

**INTERSTATE COMMISSION FOR JUVENILES**  
**2009 INTERSTATE COMMISSION BUSINESS MEETING**  
**DOCKET BOOK**

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**Interstate Commission for Juveniles  
2009 Annual Business Meeting · December 1-3, 2009  
Hyatt Regency Tamaya  
Santa Ana Pueblo, New Mexico**

***Meeting Agenda***

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**Tuesday – Dec. 1, 2009**

- 1:00pm                      **Executive Committee Meeting**
- 4:00pm – 6:00pm        **Public Hearing – Proposed Rules**
- 6:00pm                      **Welcoming Reception**

**Wednesday – Dec. 2, 2009**

- 7:30am                      **Breakfast** (served)
- 8:30am                      **Welcome & Call to Order**
- Orders of the Day
  - Roll Call
  - Instructions to Commissioners
  - Overview of Agenda
    - Action Item: (Approval of Minutes, 2008)
- 8:45am                      **Executive Director – Introduction and Remarks**
- 9:00am                      **Executive Committee Report**  
*Standing Committee Updates* (except Rules)
- Compliance
    - Action Item (FY'10 Budget Update)
    - Action Item (FY'11 Budget/Assessments)
  - Finance
  - Information Technology
  - Training, Education & P.R.
  - Legal Counsel
- 10:30am                      **Break**
- 10:45am                      **Regional Breakout Sessions**
- Experience over last year
  - Regional Activities

- State Council Updates
- State needs - Rules Implementation & Training
  - Action Item: Nominations for Officer Elections

11:45pm

**Working Lunch** (served)

- Idaho State Council Presentation

1:15pm

**Regional Reports**

- *East*
- *South*
- *Midwest*
- *West*
- Action Item (Approval of Mission, Vision, and Value)
- Action Item (Regional Nominations for Officers)

2:00pm

**Standing Committee Reports II**

*Rules Committee*

- Action Item - Bylaw Amendments
- Action Item - Rules – Review & Adoption

5:00pm

**Adjournment**

7:00pm

**Commissioner Dinner**

*Compact Commissioners Only*

**Thursday – Dec. 3, 2009**

7:30am

**Breakfast** (served)

8:30am

**Call to Order**

8:45am

**Standing Committee Reports II – cont'd**

*Rules Committee*

- Action Item - Bylaw Amendments
- Action Item - Rules – Review & Adoption

12:00pm

**Lunch** (served)

1:00pm

**Standing Committee Reports II – cont'd**

*Rules Committee*

- Action Item - Bylaw Amendments
- Action Item - Rules – Review & Adoption

3:00pm

**Election of Officers**

4:00pm

**Meeting Summary and Next Steps**

4:45pm

**Closing Comments**

5:00pm

**Final Adjournment**

## EXECUTIVE COMMITTEE

**GOAL: To oversee the day-to-day activities of the administration of the compact managed by the executive director and Interstate Commission staff; administer enforcement and compliance with the provisions of the compact, its by-laws and rules, and perform such other duties as directed by the Interstate Commission or set forth in the by-laws.**

EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<b>OBJECTIVE 1.: START-UP</b>  Within 12 months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including but not limited to:  a) Establish the fiscal year of the Interstate Commission; b) Establish 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) Provide reasonable procedures for calling and conducting meetings of the Interstate Commission, and ensuring reasonable notice of each such meeting; e) Establish the titles and responsibilities of the officers of the Interstate Commission; f) Provide 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) Provide 'start-up' rules for initial administration of the compact; and	<b>ICJ Commission</b>  <b>Executive Committee</b>	  <b>12-17-09</b> <b>12-17-09</b>  <b>12-17-09</b>   <b>12-17-09</b>	<b>Adopted Bylaws</b>

		12-17-09	
		12-17-09	
		12-17-09	
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
h) Establish standards and procedures for compliance and technical assistance in carrying out the compact. <b>[Compact Article V.A.1] #41</b>	<b>Compliance Committee</b> <b>Executive Committee</b>	12-17-09	
<b>OBJECTIVE 2: INTERSTATE COMMISSION</b>  The commission shall be a body corporate and joint agency of the compacting states. <b>[Compact Art III.A.] #14</b>  To oversee, supervise and coordinate the interstate movement of juveniles subject to the terms of this compact and any bylaws adopted and rules promulgated by the Interstate Commission.  <b>[Compact Art IV.3.] #23</b>	<b>ICJ Commission</b> <b>Executive Committee</b>  <b>Executive Committee</b>	12/2008  12/2009  On-Going	<b>Adopted Bylaws</b> <b>Secretariat MOU</b>

<p>To adopt a seal and bylaws governing the management and operations of the Interstate Commission.</p> <p><b>[Compact Art IV.15.] #35</b></p> <p>To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.</p> <p><b>[Compact Art IV.16.] #36</b></p> <p>The Interstate Commission shall maintain its corporate books and records in accordance with the Bylaws. <b>[Compact Art IV.20.] #40</b></p> <p>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 state which may significantly affect compacting states. <b>[Compact Art VII.A.Oversight.1.] #51</b></p>	Executive Committee	06/2009	
	Training, Education, PR		
		On-Going	
	Executive Committee		
	Executive Committee	12/2009	
	Treasurer	On-Going	Secretariat MOU
	Finance Committee		Executive Director
		12/2009	
	Executive Committee	On-Going	Legal Counsel
	Compliance Committee		
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
OBJECTIVE 3: <b>TREASURER / FINANCE</b>	ICJ Commission		Commission approval of

<p>Equitably allocate the costs, benefits and obligations of the compacting states. <b>[Compact Art I (F)] #6</b></p> <p>To establish a budget and make expenditures and levy dues as provided in Article VIII of this compact. <b>[Compact Art IV.13.] #33</b></p> <p>The Interstate Commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities. <b>[Compact Art VIII. Finance-A.] #56</b></p> <p>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 <b>shall promulgate a rule</b> binding upon all compacting states which governs said assessment. <b>[Compact Art VIII. Finance – B.] #57</b></p> <p>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. <b>[Compact Article VIII. Finance – C.] #58</b></p>	<p><b>Executive Committee</b></p> <p><b>Rules Committee</b></p> <p><b>Finance Committee</b></p> <p><b><u>ICJ Commission</u></b></p> <p><b>Executive Committee</b></p> <p><b>Treasurer</b></p> <p><b><u>Finance Committee</u></b></p> <p><b>Executive Committee</b></p> <p><b>Treasurer</b></p> <p><b><u>Finance Committee</u></b></p> <p><b>Executive Committee</b></p> <p><b>CSG Secretariat</b></p> <p><b>Treasurer</b></p> <p><b>Finance Committee</b></p> <p><b>Rules Committee</b></p>	<p>On-Going</p> <p>Annually and On-Going</p> <p>On-Going</p> <p>Annually and On-Going</p> <p>12/2009</p>	<p>fee allocation methodology</p> <p>Commission approval of annual budget.</p> <p>Budget management by Executive Director.</p> <p>Commission approval of fee allocation methodology, and on-going collection of fees based upon established rule and process.</p> <p>Budget management by Executive Director.</p>
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	<p><b>Executive Committee</b></p> <p>Treasurer</p> <p>Finance Committee</p> <p>CSG Secretariat</p> <p>Executive Director</p>	On-Going	
<b>EXECUTIVE COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>
<p><b>OBJECTIVE 3:</b> <b>TREASURER / FINANCE – cont'd</b></p> <p>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 bylaws.</p> <p>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 and become part of the annual report of the Interstate Commission.</p> <p><b>[Compact Article VIII. Finance – D.] #59</b></p> <p>Section 2. Budget</p> <p>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 <u>after notice and comment as provided by the Compact.</u></p> <p><b>[Bylaws Article IX. Finance] #74</b></p>	<p><b>Executive Committee</b></p> <p>Finance Committee</p> <p>Treasurer</p> <p>CSG Secretariat</p> <p>Executive Director</p> <p><b>Executive Committee</b></p> <p>ICJ Commission</p> <p>Finance Committee</p>	<p>On-Going</p> <p>Annually</p>	<p>CSG Accounting and Finance resources. Secretariat MOU.</p> <p>Certified or licensed public accountant</p>



<p>Section 3. Accounting and Audit.</p> <p>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.</p> <p>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.</p>	<p>Treasurer</p> <p>CSG Secretariat</p> <p><u>Executive Director</u></p> <p>Executive Committee</p> <p>ICJ Commission</p> <p>Finance Committee</p> <p>Treasurer</p> <p>CSG Secretariat</p> <p><u>Executive Director</u></p> <p>Executive Committee</p> <p>CSG Secretariat</p> <p>Executive Director</p> <p><u>Treasurer/Finance</u></p> <p>Treasurer</p> <p>CSG Secretariat</p> <p>Executive Director</p> <p>Executive Committee</p>	<p>Annually at National Mtg.</p> <p>On-Going</p> <p>Annually</p>	<p>Annual Report</p> <p>CSG Accounting and Finance resources. Secretariat MOU.</p> <p>Independent certified or Licensed public accountant</p>
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET	RESOURCES NEEDED

		DATE	
<p><b>OBJECTIVE 3:</b> <b>TREASURER / FINANCE – cont'd</b></p> <p>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.</p> <p>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: 1) in compliance with the order of any court of competent jurisdiction; 2) pursuant to such reasonable rules as the Commission shall promulgate; and 3) to any Commissioner of a compacting state, or their duly authorized representatives. <b>[Bylaws Article IX. Finance] #75</b></p> <p>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 bylaws governing the incursion of debt and the pledging of credit. <b>[Bylaws Article IX. Finance] #76</b></p> <p>To purchase and maintain insurance and bonds. <b>[Compact Art IV.6.] #26</b></p> <p>To accept any and all donations and grants of money, equipment, supplies, materials and services, and to receive, utilize, and dispose of it. <b>[Compact Art IV.10.] #30</b></p>	<p><b>Treasurer</b></p> <p><b>Finance Committee</b></p> <p><b>CSG Secretariat</b></p> <p><b>Executive Director</b></p> <p><b>Chair</b></p> <p><b>Executive Committee</b></p>	<p><b>07/2010</b></p> <p><b>Annually</b></p>	<p><b>Audit</b></p> <p><b>Annual Report</b></p>
	<p><b>Rules Committee</b></p>	<p><b>12/2009</b></p>	
	<p><b>Treasurer</b></p> <p><b>Finance Committee</b></p>	<p><b>On-Going</b></p>	<p><b>CSG Accounting and Finance resources, and</b></p>



<p><b>OBJECTIVE 4:</b>     <b>COMMISSIONERS – APPOINTMENT</b></p>  <p>The Interstate Commission shall consist of commissioners appointed by the appropriate appointing authority in each state . . .</p> <p><b>[Compact Art III.B.] #15</b></p>  <p>Each compacting state shall forward the name of its Commissioner to the Commission chairperson.</p>   <p>The Commission chairperson shall promptly advise the Governor and State Council for ICJ 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.</p> <p><b>[Bylaws Article III] #69</b></p>	<p><b>States</b></p> <p><b>CSG Secretariat</b></p> <p><b>Executive Director</b></p> <p><b>Executive Committee</b></p> <p><b>Chair</b></p>       <p><b>States</b></p> <p><b>Chair</b></p>	<p><b>On-Goring</b></p>       <p><b>As Required</b></p>       <p><b>On-Going</b></p>	<p><b>Legal Opinions</b></p> <p><b>Ind. States’ Statutes</b></p>       <p><b>Executive Director</b></p>
<b>EXECUTIVE COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>

## OBJECTIVE 5: EX-OFFICIOS

Coordinate the implementation and operation of the Compact with ICPC, ICAOS and other compacts affecting juveniles particularly in those cases where concurrent or overlapping supervision issues arise.

**[Compact Art I (M)] #13**

. . .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, ICAOS, ICPC, 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 bylaws for such additional ex-officio (non-voting) members, including members of other national organizations, in such numbers as shall be determined by the commission. **[Compact Art III.C.] #16**

## Chair

## Executive Committee

## On-Going

## Chair

## Executive Committee

## On-Going

## Ex-Officio Policy

## Chair

## Executive Committee

**As Needed**

## Amend Bylaws

## OBJECTIVE 6: OFFICERS AND EXECUTIVE COMMITTEE

## Section 1. Election and Succession.

Officers shall be elected annually. **[Bylaws Art IV. Section 2] #70**

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

## ICJ Commission

12-03-09

## Annual Meeting

<p>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.</p> <p><b>[Bylaws Art IV] #70</b></p>	Chair		
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<p><b>OBJECTIVE 6: OFFICERS AND EXECUTIVE COMMITTEE – cont'd</b></p> <p><b>b. Vice Chairperson.</b> 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. <b>[Bylaws Art IV] #70</b></p> <p><b>c. Secretary.</b> The secretary shall keep minutes of all Commission meetings and shall act as custodial of all documents and records pertaining to the status of the Compact the business of the Commission. <b>[Bylaws Art IV] #70</b></p> <p><b>d. Treasurer.</b> 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.</p> <p>Pursuant to the Compact, the treasurer shall execute such bond as may be required by the Commission covering the treasurer, the executive</p>	<p>Vice Chair</p> <p>Executive Director CSG Secretariat</p>	<p>As Needed</p> <p>On-Going</p>	<p>Executive Director</p>



<p>power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder. <b>[Compact Art IV.8.] #28</b></p> <p>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. <b>[Compact Art IV.9.] #29</b></p> <p>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. <b>[Compact Art V. Section B. Officers &amp; Staff – 2.] #42</b></p>	<p><b>ICJ Commission</b></p> <p><b>Executive Committee</b></p> <p><b>Executive Director Search sub-committee</b></p> <p><b>Executive Committee</b></p> <p><b>Search sub-committee</b></p>	<p><b>12/2009</b></p> <p><b>On-Going</b></p> <p><b>12/2009</b></p>	<p><b>Agreement with Rick Masters</b></p> <p><b>Secretariat MOU</b></p> <p><b>Executive Director</b></p> <p><b>Legal Counsel</b></p> <p><b>Executive Director</b></p>
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<p><b>OBJECTIVE 7: OFFICES AND PERSONNEL – cont'd</b></p> <p>Section 1. Commission Staff and Offices</p> <p>The Commission may by a majority of its Members or through its executive committee appoint or retain an executive director, who shall</p>			





functions with the appropriate repository of records. [Compact Art III.K.] #20	IT Committee Executive Director CSG-Secretariat	06/2010	Partnership with ICAOS Funding Bid process Selected vendor
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<b>OBJECTIVE 8: DATA AND ANNUAL REPORT – cont'd</b>			
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. [Compact Art IV.17.] #37	Executive Committee Rules Committee IT Committee	06/2010	Annual Report
To establish uniform standards of the reporting, collecting and exchanging of data. [Compact Art IV.19.] #39	Executive Committee IT Committee	On-Going 07/2010	Executive Director
<b>OBJECTIVE 9: TRAINING, EDUCATION, AND PR</b>			
Coordinate training and education regarding the regulation of interstate movement of juveniles for officials involved in such activity.	T, Ed, PR Committee	On-Going	Partnership with ICAOS

<p><b>[Compact Art I (L)] #12</b></p> <p>To coordinate education, training and public awareness regarding the Interstate movement of juveniles for officials involved in such activity.</p> <p><b>[Compact Art IV.18.] #38</b></p>	<p><b>Executive Committee</b></p> <p><b>T, Ed, PR Committee</b></p> <p><b>Executive Committee</b></p>	<p><b>On-Going</b></p>	<p><b>IT Committee</b></p>
<p><b>OBJECTIVE 10: OPEN RECORDS</b></p> <p>The Interstate Commission's bylaws shall establish conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection and copying.</p>	<p><b>Executive Committee</b></p> <p><b>General Counsel</b></p>	<p><b>12/2009</b></p>	<p><b>Amend Bylaws</b></p>
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<p><b>OBJECTIVE 10: OPEN RECORDS – cont'd</b></p> <p>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.</p> <p><b>[Compact Art III.H.] #17</b></p>	<p><b>Executive Committee</b></p> <p><b>General Counsel</b></p>	<p><b>12/2009</b></p>	



	Chair	As Needed	
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<b>OBJECTIVE 11:</b> <b>MEETINGS AND NOTICE – cont’d</b>			
Written meeting notice - at least 30 days prior	<b>CSG Secretariat</b>	<b>10/2009</b>	
Final agendas - no later than 10 days prior	<b>Executive Director</b>		
Additional agenda items may not be added without an affirmative vote of a majority of members.	<b>Executive Committee</b>		
All meetings are open to the public except as set forth in the Rules and/or Compact.	<b>Rules Committee</b>		
Public Notice provided in a manner consistent with the federal government in Sunshine Act, 5 USC 552b, including but not limited to:	<b>Executive Committee</b>		
<ul style="list-style-type: none"> <li>Publication of notice of meeting at least 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.</li> <li>A meeting may be closed to the public where the Commission determines by 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 Rules.</li> </ul>	<b>Chair</b>		
<b>[Bylaws Article VII] #73</b>	<b>CSG Secretariat</b>	<b>10/2009</b>	
	<b>Executive Director</b>		
	<b>Executive Committee</b>		
		<b>As Needed</b>	

<b>OBJECTIVE 12:      CLOSED MEETINGS</b>  For every meeting closed 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.	<b>Legal Counsel</b> <b>Executive Director</b> <b>Executive Committee</b>	<b>As Needed</b>	
<b>EXECUTIVE COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>
<b>OBJECTIVE 12:      CLOSED MEETINGS – cont'd</b>  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 items 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.  <b>[Compact Art III.J.] #19</b>	<b>Legal Counsel</b> <b>CSG – Secretariat</b> <b>Executive Director</b> <b>Executive Committee</b>	<b>On-Going</b>	

<p><b>OBJECTIVE 13:        RULES</b></p> <p>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. <b>[Compact Art IV.2.] #22</b></p> <p>The Interstate Commission <b>shall promulgate and publish rules</b> in order to effectively and efficiently achieve the purposes of the compact.</p> <p><b>[Compact Art VI.A.] #45</b></p> <p>Rulemaking shall occur pursuant to the criteria set forth in this article and the bylaws and rules adopted pursuant hereto. 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 US Constitution as now or hereafter interpreted by the US Supreme Court.</p>	<p><b>Rules Committee</b></p> <p><b>Executive Committee</b></p>	<p><b>10/2009</b></p>	
	<p><b>Legal Counsel</b></p> <p><b>Rules Committee</b></p> <p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p>	<p><b>11/2009</b></p>	
	<p><b>Legal Counsel</b></p> <p><b>Rules Committee</b></p> <p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p>	<p><b>11/2009</b></p>	
<b>EXECUTIVE COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>
<p><b>OBJECTIVE 13:        RULES – cont’d</b></p>			





