records in accordance with the By-laws.

ARTICLE V

ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

Section A. By-laws

1. The Interstate Commission shall, by a majority of the members present and voting, within twelve months after the first Interstate Commission meeting, adopt by-laws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:
 - a. Establishing the fiscal year of the Interstate Commission;
 - b. Establishing an executive committee and such other committees as may be necessary;
 - c. Provide for the establishment of committees governing any general or specific delegation of any authority or function of the Interstate Commission;
 - d. Providing reasonable procedures for calling and conducting meetings of the Interstate Commission, and ensuring reasonable notice of each such meeting;

- e. Establishing the titles and responsibilities of the officers of the Interstate Commission;
- f. Providing a mechanism for concluding the operations of the Interstate Commission and the return of any surplus funds that may exist upon the termination of the Compact after the payment and/or reserving of all of its debts and obligations.
- g. Providing "start-up" rules for initial administration of the compact; and
- h. Establishing standards and procedures for compliance and technical assistance in carrying out the compact.

Section B. Officers and Staff

1. The Interstate Commission shall, by a majority of the members, elect annually from among its members a chairperson and a vice chairperson, each of whom shall have such authority and duties as may be specified in the by-laws. The chairperson or, in the chairperson's absence or disability, the vice-chairperson shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission; provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for any ordinary and necessary costs and expenses incurred by them in the performance of their duties and responsibilities as officers of the Interstate Commission.
2. The Interstate Commission shall, through its executive committee, appoint or retain an executive director for such period, upon such terms and conditions and for such compensation as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, but shall not be a Member and shall hire and supervise such other staff as may be authorized by the Interstate Commission.

Section C. Qualified Immunity, Defense and Indemnification

1. The Commission's executive director and employees shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of

property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

2. The liability of any commissioner, or the employee or agent of a commissioner, acting within the scope of such person's employment or duties for acts, errors, or omissions occurring within such person's state may not exceed the limits of liability set forth under the Constitution and laws of that state for state officials, employees, and agents. Nothing in this subsection shall be construed to protect any such person from suit or liability for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.
3. The Interstate Commission shall defend the executive director or the employees or representatives of the Interstate Commission and, subject to the approval of the Attorney General of the state represented by any commissioner of a compacting state, shall defend such commissioner or the commissioner's representatives or employees in any civil action seeking to impose liability arising out of any actual or alleged act, error or omission that occurred within the scope of Interstate Commission employment, duties or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.
4. The Interstate Commission shall indemnify and hold the commissioner of a compacting state, or the commissioner's representatives or employees, or the Interstate Commission's representatives or employees, harmless in the amount of any settlement or judgment obtained against such persons arising out of any actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or

responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

ARTICLE VI

RULEMAKING FUNCTIONS OF THE INTERSTATE COMMISSION

- A. The Interstate Commission shall promulgate and publish rules in order to effectively and efficiently achieve the purposes of the compact.
- B. Rulemaking shall occur pursuant to the criteria set forth in this article and the by-laws and rules adopted pursuant thereto. Such rulemaking shall substantially conform to the principles of the "Model State Administrative Procedures Act," 1981 Act, Uniform Laws Annotated, Vol. 15, p.1 (2000), or such other administrative procedures act, as the Interstate Commission deems appropriate consistent with due process requirements under the U.S. Constitution as now or hereafter interpreted by the U. S. Supreme Court. All rules and amendments shall become binding as of the date specified, as published with the final version of the rule as approved by the Commission.
- C. When promulgating a rule, the Interstate Commission shall, at a minimum:
 - 1. publish the proposed rule's entire text stating the reason(s) for that proposed rule;
 - 2. allow and invite any and all persons to submit written data, facts, opinions and arguments, which information shall be added to the record, and be made publicly available;
 - 3. provide an opportunity for an informal hearing if petitioned by ten (10) or more persons; and
 - 4. promulgate a final rule and its effective date, if appropriate, based on input from state or local officials, or interested parties.

- D. Allow, not later than sixty days after a rule is promulgated, any interested person to file a petition in the United States District Court for the District of Columbia or in the Federal District Court where the Interstate Commission's principal office is located for judicial review of such rule. If the court finds that the Interstate Commission's action is not supported by substantial evidence in the rulemaking record, the court shall hold the rule unlawful and set it aside. For purposes of this subsection, evidence is substantial if it would be considered substantial evidence under the Model State Administrative Procedures Act.
- E. If a majority of the legislatures of the compacting states rejects a rule, those states may, by enactment of a statute or resolution in the same manner used to adopt the compact, cause that such rule shall have no further force and effect in any compacting state.
- F. The existing rules governing the operation of the Interstate Compact on Juveniles superceded by this act shall be null and void twelve (12) months after the first meeting of the Interstate Commission created hereunder.
- G. Upon determination by the Interstate Commission that a state-of-emergency exists, it may promulgate an emergency rule which shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided hereunder shall be retroactively applied to said rule as soon as reasonably possible, but no later than ninety (90) days after the effective date of the emergency rule.

ARTICLE VII

OVERSIGHT, ENFORCEMENT AND DISPUTE RESOLUTION BY THE INTERSTATE COMMISSION

Section A. Oversight

- 1. The Interstate Commission shall oversee the administration and operations of the interstate movement of juveniles subject to this compact in the compacting states and shall monitor such activities being administered in non-compacting states which may significantly affect compacting states.

2. The courts and executive agencies in each compacting state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall be received by all the judges, public officers, commissions, and departments of the state government as evidence of the authorized statute and administrative rules. All courts shall take judicial notice of the compact and the rules. In any judicial or administrative proceeding in a compacting state pertaining to the subject matter of this compact which may affect the powers, responsibilities or actions of the Interstate Commission, it shall be entitled to receive all service of process in any such proceeding, and shall have standing to intervene in the proceeding for all purposes.

Section B. Dispute Resolution

1. The compacting states shall report to the Interstate Commission on all issues and activities necessary for the administration of the compact as well as issues and activities pertaining to compliance with the provisions of the compact and its bylaws and rules.
2. The Interstate Commission shall attempt, upon the request of a compacting state, to resolve any disputes or other issues which are subject to the compact and which may arise among compacting states and between compacting and non-compacting states. The commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among the compacting states.
3. The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact using any or all means set forth in Article XI of this compact.

ARTICLE VIII

FINANCE

- A. The Interstate Commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities.

- B. The Interstate Commission shall levy on and collect an annual assessment from each compacting state to cover the cost of the internal operations and activities of the Interstate Commission and its staff which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, taking into consideration the population of each compacting state and the volume of interstate movement of juveniles in each compacting state and shall promulgate a rule binding upon all compacting states which governs said assessment.
- C. The Interstate Commission shall not incur any obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Interstate Commission pledge the credit of any of the compacting states, except by and with the authority of the compacting state.
- D. The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its by-laws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

ARTICLE IX

THE STATE COUNCIL

Each member state shall create a State Council for Interstate Juvenile Supervision. While each state may determine the membership of its own state council, its membership must include at least one representative from the legislative, judicial, and executive branches of government, victims groups, and the compact administrator, deputy compact administrator or designee. Each compacting state retains the right to determine the qualifications of the compact administrator or deputy compact administrator. Each state council will advise and may exercise oversight and advocacy concerning that state's participation in Interstate Commission activities and other duties

as may be determined by that state, including but not limited to, development of policy concerning operations and procedures of the compact within that state.

ARTICLE X

COMPACTING STATES, EFFECTIVE DATE AND AMENDMENT

- A. Any state, the District of Columbia (or its designee), the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands as defined in Article II of this compact is eligible to become a compacting state.
- B. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than 35 of the states. The initial effective date shall be the later of July 1, 2004 or upon enactment into law by the 35th jurisdiction. Thereafter it shall become effective and binding as to any other compacting state upon enactment of the compact into law by that state. The governors of non-member states or their designees shall be invited to participate in the activities of the Interstate Commission on a non-voting basis prior to adoption of the compact by all states and territories of the United States.
- C. The Interstate Commission may propose amendments to the compact for enactment by the compacting states. No amendment shall become effective and binding upon the Interstate Commission and the compacting states unless and until it is enacted into law by unanimous consent of the compacting states.

ARTICLE XI

WITHDRAWAL, DEFAULT, TERMINATION AND JUDICIAL ENFORCEMENT

Section A. Withdrawal

- 1. Once effective, the compact shall continue in force and remain binding upon each and every compacting state; provided that a compacting state may withdraw from the compact by specifically repealing the statute which enacted the compact into law.
- 2. The effective date of withdrawal is the effective date of the repeal.

3. The withdrawing state shall immediately notify the chairperson of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall notify the other compacting states of the withdrawing state's intent to withdraw within sixty days of its receipt thereof.
4. The withdrawing state is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal, including any obligations, the performance of which extend beyond the effective date of withdrawal.
5. Reinstatement following withdrawal of any compacting state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission

Section B. Technical Assistance, Fines, Suspension, Termination and Default

1. If the Interstate Commission determines that any compacting state has at any time defaulted in the performance of any of its obligations or responsibilities under this compact, or the by-laws or duly promulgated rules, the Interstate Commission may impose any or all of the following penalties:
 - a. Remedial training and technical assistance as directed by the Interstate Commission;
 - b. Alternative Dispute Resolution;
 - c. Fines, fees, and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission; and
 - d. Suspension or termination of membership in the compact, which shall be imposed only after all other reasonable means of securing compliance under the by-laws and rules have been exhausted and the Interstate Commission has therefore determined that the offending state is in default. Immediate notice of suspension shall be given by the Interstate Commission to the Governor, the Chief Justice or the Chief Judicial Officer of the state, the majority and minority leaders of the defaulting state's legislature, and the state council. The grounds for default include, but are not limited to, failure of a compacting state to perform

such obligations or responsibilities imposed upon it by this compact, the by-laws, or duly promulgated rules and any other grounds designated in commission by-laws and rules. The Interstate Commission shall immediately notify the defaulting state in writing of the penalty imposed by the Interstate Commission and of the default pending a cure of the default. The commission shall stipulate the conditions and the time period within which the defaulting state must cure its default. If the defaulting state fails to cure the default within the time period specified by the commission, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the compacting states and all rights, privileges and benefits conferred by this compact shall be terminated from the effective date of termination.

2. Within sixty days of the effective date of termination of a defaulting state, the Commission shall notify the Governor, the Chief Justice or Chief Judicial Officer, the Majority and Minority Leaders of the defaulting state's legislature, and the state council of such termination.
3. The defaulting state is responsible for all assessments, obligations and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.
4. The Interstate Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state.
5. Reinstatement following termination of any compacting state requires both a reenactment of the compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.

Section C. Judicial Enforcement

The Interstate Commission may, by majority vote of the members, initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its offices, to enforce

compliance with the provisions of the compact, its duly promulgated rules and by-laws, against any compacting state in default. In the event judicial enforcement is necessary the prevailing party shall be awarded all costs of such litigation including reasonable attorneys fees.

Section D. Dissolution of Compact

1. The compact dissolves effective upon the date of the withdrawal or default of the compacting state, which reduces membership in the compact to one compacting state.
2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Interstate Commission shall be concluded and any surplus funds shall be distributed in accordance with the by-laws.

ARTICLE XII

SEVERABILITY AND CONSTRUCTION

- A. The provisions of this compact shall be severable, and if any phrase, clause, sentence or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.
- B. The provisions of this compact shall be liberally construed to effectuate its purposes.