	<b>Rules Committee</b> <b>General Counsel</b> <b>Executive Committee</b>		
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<b>OBJECTIVE 13:      RULES – cont'd</b>  <p>The existing rules governing the operation of the Interstate Compact on Juveniles superseded by this act shall be null and void twelve (12) months after the first meeting of the Interstate Commission created hereunder. <b>[Compact Art VI.F.] #49</b></p> <p>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.</p> <p><b>[Compact Art VI.G.] #50</b></p>	<b>Rules Committee</b> <b>Legal Counsel</b> <b>Executive Committee</b>   <b>Rules Committee</b> <b>General Counsel</b> <b>Executive Committee</b>	<b>12/2009</b>         <b>As Needed</b>	<b>New Rules</b>
<b>OBJECTIVE 14:      COMPLIANCE</b>			

<p>To provide for dispute resolution among compacting states.</p> <p><b>[Compact Art IV.1.] #21</b></p> <p>To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process. <b>[Compact Art IV.4.] #24</b></p>	<p><b>Compliance Committee</b></p> <p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p> <p><b>Compliance Committee</b></p> <p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p>	<p><b>10/2009</b></p> <p><b>On-Going</b></p>	<p><b>New Compliance Policies</b></p> <p><b>Rules Committee</b></p> <p><b>New Rule</b></p> <p><b>Legal Counsel</b></p>
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<p><b>OBJECTIVE 14:</b>      <b>COMPLIANCE – cont'd</b></p> <p>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 of the judges, public officers, commissions, and departments of 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</p>	<p><b>Compliance Committee</b></p> <p><b>Executive Committee</b></p> <p><b>Courts</b></p> <p><b>Executive Agencies</b></p>	<p><b>On-Going</b></p>	



	Executive Director CSG Secretariat		
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<b>OBJECTIVE 14: COMPLIANCE – cont'd</b>  <p>The Commission <b>shall promulgate a rule</b> providing for both mediation and binding dispute resolution for disputes among the compacting states. <b>[Compact Art VII, Section B.2. Dispute Resolution] #54b</b></p> <p>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.</p> <p><b>[Compact Art VII, Section B.3. Dispute Resolution] #55</b></p> <p>Section B. Binding Effect of the Compact</p> <p><b>3.</b> 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. <b>[Compact Art XIII] #68</b></p>	<p><b>Rules Committee</b> <b>Compliance Committee</b> <b>Executive Committee</b></p> <p><b>Compliance Committee</b> <b>Executive Committee</b></p> <p><b>ICJ Commission</b> <b>Compliance Committee</b> <b>Executive Committee</b> <b>Legal Counsel</b></p>	<p><b>10/2009</b></p> <p><b>On-Going</b></p> <p><b>On-Going</b></p>	<p><b>New Compliance Rule</b></p> <p><b>New Compliance Policies</b></p>

<p><b>OBJECTIVE 15:    ENFORCEMENT</b></p> <p>To sue and be sued.</p> <p><b>[Compact Art IV.14.] #34</b></p> <p>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</p>	<p><b>Executive Committee</b></p> <p><b>Legal Counsel</b></p> <p><b>Executive Committee</b></p> <p><b>Legal Counsel</b></p>	<p><b>As Needed</b></p> <p><b>As Needed</b></p>	
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<p><b>OBJECTIVE 15:    ENFORCEMENT / LEGAL ACTION – cont'd</b></p> <p>or omission that occurred within the scope of Interstate Commission employment, duties, 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.</p> <p><b>[Compact Art V, Section C, 3.] #43</b></p> <p>The Interstate Commission shall indemnify and hold the commissioner of</p>			

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, etc.

**[Compact Art V, Section C, 4.] #44**

**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 bylaws 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

## Executive Committee

## Legal Counsel

**As Needed**

## Compliance Committee

**As Needed**

## New Compliance Policies

## Training, Ed, PR

**As Needed**

**Training, Ed, PR**

## EXECUTIVE COMMITTEE OBJECTIVES

**RESPONSIBLE PARTY**

**TARGET  
DATE**

## RESOURCES NEEDED

## OBJECTIVE 15: ENFORCEMENT / LEGAL ACTION – cont'd

- d. Suspension or termination of membership in the compact, which shall be imposed only after all other reasonable means of securing compliance under the bylaws 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 bylaws, or duly promulgated rules and any other grounds designated in commission bylaws 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 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.

**[Compact Art XI. Section B.] #61**

**Executive Director**

**CSG Secretariat**

## Legal Counsel

## Compliance Committee

## Executive Committee

## Chair

## Executive Committee

## ICJ Commission

**As Needed**

**As Needed**

EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<b>OBJECTIVE 15:</b> <b>ENFORCEMENT / LEGAL ACTION – cont'd</b>			
<p>2. Within 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, the Majority and Minority Leaders of the defaulting state's legislature, and the state council of such termination.</p> <p>[Compact Art XI. Section B.] #62</p>	<p>Executive Director</p> <p>CSG Secretariat</p> <p>Legal Counsel</p> <p>Compliance Committee</p> <p><u>Executive Committee</u></p>	As Needed	
<p>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. [Compact Art XI. Section B.] #63</p>	<p>Executive Director</p> <p>CSG Secretariat</p> <p>Legal Counsel</p> <p>Compliance Committee</p>	As Needed	
<p>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.</p> <p>[Compact Art XI. Section B.] #64</p>	<p>Treasurer/Finance</p> <p><u>Executive Committee</u></p>		
<p>5. Reinstatement following termination of any compacting state requires both a re-enactment of the compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.</p> <p>[Compact Art XI. Section B.] #65</p>	<p>Executive Director</p> <p>CSG Secretariat</p> <p>Legal Counsel</p> <p>Compliance Committee</p> <p>Treasurer/Finance</p>	As Needed	
Section C. Judicial Enforcement			



<p>The Interstate Commission may, by majority vote of the members, initiate legal action in the US 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</p>	<p><u>Executive Committee</u></p> <p>Executive Director</p> <p>CSG Secretariat</p> <p>Legal Counsel</p> <p>Compliance Committee</p> <p>Treasurer/Finance</p> <p>Rules Committee</p> <p><u>Executive Committee</u></p> <p>Legal Counsel</p> <p>Executive Director</p> <p>CSG Secretariat</p> <p>Compliance Committee</p>	<p>As Needed</p> <p>As Needed</p>	
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<p><b>OBJECTIVE 15:</b>    <b>ENFORCEMENT / LEGAL ACTION – cont’d</b></p> <p>with the provisions of the compact, its duly promulgated rules and bylaws, 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.</p> <p><b>[Compact Art XI. Section B.] #66</b></p>	<p>Chair</p> <p><b>Executive Committee</b></p> <p>ICJ Commission</p>		

<p>Section 2. Defense</p> <p>Subject to the provisions of the Compact and <b>rules promulgated</b> 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, etc.</p> <p><b>[Bylaws Art VI] #72</b></p>	<p><b>Rules Committee</b></p> <p><b>General Counsel</b></p> <p><b>Executive Committee</b></p>	<p><b>As Needed</b></p>	<p><b>New Rules</b></p>
<p><b>OBJECTIVE 16: STATES</b></p> <p>Each member state shall create a <b>State Council</b> 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</p>	<p><b>States</b></p> <p><b>Regional Reps</b></p> <p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p>	<p><b>ASAP</b></p>	<p><b>Governors</b></p> <p><b>Other State Leaders</b></p>
<b>EXECUTIVE COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>

**OBJECTIVE 16: STATES – cont’d**

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

**[Compact Art IX – The State Council] #59.B.**

Section B. Binding Effect of the Compact

1. All lawful actions of the Interstate Commission, including all rules and bylaws 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.

**[Compact Art XIII] #68**

Section B. Binding Effect of the Compact

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. **[Compact Art XIII] #68**

**States**

**General Counsel**

**Compliance Committee**

**Executive Committee**

**ICJ Commission**

**Immediately**

**States**

**General Counsel**

**Compliance Committee**

**When  
Determined**

	Executive Committee ICJ Commission		
EXECUTIVE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED
<b>OBJECTIVE 17: BYLAWS AMENDMENT</b>  Any bylaw 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 30 days prior to the meeting.  Failing the required notice, a 2/3rds majority vote of the members shall be required for such action. <b>[Bylaws Art XI] #77</b>	Executive Committee ICJ Commission	11/1/2009          12/1/2009	30 Days Notice Prior to Meeting          2/3 <sup>rd</sup> Majority of Members
<b>OBJECTIVE 18: DISSOLUTION OF THE COMPACT</b>  Section D. Dissolution of the 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 bylaws. <b>[Compact Art XI] #67</b>	Chair  Treasurer  Finance Committee  Executive Committee  ICJ Commission	When Determined	

<p>When there is only one state left. 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. <b>[Bylaws Art XII] #78</b></p>	<p><b>Chair</b></p> <p><b>Treasurer</b></p> <p><b>Finance Committee</b></p> <p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p>	<p><b>When Determined</b></p>	
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## **RULES COMMITTEE**

**GOAL: To develop rules to guide the movement of juveniles subject to this Compact from state to state and facilitate the operation of the ICJ Commission.**

<b>RULES COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
<p><b>OBJECTIVE 1:</b></p> <p>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>[Compact Article I (A)] #1</b></p> <p>Establish procedures to manage the movement between states of</p>	<p><b>Rules Committee</b></p>	<p><b>10-30-2009</b></p>		

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. <b>[Compact Article I (G)] #7</b>				
<b>OBJECTIVE 2:</b>  Ensure that the public safety interests of citizens, including the victims of juvenile offenders, in both the sending and receiving states are adequately protected. <b>[Compact Art I (B)] #2</b>	<b>Rules Committee</b>	<b>10-30-2009</b>		
<b>OBJECTIVE 3:</b>  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.  <b>[Compact Art I (C)] #3</b>	<b>Rules Committee</b>	<b>10-30-2009</b>		
<b>RULES COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
<b>OBJECTIVE 4:</b>  Make contracts for the cooperative institutionalization in public facilities in member states for delinquent youth needing special services. <b>[Compact Art I (D)] #4</b>	<b>Rules Committee</b>	<b>10-30-2009</b>		
<b>OBJECTIVE 5:</b>  Provide for the effective tracking and supervision of juveniles.  <b>[Compact Art I (E)] #5</b>	<b>Rules Committee</b>	<b>10-30-2009</b>		

	IT Committee			
<b>OBJECTIVE 6:</b>  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.  <b>[Compact Art I (J)] #10</b>	<b>Rules Committee</b>  <b>IT Committee</b>  <b>Executive Committee</b>	06/2010		
<b>OBJECTIVE 7:</b>  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.  <b>[Compact Art IV (17)] #37</b>	<b>Rules Committee</b>  <b>IT Committee</b>  <b>Executive Committee</b>	06/2010		
<b>RULES COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>

<p><b>OBJECTIVE 8:</b></p> <p>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.</p> <p><b>[Compact Art III (K)] #20</b></p>	<p><b>Rules Committee</b></p> <p><b>IT Committee</b></p> <p><b>Executive Committee</b></p>	<p><b>06/2010</b></p>		
<p><b>OBJECTIVE 9:</b></p> <p>Equitably allocate the costs, benefits and obligations of the compacting states.</p> <p><b>[Compact Art I (F)] (Also see Rules #22 and #25) #6</b></p>	<p><b>Rules Committee</b></p> <p><b>Finance Committee</b></p> <p><b>Treasurer</b></p> <p><b>Ex Committee</b></p> <p><b>ICJ Commission</b></p>	<p><b>On-Going</b></p>		
<p><b>OBJECTIVE 10:</b></p> <p>Insure immediate notice to jurisdictions where defined offenders are authorized to travel or to relocate across state lines.</p> <p><b>[Compact Art I (H)] #8</b></p>	<p><b>Rules Committee</b></p>	<p><b>11/2009</b></p>		
<p><b>OBJECTIVE 11:</b></p> <p>Establish procedures to resolve pending charges (detainers) against juvenile offenders prior to transfer or release to the</p>	<p><b>Rules Committee</b></p>	<p><b>11/2009</b></p>		



community under the terms of this compact.

**[Compact Art I (I)] #9**

RULES COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 12:</b>  Monitor compliance with rules governing interstate movement of juveniles and initiate intervention to address and correct non-compliance. <b>[Compact Art I (K)] #11</b>	<b>Rules Committee</b>  Compliance Committee	<b>11/2009</b>  <b>On-Going</b>		
<b>OBJECTIVE 13:</b>  Public notice shall be given of all meetings and all meetings shall be open to the public, <b>except as set forth in the Rules or as otherwise provided in the Compact.</b> 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 like to: (see #1-9) <b>[Compact Art III (I)] #18</b>  All meetings are open to the public except as set forth in the Rules and/or Compact.  A meeting may be closed to the public where the Commission	<b>Rules Committee</b>  <b>Executive Committee</b>  <b>CSG Secretariat</b>  <b>Executive Director</b>  <b>General Counsel</b>	<b>11/2009</b>		

determines by 2/3rds vote of its members that there exists at least one of the conditions for closing a meeting, <b>as provided by the Compact or Rules. [Bylaws Art VII, Section 1.] #73</b>	<b>Executive Committee</b>  <b>Chair</b>  <b>CSG Secretariat</b>  <b>Executive Director</b>  <u><b>ICJ Commission</b></u>  <b>Rules Committee</b>			
<b>RULES COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
<b>OBJECTIVE 14:</b>  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.  <b>[Compact Art IV (2)] #22</b>	<b>Rules Committee</b>  <b>Executive Committee</b>	11/2009		
<b>OBJECTIVE 15:</b>  The Interstate Commission shall promulgate and publish rules in order to effectively and efficiently achieve the purposes of the compact. <b>[Compact Art VI (A)] #45</b>	<b>Rules Committee</b>  <b>Executive Committee</b>	11/2009		

	ICJ Commission			
<b>OBJECTIVE 16:</b>  Rulemaking shall occur pursuant to the criteria set forth in this article and the bylaws and rules adopted pursuant hereto. 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 US Constitution as now or hereafter  interpreted by the US 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. <b>[Compact Art VI (B)] #46</b>	<b>Rules Committee</b>  <b>Legal Counsel</b>  <b>Executive Committee</b>  <b>ICJ Commission</b>	11/2009		
RULES COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 17:</b>  When promulgating a rule, the Interstate Commission shall, at a minimum: <ol style="list-style-type: none"> <li>1) Publish the proposed rule's entire text stating the reason(s) for that proposed rule;</li> <li>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.</li> </ol>	<b>Rules Committee</b>  <b>Legal Counsel</b>  <b>Executive</b>	11/2009		

<p>3) Provide an opportunity for an informal hearing if petitioned by ten (10) or more persons; and</p> <p>4) Promulgate a final rule and its effective date, if appropriate, based on input from state or local officials; or interested parties.</p> <p><b>[Compact Art VI (C)] #47</b></p>	<p><b>Committee</b></p> <p><b>CSG Secretariat</b></p> <p><b>Executive Director</b></p>			
<p><b>OBJECTIVE 18:</b></p> <p>Allow, not later than 60 days after a rule is promulgated, any interested person to file a petition in the US District Court for the District of Columbia or in the Federal District Court where the Interstate Commission's principal office is located or 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.</p> <p><b>[Compact Art VI (F)] #48</b></p>	<p><b>Executive Committee</b></p> <p><b>Rules Committee</b></p> <p><b>Legal Counsel</b></p>	As Needed		
<b>RULES COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
<p><b>OBJECTIVE 19:</b></p> <p>The existing rules governing the operation of the Interstate Compact on Juveniles superseded by this act shall be null and void</p>	<b>Executive Committee</b>	12/2009		

<p>twelve (12) months after the first meeting of the Interstate Commission created hereunder.</p> <p><b>[Compact Art VI (F)] #49</b></p>	<p><b>Rules Committee</b></p> <p><b>Legal Counsel</b></p>			
<p><b>OBJECTIVE 20:</b></p> <p>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. <b>[Compact Art VI (G)] #50</b></p>	<p><b>Executive Committee</b></p> <p><b>Rules Committee</b></p> <p><b>ICJ Commission</b></p>	<p><b>As Needed</b></p>		
<p><b>OBJECTIVE 21:</b></p> <p>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.</p> <p>The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among the compacting states.</p>	<p><b>Compliance Committee</b></p> <p><b>Rules Committee</b></p> <p><b>Executive Committee</b></p> <p><b>Chair</b></p>	<p><b>As Needed</b></p> <p><b>11/2009</b></p>		

[Compact Art VII.B.2.] #54				
RULES COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<p><b>OBJECTIVE 22:</b></p> <p>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 <b>and shall promulgate a rule binding upon all compacting states which governs said assessment.</b> [Compact Art VIII.B.]</p> <p>(Also see #9 and #25) #57</p>	<p>ICJ Commission</p> <p>Executive Committee</p> <p>Treasurer</p> <p>Finance Committee</p> <p>Rules Committee</p> <p>CSG Secretariat</p> <p>Executive Director</p>	11/2009		
<p><b>OBJECTIVE 23:</b></p> <p>5. Reinstatement following termination of any compacting state requires both a re-enactment of the compact by the defaulting state</p>	Executive Committee			

and the approval of the Interstate Commission <i>pursuant to the rules.</i> [Compact Art XI.5.] #65	Chair Treasurer Finance Committee Compliance Committee Rules Committee ICJ Commission	11/2009		
RULES COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 24:</b>  Section 2. Defense  <b>Subject to the provisions of the Compact and rules promulgated thereunder,</b> 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, etc.  <b>[Bylaws Art VI] #72</b>	Rules Committee  Legal Counsel  Executive Committee	As Needed		
<b>OBJECTIVE 25:</b>  The Commission's internal accounts, any workpapers related to any internal audit and any workpapers related to the independent	Executive Committee	On-Going		

<p>audit shall be confidential; provided, that such materials shall be made available: 1) in compliance with the order of any court of competent jurisdiction; 2) <b><i>pursuant to such reasonable rules as the Commission shall promulgate</i></b>; and 3) to any Commissioner of a compacting state, or their duly authorized representatives.</p> <p><b>[Bylaws Art IX, Sec 3, 4 paragraphs] #75</b></p>	Treasurer		Independent certified or licensed public accountant	
	Finance Committee	11/2009	Audit	
	Rules Committee			
<p><b>OBJECTIVE 26:</b></p> <p>Develop forms for use in the movement of juveniles subject to this Compact.</p>	Rules Committee	11/2009		

## COMPLIANCE COMMITTEE

**GOAL: To ensure compliance with the law, rules and bylaws governing the Interstate Compact for Juveniles and the Interstate Commission for Juveniles.**

COMPLIANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<p><b>OBJECTIVE 1:</b></p> <p>Monitor compliance with rules governing interstate movement of juveniles and initiate intervention to address</p>	Compliance Committee	10-30-2009		



and correct non-compliance. <b>[Compact Art I (K)] #11</b>	<b>Rules Committee</b>			
<b>OBJECTIVE 2:</b>  To provide for dispute resolution among compacting states. <b>[Compact Art IV.1.] #21</b>  To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including but not limited to the use of judicial process. <b>[Compact Art IV.4] #24</b>	<b>Compliance Committee</b> <b>Executive Committee</b>  <b>Compliance Committee</b> <b>Executive Committee</b> <b>ICJ Commission</b>	<b>10-30-2009</b>		
<b>OBJECTIVE 3:</b>  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 state which may significantly affect compacting states. <b>[Compact Art VII.A.1.] #51</b>	<b>Executive Committee</b> <b>Compliance Committee</b>	<b>On-Going</b>		

COMPLIANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
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<p><b>OBJECTIVE 4:</b></p> <p>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 of the judges, public officers, commissions, and departments of 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, and shall have standing to intervene in the proceeding for all purposes.</p> <p><b>[Compact Art VII.A.2.] #52</b></p>	<p><b>States</b></p> <p><b>ICJ Commission</b></p> <p><b>Compliance Committee</b></p> <p><b>Executive Committee</b></p> <p><b>CSG Secretariat</b></p> <p><b>Executive Director</b></p>	<p><b>As needed</b></p>		
<p><b>OBJECTIVE 5:</b></p> <p>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.</p> <p><b>[Compact Art VII.B.1.] #53</b></p>	<p><b>States</b></p> <p><b>ICJ Commission</b></p> <p><b>Compliance Committee</b></p> <p><b>Executive Committee</b></p> <p><b>CSG Secretariat</b></p> <p><b>Executive Director</b></p>	<p><b>As needed</b></p>		

COMPLIANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<p><b>OBJECTIVE 6:</b></p> <p>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. <b>[Compact Art VII.B.2.] #54</b></p> <p>The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes among the compacting states. <b>[Compact Art VII.B.2.] #54</b></p>	<p><b>Chair</b></p> <p><b>Executive Director</b></p> <p><b>Executive Committee</b></p> <p><b>Compliance Committee</b></p> <p><b>Rules Committee</b></p>	As needed		
<p><b>OBJECTIVE 7:</b></p> <p>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. <b>[Compact Art VII.B.3.] #55</b></p>	<p><b>Compliance Committee</b></p> <p><b>Executive Committee</b></p>	As needed		
<p><b>OBJECTIVE 8:</b></p> <p>Section B. Technical Assistance, Fines, Suspension, Termination and Default.</p> <p>1. If the Interstate Commission determines that any</p>	<p><b>Chair</b></p>	As needed		

<p>compacting state has at any time defaulted in the performance of any of its obligations or responsibilities under this compact, or the bylaws or duly promulgated rules, the Interstate Commission may impose any or all of the following penalties.</p> <p>a. Remedial training and technical assistance as</p>	<p><b>Executive Director</b></p> <p><b>Executive Committee</b></p> <p><b>Compliance Committee</b></p> <p><b>Training, Ed, PR</b></p>			
COMPLIANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<p>directed by the Interstate Commission;</p> <p>b. Alternative Dispute Resolution;</p> <p>c. Fines, fees, and costs in such amounts as are deemed to be reasonable as fixed by the Interstate Commission; and</p> <p>d. Suspension or termination of membership in the compact, which shall be imposed only after all other reasonable means of securing compliance under the bylaws 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 bylaws, or duly promulgated rules and any other grounds designated in commission bylaws and rules.</p>				

<p>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</p>				
COMPLIANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<p>specified by the commission, the defaulting state shall be terminated from the compact upon 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. <b>[Compact Art XI, Sec B] #61</b></p>				
<p><b>OBJECTIVE 9:</b></p> <p>Section B. 2. Within 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, the Majority and Minority Leaders of the defaulting state's legislature, and the state council of such termination. <b>[Compact XI, Sec B] #62</b></p>	<p>Chair</p> <p>Executive Director</p> <p>Executive Committee</p> <p>Compliance Committee</p>	As needed		

<b>OBJECTIVE 10:</b>  Section B. 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.  <b>[Compact XI, Sec B] #63</b>	<b>Chair</b>  <b>Executive Director</b>  <b>CSG Secretariat</b>  <b>Executive Committee</b>  <b>Finance Committee</b>  <b>Compliance Committee</b>	As needed		
<b>OBJECTIVE 11:</b>  Section B. 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.  <b>[Compact XI, Sec B] #64</b>	<b>Chair</b>  <b>Executive Director</b>  <b>CSG Secretariat</b>  <b>Executive Committee</b>  <b>Finance Committee</b>  <b>Compliance Committee</b>	As needed		
<b>COMPLIANCE COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
<b>OBJECTIVE 12:</b>  Section B. 5. Reinstatement following termination of any compacting state requires both a re-enactment of the compact by the defaulting state and the approval of the Interstate Commission pursuant to the rules.  <b>[Compact XI, Sec B] #65</b>	<b>Compliance Committee</b>  <b>Rules Committee</b>  <b>Executive Committee</b>  <b>Chair</b>  <b>Executive Director</b>	As needed		

	<b>CSG Secretariat</b> <b>Treasurer</b> <b>Finance Committee</b> <b>ICJ Commission</b>			
<b>OBJECTIVE 13:</b>  Section C. Judicial Enforcement  The Interstate Commission may, by majority vote of the members, initiate legal action in the US 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 bylaws, 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.  <b>[Compact XI, Sec B] #66</b>	<b>Compliance Committee</b> <b>Rules Committee</b> <b>Executive Committee</b> <b>Chair</b> <b>Executive Director</b> <b>CSG Secretariat</b> <b>Treasurer</b> <b>Finance Committee</b> <b>ICJ Commission</b>	<b>As needed</b>	<b>Legal Counsel</b>	

## **INFORMATION TECHNOLOGY COMMITTEE**

**GOAL: To provide an effective system of tracking and supervision of juveniles, to collect standardized data**

<b>INFORMATION TECHNOLOGY COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
<b>OBJECTIVE 1:</b>  Provide for the effective tracking and supervision of juveniles. <b>[Compact Art I. (E)] #5</b>	<b>IT Committee</b>  <b>Rules Committee</b>			
<b>OBJECTIVE 2:</b>  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. <b>[Compact Art I. (J)] #10</b>	<b>Executive Committee</b>  <b>IT Committee</b>  <b>Rules Committee</b>			
<b>OBJECTIVE 3:</b>  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. <b>[Compact Art III.K.] #20</b>	<b>Executive Committee</b>  <b>IT Committee</b>  <b>Rules Committee</b>			



INFORMATION TECHNOLOGY COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<p><b>OBJECTIVE 4:</b></p> <p>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.</p> <p><b>[Compact Art IV.17.] #37</b></p>	<p><b>Executive Committee</b></p> <p><b>IT Committee</b></p> <p><b>Rules Committee</b></p>			
<p><b>OBJECTIVE 5:</b></p> <p>To establish uniform standards of the reporting, collecting and exchanging of data. <b>[Compact Art IV.19.] #39</b></p>	<p><b>Executive Committee</b></p> <p><b>IT Committee</b></p>			
<p><b>OBJECTIVE 6:</b></p> <p>To develop an effective website to share information.</p>	<p><b>Executive Committee</b></p> <p><b>IT Committee</b></p>			

## TRAINING, EDUCATION, AND PUBLIC RELATIONS COMMITTEE

GOAL: To ensure juvenile justice professionals, state councils, and commissioners are trained in the ICJ Commission' law, rules, and bylaws and are provided updates as needed.

TRAINING, EDUCATION, AND PUBLIC RELATIONS COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 1:</b>  Coordinate training and education regarding the regulation of interstate movement of juveniles for officials involved in such activity. <b>[Compact Art I (L)] #12</b>	<b>Executive Committee</b>  <b>Training, Ed, PR</b>	<b>10-30-09</b>	<b>IT Committee</b>  <b>Regional Reps</b>	
<b>OBJECTIVE 2:</b>  To adopt a seal and bylaws governing the management		<b>Completed</b>		Official seal will be voted on at the annual meeting in

and operations of the Interstate Commission. <b>[Compact Art IV.15.] #35</b>	<b>Training, Ed, PR</b> <b>Executive Committee</b> <b>ICJ Commission</b>			Dec 2009.
<b>OBJECTIVE 3:</b>  To coordinate education, training and public awareness regarding the Interstate movement of juveniles for officials involved in such activity. <b>[Compact Art IV.18.] #38</b>	<b>Training, Ed, PR</b> <b>Executive Committee</b>	<b>10-30-09</b>	<b>IT Committee</b>	
<b>OBJECTIVE 4:</b>  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 bylaws or duly promulgated	<b>Chair</b> <b>General Counsel</b> <b>Executive Committee</b> <b>Executive Director</b> <b>CSG Secretariat</b> <b>Compliance Committee</b> <b>Training, Ed, PR</b>	<b>On-Going</b>		
<b>TRAINING, EDUCATION, AND PUBLIC RELATIONS COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
rules, the Interstate Commission may impose any or all of the following penalties:  a. <b>Remedial training and technical assistance as directed by the Interstate Commission;</b> <b>[Compact Art XI.] #61</b>				

<b>OBJECTIVE 5:</b>  To develop a newsletter.	<b>Training, Ed, PR</b>	<b>10-30-09</b>	<b>IT Committee</b>	
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## FINANCE COMMITTEE

**GOAL: To ensure that the ICJ Commission costs are equitably allocated among the compacting states, fiscal operations are financially sound, records are audited annually, adequate insurance and bonds are purchased in accordance with the Compact, and to actively seek grant funding.**

FINANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 1:</b>  Equitably allocate the costs, benefits and obligations of the compacting states. <b>[Compact Art I (F)] #6 -- (Also see Rules #22 and #25)</b>	ICJ Commission  Executive Committee  Rules Committee  Finance Committee			
<b>OBJECTIVE 2:</b>  To establish a budget and make expenditures and levy dues as provided in Article VIII of this compact. <b>[Compact Art IV.13.] #33</b>	ICJ Commission  Executive Committee  Finance Committee	Annually and On-Going	Executive Director  CSG Accounting and Finance resources	FY2010 Budget approved and current
<b>OBJECTIVE 3:</b>  The Interstate Commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization and ongoing activities. <b>[Compact Art VIII. Finance-A.] #56</b>	Executive Committee  CSG Secretariat  Treasurer  Finance Committee	On-Going	Executive Director  CSG Accounting and Finance resources.	Current
<b>OBJECTIVE 4:</b>  The Interstate Commission shall levy on and collect an	Executive Committee	Annually and On-Going		Assessment

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	<b>CSG Secretariat</b> <b>Treasurer</b> <b>Finance Committee</b>		Executive Director  CSG Accounting and Finance resources	levied. Collection efforts on-going.
FINANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
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 <b><i>shall promulgate a rule</i></b> binding upon all compacting states which governs said assessment. <b>[Compact Art VIII. Finance – B.] #57</b>	Rules Committee			
<b>OBJECTIVE 5:</b>  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. <b>[Compact Article VIII. Finance – C.] #58</b>	<b>Executive Committee</b> <b>Treasurer</b> <b>Finance Committee</b> <b>CSG Secretariat</b> <b>Executive Director</b>	On-Going	Executive Director  CSG Accounting and Finance resources	Current and on-going
<b>OBJECTIVE 6:</b>			Executive Director	Current and on-

<p>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 bylaws.</p> <p>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 and become part of the annual report of the Interstate Commission.  <b>[Compact Article VIII. Finance – D.] #59</b></p>	<p><b>Finance Committee</b></p> <p><b>Treasurer</b></p> <p><b>CSG Secretariat</b></p> <p><b>Executive Director</b></p> <p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p> <p><b>Finance Committee</b></p> <p><b>Treasurer</b></p> <p><b>CSG Secretariat</b></p> <p><b>Executive Director</b></p>	Annually	CSG Accounting and Finance resources	<p>going</p> <p><b>Certified or licensed public accountant</b></p> <p><b>Audit</b></p> <p><b>Annual Report</b></p>
FINANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<p><b>OBJECTIVE 7:</b></p> <p>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.  <b>[Bylaws Article IX. Finance] #74</b></p>	<p><b>Executive Committee</b></p> <p><b>ICJ Commission</b></p> <p><b>Finance Committee</b></p> <p><b>Treasurer</b></p>	Annually		<p>FY2010 Budget approved.  FY2011 Budget to be developed and approved at Dec. 2009 Annual Mtg.</p>







state, or their duly authorized representatives. <b>[Bylaws Article IX. Finance] #75</b>	<b>Treasurer</b> <b>Finance Committee</b> CSG Secretariat Executive Director Executive Committee			
FINANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 9:</b> 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 bylaws governing the incursion of debt and the pledging of credit. <b>[Bylaws Article IX. Finance] #76</b>	Executive Committee <b>Treasurer</b> <b>Finance Committee</b> CSG Secretariat Executive Director	On-Going	Executive Director CSG Accounting and Finance resources	Current and on-going
<b>OBJECTIVE 10:</b> To purchase and maintain insurance and bonds.	Executive Committee	On-Going and as need is determined		Commission currently covered by CSG insurance. Need

[Compact Art IV.6.] #26	<b>Treasurer</b> <b>Finance Committee</b>			for additional not yet determined. Waiting on incremental cost from CSG. Need for bonds not yet determined. To be considered upon hiring of Executive Director.
FINANCE COMMITTEE OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 11:</b>  To accept any and all donations and grants of money, equipment, supplies, materials and services, and to receive, utilize, and dispose of it. <b>[Compact Art IV.10.] #30</b>	<b>Executive Committee</b> <b>Treasurer</b> <b>Finance Committee</b>	On-Going as occurs		None received to date.
<b>OBJECTIVE 12:</b>  To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve or use any property, real, person, or mixed.	<b>Executive Committee</b> <b>Treasurer</b> <b>Finance Committee</b>	On-Going as occurs		None to date

<b>[Compact Art IV.11.] #31</b>				
<b>OBJECTIVE 13:</b>  To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed. <b>[Compact Art IV.12.] #32</b>	<b>Executive Committee</b>  <b>Treasurer</b>  <b>Finance Committee</b>	On-Going as occurs		None to date
<b>OBJECTIVE 14:</b>  Section D. Dissolution of the 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. 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 bylaws. <b>[Compact Art XI] #67</b>	<b>Chair</b>  <b>Treasurer</b>  <b>Finance Committee</b>  <b>Executive Committee</b>  <b>ICJ Commission</b>	Upon dissolution of Compact, if it occurs		N/A to date
<b>FINANCE COMMITTEE OBJECTIVES</b>	<b>RESPONSIBLE PARTY</b>	<b>TARGET DATE</b>	<b>RESOURCES NEEDED</b>	<b>STATUS</b>
When there is only one state left. 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	<b>Chair</b>  <b>Treasurer</b>	To be a part of CSG's annual independent		N/A to date

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. <b>[Bylaws Art XII] #78</b>	<b>Finance Committee</b> <b>Executive Committee</b> <b>ICJ Commission</b>	<b>audit.</b>		
<b>OBECTIVE 15:</b>  The Interstate Commission shall maintain its corporate books and records in accordance with the Bylaws.  <b>[Compact Art IV.20.] #40</b>	<b>Treasurer</b> <b>Finance Committee</b> <b>Executive Committee</b>	<b>On-Going</b>		<b>Current</b>
<b>OBECTIVE 16:</b>  To actively seek grant funding.	<b>Treasurer</b> <b>Finance Committee</b> <b>Executive Committee</b> <b>CSG Secretariat</b> <b>Executive Director</b>	<b>On-Going</b>		<b>None identified to date</b>

## **REGIONAL REPRESENTATIVES**

**GOAL: To provide assistance and resources to compacting and non-compacting states in regions.**

REGIONAL REPRESENTATIVES OBJECTIVES	RESPONSIBLE PARTY	TARGET DATE	RESOURCES NEEDED	STATUS
<b>OBJECTIVE 1:</b>  To assist compacting states in developing their state councils.	<b>Regional Reps</b>	<b>On-Going</b>	Training, education, and public relations materials to provide states.	
<b>OBJECTIVE 2:</b>  To assist non-compacting states in moving the ICJ legislation forward in their states.	<b>Regional Reps</b>	<b>On-Going</b>	Executive Director & Legal Counsel's time when requested to meet with attorneys or lawmakers in states.  Materials that may	

			be helpful to lawmakers re: ICJ	
<b>OBJECTIVE 3:</b>  To serve as the nominating committee members.	<b>Regional Reps</b>	<b>At each Annual Meeting</b>	<b>None</b>	
<b>OBJECTIVE 4:</b>  To assist the Commission with getting feedback from states regarding a mission, vision and values statement.	<b>Regional Reps</b>	<b>08-24-09</b>	<b>None</b>	
<b>OBJECTIVE 5:</b>  To serve as a link between the Commission and the member states to address on-going questions and concerns.	<b>Regional Reps</b>	<b>On-Going</b>	<b>None</b>	

**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Role Of The Interstate Commission --**

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The Compact specifically calls for the development of an Interstate Commission to establish a uniform standard that governs the state-to-state transfer and movement of juveniles who have absconded, escaped or run away as these children transfer or move from one state to another. The Interstate Commission will promulgate rules to achieve the purpose of this compact. The Commission will also establish a uniform system for collecting standardized data concerning the movement of these juveniles; create a process 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; monitor compliance with rules governing interstate movement of juveniles and initiate interventions to address and correct noncompliance; coordinate training and education regarding the regulation of interstate movement of juveniles for officials involved in such activity; and 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.

The model Compact specifically states that:

*“The member states hereby create the “Interstate Commission for Juveniles.”*

*The Interstate Commission shall “[b]e 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.”*

*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.”*

*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.”*

*“A majority of the compacting states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission.”*



*The Interstate Commission shall “[m]eet 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.”*

*The Interstate Commission shall give “ public notice” “ of all meetings and meetings shall be open to the public.”*

*The Interstate Commission shall “[e]stablish an executive committee” which shall include the “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 bylaws and rules, and performs such other duties as directed by the Interstate Commission or set forth in the by-laws.”*

**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Role Of The State Council --**

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**Purpose**

The Juvenile Compact specifically calls for the development of state councils in each member state. Designed to serve as an advisory and advocacy body of state policymakers and experts, each state council may be tasked with developing policy concerning operations and procedures of the compact within that state. Your state's language may be different, particularly as related to members of the state council, appointment procedures, who makes appointments, etc. Please refer to the specific language of the compact adopted in your state for clarification.

**Authority**

Each state must determine who will appoint members to the state council. Regardless of who is responsible, the appointment of state council members, if not already completed, should occur as soon as possible. Please refer to the specific language of the compact adopted in your state for clarification.

Each state retains the right to determine the authority of its state council as developed and enacted by the language of that state. Some states may choose to limit the authority of the state council to simply act as an advocacy body for the compact, raising its visibility to decision-makers. Other states may choose a more direct role for the state council, allowing for more day-to-day oversight of compact activities. Please refer to the compact language adopted in your state for clarification. In addition, it is important to determine how the state council will function – such as who presides over the meetings, who schedules meetings, who records meeting activities, where and how often meetings will be held and how will activities/concerns of the state council and Interstate Commission will be reported to key constituents.

**Composition**

The model language of the compact outlines the composition and appointment of state council members. However, beyond the prescribed members of the state council, your state language may differ in specifically outlining qualities and qualifications for council members. Your state may also decide to meld the state council responsibilities with a pre-existing council or group. Please refer to the specific compact language adopted in your state for clarification and discuss with key policy representatives.

Each state retains the right to determine the composition of its state council as developed and enacted by the language of that state. Some states may choose to have specific qualities (e.g., recognized leader of constituency group—director of victims' services, parole board chair) and

qualifications (e.g., experience with juvenile justice issues) reflected in their state council members. Other states may choose to have a broader base of experience represented in the body. The compact leaves the decision on state council member qualifications, except as otherwise stated, to the member state.

**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- By-laws (as adopted, Dec. 2008) --**

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**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 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 governs the state-to-state transfer of supervision of juveniles and movement of juveniles who have absconded, escaped , fled to avoid prosecution or run away from one state to another.

***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.

***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 degradation of parental rights and responsibilities.

### **Article III Membership**

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.

### **Article IV Officers**

#### ***Section 1. Election and Succession.***

The officers of the Commission shall include a chairperson, vice chairperson, secretary and treasurer. 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.

### ***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.

## **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 and the chairpersons of each committee. 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, 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 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. The regional representatives shall be members of the Executive committee.

## **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 the independent audit shall be confidential; provided, that such materials shall be made available: 1) 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.

**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Elected Officers and Duties --**

---

At the Interstate Commission meeting, members will be tasked with electing Commission Officers from among the member states. These officers will serve as the designated leaders of the Commission, officiating at Commission meetings, overseeing the development and composition of committees, and maintaining close contact with the Commission's staff once hired.

According to the Juvenile Compact language (Article V, Section B), only two elected positions are required: Chair, and Vice-Chair.

*“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 authorities 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.”*

However, the Commission may expand this to include a chairperson, vice chairperson, a treasurer, and secretary. 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.

**Officer Descriptions**

- **Chair**

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.

- **Vice-Chair**

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.

- **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.

# **INTERSTATE COMPACT FOR JUVENILES**

## **INTERSTATE COMMISSION MEETING**

### **-- Ex-Officio Members --**

---

The Compact specifically calls for Ex-Officio members and designates the minimum requirements for who these representatives should be:

“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 bylaws for such additional ex-officio (non-voting) members, including members of other national organizations, in such numbers as shall be determined by the commission.”

Adhering to the compact language, the following organizations were among those invited to send Ex-Officio members to the first meeting of the Interstate Commission:

- American Probation and Parole Association
- National Association of Counties
- National Center for Victims of Crime
- Office of Juvenile Justice and Delinquency Prevention
- National Sheriff’s Association
- American Association of Public Human Services Association
- National Council of Juvenile and Family Court Judges
- Council of Juvenile Corrections Administrators

Ex-Officio members of the Commission have the following duties:

- Serve as principal liaison between the Commission and the designating organization
- Serve in an advisory capacity to the Commission
- Attend Interstate Commission meetings and Committee meetings
- Represent the Commission at functions/events as requested by the Chair
- Participate in Commission and committee meetings as requested by the Chair

Ex-Officio members serve at the pleasure of their appointing organization and may be replaced by that organization under the rules and bylaws of said organization.

The Interstate Commission, through its bylaws, may add Ex-Officio members representing other organization and associations, but must, at a minimum, preserve the Ex-Officio members called for in the compact.

# **INTERSTATE COMPACT FOR JUVENILES**

## **INTERSTATE COMMISSION MEETING**

### **-- Proposed Committee Structure and Related Action Items --**

---

Article III of the Interstate Compact for Juveniles provides in part that the Interstate Commission “shall establish an executive committee which “...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 Compact further empowers the Commission, under Article IV, “to establish and appoint [other] committees.. . .”

Article VII of the proposed Commission Bylaws also refers to the appointment of both the executive and other committees and provides that “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, and Training, Education and Public Relations Committee. The composition, procedures, duties, budget and tenure of such committees shall be determined by the Commission.”

In accordance with these provisions, and in anticipation of the Commission’s needs and objectives, especially during the first year of the Commission’s operation, the Commission will, during its first meeting, establish and appoint such committees as it deems necessary. The proposed committee structure outlined below is offered as a starting point for the Commission’s consideration and will be presented during the Commission meeting.

#### **Committee Structure**

***Executive Committee*** – Responsible for guiding and overseeing the administration of all Commission activities and for acting on behalf of the Commission, as permitted by the Compact, during the interim between Commission meetings.

***Finance Committee*** – Responsible for monitoring the Commission’s budget and financial practices, including the collection and expenditure of Commission revenues, and for developing recommendations for the Commission’s consideration as appropriate.

***Rules Committee*** – Responsible for administering the Commission’s rulemaking procedures and for developing proposed rules for the Commission’s consideration as appropriate.

***Compliance Committee*** – Responsible for monitoring the compliance by member states with the terms of the Compact and the Commission’s rules and for developing appropriate enforcement procedures for the Commission’s consideration.

***Training, Education and Public Relations Committee*** – Responsible for developing educational resources and training materials for use in the member states to help ensure awareness of and compliance with the terms of the Compact and the Commission's rules.



**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Rules (as adopted, Dec. 2008) --**

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**Interstate Commission for Juveniles  
2009 Transition Rules and Regulations  
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**Interstate Commission for Juveniles**  
**2009 Transition Rules and Regulations**

**Forward**

The Interstate Commission for Juveniles is charged with overseeing the day-to-day operations of the Interstate Compact for Juveniles, a formal agreement between member states that seeks to promote 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; and the safe return of juveniles who have run away from home and in so doing have left their state of residence. As an entity created by an interstate compact, the Commission is a quasigovernmental administrative body vested by the states with broad regulatory authority. Additionally, the Interstate Compact for Juveniles has congressional consent under Article I, Section 10 of the U.S. Constitution and pursuant to Title 4, Section 112(a) of the United States Code.

Through its rulemaking powers, the Commission seeks to achieve the goals of the compact by creating a regulatory system applicable to the interstate movement of juveniles, provide an opportunity for input and timely notice to victims of crime and to the jurisdictions where juveniles are authorized to travel or to relocate, establish a system of uniform data collection, provide access to information on active cases to authorized juvenile justice officials, and coordinate regular reporting of Compact activities to heads of state councils, state executive, judicial, and legislative branches and juvenile justice administrators. The Commission is also empowered to monitor compliance with the interstate compact and its duly promulgated rules and where warranted to initiate interventions to address and correct noncompliance.

These rules are the ‘transition rules’ described in Article VI, Section F. of the ICJ and were adopted by the Commission based upon the most recent existing rules governing the operation of the Interstate Compact on Juveniles superseded by this act on the date these transition rules were adopted by the commission. Although these rules make reference to the previous interstate compact and compact administrative agency (AJCA) which has been superseded in the member states, the present legal authority and responsibility for administration and enforcement of these rules within the member states is vested by the new compact in the Interstate Commission for Juveniles. Pursuant to this section of the compact, these rules shall be null and void twelve (12) months from the effective date hereof.

Adopted this 16th day of December, 2008.

## **Section 100**

### **Definitions**

#### **RULE 1-101: DEFINITIONS**

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

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

Adjudged Delinquent: means a minor who has been classified as such through court proceedings in a properly constituted court of law.

Adjudicate: means the exercise of judicial authority to decide a legal controversy in a court of competent jurisdiction.

Adjudicated Juveniles: means juveniles adjudicated delinquent and placed on probation, and committed juveniles who are paroled or on aftercare, are eligible for supervision and services under the Interstate Compact on Juveniles. An individual's status as a juvenile depends on the law in the sending state, and shall be provided supervision by the appropriate juvenile authority in the receiving state.

Affidavit: means 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: means a juvenile who has been committed in the sending state who is residing and being supervised in the community. (for purpose of ICJ, see Parole.)

Asylum State: means, for purposes of the ICJ Return Articles, the state to which a juvenile flees seeking immunity or protection from arrest or extradition.

Board: means the elected officers and board members of the AJCA.

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

Compact Administrator: means a person designated by statute or appointed by the Governor of each state who is responsible for coordinating the operations of the Interstate Compact on Juveniles.

Conditional Release: means the release of a juvenile under special terms or conditions as specified by the court or agency of jurisdiction.

Cooperative Supervision: means supervision provided by the receiving state as requested by the sending state (pursuant to Article VII).

Correspondent: means a person responsible for handling specific duties relating to the Compact and under the supervision of the Compact Administrator or Deputy Compact Administrator.

Counsel (Legal): means 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: means any state judicial entity which is constitutionally established and vested with jurisdiction over dependent, neglected children, delinquent juveniles, and/or status offenders.

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

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

Delinquent Juvenile: means any juvenile who has been adjudged delinquent and who, at the time the provisions of the Interstate Compact on Juveniles are invoked, is still subject to the jurisdiction of the court which has made such adjudication or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court.

Demanding State: means, for purposes of the ICJ Return Articles, the state having jurisdiction over a juvenile seeking the return the juvenile either with or without pending delinquency charges.

Detainer: means a writ or instrument, issued or made by a legally empowered officer of the court authorizing the proper agency to keep in its custody a person named therein.

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

Due Process: means legal proceeding(s) conducted in a manner consistent with the requirements of the 5th and 14th Amendments to the Constitution of the United States.

Emancipation: means the legal status in which a minor has achieved independence from parents or legal guardians, whether by reaching the age of adulthood, marriage before reaching the age of adulthood, by becoming fully self-supporting, or by order of the court.

Emancipated Juvenile: means a juvenile who is not eligible for services pursuant to the provisions of the Interstate Compact on Juveniles, with the exception of an emancipated juvenile who leaves the state of emancipation, goes to another state, is placed on juvenile probation/parole, and the parent lives in the state of emancipation and chooses to accept the juvenile back into the home in which case the home state of emancipation must accept supervision.

Escapee: means a juvenile who has made an unauthorized flight from a facility to which he has been committed by the court.

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

Guardian: means a person who legally has 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.

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

Hearing: means a proceeding in which issues of fact or of 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.

Home State: means, for purposes of the ICJ Return Articles, the state of residence or origin.

Holding State: means, for purposes of the ICJ Return Articles, the state having physical possession of a juvenile.

Interstate Compact on Juveniles: means 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 who have enacted legislation in substantially the same language.

Investigation: means a legal and social evaluation to determine if placement in a proposed and specified resource home/place is in the best interest of the child/juvenile and the community.

Juvenile: means any person within the juvenile jurisdictional age limit of any court in the home/sending state, or any individual adjudicated delinquent within the home/sending state and who remains under custodial care or community supervision of the juvenile authority.

Juvenile Sex Offender: means a juvenile under the jurisdiction of a court or agency for an offense involving sex or of a sexual nature.

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

Legal Jurisdiction: means the court which has the legal authority 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: means 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 on Juveniles.

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

Non-Party State: means a state which has not adopted the amendments relating to the Interstate Compact on Juveniles.

Optional Runaway Article: means the amendment which makes it mandatory for the home state to authorize the return of a juvenile within five (5) working days after being advised that he has been found in another state and which applies only to non-delinquents.

Out-of-State Confinement Amendment: means the amendment which permits states to make agreements for out-of-state confinement of juveniles such as parole and probation violators, escapees,

and absconders.

Parole: means any committed juvenile conditionally released from an institutional setting or community supervision as authorized under the law of the sending state.

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

Petition: means an application in writing for an order of the court stating the circumstances upon which it is founded.

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

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

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

Probation: means a sentence disposition available to the courts which allows the offender to remain in the community under the supervision of a court directed person or agency. This is an alternative to commitment to a correctional facility.

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

Reasonable Time: means, for the purpose of testing the legality of requisition proceedings, a maximum of fourteen (14) working days.

Receiving State: means a state to which a juvenile is sent for supervision under provision of the Interstate Compact on Juveniles.

Rendition Amendment: means the amendment which permits a state in which a juvenile is found to return to a state other than his home state in which he is charged with being delinquent for violation of any criminal law.

Renunciation: means the act by which a state can formally withdraw from the Interstate Compact on Juveniles by having the same authority which executed the Interstate Compact on Juveniles send six months notice in writing of its intentions to withdraw to the other member states. (See Article XIV.)

Requisition: means a demand in writing or formal request under Article IV or V sent to the Interstate Compact on Juveniles Administrator or Executive Authority for the return of a non-delinquent runaway, probation or parole absconder, or escapee. (See Interstate Compact on Juveniles Forms I and II.)

Residence: means a place at which a home or regular place of abode is maintained. A juvenile's state of residence is that of the parent, guardian, or agency entitled to his legal supervision. The state where the parent, guardian, person, or agency having legal custody of the juvenile is residing or undertakes to reside.

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

Secure Facility: means, for the purposes of Rules 6102 and 6113, a secure facility is one 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: means a state which has sent or is in the process of sending a juvenile to another state for supervision under the provisions of the Interstate Compact on Juveniles.

Sex Offender: means an offender who has committed a criminal offense which is classified as a sex crime in the state in which it is committed.

State: means any state, territory, or possession of the United States, including the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands and the Northern Marianas.

Status Offense: means conduct which is illegal for juveniles but not illegal for adults, such as breaking curfew, running away, disobeying parents, truancy, etc.

Status Offenders: means all juveniles who have been adjudicated status offenders, who are under juvenile jurisdiction as defined by the sending state, and who are under court ordered supervision, but legally remaining non-delinquent, [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.

Termination: means the relinquishment of wardship of a juvenile probationer or parolee by the proper authority in the sending state following receipt of recommendations from the receiving state with proper notice to, or communication with, the receiving state.

Voluntary Return: means the return of the juvenile runaway, escapee, or absconder (under Article VI) to his home state and denotes that he consents to return there voluntarily. (See Interstate Compact on Juveniles Form III.)

Ward of Court: means a person placed by authority of law under the care and supervision of the court.

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



## **Section 200**

### **General Provisions**

#### **RULE 2100: ICJ AUTHORITY**

The Interstate Compact on Juveniles supersedes the Uniform Juvenile Court Act and all border agreements of juvenile probation and parole departments that conflict with the compact.

#### **RULE 2101: APPOINTMENT**

Each state that is a party to the Interstate Compact on Juveniles shall assign an adequate number of staff to effectively administer the provisions of the Interstate Compact on Juveniles.

#### **RULE 2102: QUALIFICATIONS**

Each state that is a party to the Interstate Compact for Juveniles shall assign staff who possess a working knowledge of the juvenile justice system and who are professionally competent and qualified.

#### **RULE 2103: ATTENDANCE**

Each compact administrator, or designee, shall attend and/or permit staff to attend the annual meeting of the Association of Juvenile Compact Administrators to be eligible to vote on compact matters considered at such meeting. Each Interstate Compact on Juveniles administrator shall encourage and permit staff to attend & participate in state, regional and national professional conferences and meetings including the AJCA midyear meeting.

#### **RULE 2104: STATE LEVEL TRAINING**

Each state that is a party to the compact shall ensure that at least one staff member who administers the compact in that state has attended national training sponsored by the Association of Juvenile Compact Administrators.

#### **RULE 2105: LOCAL PROVIDER TRAINING**

Each state that is a party to the compact shall provide training for that state's local professional juvenile justice providers/field staff. Training shall be provided by persons who have completed national training sponsored by the Association of Juvenile Compact Administrators.

#### **RULE 2106: AGENCY SUPPORT**

The Interstate Compact Administrator or designee shall explain and discuss the content and intent of the Interstate Compact on Juveniles to local judges, probation and parole officers, law enforcement officials, prosecutors, defense attorneys and other youth-serving professionals and agencies.

#### **RULE 2107: STAFF ACCESSIBILITY**

Each state that is a party to the Interstate Compact on Juveniles shall ensure that staff assigned to administer the Interstate Compact on Juveniles shall be accessible by telephone during normal

business hours.

**RULE 2108: STATISTICS**

Each ICJ office shall compile and report statistics on an annual basis using the AJCA Annual Report Form. This form shall be submitted to the AJCA Secretary by August 1st.

**RULE 2109 INFORMATION MANAGEMENT**

1. With the advancement of modern technology, it is the position of the Association of Juvenile Compact Administrators that Interstate Compact on Juveniles offices shall be equipped with fax machines and computers to facilitate communication.
2. Further, Interstate Compact on Juveniles offices shall be equipped with the capability to conduct Interstate Compact business through use of the ICJ/AJCA web site located at <http://www.ajca.us/>.

## **Section 300 Forms**

### **RULE 3101: APPROVED FORMS**

The following forms have been approved and adopted by the Association of Juvenile Compact Administrators, and shall be used as appropriate in all cases processed through the Interstate Compact on Juveniles:

- Form IA/VI (Application for Compact Services/Memorandum of Understanding and Waiver)
- Form I (Requisition for Runaway Juvenile)
- Form II (Requisition for Escapee or Absconder/Juvenile Charged with Being Delinquent)
- Form III (Consent for Voluntary Return by Runaway, Escapee or Absconder)
- Form IV (Parole or Probation Investigation Request)
- Form V (Report of Sending State Upon Parolee or Probationer Being Sent to the Receiving State)
- Out-of-State Travel Permit and Agreement to Return
- AJCA Annual Report Form

Applications prepared on other than officially approved forms may be returned for revision. Official forms may be found at <http://www.ajca.us/>.

### **RULE 3102: OPTIONAL FORMS**

Although home evaluations, quarterly progress reports and Requisition Forms I & II are mandatory, use of the following forms is optional:

- Home Evaluation Report
- Quarterly Progress Report
- Form A (Petition for Requisition to Return a Runaway Juvenile)

### **RULE 3103: REVISION/MODIFICATION OF FORMS**

1. Forms approved and adopted by the Association of Juvenile Compact Administrators may not be changed, altered or otherwise modified except upon approval of the Association of Juvenile Compact Administrators. No state or other governmental entity party to the Interstate Compact on Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Association of Juvenile Compact Administrators.
2. No other forms may be substituted as Approved Forms.

## **Section 400**

### **Transfer of Supervision**

#### **RULE 4101: PROCESSING REFERRALS**

Each state that is a party to the Interstate Compact on Juveniles shall process all referrals involving juveniles for whom services have been requested, provided those juveniles are under juvenile jurisdiction in the sending state.

#### **RULE 4102: SENDING AND RECEIVING REFERRALS**

Based on staff availability, each Interstate Compact on Juveniles office shall forward all its cases within five (5) working days of receipt.