ARTICLE XIII

BINDING EFFECT OF COMPACT AND OTHER LAWS

Section A. Other Laws

1. Nothing herein prevents the enforcement of any other law of a compacting state that is not inconsistent with this compact.
2. All compacting states' laws other than state Constitutions and other interstate compacts conflicting with this compact are superseded to the extent of the conflict.

Section B. Binding Effect of the Compact

1. All lawful actions of the Interstate Commission, including all rules and by-laws promulgated by the Interstate Commission, are binding upon the compacting states.

2. All agreements between the Interstate Commission and the compacting states are binding in accordance with their terms.
3. Upon the request of a party to a conflict over meaning or interpretation of Interstate Commission actions, and upon a majority vote of the compacting states, the Interstate Commission may issue advisory opinions regarding such meaning or interpretation.
4. In the event any provision of this compact exceeds the constitutional limits imposed on the legislature of any compacting state, the obligations, duties, powers or jurisdiction sought to be conferred by such provision upon the Interstate Commission shall be ineffective and such obligations, duties, powers or jurisdiction shall remain in the compacting state and shall be exercised by the agency thereof to which such obligations, duties, powers or jurisdiction are delegated by law in effect at the time this compact becomes effective.



INTERSTATE COMMISSION FOR JUVENILES

By-laws

Article I

Commission Purpose, Function and By-laws

Section 1. Purpose.

Pursuant to the terms of the Interstate Compact for Juveniles , (the “Compact”), the Interstate Commission for Juveniles (the “Commission”) is established as a body corporate to fulfill the objectives of the Compact, through a means of joint cooperative action among the Compacting States: to promote, develop and facilitate a uniform standard that provides for the welfare and protection of juveniles, victims and the public by governing the compacting states’ transfer of supervision of juveniles, temporary travel of defined offenders and return of juveniles who have absconded, escaped , fled to avoid prosecution or run away.

Section 2. Functions.

In pursuit of the fundamental objectives set forth in the Compact, the Commission shall, as necessary or required, exercise all of the powers and fulfill all of the duties delegated to it by the Compacting States. The Commission’s activities shall include, but are not limited to, the following: the promulgation of binding rules and operating procedures; equitable distribution of the costs, benefits and obligations of the Compact among the Compacting States; enforcement of Commission Rules, Operating Procedures and By-laws; provision of dispute resolution; coordination of training and education; and the collection and dissemination of information concerning the activities of the Compact, as provided by the Compact, or as determined by the Commission to be warranted by, and consistent with, the objectives and provisions of the Compact. The provisions of the Compact shall be reasonably and liberally construed to accomplish the purposes and policies of the Compact.

Section 3. By-laws.

As required by the Compact, these By-laws shall govern the management and operations of the Commission. As adopted and subsequently amended, these By-laws shall remain at all times subject to, and limited by, the terms of the Compact.

Article II Existing Rights and Remedies

That all remedies and procedures provided by this compact shall be in addition to and not in substitution for other rights, remedies and procedures, and shall not be in derogation of parental rights and responsibilities.

Article III Membership

Section 1. Commissioners

The Commission Membership shall be comprised as provided by the Compact. Each Compacting State shall have and be limited to one Member. A Member shall be the Commissioner of the Compacting State. Each Compacting State shall forward the name of its Commissioner to the Commission chairperson. The Commission chairperson shall promptly advise the Governor and State Council for Interstate Juvenile Supervision of the Compacting State of the need to appoint a new Commissioner upon the expiration of a designated term or the occurrence of mid-term vacancies.

Section 2. Ex-Officio Members

The Commission Membership shall also include individuals who are not commissioners, and who shall not have a vote, but who are members of interested organizations. Such non-commissioner members must include a member of the national organizations of governors, legislators, state chief justices, attorneys general, Interstate Compact for Adult Offender Supervision, Interstate Compact for the Placement of Children, juvenile justice and juvenile corrections officials, and crime victims. In addition, representatives of the National Institute of Corrections and the Office of Juvenile Justice and Delinquency Prevention shall be ex-officio members of the Commission.

Article IV Officers

Section 1. Election and Succession.

The officers of the Commission shall include a chairperson, vice chairperson, secretary, treasurer and immediate past-chairperson. The officers shall be duly appointed Commission Members, except that if the Commission appoints an Executive Director, then the Executive Director shall serve as the secretary. Officers shall be elected annually by the Commission at any meeting at which a quorum is present, and shall serve for one year or until their successors are elected by the Commission. The officers so elected shall serve without compensation or remuneration, except as provided by the Compact.

Section 2. Duties.

The officers shall perform all duties of their respective offices as provided by the Compact and these By-laws. Such duties shall include, but are not limited to, the following:

- a. *Chairperson.* The chairperson shall call and preside at all meetings of the Commission and in conjunction with the Executive Committee shall prepare agendas for such meetings, shall make appointments to all committees of the Commission, and, in accordance with the Commission's directions, or subject to ratification by the Commission, shall act on the Commission's behalf during the interims between Commission meetings.
- b. *Vice Chairperson.* The vice chairperson shall, in the absence or at the direction of the chairperson, perform any or all of the duties of the chairperson. In the event of a vacancy in the office of chairperson, the vice chairperson shall serve as acting chairperson until a new chairperson is elected by the Commission.
- c. *Secretary.* The secretary shall keep minutes of all Commission meetings and shall act as the custodian of all documents and records pertaining to the status of the Compact and the business of the Commission.
- d. *Treasurer.* The treasurer, with the assistance of the Commission's executive director, shall act as custodian of all Commission funds and shall be responsible for monitoring the administration of all fiscal policies and procedures set forth in the Compact or adopted by the Commission. Pursuant to the Compact, the treasurer shall execute such bond as may be required by the Commission covering the treasurer, the executive director and any other officers, Commission Members and Commission personnel, as determined by the Commission, who may be responsible for the receipt, disbursement, or management of Commission funds.
- e. *Immediate Past-Chairperson.* The immediate past-chairperson shall automatically succeed to the immediate past-chairperson position and provide continuity and leadership to the Executive Committee regarding past practices and other matters to assist the Committee in governing the Commission. The immediate past-chairperson supports the Chairperson on an as-needed basis and serves a term of one year.

Section 3. Costs and Expense Reimbursement.

Subject to the availability of budgeted funds, the officers shall be reimbursed for any actual and necessary costs and expenses incurred by the officers in the performance of their duties and responsibilities as officers of the Commission.

Section 4. Vacancies

Upon the resignation, removal, or death of an officer of the Commission before the next annual meeting of the Commission, a majority of the Executive Committee shall appoint a successor to

hold office for the unexpired portion of the term of the officer whose position shall so become vacant or until the next regular or special meeting of the Commission at which the vacancy is filled by majority vote of the Commission, whichever first occurs.

Article V Commission Personnel

Section 1. Commission Staff and Offices.

The Commission may by a majority of its Members, or through its executive committee appoint or retain an executive director, who shall serve at its pleasure and who shall act as secretary to the Commission, but shall not be a Member of the Commission. The executive director shall hire and supervise such other staff as may be authorized by the Commission. The executive director shall establish and manage the Commission's office or offices, which shall be located in one or more of the Compacting States as determined by the Commission.

Section 2. Duties of the Executive Director.

As the Commission's principal administrator, the executive director shall also perform such other duties as may be delegated by the Commission or required by the Compact and these By-laws, including, but not limited to, the following:

- a. Recommend general policies and program initiatives for the Commission's consideration;
- b. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
- c. Implement and monitor administration of all policies, programs, and initiatives adopted by the Commission;
- d. Prepare draft annual budgets for the Commission's consideration;
- e. Monitor all Commission expenditures for compliance with approved budgets, and maintain accurate records of the Commission's financial account(s);
- f. Assist Commission Members as directed in securing required assessments from the Compacting States;
- g. Execute contracts on behalf of the Commission as directed;
- h. Receive service of process on behalf of the Commission;
- i. Prepare and disseminate all required reports and notices directed by the Commission; and

- j. Otherwise assist the Commission's officers in the performance of their duties under Article IV herein.

Article VI
Qualified Immunity, Defense, and Indemnification

Section 1. Immunity.

The Commission, its Members, officers, executive director, and employees shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to any actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that any such person shall not be protected from suit or liability, or both, for any damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of any such person.

Section 2. Defense.

Subject to the provisions of the Compact and rules promulgated thereunder, the Commission shall defend the Commissioner of a Compacting State, his or her representatives or -employees, or the Commission, and its representatives or employees in any civil action seeking to impose liability against such person arising out of or relating to any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

Section 3. Indemnification.

The Commission shall indemnify and hold the Commissioner of a Compacting State, his or her representatives or employees, or the Commission, and its representatives or employees harmless in the amount of any settlement or judgment obtained against such person arising out of or relating to any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided, that the actual or alleged act, error, or omission did not result from gross negligence or intentional wrongdoing on the part of such person.

Article VII
Meetings of the Commission

Section 1. Meetings and Notice.

The Commission shall meet at least once each calendar year at a time and place to be determined by the Commission. Additional meetings may be scheduled at the discretion of the chairperson,

and must be called upon the request of a majority of Commission Members, as provided by the Compact. All Commission Members shall be given written notice of Commission meetings at least thirty (30) days prior to their scheduled dates. Final agendas shall be provided to all Commission Members no later than ten (10) days prior to any meeting of the Commission. Thereafter, additional agenda items requiring Commission action may not be added to the final agenda, except by an affirmative vote of a majority of the Members. All Commission meetings shall be open to the public, except as set forth in Commission Rules or as otherwise provided by the Compact. Prior public notice shall be provided in a manner consistent with the federal Government in Sunshine Act, 5 U.S.C. § 552b, including, but not limited to, the following: publication of notice of the meeting at least ten (10) days prior to the meeting in a nationally distributed newspaper or an official newsletter regularly published by or on behalf of the Commission and distribution to interested parties who have requested in writing to receive such notices. A meeting may be closed to the public where the Commission determines by two-thirds (2/3rds) vote of its Members that there exists at least one of the conditions for closing a meeting, as provided by the Compact or Commission Rules.

Section 2. Quorum.

Commission Members representing a majority of the Compacting States shall constitute a quorum for the transaction of business, except as otherwise required in these By-laws. The participation of a Commission Member from a Compacting State in a meeting is sufficient to constitute the presence of that state for purposes of determining the existence of a quorum, provided the Member present is entitled to vote on behalf of the Compacting State represented. The presence of a quorum must be established before any vote of the Commission can be taken.

Section 3. Voting.

Each Compacting State represented at any meeting of the Commission by its Member is entitled to one vote. A Member shall vote on such member's own behalf and shall not delegate such vote to another Member. Members may participate in meetings by telephone or other means of telecommunication or electronic communication. Except as otherwise required by the Compact or these By-laws, any question submitted to a vote of the Commission shall be determined by a simple majority.

Section 4. Procedure.

Matters of parliamentary procedure not covered by these By-laws shall be governed by Robert's Rules of Order.

Article VIII Committees

Section 1. Executive Committee.