Each Interstate Compact on Juveniles office shall adhere to the following screening process when sending and receiving referrals:

1. Each Interstate Compact on Juveniles office shall ensure all referrals and correspondence between states originate from the Interstate Compact on Juveniles office in the sending state.
2. The Interstate Compact on Juveniles office in the sending state shall ensure that the following referral documents are complete and forwarded to the receiving state in duplicate: Form IA/VI, Form IV, Order of Adjudication and Disposition, Conditions of Probation, Legal and Social History (if available), Petition and/or Arrest Report, and any other pertinent information deemed to be of benefit to the receiving state. NOTE: Parole conditions shall be forwarded to the receiving state upon the juvenile's release from an institution.
3. The sending state shall be responsive in forwarding additional documentation at the request of the receiving state.
4. The receiving state's Interstate Compact on Juveniles office shall request its local offices to complete a home evaluation within twenty (20) working days after the local office has received the request.
5. The receiving state's Interstate Compact on Juveniles office shall, within thirty (30) working days of receipt of the referral, make every effort to forward to the sending state the home study report along with the final approval or disapproval of the request for cooperative supervision.

#### **RULE 4103: TRANSFER OF SUPERVISION PROCEDURES**

1. Supervision shall not transfer to another state without verbal or written approval from the Interstate Compact on Juveniles office in the receiving state. All verbal approvals shall be followed-up with written approval within ten (10) working days after the date the verbal approval was granted.
2. When it appears necessary to request an emergency transfer of supervision, the sending state's Interstate Compact on Juveniles office shall be responsible for verifying that an emergency actually exists. If so, referral information should be provided to the receiving state's Interstate Compact on Juveniles office as expeditiously as possible, along with an explanation of the nature of the emergency.

#### **RULE 4104: COOPERATIVE SUPERVISION/SERVICES REQUIREMENTS**

1. Each receiving state will assume the duties of visitation and of supervision over any delinquent juvenile, including juvenile sex offenders who it has accepted for cooperative supervision, and in exercise of those duties will be governed by the same standards of visitation and supervision that prevails for its own delinquent juveniles released on probation or parole.
2. Each state that is a party to the Interstate Compact on Juveniles, when it is determined to be in the best interest of the public and the juvenile under supervision, may enter into an agreement with adult probation/parole or a private provider in its respective jurisdiction in order to provide the level of supervision and services that is intended by the sending state.
3. The receiving state shall furnish written progress reports on a quarterly basis.
4. Neither sending states nor receiving states shall impose a supervision fee on any juvenile who is supervised under the provisions of the Interstate Compact on Juveniles.
5. The sending state shall be financially responsible for the treatment services required by the sending state. The initial referral shall clearly state who will be responsible for purchasing treatment services for the juvenile sex offender.
6. The receiving state determines the type and quality of supervision.
7. The age of majority and duration of supervision are determined by the sending state.
8. Juvenile restitution payments or court fines are to be paid directly from the juvenile/family to the sending court or agency. Supervising officers 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.

#### **RULE 4105: ARTICLE X: SUPPLEMENTARY AGREEMENTS**

1. Interstate Compact on Juveniles Administrators in both the sending and receiving states must approve all Interstate Compact on Juveniles placements in public institutions.

2. Supervision of juveniles placed in private facilities will not be administered through the Interstate Compact on Juveniles.
3. A state that is a party to the Interstate Compact on Juveniles shall formulate written agreements with another state when placing juveniles in public institutions in that state.
4. Article X applies to the placement of delinquent juveniles in public institutions. When a state wishes to enter into care, treatment and rehabilitation with another state for the purpose of an institutional placement of a delinquent juvenile, there shall be an individual agreement between said states. Written details must be provided for as specified in Article X through a supplementary agreement. In order to invoke the provisions of Article X, the juvenile must be in the home state/state of jurisdiction.

#### **RULE 4106: COMMUNICATION REQUIREMENTS BETWEEN STATES**

1. All communications between states, whether verbal or written, on Interstate Compact on Juveniles issues shall be transmitted between the respective Interstate Compact on Juveniles offices.
2. Communication may occur between local jurisdictions with the approval of the Interstate Compact on Juveniles offices in both states.
3. Communication regarding Interstate Compact on Juveniles business shall respect the confidentiality rules of the receiving state unless otherwise requested by the sending state.

#### **RULE 4107: CLOSURE OF CASES**

1. The sending state has sole authority to discharge/terminate its juveniles with the exception of when a juvenile is convicted of a crime and sentenced under the jurisdiction of the adult court in the receiving state and the adult sentence is longer than the juvenile sentence. In such cases, the receiving state may close the ICJ case once it has notified the sending state, in writing, and provided the sending state with a copy of the adult court order.
2. After the receiving state has accepted a probation or 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 time frame, 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 time frame, providing an appropriate explanation, or may resubmit the referral at a later date.
3. Cases which terminate due to expiration of a court order or upon expiration of the period of parole 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.
4. The receiving state may submit to the sending state a request for release 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. 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 an explanation why the juvenile cannot be released from probation/parole.

5. Supervision for the sole purpose of collecting restitution is not a justifiable reason to continue to maintain an open ICJ case when all other terms and conditions of probation/parole have been completed.
6. Files of closed cases shall be maintained in the Interstate Compact on Juveniles office for one (1) year after closure before they can be destroyed.

#### **RULE 4108: VICTIM NOTIFICATION**

Victim notification requirements are the responsibility of the sending state in accordance with the laws and policies of that state. The sending state shall request information as necessary to fulfill victim notification requirements. The receiving state will respond to the requests from the sending state within five (5) working days.

**Section 500**  
**Supervision in the Receiving State**

**RULE 5101: AUTHORITY TO ACCEPT/DENY SUPERVISION**

1. Only the receiving state's Interstate Compact on Juveniles administrator or designee authorizes or rejects (denies) supervision of a juvenile by that state.
2. The receiving state Interstate Compact on Juveniles Administrator or designee'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 or disapproved based solely on the juvenile's age or the offense.
4. Supervision cannot be denied or disapproved when the juvenile will reside in the state where the parent, guardian or person entitled to legal custody resides according to Article VII.
5. Supervision may be denied when the home evaluation of a noncustodial persons reveals that the proposed placement is unsuitable and the juvenile will reside with a non-custodial person, and the parent, guardian or person entitled to legal custody does not reside in that state according to Article VII.
6. If the receiving state requires the proposed noncustodial placement to obtain guardianship or licensure and the proposed placement refuses to comply with said requirements, then supervision may be denied.
7. Upon receipt of an acceptance from the receiving state, and within five (5) working days prior to the juvenile's departure, the sending state shall provide reporting instructions to the juvenile, and provide written notification of the juvenile's departure to the receiving state.

**RULE 5102: TRAVEL PERMITS**

The purpose of this section is for the protection of the public. Travel permits shall be mandatory in the following instances:

1. Travel Permits and Agreement to Return shall be issued for the purpose of testing a proposed placement. The permit shall not exceed forty-five (45) days, with a referral



packet to be received by the receiving state's Interstate Compact on Juveniles office within thirty (30) days of the effective date of the Travel Permit.

2. Travel Permits and Agreements to Return shall be issued to all juveniles subject to the terms of the Interstate Compact on Juveniles for visits, vacations, and all other referrals in all cases in which the adjudicated offense(s) includes 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
3. Travel Permits shall be issued for the purpose of visit/vacation only if a visit will exceed forty-eight (48) hours. Travel Permits shall contain instructions requiring the juvenile subject to the terms of the Interstate Compact on Juveniles to return to the sending state.
  - a. The maximum length of stay under these conditions shall not exceed ninety (90) days.
  - b. When a Travel Permit exceeds thirty (30) days, the sending state shall provide specific reporting instructions for the juvenile to maintain contact with his/her supervising agency.
4. Authorization for out-of-state travel shall be approved by the probation officer, parole officer or court designee supervising the juvenile in the sending state. The authorized Travel Permit shall be provided through the normal Interstate Compact on Juveniles channels prior to the juvenile's movement.
5. The receiving state's Interstate Compact Office shall forward the Travel Permit to the jurisdiction of residency/visit/vacation.

**RULE 5103: SEX OFFENDER NOTIFICATION AND SUPERVISION**

1. When a juvenile is under the jurisdiction of a court for a sex-related offense and an interstate referral is made, the sending state shall include a copy of the juvenile's current risk assessment and other pertinent information, if available.
2. If the sending state has statutorily-mandated progress reporting requirements for juvenile sex offenders that exceed AJCA Rule 4104.3 [quarterly reports], the receiving state shall comply with the more stringent rule to the extent possible.

**Section 600**  
**Returns and Rendition of Juveniles**

**RULE 6101: 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.

**RULE 6102: ARTICLE IV: RETURN OF RUNAWAYS**

1. Article IV(a) of the Interstate Compact on Juveniles provides a requisition procedure for the return of non-delinquent runaways who are found in states other than their home state. The home state's Interstate Compact on Juveniles office will contact the appropriate authorities in the home state to qualify their runaways for return.
2. Non-delinquent runaways who are endangering themselves or others shall be held in secure facilities until returned by the home states.

**RULE 6103: ARTICLE V: RETURN OF ESCAPEES AND ABSCONDERS**

The home state's Interstate Compact on Juveniles office shall ensure the accurate preparation and timely delivery of requisitions to return all its absconders and escapees who refuse to voluntarily return.

**RULE 6104: ARTICLE VI: VOLUNTARY RETURN PROCEDURE**

The home state's Interstate Compact on Juveniles office shall return all of its runaways, absconders, and escapees who have legally consented to voluntarily return to the home state.

1. The home state shall be responsive to the holding state's court orders in effecting the return of its juveniles. Each Interstate Compact on Juveniles office shall have policies in place involving the return of non-delinquent and delinquent juveniles that will ensure the safety of the public and juveniles.
2. Juveniles are to be returned to the home/demanding state in a safe and expedient manner.

**RULE 6105: ARTICLE VII: COOPERATIVE SUPERVISION OF PROBATIONERS AND PAROLEES**

1. Article VII(c) of the Interstate Compact on Juveniles provides the procedure for return to the sending states of juveniles who are on cooperative supervision in other states. Interstate Compact on Juveniles Form IA/VI provides due process requirements for this return.
2. Sending states' Interstate Compact on Juveniles offices shall ensure that their juveniles' probation/parole agreement provisions are enforced for individual accountability and public protection.
3. Juveniles and Legal Custodian(s) Who Have Left the Sending State: In the event new charges occur, receiving states shall endeavor to assume jurisdiction over juveniles whose legal custodian (s) move to those states.
4. Juveniles Who Have Legal Custodian(s) Remaining in the Sending State: When placement of juveniles in receiving states is not successful, sending states' Interstate Compact on Juveniles offices shall make transportation arrangements for the return of their juveniles within five (5) working days in accordance with this Article.

#### **RULE 6106: RUNAWAY AMENDMENT**

1. The Runaway Amendment shall be binding only between those states which have executed the same. All provisions of Articles IV and VI shall apply.
2. The home state's Interstate Compact on Juveniles office shall immediately initiate proceedings to determine juveniles' residency and jurisdictional facts in that state. Home states shall return juveniles when it is determined that said juveniles are residents of that state.
3. Due process shall be afforded to juveniles who are returned pursuant to this amendment/article. The home states' Interstate Compact on Juveniles office shall initiate the requisition process when juveniles refuse to voluntarily return, and parents refuse to initiate the requisition process.

#### **RULE 6107: RENDITION AMENDMENT**

The Rendition Amendment shall be binding only between and among those states that have executed the same. All provisions and procedures of Articles V and VI shall apply.

#### **RULE 6108: OUTOFSTATE CONFINEMENT AMENDMENT**

1. The Out-of-State Confinement Amendment is operative only between those states that have executed the same.
2. This amendment applies to juveniles who are on probation or parole or who have absconded or escaped and are located in the receiving or holding states. The sending/receiving or home/holding states must contractually agree to confine juveniles in a designated institution in receiving or holding states.

#### **RULE 6109: FINANCIAL RESPONSIBILITY**

1. The home/demanding states' Interstate Compact on Juveniles office shall be responsible for the costs of transportation, for making transportation arrangements and for the return of juveniles within five (5) working days of being notified by the holding state's Interstate Compact on

- Juveniles 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.)
2. This rule applies to Articles IV, V, VI, VII, and the Runaway and Rendition amendments.

#### **RULES 6110: PUBLIC SAFETY**

1. The home/demanding state's Interstate Compact on Juveniles 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. Juveniles who are requisitioned under Article V and the Rendition Amendment or who are considered a risk to harm themselves and/or others shall be accompanied on the return to the home/demanding state.
3. This rule applies to Articles IV, V, VI, VII, and the Runaway and Rendition amendments.

#### **RULE 6111: CHARGES PENDING IN HOLDING/RECEIVING STATES**

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. This rule applies to Articles IV, V, VI, VII, and the Runaway and Rendition amendments.

#### **RULE 6112: WARRANTS**

1. The demanding state's Interstate Compact on Juveniles office shall, within two (2) working days, determine if warrants will be honored, and notify the holding states' Interstate Compact on Juveniles office accordingly.
2. When the 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 hearing as provided in Rule 6113 (3).

#### **RULES 6113: CUSTODIAL DETENTION**

1. The home/demanding state's Interstate Compact on Juveniles office shall effect the return of its juveniles within five (5) working days after confirmed notification from the holding state's Interstate Compact on Juveniles office that due process rights have been met.
2. Holding states shall not be reimbursed for detaining juveniles under the provisions of the Interstate Compact on Juveniles unless the home/demanding state's Interstate Compact on Juveniles office does not demonstrate a good faith effort to affect the return of its juveniles within five (5) working days.

3. Within ten (10) days after the failure of a demanding state to return the juvenile, a hearing shall be provided before a neutral and independent hearing officer to hear the grounds for the juvenile's detention. The hearing officer shall determine whether the grounds submitted justify the continued detention of the juvenile subject to the provisions of this rule. A juvenile shall be discharged from custodial detention if the holding state has failed to provide such a hearing within the time provided in this rule.
4. Subject to the provisions of 6113 (3), Juveniles held in detention, pending receipt of a requisition, may be held for a maximum of ninety (90) days. The demanding state's compact 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.
5. Holding states are responsible for transporting juveniles to local airports or other means of public transportation as arranged by the home/demanding state.

#### **RULE 6114: AIR TRANSPORTATION**

1. Holding states are responsible for transporting juveniles to local airports as arranged by the home/demanding state and maintaining security of the juveniles until departure.
2. Holding states shall not return to juveniles any personal belongings, which could jeopardize the health, safety, or security of the juveniles or aircraft (examples: weapon, cigarettes, lighters, or cell phone).
3. Holding states shall confiscate all questionable personal belongings and return those belongings to the juveniles by approved carrier (e.g., USPS, UPS, or Federal Express).
4. In cases where a juvenile subject to the Interstate Compact on Juveniles is being transported by a commercial airline carrier, the holding state shall ensure the juvenile has a picture identification card and/or a copy of the applicable ICJ paperwork or appropriate due process documentation in his/her possession before entering the airport.

#### **RULE 6115: AIRPORT SUPERVISION**

1. States shall provide supervision and assistance to unescorted juveniles at intermediate airports, in route to the home state.
2. Staff shall supervise juveniles from arrival until departure.
3. Home states shall give the states providing airport supervision a minimum of 24 hours advance notice.

#### **RULE 6116: PROVISION OF EMERGENCY SERVICES**

In the event of an emergency situation that interrupts or changes established travel plans during a return transport, the ICJ member states will, if possible, provide necessary services and assistance, including temporary detention or housing for the juvenile until the transport is rearranged and/or completed.

**Section 700**  
**Adoption and Amendment of Rules**

**RULE 7101: ADOPTION OF RULES; AMENDMENT**

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

1. Proposed new rules and amendments to existing rules shall be submitted to the AJCA office for referral to the Rules Committee in the following manner:
  - a. Any ICJ Compact Administrator may submit a proposed rule or rule amendment for referral to the Rules Committee during the annual meeting of the AJCA. 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 AJCA members present at the meeting.
  - b. Standing ICJ Committees may propose rules or rule amendments by a majority vote of that committee.
  - c. ICJ Regions may propose rules or rule amendments by a majority vote of members of that region.
2. The Rules Committee shall prepare a draft of all proposed rules and provide the draft to all Compact Administrators for review and comments. All written comments received by the Rules Committee on proposed rules shall be posted on the AJCA's website upon receipt. Based on the comments made by the Compact Administrators the Rules Committee shall prepare a final draft of the proposed rule(s) or amendments for consideration by the AJCA not later than the next annual meeting.
3. Prior to the AJCA voting on any proposed rule or amendment, the text of the proposed rule or amendment shall be published by the Rules Committee not later than 30 days prior to the meeting at which vote on the rule is scheduled, on the official web site of the AJCA and in any other official publication that may be designated by the AJCA 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 AJCA 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 guaranteeing 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 AJCA 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. Rules may be grouped for the convenience of the AJCA at public hearings required by this section.
7. Following the scheduled public hearing date, the AJCA shall consider all written and oral comments received.
8. The AJCA shall, by majority vote of a quorum of the compact administrators, take final action on the proposed rule or amendment by a vote of yes/no. A rule or rule 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 AJCA 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 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 AJCA's principal office is located. If the court finds that the AJCA'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 AJCA by a state, the prevailing party shall be awarded all costs of such litigation, including reasonable attorneys' fees.
  - a. 10. Upon determination that an emergency exists, the AJCA may promulgate an emergency rule 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 is one that must be made effective immediately in order to:
    - b. Meet an imminent threat to public health, safety, or welfare;
    - c. Prevent a loss of federal or state funds;
    - d. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
    - e. Protect human health and the environment.

**Section 800**  
**Dispute Resolution and Enforcement**

**RULE 8101: INFORMAL COMMUNICATION TO RESOLVE DISPUTES OR CONTROVERSIES AND OBTAIN INTERPRETATION OF THE RULES**

1. Informal Communication  
Through the office of a state's compact administrator states shall attempt to resolve disputes or controversies with each other by telephone, telefax, or electronic mail.
2. Failure to Resolve Dispute or Controversy
  - a. Following an unsuccessful attempt to resolve controversies or dispute arising under this compact, its bylaws or its rules as required under 8101 (1), states shall pursue one or more of the informal dispute resolution processes in Rule 8101 (2)
  - b. prior to resorting to formal dispute resolution.
3. Parties shall submit a written request to the President of AJCA for assistance in resolving the controversy or dispute. The President shall provide a written response to the parties within ten (10) business days and may, at the President's discretion, seek assistance of legal counsel or the Executive Board in resolving the dispute. The AJCA Board may authorize a standing or special committee or the President to assist in resolving the dispute or controversy.
4. Interpretation of the Rules

Any state may submit an informal written request to the President for assistance in interpreting the rules of this compact. The President may seek the assistance of legal counsel, the AJCA Executive Board, or both, in interpreting the rules. The executive board may authorize a standing or special committee to assist in interpreting the rules. Interpretations of the rules shall be issued in writing by the President or the AJCA Board and shall be circulated to all the states.

**RULE 8102: 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 8101 may be resolved by alternative dispute resolution processes. These shall consist of mediation and arbitration.

2. Mediation and Arbitration



a. Mediation

- 1) A state that is party to a dispute may request, or the AJCA Board may require, the submission of a matter in controversy to mediation.
- 2) Mediation shall be conducted by a mediation panel consisting of the President, Vice President, Secretary, and immediate Past President of the AJCA with the Vice President serving as chairperson. Any member of the AJCA Board may be appointed by the President as an alternate in the event that any of the panel members is unable or unwilling to serve on the panel. The Mediation Panel shall attempt to voluntarily resolve disputes submitted to the panel pursuant to procedures customarily used in mediation proceedings. In the event resolution is not achieved, a report of the attempted mediation shall be provided to the respective compact administrators, governors, and attorneys general of the states which are parties to the dispute within thirty (30) days following the mediation proceeding.

b. Arbitration

- 1) Arbitration may be recommended by the AJCA Board in any dispute regardless of the parties' previous submission of the dispute to mediation.
- 2) 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 AJCA.
- 3) The arbitration may be administered pursuant to procedures customarily used in arbitration proceedings and at the direction of the arbitrator.
- 4) 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.
- 5) (i) 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.  
  
(ii) The arbitrator shall have the power to impose any sanction permitted by this compact and other laws of the state or the federal district in which the association has its principal offices.
- 6) Judgment on any award may be entered in any court having jurisdiction.

**RULE 8103: ENFORCEMENT ACTIONS AGAINST A DEFAULTING STATE**

1. If the AJCA 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 bylaws or any duly promulgated rules the AJCA may impose any or all of the following penalties:

- a. Fines, fees and costs in such amounts as are deemed to be reasonable as fixed by the AJCA and approved by majority vote of the members of the ICJ;
- b. Remedial training and technical assistance as directed by the AJCA;

**RULE 8104: Judicial enforcement**

The AJCA, in consultation with legal counsel, may by majority vote of the states that are members of the ICJ, initiate legal action 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 bylaws, 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 900**

### **ICJ Transition Rules**

Upon adoption of the Interstate Compact for Juveniles by the 35th state, the following transition rules will take effect and shall continue in full force through and including adoption of said compact by the District of Columbia and all states and territories of the United States:

1. The existing articles, rules and variances governing the operation of the Interstate Compact on Juveniles, hereinafter "the old compact" shall remain in full force and effect for at least twelve (12) months after the first meeting of the Interstate Commission created under the Interstate Compact for Juveniles, hereinafter "the new compact."
2. Upon adoption of revised or new articles, rules and variances by the Interstate Commission to be effective on or after twelve (12) months from its first meeting:
  - a. Transactions between signatory states to the new compact will be governed by the Interstate Commission's articles, rules and variances.
  - b. Transactions between non-signatory states to the new compact will be governed by the Association of Juvenile Compact Administrators' articles, rules and variances.
  - c. Transactions between signatory and non-signatory states will be governed by the articles, rules and variances of the home/demanding state.
3. States that are signatory to both the new and old compacts will resolve any conflicts regarding articles, rules and variances in favor of the Interstate Commission's articles, rules and variances within the 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. All non-signatory states to the new compact will fully cooperate with the Interstate Commission and the signatory states to promote public safety by providing effective supervision of juvenile offenders.
6. Conflicts between signatory and non-signatory states shall be mediated by a representative selected by the Interstate Commission and a representative selected by the Association of Juvenile Compact Administrators from its non-signatory states.
7. The Association of Juvenile Compact Administrators will retain its rulemaking authority for nonsignatory states throughout the transition period.

## **Forms**

### Form I Requisition for Runaway Juveniles:

This form is used under Article IV when it becomes necessary for the court in the home state to take action in having a non-delinquent runaway juvenile returned. It is used only in cases where the youth refuses to return home or where there is some question of legality concerning the youth's return to his home state.

### Form II Requisition for Escapee or Absconder:

This form is used under Article V for the requisition of delinquent escapees and/or absconders from institutions, detention centers, reception and diagnostic centers, community treatment facilities, or from probation or parole placement. (Form II is used when exercising the Rendition Amendment.)

### Form III Consent for Voluntary Return by Runaway, Escapee or Absconder:

This form is used under Article VI in cases where a state is returning a juvenile to his home state and must be executed in the presence of a judge or authorized court master, referee, or hearing officer. Signing by the juvenile denotes that he consents to return home voluntarily.

### Form IV Parole or Probation Investigation Request:

This form is used in cases in which the home state requests an investigation for possible placement of a parolee or probationer in a home in another state. It should be accompanied with pertinent court orders, social summary, evaluation results, and court, school, and medical records.

### Form V - report of sending state upon parole or probationer being sent to another jurisdiction:

This form is used to notify the state which has approved placement that a youth is being transferred to their jurisdiction for supervision. it provides information concerning travel.

### Form IA-VI Application for Compact Services & Memorandum of Understanding Waiver (Parolee or Probationer):

A two-part form which is used to make application for Compact services and also used to determine that the youth, parent, guardian, or agency understands the terms of his probation and parole and that he is to return to the sending state if he is recalled due to violation of probation, or some other reason.

**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Draft Rules (to be considered, Dec. 2009) --**

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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. An individual's status as a juvenile shall be determined by the law of the sending state and a juvenile subject to the Compact shall be supervised by the appropriate juvenile authority in the receiving state.

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, subsequent to proper judicial process, 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.

Bylaws: those bylaws 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 of appropriate jurisdiction 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.

Cooperative Supervision: supervision provided by a receiving state as requested by a sending state.

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 bylaws or any duly promulgated rules.

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.

Detainer: a document issued or made by a legally empowered officer of a court 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: a court proceeding 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 possession of a juvenile.

Home Evaluation: the process used to indicate conditions which could or could not facilitate the rehabilitative adjustment of a juvenile.

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.

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

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.

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: an application in writing for an order of the court 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: 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.

Requisition: a demand in writing or formal request sent to the ICJ Administrator or Executive Authority for the return of a non-delinquent runaway, probation or parole absconder, ~~or~~ escapee, or juvenile charged as delinquent.

Residence: in general, a place at which a home or regular place of abode is maintained. A juvenile's state of residence is that of the parent, guardian, or agency entitled to his legal custody. A parent, guardian, person, or agency's state of residency is where that person or agency resides or undertakes to reside.



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, such as breaking curfew, running away, disobeying parents, truancy, etc.

Termination: the discharge from supervision of a juvenile probationer or parolee by the proper authority in the sending state upon expiration of a court order or upon expiration of the period of probation/parole or following receipt of recommendations from the receiving state with proper notice to, or communication with, the receiving state.

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

Voluntary Return: the return of the juvenile runaway, escapee, absconder, or juvenile charged as a delinquent to his home state and denotes that he consents to return there voluntarily.

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

## **Section 200 Dues Formula**

### **RULE 2.103 DUES FORMULA**

- (a) 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.
- (b) The Commission shall consider the population of the states and the volume of juvenile transfers between states in determining and adjusting the assessment formula.
- (c) The approved formula and resulting assessments for all member states shall be distributed by the Commission to each member state annually.
- (d) The dues formula shall be— (Population of the state / Population of the United States) **plus** (Number of juveniles sent from and received by a state / total number of offenders sent from and received by all states) divided by two.

## **Section 300 Forms**

### **RULE 3-101: APPROVED FORMS**

The following forms have been approved and adopted by the Commission, and shall be used as appropriate in all cases processed through the Interstate Compact for Juveniles:

- Form I (Requisition for Runaway Juvenile)
- Form II (Requisition for Escapee or Absconder/Juvenile Charged with Being Delinquent)
- Form III (Consent for Voluntary Return by Runaway, Escapee or Absconder)
- 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 A& B (Application for Compact Services/Memorandum of Understanding and Waiver)
- Form VII (Out-of-State-Travel Permit and Agreement to Return)
- Form VIII (Home Evaluation)
- IX (Quarterly Progress Report)
- X (Interstate Compact for Juveniles Commission Annual Report)

Applications prepared on other than officially approved forms may be returned for revision. Official forms may be found at

<http://www.csg.org/programs/policyprograms/NCIC/ICJCommissionRulesCommittee.aspx>.

### **RULE 3-102: OPTIONAL FORMS**

Use of the following forms is optional:

- Petition for Hearing on Requisition for Runaway Juvenile
- Order Setting Hearing for Runaway Juvenile
- Petition for Requisition to Return Juvenile
- Petition for Hearing on Requisition for Escapee, Absconder, or Juvenile Charged as Delinquent
- Order Setting Hearing for Escapee Absconder, or Juvenile Charged as Delinquent
- Juvenile Rights
- Case Closure

## **Section 400 – Transfer of Supervision**

### **RULE 4-101: PROCESSING REFERRALS**

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.

No state shall permit the transfer of supervision of a juvenile eligible for transfer except as provided by the Compact and these rules.

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 and remains subject to the laws and regulations of the state responsible for the juvenile's supervision.

### **RULE 4-102: SENDING AND RECEIVING REFERRALS**

Each ICJ Office shall forward all its cases within five (5) working days of receipt. If standard is not attainable, said ICJ Office shall work with the ICJ Commission to develop a plan of compliance.

Each ICJ Office shall adhere to the following screening process when sending and receiving referrals:

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 use reasonable efforts to ensure that all packets are complete and forwarded to the receiving state in duplicate, 45 days prior to the juveniles anticipated arrival: Form IV, Order of Adjudication and Disposition, Conditions of Probation, Legal and Social History (if available), Petition and/or Arrest Report, and any other pertinent information deemed to be of benefit to the receiving state. NOTE: Parole/Parole conditions shall be forwarded to the receiving state upon the juvenile's release from an institution.

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, in duplicate 45 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 duplicate 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 shall be forwarded to the receiving state upon the juvenile's release from an institution.
- b) Probation Cases – The ICJ Office in the sending state shall ensure the following referral documents are complete and forwarded to the receiving state, in duplicate, within five (5) working 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 duplicate copies (if available) of Legal and Social History, and any other pertinent information deemed to be of benefit to 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, make every effort to forward to the sending state the home evaluation along with the final approval or disapproval of the request for cooperative supervision.

#### **RULE 4-103: TRANSFER OF SUPERVISION PROCEDURES**

1. Cooperative 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.
2. When it appears necessary to request an emergency transfer of supervision, the sending state's ICJ Office shall be responsible for verifying that an emergency actually exists. If so, referral information should be provided to the receiving state's ICJ Office as expeditiously as possible, along with an explanation of the nature of the emergency.
3. When transferring a sex offender, additional documentation, if available, should be provided to the receiving state, including:
  - a. assessment information, including sex offender specific assessments;
  - b. information relevant to the sex offender's criminal sexual behavior;
  - c. victim information including sex, age, and relationship to the juvenile;
  - d. the sending state's current or recommended supervision and treatment plan.

#### **RULE 4-104: COOPERATIVE 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. 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.
3. Neither sending states nor receiving states shall impose a supervision fee on any juvenile who is supervised under the provisions of the ICJ.

4. The sending state shall be financially responsible for court ordered treatment services when they are not available through the supervising agency in the receiving state or cannot be obtained through Medicaid, private insurance, or other self pay. The initial referral shall clearly state who will be responsible for purchasing treatment services.
5. The age of majority and duration of supervision are determined by the sending state.
6. In conducting home evaluations for sex offenders, the receiving state shall ensure compliance with local policies or laws prior to issuing reporting instructions. If the proposed residence is unsuitable, the receiving state may deny acceptance.
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 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 or continue to supervise ICJ cases when all other terms and conditions of probation/parole have been completed.
9. ICJ Administrators in both the sending and receiving states must approve all ICJ placements. These placements can include, but are not limited to, public and private institutions.

#### **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.

#### **RULE 4-106: CLOSURE OF CASES**

1. The sending state has sole authority to discharge/terminate its juveniles, except when the juvenile is adjudicated/convicted in the receiving state. In such cases, the receiving state may close the ICJ case once it has notified the sending state, in writing, and provided the sending state with a copy of the court order.
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. Cases which terminate due to expiration of a court order or upon expiration of the 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.
4. The receiving state may submit to the sending state a request for release 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. 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 60 days, as to why the juvenile cannot be released from probation/parole. Failure by the sending state to respond within 60 days may allow the receiving state to close the ICJ case.
5. Files of closed cases shall be maintained in the ICJ Office for one (1) year after closure before they can be destroyed.

#### **RULE 4-107: VICTIM NOTIFICATION**

Victim notification requirements are the responsibility of the sending state in accordance with the laws and policies of that state. The sending state shall request information as necessary to fulfill victim notification requirements. The receiving state will respond to the requests from the sending state within five (5) working days.

## **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.
5. Supervision shall be accepted in the receiving state when the juvenile will reside with a parent, guardian, or a person entitled to legal custody, unless such person remains in the sending state and is not incarcerated or incapacitated. However, acceptance under this provision shall be subject to Rules 4-104(6) and 5-104(4).
6. Upon receipt of acceptance of supervision from the receiving state, and within five (5) working 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.
7. Juveniles Who Have Legal Custodian(s) Remaining in the Sending State: When the placement of juveniles in receiving states is not successful, the sending state shall make transportation arrangements for the return of their juveniles within five (5) working days in accordance with these rules.

### **RULE 5-102: TRAVEL PERMITS**

The purpose of this section is for the protection of the public. Travel permits shall be mandatory in the following instances:

1. Travel Permits and Agreement to Return shall be issued for the purpose of testing a proposed placement. The permit shall not exceed ninety days (90), with a referral packet to be received by the receiving state's ICJ Office within thirty (30) days of the effective date of the Travel Permit.
2. Travel Permits shall be issued for visits that exceed forty-eight (48) hours. Travel Permits shall contain instructions requiring the juvenile, who is subject to the terms of the ICJ, to return to the sending state.



- a. The maximum length of stay under these conditions shall not exceed ninety (90) days.
  - b. When a Travel Permit exceeds thirty (30) days, the sending state shall provide specific reporting instructions for the juvenile to maintain contact with his/her supervising agency.
3. Regardless of length of stay, travel permits shall be issued to all juveniles subject to the terms of the ICJ for all visits in cases in which the adjudicated offense(s) includes 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; or
  - d. Juveniles committed to state custody.
4. Authorization for out-of-state travel shall be approved by the probation officer, parole officer or court designee supervising the juvenile in the sending state. The authorized Travel Permit shall be provided and received prior to the juvenile's movement.
5. The receiving state's ICJ Office shall forward the Travel Permit, as necessary, to the jurisdiction of the visit.

## **Section 600 – Return of Juveniles**

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

### **RULE 6-101– RELEASE OF NON-DELINQUENT JUVENILES 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 non-delinquent juvenile 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 ICJ holding state's ICJ Office shall be contacted.
2. Non-delinquent juveniles who are endangering themselves or others held beyond 24 hours shall be held in secure facilities until returned by the home state.

### **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. Holding state's ICJ Office shall contact the home state's ICJ Office advising them of case specifics.
2. The home 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 shall inform the juvenile of his/her rights under the compact using the ICJ Juvenile Rights Forms or an alternate, comparable procedure. 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 return, the juvenile may sign the approved ICJ Form III, consenting to voluntarily return.
5. 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 state.

6. The home 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.
7. Juveniles are to be returned to the home state in a safe manner and within five (5) working days of receiving a completed Form III. This time period may be extended up to an additional five (5) working days with approval from both ICJ Offices.

**RULE 6-103 – NON-VOLUNTARY RETURN OF OUT-OF-STATE JUVENILES**

The following shall apply to all juveniles who refuse to voluntarily be returned to their home state or whose whereabouts are known, but are not in custody:

1. The appropriate person or authority in the home/demanding state shall prepare a written requisition within sixty (60) days for the return of a juvenile who has refused to voluntarily return or to request that a court take into custody a juvenile that is allegedly located in their jurisdiction. This time period may be extended with the approval of both ICJ Offices.
2. Juveniles held in detention, pending receipt of a requisition, may be held for a maximum of ninety (90) 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. This time period may be extended with the approval of both ICJ Offices.
3. If the juvenile is a non-delinquent runaway, the parent/legal guardian or custodial agency must petition the court of jurisdiction in the home state for a requisition.
  - a. The judge in the home state shall determine if:
    - i. the petitioner is entitled to legal custody of the juvenile;
    - ii. the juvenile ran away without consent;
    - iii. the juvenile is an emancipated minor; and
    - iv. it is in the best interest of the juvenile to compel his/her return to the state.
  - b. If it is determined that the juvenile should be returned the judge in the home state shall sign the requisition.
4. The requisition shall be addressed to the juvenile court in the holding state. The requisition shall be verified by affidavit, executed in triplicate, and shall be accompanied by three certified copies of supporting documents that show entitlement to the juvenile. Examples may include:
  - a. Judgment
  - b. Order of Adjudication
  - c. Petition Alleging Delinquency

- d. Birth Certificate
  - e. Custody Degree
  - f. Letter of guardianship
5. Upon receipt of the requisition, the home state's ICJ Office shall ensure the requisition is in order and forward two copies to the ICJ Office of the holding state.
  6. The ICJ Office of the holding state shall forward a copy of the requisition to the court where the juvenile is believed to be located. If not already detained, the court shall order the juvenile be detained and held securely pending a hearing on the requisition.
  7. A hearing shall be held 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 for the juvenile. A hearing shall be held and:
    - a. If the requisition is found to be in order by the court, the judge shall order the juveniles return to the home state.
    - b. If the requisition is not honored, the judge shall issue an order in writing advising why it was not honored.
  8. The order to return the juvenile shall immediately be forwarded to the holding state's ICJ Office which shall forward the same to the home state's ICJ Office.
  9. Requisitioned juveniles are to be accompanied in their return to the home state unless both ICJ Offices determine otherwise. Juveniles are to be returned within five (5) working days of the receipt of the order by the Demanding State's ICJ Office.
  10. The home state's appropriate state authority shall initiate the requisition process upon notification by the ICJ Office when non-delinquent juveniles refuse to voluntarily return and the legal guardian refuses to initiate the requisition process.

#### **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 has the appropriate signatures, no further court procedures will be required for the juvenile's return. The ICJ pre-signed voluntary waiver provides the due process requirement for this 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 and within five (5) working 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, unless the juvenile is suspected of having committed a criminal offense or an act of juvenile delinquency in the receiving state. In such case, 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.

#### **RULE 6-105: FINANCIAL RESPONSIBILITY**

The home state shall be responsible for the costs of transportation, for making transportation arrangements and for the return of juveniles within five (5) working 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.

#### **RULES 6-106: PUBLIC SAFETY**

1. The home 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 states' assessments of the juvenile.
2. Juveniles who are considered a risk to harm themselves and /or others shall be accompanied on the return to the home state.