The Commission may establish an executive committee, which shall be empowered to act on behalf of the Commission during the interim between Commission meetings, except for

rulemaking or amendment of the Compact. The Committee shall be composed of all officers of the Interstate Commission, the chairpersons of each committee, the regional representatives, and the ex-officio victims' representative to the Interstate Commission. The ex-officio victims' representative shall serve for a term of one year. The procedures, duties, budget, and tenure of such an executive committee shall be determined by the Commission. The power of such an executive committee to act on behalf of the Commission shall at all times be subject to any limitations imposed by the Commission, the Compact or these By-laws.

Section 2. Other Committees.

The Commission may establish such other committees as it deems necessary to carry out its objectives, which shall include, but not be limited to Finance Committee, Rules Committee, Compliance Committee, Information Technology Committee, and Training, Education and Public Relations Committee. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission.

Section 3. Regional Representatives.

A regional representative of each of the four regions of the United States, Northeastern, Midwestern, Southern, and Western, shall be elected or reelected every two years by a plurality vote of the commissioners of each region, and shall serve for two years or until a successor is elected by the commissioners of that region. The states and territories comprising each region shall be determined by reference to the regional divisions used by the Council of State Governments.

Article IX Finance

Section 1. Fiscal Year.

The Commission's fiscal year shall begin on July 1 and end on June 30.

Section 2. Budget.

The Commission shall operate on an annual budget cycle and shall, in any given year, adopt budgets for the following fiscal year or years only after notice and comment as provided by the Compact.

Section 3. Accounting and Audit.

The Commission, with the assistance of the executive director, shall keep accurate and timely accounts of its internal receipts and disbursements of the Commission funds, other than receivership assets. The treasurer, through the executive director, shall cause the Commission's financial accounts and reports including the Commission's system of internal controls and procedures to be audited annually by an independent certified or licensed public accountant, as required by the Compact, upon the determination of the Commission, but no less

frequently than once each year. The report of such independent audit shall be made available to the public and shall be included in and become part of the annual report to the Governors, legislatures, and judiciary of the Compacting States. The Commission's internal accounts, any workpapers related to any internal audit, and any workpapers related to the independent audit shall be confidential; provided, that such materials shall be made available: i) in compliance with the order of any court of competent jurisdiction; ii) pursuant to such reasonable rules as the Commission shall promulgate; and iii) to any Commissioner of a Compacting State, or their duly authorized representatives.

Section 4. Public Participation in Meetings.

Upon prior written request to the Commission, any person who desires to present a statement on a matter that is on the agenda shall be afforded an opportunity to present an oral statement to the Commission at an open meeting. The chairperson may, depending on the circumstances, afford any person who desires to present a statement on a matter that is on the agenda an opportunity to be heard absent a prior written request to the Commission. The chairperson may limit the time and manner of any such statements at any open meeting.

Section 5. Debt Limitations.

The Commission shall monitor its own and its committees' affairs for compliance with all provisions of the Compact, its rules, and these By-laws governing the incursion of debt and the pledging of credit.

Section 6. Travel Reimbursements.

Subject to the availability of budgeted funds and unless otherwise provided by the Commission, Commission Members shall be reimbursed for any actual and necessary expenses incurred pursuant to their attendance at all duly convened meetings of the Commission or its committees as provided by the Compact.

Article X Withdrawal, Default, and Termination

Compacting States may withdraw from the Compact only as provided by the Compact. The Commission may terminate a Compacting State as provided by the Compact.

Article XI Adoption and Amendment of By-laws

Any By-law may be adopted, amended or repealed by a majority vote of the Members, provided that written notice and the full text of the proposed action is provided to all Commission Members at least thirty (30) days prior to the meeting at which the action is to be considered. Failing the required notice, a two-third (2/3rds) majority vote of the Members shall be required for such action.

Article XII
Dissolution of the Compact

The Compact shall dissolve effective upon the date of the withdrawal or the termination by default of a Compacting State which reduces Membership in the Compact to one Compacting State as provided by the Compact.

Upon dissolution of the Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded in an orderly manner and according to applicable law. Each Compacting State in good standing at the time of the Compact's dissolution shall receive a pro rata distribution of surplus funds based upon a ratio, the numerator of which shall be the amount of its last paid annual assessment, and the denominator of which shall be the sum of the last paid annual assessments of all Compacting States in good standing at the time of the Compact's dissolution. A Compacting State is in good standing if it has paid its assessments timely.



ICJ RULES

INTERSTATE COMMISSION FOR JUVENILES

Serving Juveniles While Protecting Communities

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Section 100 Definitions

RULE 1-101: Definitions

As used in these rules, unless the context clearly requires a different construction:

Absconder: a juvenile probationer or parolee who hides, conceals, or absents him/herself with the intent to avoid legal process or authorized control.

Accused Delinquent: a person charged with an offense that, if committed by an adult, would be a criminal offense.

Accused Status Offender: a person charged with an offense that would not be a criminal offense if committed by an adult.

Adjudicated: a judicial finding that a juvenile is a status offender or delinquent.

Adjudicated Delinquent: a person found to have committed an offense that, if committed by an adult, would be a criminal offense.

Adjudicated Status Offender: a person found to have committed an offense that would not be a criminal offense if committed by an adult; [e.g., child in need of supervision (CINS), (CHINS), person in need of supervision (PINS), deprived child, undisciplined child, etc.], and who are eligible for services under the provisions of the ICJ.

Affidavit: a written or printed declaration or statement of facts made voluntarily and confirmed by the oath or affirmation of the party making it, taken before an officer having authority to administer such oath.

Aftercare (temporary community placement): a condition in which a juvenile who has been committed in the sending state who is residing and being supervised in the community (for purposes of ICJ, see state committed).

Appropriate Authority: the legally designated person, agency, court or other entity with the power to act, determine, or direct.

By-laws: those by-laws established by the Interstate Commission for its governance, or for directing or controlling its actions or conduct.

Commission: a body corporate and joint agency made up of compacting states who has the responsibility, powers and duties set forth in the ICJ.

Commissioner: the voting representative of each compacting state appointed pursuant to Article III of this Compact.

Commitment: an order by a court ordering the care, custody, and treatment of a juvenile to an agency or private or state institution maintained for such purpose.

Compact Administrator: the individual in each compacting state appointed pursuant to the terms of this Compact, responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this Compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this Compact.

Compacting State: any state which has enacted the enabling legislation for this Compact.

Counsel (Legal): a state licensed attorney either privately retained or appointed by a court of competent jurisdiction to represent a juvenile or other party to a proceeding under this Compact.

Court: any court having jurisdiction over delinquent, neglected, or dependent children.

Court Order: an authorized order by a court of competent jurisdiction.

Custody: the status created by legal authorities for placement of a juvenile in a staff-secured or locked facility approved for the detention of juveniles.

Defaulting State: any state that fails to perform any of its obligations or responsibilities under this Compact, the by-laws or any duly promulgated rules.

Deferred Adjudication: a court decision at any point after the filing of a juvenile delinquency or status complaint that withholds or defers formal judgment and stipulates terms and/or conditions of supervision and are eligible for transfer.

Demanding State: the state having jurisdiction over a juvenile seeking the return of the juvenile either with or without pending delinquency charges.

Deputy Compact Administrator: the individual, if any, in each compacting state appointed to act on behalf of a Compact Administrator pursuant to the terms of this Compact responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this Compact.

Designee: a person who is authorized to act on behalf of the ICJ Commissioner or Administrator of any member state under the provisions of this compact, authorized by-laws, and rules.

Detainer: a document issued or made by a legally empowered officer of a court or other appropriate authority authorizing the proper agency to keep in its custody a person named therein.

Detention Order: an order entered by a court to detain a specified juvenile pending further orders or action by the court.

Emancipation: the legal status in which a minor has achieved independence from parents or legal guardians as determined by the laws of the home state.

Escapee: a juvenile who has made an unauthorized flight from a facility or agency's custody to which he has been committed by the court.

Executive Director: the Commission's principal administrator (as defined in the Compact).

Good Faith Effort: reasonable communication and cooperation of the home state with the holding state regarding the return of runaways, absconders, and escapees.

Guardian ad litem: a person appointed by a court to look after the best interest of the juvenile.

Hearing: any proceeding before a judge or other appropriate authority in which issues of fact or law are to be determined, in which parties against whom proceedings are initiated have notice and a right to be heard and which may result in a final order.

Holding State: the state having physical custody of a juvenile and where the juvenile is located.

Home Evaluation/Investigation: a legal and social evaluation and subsequent report of findings to determine if placement in a proposed and specified resource home/place is in the best interest of the juvenile and the community.

Home State: the state where the parent(s), guardian(s), person, or agency having legal custody of the juvenile is residing or undertakes to reside.

Interstate Commission: the Interstate Commission for Juveniles created by Article III of this Compact.

Interstate Compact for Juveniles (ICJ): the agreement pertaining to the legally authorized transfer of supervision and care, as well as the return of juveniles from one state to another, which has been adopted by all member states that have enacted legislation in substantially the same language.

Juvenile: a person defined as a juvenile in any member state or by the rules of the Interstate Commission, including accused juvenile delinquents, adjudicated delinquents, accused status offenders, adjudicated status offenders, non-offenders, non-adjudicated juveniles, and non-delinquent juveniles.

Juvenile Sex Offender: a juvenile having been adjudicated for an offense involving sex or of a sexual nature or who may be required to register as a sex offender in the sending or receiving

state.

Legal Custodian: the agency and/or person(s) who has been ordered or given authority by the appropriate court to render care, custody, and/or treatment to a juvenile.

Legal Guardian: a person legally responsible for the care and management of the person, or the estate, or both, of a child during minority or for the purpose and duration expressed in the order of guardianship.

Legal Jurisdiction: the authority a court has to preside over the proceeding and the power to render a decision pertaining to one or more specified offenses with which a juvenile has been charged.

Non-Adjudicated Juveniles: all juveniles who are under juvenile court jurisdiction as defined by the sending state, and who have been assigned terms of supervision and are eligible for services pursuant to the provisions of the Interstate Compact for Juveniles.

Non-Compacting State: any state which has not enacted the enabling legislation for this compact.

Non-Delinquent Juvenile: any person who has not been adjudged or adjudicated delinquent.

Non-Offender: a person in need of supervision who has not been accused or adjudicated a status offender or delinquent.

Notice: Advanced notification given to a party, either written or verbal, in regards to the future of an ICJ case.

Peace Officer: sheriffs, deputies, constables, marshals, police officers, and other officers whose duty is to enforce and preserve public safety.

Petition: a written request to the court or other appropriate authority for an order requiring that action be taken or a decision made regarding a juvenile stating the circumstances upon which it is founded.

Physical Custody: the detainment of a juvenile by virtue of lawful process or authority.

Pick-Up Order: an order authorizing law enforcement officials to apprehend a specified person.

Private Provider: any person or organization contracted by the sending or receiving state to provide supervision and/or services to juveniles.

Probation/Parole: any kind of supervision or conditional release of juveniles authorized under the laws of the compacting states.

Promulgate: to put a law or regulation into effect by formal public announcement and publication.

Receiving State: a state to which a juvenile is sent for supervision under provision of the ICJ.

Relocate: when a juvenile remains in another state for more than 90 consecutive days in any 12 month period.

Requisition: a written demand for the return of a non-delinquent runaway, probation or parole absconder, escapee, or accused delinquent.

Residence: the home or regular place of abode as recognized by a state's law that is established by a parent, guardian, person, or agency having legal custody of a juvenile.

Retaking: the act of a sending state physically removing a juvenile, or causing to have a juvenile removed, from a receiving state.

Runaway: a child under the juvenile jurisdictional age limit established by the state, who has run away from his/her place of residence, without the consent of the parent, guardian, person, or agency entitled to his/her legal custody.

Rule: a written statement by the Commission promulgated pursuant to Article VI of this Compact that is of general applicability, implements, interprets or prescribes a policy or provision of the Compact, and has the force and effect of statutory law in a compacting state, and includes the amendment, repeal, or suspension of an existing rule.

Secure Facility: a facility which is approved for the holding of juveniles and is one which is either staff-secured or locked and which prohibits a juvenile in custody from leaving.

Sending State: a state which has sent or is in the process of sending a juvenile to another state for supervision under the provisions of the ICJ.

State: a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands.

State Committed (Parole): Any delinquent juvenile committed to a correctional facility that is conditionally released from an institutional setting or community supervision as authorized under the law of the sending state.

Status Offense: conduct which is illegal for juveniles but not illegal for adults, including but not limited to incorrigibility, curfew violations, running away, disobeying parents, or truancy.

Substantial Compliance: sufficient compliance by a juvenile with the terms and conditions of his or her supervision so as not to result in initiation of revocation of supervision proceedings by the sending or receiving state.

Supervision: the oversight exercised by authorities of a sending or receiving state over a juvenile for a period of time determined by a court or appropriate authority, during which time the juvenile is required to report to or be monitored by appropriate authorities, and to comply with regulations and conditions, other than monetary conditions, imposed on the juvenile.

Termination: the discharge from ICJ supervision of a juvenile probationer or parolee by the appropriate authority.

Travel Permit: written permission granted to a juvenile authorizing the juvenile to temporarily travel from one state to another.

Voluntary Return: the return of a juvenile runaway, escapee, absconder, or accused delinquent who has consented to voluntarily return to the home/demanding state.

Warrant: an order authorizing any law enforcement or peace officer to apprehend and detain a specified juvenile.

History: Adopted December 2, 2009, effective March 1, 2010; “Deferred Adjudication” adopted September 15, 2010, effective January 1, 2011; “Probation/Parole” amended September 15, 2010, effective January 1, 2011; “Relocate” adopted September 15, 2010, effective January 1, 2011; “Retaking” adopted September 15, 2010, effective January 1, 2011; “Substantial Compliance” adopted September 15, 2010, effective January 1, 2011; “Adjudicated” amended October 26, 2011, effective March 1, 2012; “Appropriate Authority” adopted October 26, 2011, effective March 1, 2012; “Commitment” amended October 26, 2011, effective March 1, 2012; “Cooperative Supervision” amended October 26, 2011, effective March 1, 2012; “Detainer” amended October 26, 2011, effective March 1, 2012; “Hearing” amended October 26, 2011, effective March 1, 2012; “Holding State” amended October 26, 2011, effective March 1, 2012; “Juvenile Sex Offender” amended October 26, 2011, effective March 1, 2012; “Petition” amended October 26, 2011, effective March 1, 2012; “Requisition” amended October 26, 2011, effective March 1, 2012; “Residence” amended October 26, 2011, effective March 1, 2012; “Status Offense” amended October 26, 2011, effective March 1, 2012; “Termination” amended October 26, 2011, effective March 1, 2012; “Voluntary Return” amended October 26, 2011, effective March 1, 2012; “Substantial Compliance” amended October 17, 2012, effective April 1, 2013

Section 200 Dues Formula and Data Collection

RULE 2-101: Dues Formula

1. The Commission shall determine the formula to be used in calculating the annual assessments to be paid by states. Public notice of any proposed revision to the approved dues formula shall be given at least 30 days prior to the Commission meeting at which the proposed revision will be considered.
2. The Commission shall consider the population of the states and the volume of juvenile transfers between states in determining and adjusting the assessment formula.
3. The approved formula and resulting assessments for all member states shall be distributed by the Commission to each member state annually.
4. The dues formula shall be— $(\text{Population of the state} / \text{Population of the United States})$ plus $(\text{Number of juveniles sent from and received by a state} / \text{total number of offenders sent from and received by all states})$ divided by two.

History: Adopted December 2, 2009, effective March 1, 2010

RULE 2-102: Data Collection

1. As required by Article III (K) of the compact, member states shall gather, maintain and report data regarding the interstate movement of juveniles who are supervised under this compact and the return of juveniles who have absconded, escaped or fled to avoid prosecution or run away. Each member state shall report annually by July 31st.
2. Runaways, escapees, absconders and accused delinquents:
 - a. The total number of runaways, escapees, absconders and accused delinquents located in and located out of the reporting state processed during the reporting period.
 - b. The total number of Requisitions (Form I and Form II) sent from and received by the reporting state during the reporting period.
 - c. The total number of juveniles who were not returned per Requisition (Form I and Form II) by or to the reporting state during the reporting period.
 - d. The reason(s) the juvenile was not returned per Requisition (Form I and II) by or to the reporting state during the reporting period.
3. Airport Supervision:
 - a. The total number of airport supervision requests met during the reporting period.
4. Parole Supervision:
 - a. The total number of incoming parole cases received from other states for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - b. The total number of outgoing parole cases sent from the reporting state for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - c. The total number of incoming parole cases terminated during the reporting period.
 - d. The total number of outgoing parole cases terminated during the reporting period.
 - e. The number of incoming / outgoing failed placements for violations and the number of incoming / outgoing returned.
 - f. The number of incoming / outgoing failed placements for reasons other than violations and the number of incoming / outgoing returned.
5. Probation Supervision:
 - a. The total number of incoming probation cases received from other states for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - b. The total number of outgoing probation cases sent from the reporting state for investigation and/or supervision during the reporting period and the number which were sex offender related.
 - c. The total number of incoming probation cases terminated during the reporting period.
 - d. The total number of outgoing probation cases terminated during the reporting period.
 - e. The number of incoming / outgoing failed placements for violations and the number of incoming / outgoing returned.

- f. The number of incoming / outgoing failed placements for reasons other than violations and the number of incoming / outgoing returned.
6. Institutionalization:
 - a. The total number of juveniles from their state who are institutionalized in a public facility in other states during the reporting period.
 - b. The total number of juveniles from other states who are institutionalized in a public facility in their state during the reporting period.
 7. Out-of-State Confinement:
 - a. The total number of juveniles from the reporting state confined in other states during the reporting period.
 - b. The total number of juveniles from other states confined in the reporting state during the reporting period.
 8. This Rule will not expire until the Electronic Information System approved by the Commission is fully implemented and functional.

History: Adopted September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012

Section 300 Forms

RULE 3-101: Forms

States shall use the electronic information system approved by the Commission for forms processed through the Interstate Compact for Juveniles.

- Form I (Requisition for Runaway Juvenile)
- Form II (Requisition for Escapee or Absconder/Accused Delinquent)
- Form III (Consent for Voluntary Return of Out of State Juvenile)
- Form IV (Parole or Probation Investigation Request)
- Form V (Report of Sending State Upon Parolee or Probationer Being Sent to the Receiving State)
- Form IA/VI (Application for Compact Services/Memorandum of Understanding and Waiver)
- Form VII (Out of State Travel Permit and Agreement to Return)
- Form VIII (Home Evaluation)
- Form IX (Quarterly Progress or Violation Report)
- Form X (Case Closure Notification Form)
- Form XI (Absconder From Supervision Violation Report)

History: Deferred adoption December 3, 2009, adopted use of AJCA forms (with revisions to logo, compact and rule notations) in interim; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013

RULE 3-102: Optional Forms

Use of the following forms is optional:

- Petition for Hearing on Requisition for Runaway Juvenile
- Order Setting Hearing for the Requisition for a Runaway Juvenile
- Petition for Requisition to Return a Runaway Juvenile (Form A)
- Petition for Hearing on Requisition for Escapee, Absconder, or Accused Delinquent
- Order Setting Hearing for Requisition for Escapee, Absconder, or Accused Delinquent
- Juvenile Rights Form for Consent for Voluntary Return of Out of State Juvenile
- Victim Notification Supplement Form

History: Deferred adoption December 3, 2009, adopted use of AJCA forms (with revisions to logo, compact and rule notations) in interim; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective November 1, 2012

RULE 3-103: Form Modifications or Revisions [Rescinded; See history]

1. Forms approved and adopted by the Interstate Commission for Juveniles may not be changed, altered or otherwise modified and no other forms may be substituted for approved forms.
2. Form revisions shall:
 - a. Be adopted by majority vote of the members of the Commission; and
 - b. Be submitted in the same manner as outlined in Rule 7-101 for the adoption of Rules and Amendments.

History: Adopted September 15, 2010, effective January 1, 2011; rescinded on October 17, 2012, effective November 1, 2012

Section 400 Transfer of Supervision

RULE 4-101: Processing Referrals

1. Each state that is a party to the ICJ shall process all referrals involving juveniles, for whom services have been requested, provided those juveniles are under juvenile jurisdiction in the sending state.
2. No state shall permit the transfer of supervision of a juvenile eligible for transfer except as provided by the Compact and these rules. A sending state shall request transfer of a juvenile, who is eligible for transfer of supervision to a receiving state under the compact. A juvenile shall be eligible for transfer under ICJ if the following conditions are met:
 - a. is classified as a juvenile in the sending state; and
 - b. is an adjudicated delinquent, adjudicated status offender, or has a deferred adjudication in the sending state; and
 - c. is under the jurisdiction of a court or appropriate authority in the sending state; and
 - d. has a plan inclusive of relocating to another state for a period exceeding ninety (90) consecutive days in any twelve (12) month period; and
 - e. has more than ninety (90) days or an indefinite period of supervision remaining at the time the sending state submits the transfer request; and
 - f.
 1. Will reside with a parent, legal guardian, relative, non-relative or independently, excluding residential facilities; or
 2. Is a full time student at a secondary school, or accredited university, college, or licensed specialized training program and can provide proof of acceptance and enrollment.
3. All cases being transferred to another state are pursuant to the ICJ except cases involving concurrent jurisdiction under the Interstate Compact on Placement of Children, known as ICPC. A juvenile who is not eligible for transfer under this Compact is not subject to these rules.

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012

RULE 4-101A: Transfer of Students

1. Juveniles as defined in Rule 1-101, eligible for transfer as defined by Rule 4-101, who have been accepted as full-time students at a secondary school, or accredited university/college, or state licensed specialized training program and can provide proof of enrollment, shall be considered for supervision by the receiving state.
2. Supervision shall be provided the juvenile according to Rule 4-104.
3. If the juvenile's placement fails, procedures to return the juvenile shall be made by the sending state according to Rule 6-104.

History: Adopted September 15, 2010, effective January 1, 2011

RULE 4-102: Sending and Receiving Referrals

Each ICJ Office shall forward all its cases within five (5) business days of receipt. Each ICJ Office shall adhere to the following screening process when sending and receiving referrals. Supervision shall not be provided without written approval from the receiving state's ICJ Office. The sending state shall maintain responsibility until supervision is accepted by the receiving state.