#### **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.

#### **RULE 6-108: WARRANTS**

1. All warrants shall be entered into the National Crime Information Center (NCIC) by the appropriate law enforcement agency in the issuing state. Holding states shall honor all lawful warrants as entered by other states. Within two (2) working days of notification, the home state shall inform the holding state as to whether the home/demanding state intends to have the juvenile returned.
2. When the home 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.

#### **RULES 6-109: CUSTODIAL DETENTION**

- 1 The home state's ICJ Office shall effect the return of its juveniles within five (5) working 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 state is non-responsive and uncooperative in its efforts to effect the return of its juveniles within five (5) working days.
- 3 Within ten (10) days after the failure of a home state to return the juvenile, a judicial hearing shall be provided 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 this rule. A juvenile may be discharged from custodial detention to a parent or legal guardian if the holding state has failed to provide such a hearing within the time provided in this rule.

#### **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 state and maintaining security of the juveniles until departure.
2. Home 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 legal guardians by approved carrier (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 and/or a copy of the applicable ICJ paperwork or appropriate due process documentation in his/her possession before entering the airport.

#### **RULE 6-111: AIRPORT SUPERVISION**

1. All states shall provide supervision and assistance to unescorted juveniles at intermediate airports,

in route to the home state.

2. Juveniles shall be supervised from arrival until departure.
3. Home states shall give the states providing airport supervision a minimum of 48 hours advance notice.

#### **RULE 6-112: PROVISION OF EMERGENCY SERVICES**

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.

## **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 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 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.

## **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 bylaws 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 INTERPERTATION 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 bylaws 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.
- b. 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.
- c. 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.

## **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.

### **RULE 8-103: ENFORCEMENT ACTIONS AGAINST A DEFAULTING STATE**

1. 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 bylaws 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 bylaws 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.
2. 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 bylaws, or duly promulgated rules, and any other grounds designating on Commission bylaws 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.
3. Within sixty days (60) 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.
4. 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.
5. The Commission shall not bear any costs relating to the defaulting state unless otherwise mutually agreed upon between the Commission and the defaulting state.

6. 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.

#### **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 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 bylaws, 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.

#### **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 bylaws.

##### *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.

**INTERSTATE COMPACT FOR JUVENILES**  
**INTERSTATE COMPACT FOR JUVENILES**  
**PETITION FOR REQUISITION AND ORDER TO RETURN A RUNAWAY JUVENILE**



**FORM I**

TO: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Court or Executive Authority in Holding State)

FROM: \_\_\_\_\_  
(Requisitioning Court or Agency in Demanding State)

This court hereby requisitions the return of \_\_\_\_\_ in accordance with the provisions  
(Name of Juvenile)

of the Interstate Compact for Juveniles. (Additional information to be attached if available.) On the basis of the evidence before it, this court finds said juvenile to be \_\_\_\_\_ years of age and to be of the following description:

Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Eyes: \_\_\_\_\_ Hair: \_\_\_\_\_ DOB: \_\_\_\_\_

Other distinguishing features: \_\_\_\_\_

Juvenile is believed to be in your jurisdiction at: \_\_\_\_\_  
(Address)

This court further finds said juvenile should legally be in the custody of \_\_\_\_\_ who  
is/are \_\_\_\_\_ and who is/are located at \_\_\_\_\_  
(Parent, Guardian or Agency) (Address)

within the territorial jurisdiction of this court; that said juvenile has run away; and that said juvenile's continued absence from legal custody and control is detrimental to the best interest of said juvenile and the public.

If Requisition is honored, please notify: \_\_\_\_\_  
(Name, title, address, telephone #)

advising when juvenile will be available for transporting to the state of jurisdiction.

Signed: \_\_\_\_\_  
(Judge) (Date)

**The above form is to be certified or authenticated with practice of executing court (Interstate Compact for Juveniles)**

This is the official ICJ Form I as approved by Interstate Compact for Juveniles Commission in \_\_\_\_\_. No state or other governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)

INTERSTATE COMPACT FOR JUVENILES

- ☐ REQUISITION FOR ESCAPEE OR ABSCONDER  
☐ REQUISITION FOR JUVENILE CHARGED WITH  
BEING DELINQUENT



FORM II

TO: \_\_\_\_\_  
(Appropriate Court or Executive Authority)

DATE: \_\_\_\_\_

FROM: \_\_\_\_\_  
(Name of Court or Agency)

I, \_\_\_\_\_ requisition the return of \_\_\_\_\_  
born on \_\_\_\_\_ in accordance with the Interstate Compact for Juveniles,  
Return of an Escapee, Absconder, or Juvenile Charged with being Delinquent. Said juvenile (check appropriate item):  
☐ was paroled to the custody of \_\_\_\_\_  
☐ was placed on probation subject to the supervision of \_\_\_\_\_  
☐ was committed to \_\_\_\_\_ (institution or agency)

OR

☐ has fled to avoid prosecution and, despite applicable provisions of law, has:  
☐ escaped ☐ absconded ☐ fled  
and is now believed to be in your jurisdiction at \_\_\_\_\_  
Juvenile's physical description: Ht: \_\_\_\_\_ Wt: \_\_\_\_\_ Eyes: \_\_\_\_\_ Hair: \_\_\_\_\_ Race/Sex: \_\_\_\_\_  
Identifying marks or scars: \_\_\_\_\_

**Attached are two certified true copies of the judgment, formal adjudication, order of commitment, or petition alleging delinquency, verifying juvenile's legal status.**

1. Particulars of adjudication or allegations of delinquency: \_\_\_\_\_

2. Circumstances of breach of terms of probation, parole, escape from institution or fleeing to avoid prosecution: \_\_\_\_\_

Accordingly, the undersigned hereby prays for the return of said juvenile as authorized by the Interstate Compact for Juveniles.

If Requisition is honored, please notify: \_\_\_\_\_  
(Name, title, address, telephone #.)

Signed: \_\_\_\_\_  
(Judge/Compact Official) (Date)

**AFFIDAVIT OF VERIFICATION (unless signed by judge)**

\_\_\_\_\_  
(Signature of Requisitioner)

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, personally appeared before me \_\_\_\_\_,  
proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument and acknowledged  
that ☐ he ☐ she executed the same.

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

NOTARY PUBLIC

Residing at: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

**INTERSTATE COMPACT FOR JUVENILES**  
**CONSENT AND ORDER FOR VOLUNTARY RETURN BY RUNAWAY, ESCAPEE OR ABSCONDER**  
**OR JUVENILE CHARGED AS DELINQUENT**

**FORM III**



I, \_\_\_\_\_, recognize that I legally belong with  
(Juvenile's Name)

\_\_\_\_\_ in \_\_\_\_\_  
(Name of Legal Guardian/Custodian or agency seeking return) (City/State)  
and I voluntarily consent to return there without further formality, either by myself or in the company of such person as the appropriate authority may appoint for that purpose.

\_\_\_\_\_ (Date) \_\_\_\_\_ (Juvenile's Signature)

I, \_\_\_\_\_, Judge of \_\_\_\_\_  
(Judge's Printed Name) (Court or Jurisdiction)

having informed the juvenile named above of ☐ his ☐ her rights under the Interstate Compact for Juveniles prior to the execution of the foregoing consent, do hereby find that the voluntary return of said juvenile to:

\_\_\_\_\_ in \_\_\_\_\_  
(Legal Guardian/Custodian or agency seeking return) (Contact name & phone number) (City/State)

is appropriate and in the best interest of said juvenile, and do so order a safe return.:

\_\_\_\_\_ (Date) \_\_\_\_\_ (Judge's Signature)

**DETAILED PHYSICAL AND CLOTHING DESCRIPTION OF JUVENILE, & CONTACT INFORMATION**

DOB: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_ Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Eye color: \_\_\_\_\_

Hair color and style: \_\_\_\_\_

Tattoos, scars, identifying marks: \_\_\_\_\_

Clothing (including shoes): \_\_\_\_\_

**Home/Demanding State's contact name and phone #:** \_\_\_\_\_

This is the official ICJ Form III as approved by Interstate Compact for Juveniles Commission on \_\_\_\_\_. No state or other governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)



**INTERSTATE COMPACT FOR JUVENILES**  
**PAROLE OR PROBATION INVESTIGATION REQUEST**



**FORM IV**

DATE: \_\_\_\_\_

TO: \_\_\_\_\_  
(Receiving State)

FROM: \_\_\_\_\_  
(Sending State)

Name of Juvenile: \_\_\_\_\_ DOB: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_

Status: ☐ Parole ☐ Probation

Sending State File # \_\_\_\_\_

☐ To reside with: **OR** ☐ Is residing with: \_\_\_\_\_  
(Name)

Relationship: \_\_\_\_\_ Telephone: (\_\_\_\_) \_\_\_\_ - \_\_\_\_\_

Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_

Reason for Adjudication/Commitment: \_\_\_\_\_

Date of Adjudication: \_\_\_\_\_ Date of Commitment: \_\_\_\_\_

Minimum Parole/Probation date: \_\_\_\_\_ Maximum Parole/Probation date: \_\_\_\_\_

Anticipated Placement Date: \_\_\_\_\_ Present Location: \_\_\_\_\_

We desire to transfer this juvenile on ☐ parole ☐ probation to your state:

☐ Because his/her parent/legal guardian resides in your state.

☐ For the following reasons, with your consent: \_\_\_\_\_

Other Comments: \_\_\_\_\_

**THE FOLLOWING MATERIALS ARE ENCLOSED:**

- ☐ Cover letter
- ☐ IA/VI Application for Compact Services and Memorandum of Understanding and Waiver
- ☐ Petition(s) and/or Arrest Report
- ☐ Order of Adjudication and Disposition
- ☐ Legal and Social History
- ☐ Parole/Probation Conditions (Agreement)
- ☐ School Transcript/Records
- ☐ Immunization Records
- ☐ Any other Pertinent Information

**FOR ICJ USE ONLY**

Signed: \_\_\_\_\_  
(Compact Official/Designee)

Title: \_\_\_\_\_

Referred by: \_\_\_\_\_  
(Name – Please Print)

Referring Agency: \_\_\_\_\_

This is the official ICJ Form IV as approved by Interstate Compact for Juveniles Commission on \_\_\_\_\_. No state or other governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)

# INTERSTATE COMPACT FOR JUVENILES

## REPORT OF SENDING STATE UPON PAROLEE OR PROBATIONER BEING SENT TO THE RECEIVING STATE

### FORM V



TO: \_\_\_\_\_ DATE: \_\_\_\_\_  
(Receiving State)

FROM: \_\_\_\_\_  
(Sending State) (County)

RE: \_\_\_\_\_  
(Name of Juvenile) (Date of Birth) (Race) (Sex)

The above-named juvenile ☐ will depart **OR** ☐ has departed from sending state by \_\_\_\_\_  
(Mode of Transportation)

on \_\_\_\_\_ and was instructed to report ☐ in person ☐ by telephone **OR** ☐ by letter, within 48 hours of  
(Date)  
arrival in the receiving state to:

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_ ( ) - \_\_\_\_\_

Address: \_\_\_\_\_  
(Street Address) (City) (State) (Zip)

Enclosed please find: (please check applicable items)

☐ Parole or probation sanctions

☐ Other material as follows:

---

---

---

Signed: \_\_\_\_\_

Title: \_\_\_\_\_

Agency: \_\_\_\_\_

This is the official ICJ Form V as approved by Interstate Compact for Juveniles Commission on \_\_\_\_\_. No state or other governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)

## INSTRUCTIONS FOR COMPLETING ICJ FORM V

**PLEASE TYPE OR PRINT LEGIBLY.**

**When to complete this form:** This form is to be completed on all transfer of supervision cases. In the case of a juvenile probationer departing to the receiving state prior to the referral materials being sent to the receiving state's ICJ Office and the case is, therefore, unknown to the receiving state, the juvenile must be instructed to continue reporting to the sending state's probation officer. The "Out-of-State Travel Permit and Agreement to Return" form is used as a supplement to the Form V. It is the responsibility of the supervising probation officer to ensure that the juvenile receives a copy of the Travel Permit and that s/he is instructed to carry it on his/her person at all times until supervision is picked up in the receiving state.

4-103.1: Transfer of Supervision Procedures of the Interstate Compact for Juveniles Rules and Regulations, promulgated by the Interstate Compact for Juveniles Commission, states: Supervision shall not transfer to another state without verbal or written approval from the Interstate Compact for Juveniles office in the receiving state. All verbal approvals shall be followed up with written approval within ten (10) working days after the date verbal approval was granted.

**Receiving state:** state in which juvenile is residing or will reside.

**Sending state:** state of probation/parole/adjudication; state requesting cooperative supervision services.

**Juvenile name, etc.:** insert juvenile's name and vital information as indicated.

**Check** the appropriate box: "plans to depart" OR "has departed" sending state; insert mode of transportation; insert date of departure; check one: "in person" OR "by telephone" OR "by letter."

**Complete** reporting instructions as indicated on receiving state's report.

**Check as applicable any enclosures.**

**Signed:** The form is to be signed by the sending state's case worker or parole/probation officer; insert title and agency of signer as requested.

# **INTERSTATE COMPACT FOR JUVENILES**

## **APPLICATION FOR SERVICES AND WAIVER**

### **FORM IA, VI, VI-A, VI-B**



#### **Form IA**

#### **APPLICATION FOR COMPACT SERVICES**

TO: \_\_\_\_\_ FROM: \_\_\_\_\_  
(Receiving State) (Sending State)

I, \_\_\_\_\_ (juvenile), hereby apply for supervision as a parolee or probationer to the Interstate Compact on 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 on 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, \_\_\_\_\_ (juvenile) 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.
  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)

#### **FORM VI-A**

I, in my capacity as ☐ parent ☐ guardian of \_\_\_\_\_ do approve and subscribe  
(Juvenile's Name)

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.

\_\_\_\_\_  
(Parent's or Guardian's Signature) (Date)

\_\_\_\_\_  
(Witness' Signature) (Date)

### FORM VI-B

Permission is hereby granted to the above-named juvenile and parent or guardian to allow the said juvenile to reside in and be supervised by the State of \_\_\_\_\_.  
(Receiving State)

\_\_\_\_\_  
(Date)

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

ICJ FORM IA/VI A&B

This is the official ICJ Form I as approved by Interstate Compact for Juveniles Commission in \_\_\_\_\_. No state or other governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)

\_\_\_\_\_  
(Date)

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

ICJ FORM IA/VI A&B

This is the official ICJ Form I as approved by Interstate Compact for Juveniles Commission in \_\_\_\_\_. No state or other governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)

**INTERSTATE COMPACT FOR JUVENILES**  
**OUT OF STATE TRAVEL PERMIT AND AGREEMENT TO RETURN**



☐ VACATION/VISIT ONLY    ☐ VISIT FOR TESTING PLACEMENT

**FORM VII**

To: \_\_\_\_\_ (Receiving State)                      From: \_\_\_\_\_ (Sending State)

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

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

\_\_\_\_\_ (Offense)                      \_\_\_\_\_ (Court/Agency #)                      \_\_\_\_\_ (Legal Status  
Probation/Parole)

Present Placement (check one):    ☐ Detention                      ☐ Residential                      ☐ Community  
   ☐ Furlough                      ☐ Foster Care                      ☐ Other (Specify) \_\_\_\_\_

Location: \_\_\_\_\_ (Address)

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

☐ He ☐ She will be staying with \_\_\_\_\_ (Name)                      \_\_\_\_\_ (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)

This is the official ICJ Form Travel Permit as approved by Interstate Compact for Juveniles Commission on \_\_\_\_\_. No state or other  
governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted  
for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)

ICJ TRAVEL PERMIT

INTERSTATE COMPACT FOR JUVENILES

HOME EVALUATION REPORT

FORM VIII



Sending State: \_\_\_\_\_ Receiving State: \_\_\_\_\_

Juvenile's Name: \_\_\_\_\_ DOB: \_\_\_\_\_ Case # \_\_\_\_\_

☐ Placement recommended  
Currently in placement

☐ Placement not recommended



**PROPOSED PLACEMENT INVESTIGATED:**

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_

Home Phone #: ( ) \_\_\_\_\_ Work Phone ( ) #: \_\_\_\_\_

**HOME/NEIGHBORHOOD/PEERS (physical description, criminal/gang activity, etc.):**

**FAMILY STATUS (composition, interactions, at-risk family members, attitude, support capabilities, etc.):**

**FAMILY EMPLOYMENT/FINANCIAL RESOURCES (If proposed placement resource works, who will supervise the juvenile):**

**LEGAL HISTORY OF FAMILY (current charges, probation or parole status):**

**PROPOSED PLAN (school/employment, court-ordered conditions, treatment needs):**

**OTHER COMMENTS (recommendations, questions, concerns):**

**REPORTING INSTRUCTIONS:**

Name: \_\_\_\_\_  
ICJ HOME EVALUATION REPORT

Agency: \_\_\_\_\_  
**Page 2 of 3**



Address: \_\_\_\_\_

Telephone  
# \_\_\_\_\_

\_\_\_\_\_  
(Investigating worker – printed name)  
name)

\_\_\_\_\_  
(Supervisor – printed

\_\_\_\_\_  
(Investigating worker - signature) (Date)  
(Date)

\_\_\_\_\_  
(Supervisor - signature)

For ICJ Official use only:

☐ Placement approved

☐ Placement denied

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Compact Official signature)

This is the official ICJ Home Evaluation Report as approved by Interstate Compact for Juveniles Commission on \_\_\_\_\_. No state or other governmental entity party to the Interstate Compact for Juveniles may change, alter or otherwise modify any form that has been approved and adopted for use by the Commission. No other form may be substituted. (See Rule 3-103: Revision/Modification of Forms)

# INTERSTATE COMPACT FOR JUVENILES

## QUARTERLY PROGRESS REPORT

Reporting Period: From \_\_\_\_\_ To \_\_\_\_\_



### FORM IX

Sending State: \_\_\_\_\_

Receiving State: \_\_\_\_\_

Case # \_\_\_\_\_

Case # \_\_\_\_\_

Juvenile's Name: \_\_\_\_\_

DOB: \_\_\_\_\_

Address: \_\_\_\_\_  
(Street address) (City) (State) (Zip)

Phone # ( ) - Supervision Level: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Progress Topic	Excellent	Good	Fair	Poor	N/A
Adjustment in the home	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School/Education performance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Compliance with orders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Family and peer relationships	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Employment performance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Treatment/Counseling	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
General attitude	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**\*\*Attach pertinent documentation to substantiate progress topic.**

SUMMARY OF PROGRESS SINCE LAST REPORT:

COURT APPEARANCES? ☐ YES ☐ NO If YES, provide certified court documents and a brief explanation of the current legal situation.