1. Each ICJ Office shall develop policies/procedures on how to handle ICJ matters within their state.
2. Each ICJ Office shall ensure all requests and coordination for ICJ supervision are between ICJ Offices.
3. The ICJ Office in the sending state shall comply with the rules listed below:
 - a. State Committed (Parole) Cases – The ICJ Office in the sending state shall ensure the following referral documents are complete and forwarded to the receiving state forty five (45) calendar days prior to the juvenile's anticipated arrival: Form IV, Form IA/VI and Order of Commitment. The ICJ Office in the sending state should also provide copies, (if available) of the Petition and/or Arrest Report(s), Legal and Social History, and any other pertinent information deemed to be of benefit to the receiving state. Parole conditions, if not already included, shall be forwarded to the receiving state upon the juvenile's release from an institution. Form V shall be forwarded prior to placement in the receiving state.

When it is necessary to place a State Committed (parole) juvenile out of state prior to the acceptance of supervision, under the provision of Rule 5-101(4), the sending state shall determine if the circumstances of the juvenile's immediate placement justify the use of a travel permit, including consideration of the appropriateness of the placement. If approved by the sending state, it shall provide the receiving state with the approved travel permit along with a written explanation as to why ICJ procedures for submitting the referral could not be followed.

The sending state ICJ Office shall provide the complete ICJ referral to the receiving state ICJ office within ten (10) business days of the travel permit being issued. The receiving state shall make the decision whether or not it will expedite the ICJ referral.

- b. Probation Cases – The ICJ Office in the sending state shall ensure the following referral documents are complete and forwarded to the receiving state within five (5) business days of receipt: Form IV, Form IA/VI, Order of Adjudication and Disposition, Conditions of Probation and Petition and/or Arrest Report(s). The ICJ Office in the sending state should also provide copies (if available) of Legal and Social History, and any other pertinent information deemed to be of benefit to the receiving state. Form V shall be forwarded prior to placement if the juvenile is not already residing in the receiving state.

4. The sending state shall be responsive and timely in forwarding additional documentation at the request of the receiving state.
5. The receiving state's ICJ Office shall request its local offices complete a home evaluation within thirty (30) calendar days after receipt of referral.
6. The receiving state's ICJ Office shall, within forty five (45) calendar days of receipt of the referral, forward to the sending state the home evaluation along with the final approval or disapproval of the request for supervision or provide an explanation of the delay to the sending state.

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013

RULE 4-103: Transfer of Supervision Procedures for Juvenile Sex Offenders

1. When transferring a juvenile sex offender, the sending state shall not allow the juvenile to transfer to the receiving state until the sending state's request for transfer of supervision has been approved, or reporting instructions have been issued by the receiving state unless Rule 4-103(2) is applicable.
2. When it is necessary to place a juvenile sex offender out of state with a custodial parent or legal guardian prior to the acceptance of supervision, under the provision of Rule 5-101(4), the sending state shall determine if the circumstances of the juvenile's immediate placement justify the use of a travel permit, including consideration of the appropriateness of the placement. If approved by the sending state's ICJ Office, the following procedures shall be initiated:
 - a. Upon notification, the sending state shall provide the receiving state with an approved travel permit along with a written explanation as to why ICJ procedures for submitting the referral could not be followed.
 - b. The sending state shall transmit a complete ICJ referral to the receiving state within ten (10) business days of the travel permit being issued. The receiving state shall make the decision whether it will expedite the ICJ referral or process the referral according to Rule 4-102.
 - c. Within five (5) business days of receipt of the travel permit, the receiving state shall advise the sending state of applicable registration requirements and/or reporting instructions, if any. The sending state shall be responsible for communicating the registration requirements and/or reporting instructions to the juvenile and his/her family in a timely manner.
 - d. The sending state shall maintain responsibility until supervision is accepted in the receiving state. The receiving state shall have the authority to supervise juveniles pursuant to reporting instructions from the receiving state.
3. When transferring a juvenile sex offender, documentation should be provided to the receiving state: Form IA/VI, Form IV, Form V, Order of Adjudication and Disposition, Conditions of Probation, Petition and/or Arrest Report, Risk Assessment, Safety Plan Specific Assessments (if available), Legal and Social History information pertaining to the criminal behavior, Victim Information, i.e., sex, age, relationship to the offender, sending state's current or recommended Supervision and Treatment Plan, and all other pertinent materials. NOTE: Parole conditions shall be forwarded to the receiving state upon the juvenile's release from an institution.
4. In conducting home evaluations for juvenile sex offenders, the receiving state shall ensure compliance with local policies or laws to issuing reporting instructions. If the proposed residence is unsuitable, the receiving state may deny acceptance referred to in Rule 5-101(4).

5. Juvenile sex offender shall abide by the registration laws in the receiving state, i.e., felony or sex offender registration, notification or DNA testing.
6. A juvenile sex offender who fails to register when required will be subject to the laws of the receiving state.

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013

RULE 4-104: Supervision/Services Requirements

1. After accepting supervision, the receiving state will assume the duties of visitation and supervision over any juvenile, including juvenile sex offenders, and in exercise of those duties will be governed by the same standards of visitation and supervision that prevails for its own juveniles released on probation or parole.
2. Both the sending and receiving states shall have the authority to enforce terms of probation/parole, which may include the imposition of detention time in the receiving state. Any costs incurred from any enforcement sanctions shall be the responsibility of the state seeking to impose such sanctions.
3. The receiving state shall furnish written progress reports to the sending state on no less than a quarterly basis. Additional reports shall be sent in cases where there are concerns regarding the juvenile or there has been a change in placement.
4. Neither sending states nor receiving states shall impose a supervision fee on any juvenile who is supervised under the provisions of the ICJ.
5. The sending state shall be financially responsible for treatment services ordered by the appropriate authority in the sending state when they are not available through the supervising agency in the receiving state or cannot be obtained through Medicaid, private insurance, or other payor. The initial referral shall clearly state who will be responsible for purchasing treatment services.
6. The age of majority and duration of supervision are determined by the sending state. Where circumstances require the receiving court to detain any juvenile under the ICJ, the type of incarceration shall be determined by the laws regarding the age of majority in the receiving state.
7. Juvenile restitution payments or court fines are to be paid directly from the juvenile/juvenile's family to the adjudicating court or agency in the sending state. Supervising officers in the receiving state shall encourage the juvenile to make regular payments in accordance with the court order of the sending state. The sending state shall provide the specific payment schedule and payee information to the receiving state.
8. Supervision for the sole purpose of collecting restitution is not a justifiable reason to open a case.

References

ICJ Advisory Opinion

1-2010 A supervising state is permitted to impose graduated sanctions upon any juvenile transferred under the compact if such standards are also applied to its own delinquent juveniles.

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012

RULE 4-105: Communication Requirements Between States

1. All communications between states, whether verbal or written, on ICJ issues shall be transmitted between the respective ICJ Offices.
2. Communication may occur between local jurisdictions with the prior approval of the ICJ Offices in both states. An e-mail copy of the correspondence must be sent to the ICJ Administrator's Office in both states.
3. Communication regarding ICJ business shall respect the confidentiality rules of sending and receiving states.

History: Adopted December 2, 2009, effective March 1, 2010

RULE 4-106: Closure of Cases

1. The sending state has sole authority to discharge/terminate supervision of its juveniles with the exception of:
 - a. When a juvenile is convicted of a crime and sentenced under the jurisdiction of the adult court of the receiving state and the adult sentence is longer than the juvenile sentence. In such cases, the receiving state may close the supervision and administration of its ICJ case once it has notified the sending state's ICJ office, in writing, and provided it with a copy of the adult court order.
 - b. Cases which terminate due to expiration of a court order or upon expiration of the maximum period of parole or probation may be closed by the receiving state without further action by the sending state. In such cases, the receiving state shall forward a summary report to the sending state, and notify the sending state in writing that, unless otherwise notified, the case will be closed due to the expiration of the court order within five (5) business days.
2. After the receiving state has accepted a probation/parole case for supervision, the sending state shall complete placement within 90 calendar days. If the placement is not made in the receiving state within this timeframe, the receiving state may close the case with written notice to the sending state. The sending state may request an extension beyond the 90 calendar day timeframe, providing an appropriate explanation, or may resubmit the referral at a later date.
3. The receiving state may submit to the sending state a request for the early release of the juvenile from probation or parole. In such cases, the sending state shall be provided the opportunity to consider the matter, to advise the court of jurisdiction or state agency of the request, and to make known any objection or concern before the case is closed. Any decision to release a juvenile from probation/parole early shall be made by the appropriate authority in the sending state. The sending state will forward a copy of the discharge report or notification to close based on the receiving state's recommendation or, if the request to close has been denied, provide a written explanation, within sixty (60) calendar days as to why the juvenile cannot be released from probation/parole.
4. The receiving state may close the case upon notification that a warrant has been issued by the sending state for a juvenile who has absconded from supervision in the receiving state, or if the juvenile has been on absconder status for ten (10) business days.
5. Files of closed cases shall be maintained in the ICJ Office for one (1) year after closure before they can be destroyed.

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013

RULE 4-107: Victim Notification

1. Victim notification requirements are the responsibility of the sending state in accordance with the laws and policies of that state.
2. When the sending state will require the assistance of the supervising person in the receiving state to meet these requirements, the sending officer shall clearly document such in the initial packet using the Victim Notification Form. The Victim Notification Form shall include the specific information regarding what will be required and the timeframes for which it must be received.
3. Throughout the duration of the supervision period, the supervising person through the receiving state's ICJ office shall, to the extent possible, provide the sending state with the requested information to ensure the sending state can remain compliant with the laws and policies of the sending state.
4. It is the responsibility of the sending state to update the receiving state of any changes to victim notification requirements.

History: Adopted December 2, 2009, effective March 1, 2010; amended January 5, 2011, effective February 4, 2011; amended October 26, 2011, effective March 1, 2012

Section 500 Supervision in Receiving State

RULE 5-101: Authority to Accept/Deny Supervision

1. Only the receiving state's ICJ Administrator or designee shall authorize or deny supervision of a juvenile by that state after considering a recommendation by the investigating officer.
2. The receiving state's ICJ Administrator's or authorized agent's signature is required on or with the home evaluation form that approved or denied supervision of a juvenile by that state.
3. Supervision cannot be denied based solely on the juvenile's age or the offense.
4. Supervision may be denied when the home evaluation reveals that the proposed placement is unsuitable or that the juvenile is not in substantial compliance with the terms and conditions of supervision required by the sending or receiving state, except when a juvenile has no custodial parent or legal guardian remaining in the sending state and the juvenile does have a custodial parent or legal guardian residing in the receiving state.
5. Upon receipt of acceptance of supervision from the receiving state, and within five (5) business days prior to the juvenile's departure if the youth is not already residing in the receiving state, the sending state shall provide reporting instructions to the juvenile, and provide written notification of the juvenile's departure to the receiving state.
6. If a legal custodian remains in the sending state and the placement in the receiving state fails, the sending state's ICJ Office shall facilitate transportation arrangements for the return of the juvenile(s) within five (5) business days in accordance with these rules.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012

RULE 5-102: Travel Permits

1. Travel permits shall be mandatory for juveniles traveling out-of-state for a period in excess of twenty-four (24) consecutive hours and who have committed or which the adjudicated offenses or case circumstances include any of the following:
 - a. Sex-related offenses;
 - b. Violent offenses that have resulted in personal injury or death;
 - c. Offenses committed with a weapon;
 - d. Juveniles who are state committed;
 - e. Juveniles testing placement and who are subject to the terms of the Compact;
 - f. Juveniles returning to the state from which they were transferred for the purposes of visitation;
 - g. Juveniles transferring to a subsequent state(s) with the approval of the initial sending state;
 - h. Transferred juveniles in which the victim notification laws, policies and practices of the sending and/or receiving state require such notification;
2. A travel permit may be used as a notification of juveniles traveling to an out-of-state private residential treatment facility who are under the terms or conditions of probation or parole.
3. The permit shall not exceed ninety (90) calendar days. If for the purposes of testing a placement, a referral packet is to be received by the receiving state's ICJ Office within thirty (30) calendar days of the effective date of the Travel Permit. The issuing state shall ensure the juvenile has been instructed to immediately report any change in status during that period.
 - a. When a Travel Permit exceeds thirty (30) calendar days, the sending state shall provide specific instructions for the juvenile to maintain contact with his/her supervising agency.
4. Authorization for out-of-state travel shall be approved at the discretion of the supervising person. An exception would be when the sending state has notified the receiving state that travel must be approved by the sending state's appropriate authority. The sending state's ICJ Office shall forward the Travel Permit via electronic communication, as appropriate, to the state in which the visit or transfer of supervision will occur. The authorized Travel Permit should be provided and received prior to the juvenile's movement. The receiving state upon receipt of the Travel Permit shall process and/or disseminate appropriate information in accordance with established law, policy, practice or procedure in the receiving state.
5. If a travel permit is issued, the sending state is responsible for victim notification in accordance with the laws, policies and practices of that state. The sending and receiving states shall collaborate to the extent possible to comply with the legal requirements of victim notification through the timely exchange of required information.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013

Section 600 Return of Juveniles

The home/demanding state's ICJ Office shall return all of its juveniles according to one of the following methods.

RULE 6-101: Release of Runaways to Parent or Legal Guardian

1. All remedies and procedures provided by this Compact shall be in addition to and not in substitution for other rights, remedies and procedures, and shall not be in derogation of parental rights and responsibilities. To this end, the following rules shall apply:
 - a. Juvenile authorities may release a runaway to their parent/legal guardian within the first 24-hours (excluding weekends and holidays) of detainment without applying Rule 6-102, except in cases where abuse or neglect is suspected by holding authorities.
 - b. If the juvenile remains in custody beyond 24 hours, the holding state's ICJ Office shall be contacted.
2. Runaways who are endangering themselves or others held beyond 24 hours shall be held in secure facilities until returned by the home/demanding state.
3. When a holding state has reason to suspect abuse or neglect by a parent/legal guardian or others in the home of a runaway juvenile, the holding state's ICJ Office shall notify the home/demanding state's ICJ Office of the suspected abuse or neglect.
4. The home/demanding state's ICJ Office shall work with the appropriate authority and/or court of jurisdiction in the home/demanding state to effect the safe return of the juvenile.
5. Voluntary Return of runaways who allege abuse or neglect:
The Form III must indicate who will be assuming responsibility for the juvenile if the juvenile will not be returning to a parent or legal guardian.
6. Non-Voluntary Return of runaways who allege abuse or neglect:
If the appropriate authorities in the home/demanding state determine that the juvenile will not be returning to a parent or legal guardian, the requisition process shall be initiated by the home/demanding state's appropriate authority and/or court of jurisdiction in accordance with Rule 6-103.

History: Adopted December 3, 2009, effective March 1, 2010; amended January 5, 2011, effective February 4, 2011; amended October 26, 2011, effective March 1, 2012; amended April 18, 2012, effective May 31, 2012

RULE 6-102: Voluntary Return of Out-of-State Juveniles

Once an out-of-state juvenile is found and detained, the following procedures shall apply:

1. The holding state's ICJ Office shall be advised of juvenile detainment. The holding state's ICJ Office shall contact the home/demanding state's ICJ Office advising them of case specifics.
2. The home/demanding state's ICJ Office shall immediately initiate measures to determine juvenile's residency and jurisdictional facts in that state.
3. At a court hearing (physical or electronic), the judge in the holding state shall inform the juvenile of his/her due process rights under the compact and may use the ICJ Juvenile Rights Form. The court may elect to appoint counsel or a guardian ad litem to represent the juvenile in this process.
4. If in agreement with the voluntary return, the juvenile shall sign the approved ICJ Form III in the presence (physical or electronic) of a judge. The ICJ Form III shall be signed by a judge.
5. When an out-of-state juvenile has reached the age of majority according to the holding state's laws and is brought before an adult court for an ICJ due process hearing, the home/demanding state shall accept an adult waiver instead of the ICJ Form III, provided the waiver is signed by the juvenile and the judge.
6. When consent has been duly executed, it shall be forwarded to and filed with the Compact administrator, or designee, of the holding state. The holding state's Compact office shall in turn, forward a copy of the consent to the Compact administrator, or designee, of the home/demanding state.
7. The home/demanding state shall be responsive to the holding state's court orders in effecting the return of its juveniles. Each ICJ Office shall have policies/procedures in place involving the return of juveniles that will ensure the safety of the public and juveniles.
8. Juveniles are to be returned by the home/demanding state in a safe manner and within five (5) business days of receiving a completed Form III or adult waiver. This time period may be extended up to an additional five (5) business days with approval from both ICJ Offices.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended January 5, 2011, effective February 4, 2011; amended October 17, 2012, effective April 1, 2013

RULE 6-103: Non-Voluntary Return of Out-of-State Juveniles

Requisitions must be entered electronically in the electronic data system. The following requisition process shall apply to all juveniles in custody who refuse to voluntarily return to their home/demanding state; or juveniles whose whereabouts are known, but are not in custody:

1. The appropriate authority in the home/demanding state shall prepare a written requisition within sixty (60) calendar days of notification: (a) of refusal of the juvenile to voluntarily return as prescribed in Rule 6-102, or (b) to request that a court takes into custody a juvenile that is allegedly located in their jurisdiction.
2. Juveniles held in detention, pending non-voluntary return to the demanding state, may be held for a maximum of ninety (90) calendar days. The home/demanding state's office shall maintain regular contact with the authorities preparing the requisition to ensure accurate preparation and timely delivery of said documents to minimize detention time.
3. When the juvenile is a non-delinquent runaway, the parent/legal guardian or custodial agency must petition the court of jurisdiction in the home/demanding state for a requisition.
 - a. The petitioner may use Form A, Petition for Requisition to Return Runaway Juvenile, or other petition. The petition must state the juvenile's name and date of birth, the name of the petitioner, and the basis of entitlement to the juvenile's custody, the circumstances of his/her running away, his/her location if known at the time application is made, and such other facts as may tend to show that the juvenile who has run away is endangering his/her own welfare or the welfare of others and is not an emancipated minor.
 - b. The petition shall be verified by affidavit.
 - c. The petition is to be accompanied by a certified copy of the document(s) on which the petitioner's entitlement to the juvenile's custody is based, such as birth certificates, letters of guardianship, or custody decrees.
 - d. Other affidavits and other documents may be submitted with such petition.
4. The home/demanding state's appropriate authority shall initiate the requisition process upon notification by the holding state's ICJ Office that a non-delinquent juvenile in custody refuses to voluntarily return and the parent or legal guardian in the home/demanding state is unable or refuses to initiate the requisition process.
5. The judge in the home/demanding state shall determine if:
 - a. The petitioner is entitled to legal custody of the juvenile;
 - b. The juvenile ran away without consent;

- c. The juvenile is an emancipated minor; and
 - d. It is in the best interest of the juvenile to compel his/her return to the state.
6. When it is determined that the juvenile should be returned, the judge in the home/demanding state shall sign the Form I, Requisition for Runaway Juvenile.
 7. When the juvenile is an absconder, escapee or accused of being delinquent, the appropriate authority shall present to the appropriate court Form II, Requisition for Escapee or Absconder or Accused Delinquent, where the juvenile is alleged to be located. The requisition shall be verified by affidavit and shall be accompanied by copies of supporting documents that show entitlement to the juvenile. Examples may include:
 - a. Judgment
 - b. Order of Adjudication
 - c. Order of Commitment
 - d. Petition Alleging Delinquency
 - e. Other affidavits and documents may be submitted with such requisition.
 8. Upon receipt of the requisition, the home/demanding state's ICJ Office shall ensure the requisition packet is in order. The ICJ Office will submit the requisition packet through the electronic data system. The holding state may request and shall be entitled to receive originals or duly certified copies of any legal documents.
 9. If not already detained, the court shall order the juvenile be held pending a hearing on the requisition.
 10. A hearing in the state where the juvenile is located shall occur within thirty (30) calendar days of receipt of the requisition. This time period may be extended with the approval of both ICJ Offices. The court in the holding state shall inform the juvenile of the demand made for his/her return and may elect to appoint counsel or a guardian ad litem. The purpose of said hearing is to determine if the requisition is in order.
 - a. If the requisition is found to be in order by the court, the judge shall order the juvenile's return to the home/demanding state.
 - b. If the requisition is denied, the judge shall issue written findings detailing the reason(s) for denial.
 11. In all cases, the order concerning the requisition shall be forwarded immediately from the holding court to the holding state's ICJ Office which shall forward the same to the

home/demanding state's ICJ Office.

12. Requisitioned juveniles shall be accompanied in their return to the home/demanding state unless both ICJ Offices determine otherwise. Juveniles shall be returned by the home/demanding state within five (5) business days of the receipt of the order granting the requisition. This time period may be extended with approval from both ICJ Offices.
13. The duly accredited officers of any compacting state, upon the establishment of their authority and the identity of the juvenile being returned, shall be permitted to transport such juvenile through any and all states party to this compact, without interference.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective November 1, 2012

RULE 6-104: Return of Juveniles Whose ICJ Placement Has Failed

1. If it is determined necessary to return a juvenile, whose placement has failed, to the Sending State and the ICJ Application for Compact Services and Memorandum of Understanding and Waiver Form (ICJ Form IA/VI) has the appropriate signatures, no further court procedures will be required for the juvenile's return.
2. Upon notifying the sending state's ICJ Office, a duly accredited officer of a sending state may enter a receiving state and apprehend and retake any such juvenile on probation or parole. If this is not practical, a warrant may be issued and the supervising state shall honor that warrant in full.
3. Upon notice of a juvenile's failed placement for purposes of his/her return, the sending state shall return the juvenile in a safe manner, pursuant to ICJ Rules 6-106 and 6-111, and within five (5) business days. This time period may be extended with the approval of both ICJ Offices.
4. The decision of the sending state to retake a delinquent juvenile on probation or parole shall be conclusive and not reviewable within the receiving state. In those cases where the juvenile is suspected of having committed a criminal offense or an act of juvenile delinquency in the receiving state, the juvenile shall not be returned without the consent of the receiving state until discharged from prosecution, or other form of proceeding, imprisonment, detention, or supervision.
5. The officer of the sending state shall be permitted to transport delinquent juveniles being returned through any and all states party to this Compact, without interference.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012

RULE 6-104A: Absconder Under ICJ Supervision

1. If there is reason to believe that a juvenile being supervised under the terms of the Interstate Compact for Juveniles in the receiving state has absconded, the receiving state shall attempt to locate the juvenile. Such activities shall include, but are not limited to:
 - a. Conducting a field contact at the last known place of residence;
 - b. Contacting the last known school or place of employment, if applicable; and
 - c. Contacting known family members and collateral contacts.
2. If the juvenile is not located, the receiving state shall submit a violation report to the sending state's ICJ office which shall include the following information:
 - a. The juvenile's last known address and telephone number,
 - b. Date of the juvenile's last personal contact with the supervising agent,
 - c. Details regarding how the supervising agent determined the juvenile to be an absconder, and
 - d. Any pending charges in the receiving state.
3. The receiving state may close the case upon notification that a warrant has been issued by the sending state for a juvenile who has absconded from supervision in the receiving state, or if the juvenile has been on absconder status for ten (10) business days.
4. Upon finding or apprehending the juvenile, the sending state shall make a determination if the juvenile shall return to the sending state or if the sending state will request supervision resume in the receiving state.

History: Adopted October 17, 2012, effective April 1, 2013

RULE 6-105: Financial Responsibility

The home/demanding state shall be responsible for the costs of transportation, for making transportation arrangements and for the return of juveniles within five (5) business days of being notified by the holding state's ICJ Office that the juvenile's due process rights have been met (signed Consent to Return Voluntarily, signed Memorandum of Understanding and Waiver, or requisition honored). This time period may be extended with the approval of both ICJ Offices.

History: Adopted December 3, 2009, effective March 1, 2010; amended January 5, 2011, effective February 4, 2011

RULE 6-106: Public Safety

1. The home/demanding state's ICJ Office shall determine appropriate measures and arrangements to ensure the safety of the public and of juveniles being transported based on the holding and home/demanding states' assessments of the juvenile.
2. If the home/demanding state's ICJ Office determines that a juvenile is considered a risk to harm him/herself or others, the juvenile shall be accompanied on the return to the home/demanding state.
3. Pursuant to ICJ Rule 6-103(12), requisitioned juveniles are to be accompanied in their return to the home/demanding state unless both ICJ Offices determine otherwise.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended January 5, 2011, effective February 4, 2011

RULE 6-107: Charges Pending in Holding/Receiving State

Juveniles shall be returned only with the consent of the holding/receiving states or after charges are resolved when pending charges exist in the holding/receiving states.

History: Adopted December 3, 2009, effective March 1, 2010

RULE 6-108: Warrants

1. All warrants under ICJ jurisdiction shall be entered into the National Crime Information Center (NCIC) by the appropriate local law enforcement agency or other authorized agency in the issuing state. Holding states shall honor all lawful warrants as entered by other states and within the next business day notify the ICJ office in the home/demanding state that the juvenile has been placed in custody pursuant to the warrant. Within two (2) business days of notification, the home/demanding state shall inform the holding state whether the home/demanding state intends to have the juvenile returned.
2. When the home/demanding state enters a warrant into NCIC as a "no bond/bail warrant" but the holding state's statutes allow for bond/bail on juvenile warrants, the holding state shall not release the juvenile in custodial detention on bond/bail. However, a juvenile subject to detention shall be afforded an opportunity for a hearing pursuant to ICJ Rule 6-109.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011

RULE 6-109: Custodial Detention

1. The home/demanding state's ICJ Office shall effect the return of its juveniles within five (5) business days after confirmed notification from the holding state's ICJ Office that due process rights have been met. This time period may be extended with the approval of both ICJ Offices.
2. The holding state shall not be reimbursed for detaining juveniles under the provisions of the ICJ unless the home/demanding state fails to effect the return of its juveniles within the time period set forth in paragraph one (1) of this rule.
3. Within ten (10) business days after the failure of a home/demanding state to return the juvenile, a judicial hearing shall be provided in the holding state to hear the grounds for the juvenile's detention. This hearing shall determine whether the grounds submitted justify the continued detention of the juvenile subject to the provisions of these rules. A juvenile may be discharged from custodial detention to a parent or legal guardian or their designee if the holding state's court determines that further detention is not appropriate, or the holding state has failed to provide such a hearing within the time provided in this rule.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011

RULE 6-110: Transportation

1. Holding states are responsible for transporting juveniles to local airports or other means of public transportation as arranged by the home/demanding state and maintaining security of the juveniles until departure.
2. Home/demanding states shall make every effort to accommodate the airport preferences of the holding state. Additionally, travel plans should be made with consideration of normal business hours and exceptions shall be approved by the holding state.
3. Holding states shall not return to juveniles any-personal belongings which could jeopardize the health, safety, or security of the juveniles or others (examples: weapon, cigarettes, medication, lighters, change of clothes, or cell phone).
4. Holding states shall confiscate all questionable personal belongings and return those belongings to the parents or legal guardians by approved carrier, COD or at the expense of the demanding state (e.g., United States Postal Service, United Parcel Service, or Federal Express).
5. In cases where a juvenile is being transported by a commercial airline carrier, the holding state shall ensure the juvenile has a picture identification card, if available, and/or a copy of the applicable ICJ paperwork or appropriate due process documentation in his/her possession before entering the airport.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011

RULE 6-111: Airport Supervision

1. All states shall provide supervision and assistance to unescorted juveniles at intermediate airports, in route to the home/demanding state.
2. Juveniles shall be supervised from arrival until departure.
3. Home/demanding states shall give the states providing airport supervision a minimum of 48 hours advance notice.
4. In the event of an emergency situation including but not limited to weather, delayed flight, or missed flight, that interrupts or changes established travel plans during a return transport, the ICJ member states shall provide necessary services and assistance, including temporary detention or appropriate shelter arrangements for the juvenile until the transport is rearranged and/or completed

History: Adopted December 3, 2009, effective March 1, 2010; amended January 5, 2011, effective February 4, 2011; amended October 26, 2011, effective March 1, 2012

RULE 6-112: Provision of Emergency Services [Rescinded; See history]

In the event of an emergency situation (e.g. weather, delayed flight, missed flight, etc.) that interrupts or changes established travel plans during a return transport, the ICJ member states shall provide necessary services and assistance, including temporary detention or housing for the juvenile until the transport is rearranged and/or completed.

History: Adopted December 3, 2009, effective March 1, 2010; On October 26, 2011, the Commission approved merging Rule 6-112 into 6-111 and ordered to rescind this rule, effective March 1, 2012.

Section 700 Adoption and Amendment of Rules

RULE 7-101: Adoption of Rules and Amendments

Proposed new rules or amendments to the rules shall be adopted by majority vote of the members of the Commission in the following manner.

1. Proposed new rules and amendments to existing rules shall be submitted to the Rules Committee for referral and final approval by the full Commission:
 - a. Any ICJ Compact Commissioner or Designee may submit proposed rules or amendments for referral to the Rules Committee during the annual meeting of the Commission. This proposal would be made in the form of a motion and would have to be approved by a majority vote of a quorum of the Commission members present at the meeting.
 - b. Standing ICJ Committees may propose rules or amendments by a majority vote of that committee.
 - c. ICJ Regions may propose rules or amendments by a majority vote of members of that region.
2. The Rules Committee shall prepare a draft of all proposed rules or amendments and provide the draft to the Commission for review and comments. All written comments received by the Rules Committee on proposed rules or amendments shall be posted on the Commission's Website upon receipt. Based on these comments, the Rules Committee shall prepare a final draft of the proposed rules or amendments for consideration by the Commission not later than the next annual meeting.
3. Prior to the Commission voting on any proposed rules or amendments, said text shall be published at the direction of the Rules Committee not later than thirty (30) days prior to the meeting at which a vote on the rule or amendment is scheduled, on the official Web site of the Commission and in any other official publication that may be designated by the Commission for the publication of its rules. In addition to the text of the proposed rule or amendment, the reason for the proposed rule shall be provided.
4. Each proposed rule or amendment shall state:
 - a. The place, time, and date of the scheduled public hearing;
 - b. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments; and
 - c. The name, position, physical and electronic mail address, telephone, and telefax number of the person to whom interested persons may respond with notice of their attendance and written comments.

5. Every public hearing shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment. No transcript of the public hearing is required, unless a written request for a transcript is made, in which case the person requesting the transcript shall pay for the transcript. A recording may be made in lieu of a transcript under the same terms and conditions as a transcript. This subsection shall not preclude the Commission from making a transcript or recording of the public hearing if it so chooses.
6. Nothing in this section shall be construed as requiring a separate public hearing on each rule or amendment. Rules or amendments may be grouped for the convenience of the Commission at public hearings required by this section.
7. Following the scheduled public hearing date, the Commission shall consider all written and oral comments received.
8. The Commission shall, by majority vote of a quorum of the Commissioners, take final action on the proposed rule or amendment by a vote of yes/no. A rule or amendment may be referred back to the Rules Committee for further action either prior to or subsequent to final action on the proposed rule or amendment. The Commission shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.
9. Not later than sixty (60) days after a rule is adopted, any interested person may file a petition for judicial review of the rule in the United States District Court of the District of Columbia or in the federal district court where the Commission's principal office is located. If the court finds that the Commission's action is not supported by substantial evidence, as defined in the Model State Administrative Procedures Act, in the rulemaking record, the court shall hold the rule unlawful and set it aside. In the event that a petition for judicial review of a rule is filed against the Commission by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
10. Upon determination that an emergency exists, the Commission may promulgate an emergency rule or amendment that shall become effective immediately upon adoption, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety days after the effective date of the rule. An emergency rule or amendment is one that must be made effective immediately in order to:
 - a. Meet an imminent threat to public health, safety, or welfare;
 - b. Prevent a loss of federal or state funds;
 - c. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
 - d. Protect human health and the environment.

11. The Chair of the Rules Committee may direct revisions to a rule or amendments adopted by the Commission, for purposes of correcting typographical errors, errors in format, errors in consistency or grammatical errors. Public notice of any revisions shall be posted on the official web site of the Interstate Commission for Juveniles and in any other official publication that may be designated by the Interstate Commission for Juveniles for the publication of its rules. For a period of thirty (30) days after posting, the revision is subject to challenge by any Commissioner or Designee. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing, and delivered to the Executive Director of the Commission, prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011

Section 800 Dispute Resolution, Enforcement, Withdrawal, and Dissolution

The compacting states shall report to the Commission on all issues and activities necessary for the administration of the Compact as well as issues and activities pertaining to compliance with provisions of the Compact and its by-laws and rules.

The Commission shall attempt, upon the request of a compacting state, to resolve any disputes or other issues, which are subject to the Compact and which may arise among compacting states and between compacting and non-compacting states. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among the compacting states.

The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this Compact using any or all means set forth in Article XI of the Compact.

RULE 8-101: Informal Communication to Resolve Disputes or Controversies and Obtain Interpretation of the Rules

1. Informal Communication

Through the office of a state's Compact Commissioner, states shall attempt to resolve disputes or controversies by communicating with each other directly.

2. Failure to resolve dispute or controversy

- a. Following a documented unsuccessful attempt to resolve controversies or disputes arising under this Compact, its by-laws or its rules as required under Rule 8-101, Section 1., compacting states shall pursue informal dispute resolution processes prior to resorting to formal dispute resolution alternatives.
- a. Parties shall submit a written request to the Executive Director for assistance in resolving the controversy or dispute. The Executive Director, or the Chair of the Commission in the Executive Director's absence, shall provide a written response to the parties within ten business days and may, at the Executive Director's discretion, seek the assistance of legal counsel or the Executive Committee in resolving the dispute. The Executive Committee may authorize its standing committees or the Executive Director to assist in resolving the dispute or controversy.
- b. In the event that a Commission officer(s) or member(s) of the Executive Committee or other committees authorized to process the dispute, is the Commissioner(s) or designee(s) of the state(s) which is a party(ies) to the dispute, such Commissioner(s) or designee(s) will refrain from participation in the dispute resolution decision making process

3. Interpretation of the rules

Any state may submit a written request to the Executive Director for assistance in interpreting the rules of this Compact. The Executive Director may seek the assistance of legal counsel, the Executive Committee, or both, in interpreting the rules. The Executive Committee may authorize its standing committees to assist in interpreting the rules. Interpretations of the rules shall be issued in writing by the Executive Director and legal counsel in consultation with the Executive Committee and shall be circulated to all of the states.

History: Adopted December 3, 2009, effective March 1, 2010

RULE 8-102: Formal Resolution of Disputes and Controversies

1. Alternative dispute resolution

Any controversy or dispute between or among parties that arises from or relates to this Compact that is not resolved under Rule 8.101 may be resolved by alternative dispute resolution processes. These shall consist of mediation and arbitration.

2. Mediation and arbitration

a. Mediation

- i. A state that is party to a dispute may request, or the Executive Committee may require, the submission of a matter in controversy to mediation.
- ii. Mediation shall be conducted by a mediator appointed by the Executive Committee from a list of mediators approved by the Commission or a national organization responsible for setting standards for mediators, and pursuant to procedures customarily used in mediation proceedings.

b. Arbitration

- i. Arbitration may be recommended by the executive committee in any dispute regardless of the parties' previous submission of the dispute to mediation.
- ii. Arbitration shall be administered by at least one neutral arbitrator or a panel of arbitrators not to exceed three members. These arbitrators shall be selected from a list of arbitrators maintained by the Commission.
- iii. Arbitration may be administered pursuant to procedures customarily used in arbitration proceedings and at the direction of the arbitrator.
- iv. Upon the demand of any party to a dispute arising under the Compact, the dispute shall be referred to the American Arbitration Association and shall be administered pursuant to its commercial arbitration rules.
- v. The arbitrator in all cases shall assess all costs of arbitration, including fees of the arbitrator and reasonable attorney fees of the prevailing party, against the party that did not prevail.
- vi. The arbitrator shall have the power to impose any sanction permitted by the provisions of this Compact and authorized Compact rules.
- vii. Judgment on any arbitration award may be entered in any court having jurisdiction.

History: Adopted December 3, 2009, effective March 1, 2010

RULE 8-103: Enforcement Actions Against a Defaulting State

1. The Commission shall seek the minimum level of penalties necessary to ensure the defaulting state's performance of such obligations or responsibilities as imposed upon it by this compact
2. If the Commission determines that any state has at any time defaulted ("defaulting state") in the performance of any of its obligations or responsibilities under this Compact, the by-laws or any duly promulgated rules the Commission may impose any or all of the following penalties.
 - a. Remedial training and technical assistance as directed by the Commission;
 - b. Alternative dispute resolution;
 - c. Fines, fees and costs in such amounts as are deemed to be reasonable as fixed by the Commission;
 - d. Suspension and/or termination of membership in the Compact. Suspension shall be imposed only after all other reasonable means of securing compliance under the by-laws and rules have been exhausted, and the Commission has therefore determined that the offending state is in default. Immediate notice of suspension shall be given by the Commission to the governor, the chief justice or chief judicial officer of the state; the majority and minority leaders of the defaulting state's legislature, and the state council.
3. The grounds for default include, but are not limited to, failure of a compacting state to perform such obligations or responsibilities imposed upon it by this Compact, Commission by-laws, or duly promulgated rules, and any other grounds designating on Commission by-laws and rules. The Commission shall immediately notify the defaulting state in writing of the default and the time period in which the defaulting state must cure said default. The Commission shall also specify a potential penalty to be imposed on the defaulting state pending a failure to cure the default. If the defaulting state fails to cure the default within the time period specified by the Commission, in addition to any other penalties imposed herein, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the compacting states and all rights, privileges and benefits conferred by this Compact shall be terminated from the effective date of suspension.
4. Within sixty (60) days of the effective date of termination of a defaulting state, the Commission shall notify the Governor, the Chief Justice or Chief Judicial Officer, and the Majority and Minority Leaders of the defaulting state's legislature and the state council of such termination.
5. The defaulting state is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination including any obligations, the performance of which extends beyond the effective date of termination.

6. The Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon between the Commission and the defaulting state.
7. Reinstatement following termination of any compacting state requires both a reenactment of the Compact by the defaulting state and the approval of the Commission pursuant to the rules.

History: Adopted December 3, 2009, effective March 1, 2010

RULE 8-104: Judicial Enforcement

The Commission, in consultation with legal counsel, may by majority vote of the states that are members of the Compact, initiate legal action in the United States District Court in the District of Columbia or at the discretion of the Interstate Commission, in the Federal District where the Interstate Commission has its office, as authorized under the Constitution and laws of the United States to enforce compliance with the provisions of the Compact, its duly promulgated rules and by-laws, against any compacting state in default. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorneys' fees.

History: Adopted December 3, 2009, effective March 1, 2010

RULE 8-105: Dissolution and Withdrawal

1. Dissolution

The Compact dissolves effective upon the date of the withdrawal or default of a compacting state, which reduces membership in the Compact to one compacting state.

Upon the dissolution of this Compact, the Compact becomes null and void and shall be of no further force or effect, and the business and affairs of the Commission shall be concluded and any surplus funds shall be distributed in accordance with the by-laws.

2. Withdrawal

Once effective the Compact shall continue in force and remain binding upon each and every compacting state; provided that a compacting state may withdraw from the Compact by specifically repealing the statute, which enacted the Compact into law.

The effective date of withdrawal is the effective date of the repeal.

The withdrawing state shall immediately notify the chairperson of the Commission in writing upon the introduction of legislation repealing this Compact in the withdrawing state. The Commission shall notify the other compacting states of the withdrawing state's intent to withdraw within sixty (60) days of its receipt thereof.

The withdrawing state is responsible for all assessments, obligations and liabilities incurred through the effective date of withdrawal, including any obligations, the performance of which extends beyond the effective date of withdrawal.

Reinstatement following withdrawal of any compacting state shall occur upon the withdrawing state reenacting the Compact or upon such later date as determined by the Commission.

History: Adopted December 3, 2009, effective March 1, 2010

Section 900 Transition Rule

RULE 9-101: Transition Rule [Expired]

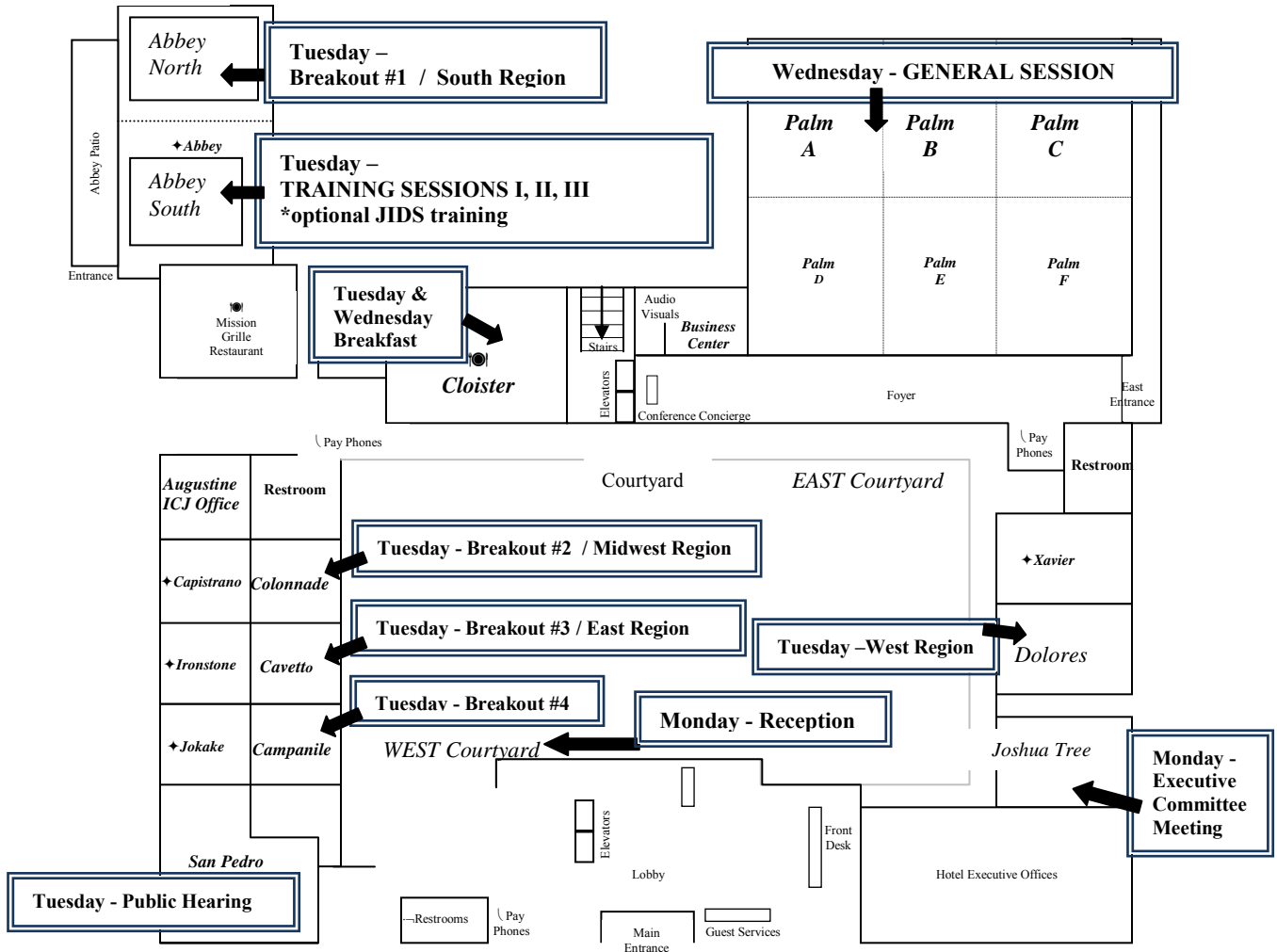
For a period of twelve (12) months from the adjournment of the 2nd Annual Meeting of the Interstate Commission for Juveniles, the following transition rules will remain in effect with respect to those jurisdictions which have not yet enacted the new Interstate Compact for Juveniles. Non-signatory states who present ICJ with legislation and a bill number relative to enacting the Compact will receive an extension from December 3, 2010 to June 30, 2011.

1. Transactions between signatory states to the new Compact will be governed by the rules adopted by the Interstate Commission for Juveniles;
2. Transactions between non-signatory states to the new Compact will be governed by the rules of the Association of Juvenile Compact Administrators which were in effect as of December 2008;
3. Transactions between signatory and non-signatory states will be governed by the rules of the home/demanding state;
4. All duties and obligations regarding investigations, transfers, supervision, travel, and return of non-delinquent runaways, absconders, escapees and juveniles charged with delinquency shall continue until the juvenile is returned or discharged by the sending/home/demanding state;
5. Conflicts or disputes between signatory and non-signatory states may be mediated by a neutral representative selected by the Interstate Commission for Juveniles and a representative selected by the Association of Juvenile Compact Administrators from its non-signatory states.

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective September 15, 2010; Expired on June 30, 2011

Tempe Mission Palms Hotel

1st Floor



2nd Floor