RECOMMENDATION: ☐ Continue Supervision

☐ Request Discharge

☐ Request Revocation

\_\_\_\_\_  
(Juvenile Worker) (Date)

\_\_\_\_\_  
(Supervisor) (Date)

\_\_\_\_\_  
(Compact Administrator/Official) (Date)

**INTERSTATE COMPACT FOR JUVENILES  
ANNUAL REPORT  
FORM X**



July 1, \_\_\_\_\_ through June 30, \_\_\_\_\_

**RUNAWAYS, ESCAPEES, ABSCONDERS & JUVENILES CHARGED AS DELINQUENT (JCDs) FROM YOUR STATE RETURNED:**

- |                               |   |
|-------------------------------|---|
| 1. Total Number:              | _____ (Runaways: _____ Escapees: _____ Absconders: _____ JCDs: _____) |
| 2. Number of ICJ Form I Sent  | _____ Not Returned _____  |
| 3. Number of ICJ Form II Sent | _____ Not Returned _____  |

**RUNAWAYS, ESCAPEES, ABSCONDERS & JUVENILES CHARGED AS DELINQUENT (JCDs) FROM OTHER STATES RETURNED:**

- |                                   |   |
|-----------------------------------|---|
| 1. Total Number:                  | _____ (Runaways: _____ Escapees: _____ Absconders: _____ JCDs: _____) |
| 2. Number of ICJ Form I Received  | _____ Not Returned _____  |
| 3. Number of ICJ Form II Received | _____ Not Returned _____  |

**AIRPORT SUPERVISION**

Number of Airport Supervision Requests Met: \_\_\_\_\_

**OUT OF STATE CONFINEMENT:**

- |   |       |
|---|-------|
| 1. No. of juveniles from other states confined in your state: | _____ |
| 2. No. of juveniles from your state confined in other states: | _____ |

**State Committed (Parole):**

- |                                    |       |   |
|------------------------------------|-------|---|
| 1. Total incoming cases received   | _____ | Sex offenders: _____                                      |
| 2. Total incoming cases terminated | _____ |   |
| 3. Total outgoing cases sent       | _____ | Sex offenders: _____                                      |
| 4. Total outgoing cases terminated | _____ |   |
| 5. Number of failed placements:    | _____ | Of these, how many of those reported were returned: _____ |

**Court Supervised (Probation):**

- |                                    |       |  |
|------------------------------------|-------|--|
| 1. Total incoming cases received   | _____ | Sex offenders: _____                                     |
| 2. Total incoming cases terminated | _____ |  |
| 3. Total outgoing cases sent       | _____ | Sex offenders: _____                                     |
| 4. Total outgoing cases terminated | _____ |  |
| 5. Number of failed placements     | _____ | Of these, how many of those reported were returned _____ |

State: \_\_\_\_\_

Date Completed: \_\_\_\_\_

Completed by: \_\_\_\_\_  
(Name) (Title)

### ***DEFINITIONS FOR COMPLETION OF ICJ ANNUAL REPORT***

**For purposes of completion of the Annual Report, the following definitions will apply:**

**RUNAWAY** - A child under the juvenile jurisdictional age limit established by the state, who has run away from his home within the home state or out of state, without the consent of the parent, guardian, person, or agency entitled to his/her legal custody or supervision

**ESCAPEE** - A juvenile who has made an unauthorized flight from a facility to which he has been committed by the court

**ABSCONDER** - A juvenile probationer or parolee who hides, conceals or absents him/herself with the intent to avoid legal process or authorized control

**JUVENILE CHARGED AS DELINQUENT(JCD)** A juvenile who is returned to a state due to being charged with being delinquent for violation of any criminal law in that state. Process may be voluntary (Form III) or non-voluntary (Form II).

**TOTAL NUMBER** - Equals all runaways, escapees, absconders, and juveniles charged as delinquent processed through your office

**ICJ FORM I (Requisition)** - Return of non-delinquent runaway

**ICJ FORM II (Requisition)** - Return of adjudicated delinquent or juvenile charged with a delinquency

**NUMBERS NOT RETURNED PER FORM I AND FORM II** – Do not include juveniles returned via Form III process.

**AIRPORT SUPERVISION REQUESTS MET** - Supervision services provided to youth traveling through your state

**INCOMING** - Refers to youth coming INTO your state from another state

**OUTGOING** - Refers to youth going OUT of your state to another state

**FAILED PLACEMENTS** - Juvenile delinquents placed via ICJ for supervision and, due to placement failure, returned via the Form IA/VI.

**PAROLE SUPERVISION** - Parole or aftercare cases received or sent to another state for investigation and/or supervision; and incoming or outgoing parole/aftercare cases terminated

**PROBATION SUPERVISION** - Probation cases received or sent to another state for investigation and/or supervision; and incoming or outgoing probation cases terminated

**OUT OF STATE CONFINEMENT** Permits states to make agreements for out of state confinement of juveniles who are already out of state, such as parole and probation violators, escapees, and absconders

*NOTE: Indicate N/A for any category(ies) not applicable or not available*

NO.

STATE OF

§

COURT  
OF

COUNTY OF

§

IN THE MATTER  
OF

§

§

D.O.B.

§

**PETITION FOR HEARING ON REQUISITION FOR  
RUNAWAY JUVENILE**

TO THE

:

NOW COMES the State

(holding/asylum

and moves this Court to set a hearing and enter an order for the apprehension and confinement of

pending his/her transfer

pursuant to

(name of juvenile)

(home state)

terms of the Interstate Compact for Juveniles ("ICJ"), and

, and  
(holding/asylum state's

would show as follows:

**I.**

**JURISDICTION AND VENUE**

This Petition for Hearing seeks the apprehension and confinement pending transfer of

to , pursuant to the Interstate Compact

(name of juvenile)

(home state)

for Juveniles ("ICJ"),

,

and Rule §

Chapter

the

(holding/asylum state's

of the Administrative if applicable. The State by this Petition seeks the

(holding/asylum state's

of a Court Order finding in favor of the Requisition for Runaway Juvenile filed by the State of

under the ICJ.

(home state)

ICJ Petition for Hearing on  
Requisition for Runaway Juvenile  
(Optional Form)

**Page 2 of 3**

Venue is proper in this Court because the \_\_\_\_\_ : \_\_\_\_\_ (check one) 1.  
(name of juvenile)  
been found/located \_\_\_\_\_ County/Parish with \_\_\_\_\_ ,  
\_\_\_\_\_  
(relationship)  
or 2. ☐ has been picked up for his/her own protection and welfare  
\_\_\_\_\_  
(name)  
is being held in secure detention in this county/parish pending receipt of this requisition from  
\_\_\_\_\_  
(home state)

**II.**

**SERVICE OF PROCESS**

Defendant \_\_\_\_\_ , a minor, can be served with citation by advising  
(name of juvenile) juvenile  
and guardian ad litem, if appointed, while juvenile is in juvenile detention.

**III.**

**STATEMENT OF FACTS**

\_\_\_\_\_ and \_\_\_\_\_ have adopted the  
(holding/asylum state) (home state)  
Compact on Juveniles ("ICJ"). \_\_\_\_\_ ; and \_\_\_\_\_  
(holding/asylum state's statute) (home state's statute)

Under the ICJ, the "parent, guardian, person, or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, person, or agency may petition the appropriate court in the demanding state for the issuance of a warrant for his return...if the judge determines, either with or without a hearing, that the juvenile should be returned, he shall present to the appropriate court of the state where the juvenile is alleged to be located a requisition for the return of such juvenile...Upon receipt of a requisition demanding the return of a juvenile who has run away, the court shall issue an order to any such peace officer or appropriate person to take him into custody and detain such juvenile...If the judge of such court shall find that the order is in order, he shall deliver such juvenile over to the officer whom the court demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the testing the legality of the proceeding."

In the instant \_\_\_\_\_, \_\_\_\_\_ a juvenile, was not given permission by  
(name of juvenile)  
custodial parent/legal guardian to leave home. This Court may hold a hearing to determine the  
of the proceeding” and to ensure that the request \_\_\_\_\_ is “in order.” In  
(home state)  
instant case, the legality \_\_\_\_\_ request for the return of the juvenile is not in  
(home state's)  
and therefore this Court should issue an Order for the return of the \_\_\_\_\_  
(name of juvenile)

Respectfully submitted,

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

NO. \_\_\_\_\_  
STATE OF \_\_\_\_\_ § COURT OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ §  
IN THE MATTER OF \_\_\_\_\_ §  
D.O.B. \_\_\_\_\_ §

### ORDER SETTING HEARING

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, came on to be considered the State of \_\_\_\_\_  
(home/demanding state's) Requisition For Escapee, Absconder or Juvenile Charged as  
Delinquent under the Interstate Compact for Juveniles, and the Court is of the opinion that the  
same should be set for hearing.

IT IS HEREBY ORDERED that the State of \_\_\_\_\_ Requisition For  
(home/demanding state's)  
Escapee, Absconder or Juvenile Charged as Delinquent is set for hearing on the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ .M.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Judge's Signature)  
Honorable \_\_\_\_\_  
JUDGE OF \_\_\_\_\_  
(court)

cc: ICJ Office



STATE OF \_\_\_\_\_ NO. \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ § COURT OF \_\_\_\_\_  
IN THE MATTER OF \_\_\_\_\_ §  
D.O.B. \_\_\_\_\_ §

**PETITION FOR HEARING ON REQUISITION FOR  
RUNAWAY JUVENILE**

TO THE HONORABLE \_\_\_\_\_ :

NOW COMES the State of \_\_\_\_\_ by and through the Compact Commissioner  
(holding/asylum state)  
and moves this Court to set a hearing and enter an order for the apprehension and confinement of

\_\_\_\_\_ pending his/her transfer to \_\_\_\_\_ pursuant to  
(name of juvenile) (home state)  
terms of the Interstate Compact for Juveniles ("ICJ"), and the \_\_\_\_\_ and  
(holding/asylum state's  
would show as follows:

I.

**JURISDICTION AND VENUE**

This Petition for Hearing seeks the apprehension and confinement pending transfer of  
\_\_\_\_\_ to \_\_\_\_\_ pursuant to the Interstate Compact  
(name of juvenile) (home state)  
for Juveniles ("ICJ"), the \_\_\_\_\_ and Rule § \_\_\_\_\_ Chapter \_\_\_\_\_  
(holding/asylum state's statute)  
of the Administrative Code, \_\_\_\_\_ if applicable. The State by this Petition seeks the entry  
(holding/asylum state's  
of a Court Order finding in favor of the Requisition for Runaway Juvenile filed by the State of  
\_\_\_\_\_ under the ICJ.  
(home state)

Venue is proper in this Court because the juvenile, \_\_\_\_\_ : (check one) 1. ☐  
(name of juvenile) has  
been found/located in \_\_\_\_\_ County/Parish with his/her \_\_\_\_\_,  
(relationship)

\_\_\_\_\_ or 2. ☐ has been picked up for his/her own protection and welfare and  
(name)  
is being held in secure detention in this county/parish pending receipt of this requisition from

\_\_\_\_\_  
(home state)  
ICJ Petition for Hearing on Requisition  
for Runaway Juvenile (Optional Form)

II.

**SERVICE OF PROCESS**

Defendant \_\_\_\_\_, a minor, can be served with citation by advising juvenile  
(name of juvenile)  
and guardian ad litem, if appointed, while juvenile is in juvenile detention.

III.

**STATEMENT OF FACTS**

Both \_\_\_\_\_ and \_\_\_\_\_ have adopted the Interstate  
(holding/asylum state) (home state)  
Compact on Juveniles ("ICJ"). See \_\_\_\_\_; \_\_\_\_\_ and \_\_\_\_\_.  
(holding/asylum state's (home state's statute)

Under the ICJ, the "parent, guardian, person, or agency entitled to legal custody of a juvenile who has not been adjudged delinquent but who has run away without the consent of such parent, guardian, person, or agency may petition the appropriate court in the demanding state for the issuance of a requisition for his return...if the judge determines, either with or without a hearing, that the juvenile should be returned, he shall present to the appropriate court of the state where the juvenile is alleged to be located a written requisition for the return of such juvenile...Upon receipt of a requisition demanding the return of a juvenile who has run away, the court shall issue an order to any such peace officer or appropriate person directing him to take into custody and detain such juvenile...If the judge of such court shall find that the requisition is in order, he shall deliver such juvenile over to the officer whom the court demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be allowed for the purpose of testing the legality of the proceeding."

In the instant case, \_\_\_\_\_, a juvenile, was not given permission by his/her  
(name of juvenile)  
custodial parent/legal guardian to leave home. This Court may hold a hearing to determine the "legality of the proceeding" and to ensure that the request from \_\_\_\_\_ is "in order." In the  
(home state)  
instant case, the legality of \_\_\_\_\_ request for the return of the juvenile is not in question,  
(home state's)  
and therefore this Court should issue an Order for the return of the juvenile, \_\_\_\_\_.  
(name of juvenile)

Respectfully submitted,

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

NO. \_\_\_\_\_  
STATE OF \_\_\_\_\_ § COURT OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ §  
IN THE MATTER OF \_\_\_\_\_ §  
D.O.B. \_\_\_\_\_ §

**PETITION FOR HEARING ON REQUISITION FOR  
ESCAPEE, ABSCONDER, OR JUVENILE CHARGED AS DELINQUENT**

TO THE HONORABLE \_\_\_\_\_ :

NOW COMES the State of \_\_\_\_\_ by and through the Compact Commissioner  
(holding/asylum state)  
and moves this Court to set a hearing and enter an order for the apprehension and confinement of

\_\_\_\_\_ pending his/her transfer to \_\_\_\_\_ pursuant to  
(name of juvenile) (home/demanding)  
the Interstate Compact for Juveniles ("ICJ"), and the

\_\_\_\_\_ and would show as follows:  
(holding/asylum state's statute)

I.

**JURISDICTION AND VENUE**

This Petition for Hearing seeks the apprehension and confinement pending transfer of  
\_\_\_\_\_ to \_\_\_\_\_ pursuant to  
(name of juvenile) (home/demanding)  
the Interstate Compact for Juveniles ("ICJ"), the \_\_\_\_\_ and Rule § \_\_\_\_\_,  
(holding/asylum state's  
Chapter \_\_\_\_\_ of the \_\_\_\_\_ Administrative Code, if applicable.  
(holding/asylum state's administrative code)

The State by this Petition seeks the entry of a Court order finding in favor of the Requisition For Escapee,  
Absconder or Juvenile Charged as Delinquent filed by the State of \_\_\_\_\_ under the ICJ.  
(home/demanding)

Venue is proper in this Court because the juvenile, \_\_\_\_\_ : (check one) 1. ☐ has  
(name of juvenile) been  
found/located in \_\_\_\_\_ County/Parish with his/her \_\_\_\_\_  
(relationship)

or 2. ☐ is being held in secure detention in this county/parish pending receipt of this requisition from

\_\_\_\_\_  
(home/ demanding state)

ICJ Petition for Hearing for Escapee,  
Absconder, or Juvenile Charged as  
Delinquent (Optional Form)

II.

**SERVICE OF PROCESS**

Defendant \_\_\_\_\_, a juvenile, can be served with citation by advising juvenile and  
(name of juvenile)  
guardian ad litem, if appointed, while juvenile is in juvenile detention.

III.

**STATEMENT OF FACTS**

This action is brought by the State of \_\_\_\_\_ acting through the Compact Commissioner<sup>1</sup>  
(holding/asylum  
and arises out of the prescriptions of the Interstate Compact for Juveniles, ("ICJ"),  
which requires the Court to enter an Order to apprehend and later surrender

\_\_\_\_\_ in \_\_\_\_\_ to local representatives of the ICJ  
(name of juvenile) (holding civ. state)  
Office in \_\_\_\_\_  
(home/demanding state).  
This action originated in \_\_\_\_\_ when (add particulars as necessary):  
(home/ demanding state)

On \_\_\_\_\_ a Warrant of Apprehension was issued by the (check one) ☐ court  
(date) or  
☐ agency in \_\_\_\_\_ Since \_\_\_\_\_ was: (check one) 1. ☐  
(home/demanding (name of juvenile)  
residing in \_\_\_\_\_ 2. ☐ was found/located in this jurisdiction, a  
(asylum civ/state)  
Requisition for Escapee, Absconder or Juvenile Charged as Delinquent,  
of the ICJ, was issued by the \_\_\_\_\_ authorities, seeking the  
(home/demanding state)  
return of \_\_\_\_\_ to serve out the terms of his/her (check one) ☐ probation,  
(name of juvenile)  
☐ parole, ☐ commitment, or ☐ to have a hearing regarding the pending charges.

<sup>1</sup>The Compact Administrator is charged with enforcing the Compact and has a "justiciable interest in the underlying controversy" and therefore has standing to seek mandamus relief regardless of whether the Compact Administrator is considered a party to the underlying litigation. *Terrazas v. Ramirez*, 829 S.W. 2d 712, 723 (Tex. 1991).

#### IV.

#### ICJ CAUSE OF ACTION

Both \_\_\_\_\_ and \_\_\_\_\_ have adopted the Interstate Compact for  
(holding/asylum (home/demanding state))  
Juveniles ("ICJ"). See \_\_\_\_\_ ; \_\_\_\_\_ and \_\_\_\_\_  
(holding/asylum state's statute) (home/demanding state's statute)  
the ICJ, a state "from whose probation or parole supervision a delinquent juvenile has  
absconded or from whose institutional custody he has escaped...shall present to the appropriate court ... where  
the delinquent juvenile is alleged to be located a written requisition for the return of such delinquent juvenile ...  
Upon receipt of the requisition demanding the return of a delinquent juvenile who has absconded or escaped,  
the court shall issue an order to any such peace officer or appropriate person directing him to take into  
custody and detain such delinquent juvenile...If the judge of such court shall find that the requisition is in  
order, he shall deliver such delinquent juvenile over to the officer whom the appropriate person or authority  
demanding him shall have appointed to receive him. The judge, however, may fix a reasonable time to be  
allowed for the purpose of testing the legality of the proceeding."

Under the the ICJ, all provisions and procedures to the ICJ  
shall be construed to apply to any juvenile charged with being a delinquent by reason of a violation of any  
criminal law...Any juvenile charged with being a delinquent by reason of violating any criminal law shall be  
returned to the requesting state where the juvenile may be found...A petition in such case shall be filed in a  
court of competent jurisdiction in the requesting state where the violation of criminal law is alleged to have  
been committed...The petition may be filed regardless of whether the juvenile has left the state before or  
after the filing of the petition...The requisition described in the compact shall be forwarded by the  
judge of the court in which the petition has been filed.

In the instant case, \_\_\_\_\_ a juvenile: (check one) ☐ was not given permission  
(name of juvenile) to  
leave \_\_\_\_\_ by his/her (check one) ☐ probation, ☐ parole officer, or ☐ agency, or ☐ is  
(home/demanding  
alleged to have committed a criminal act in the State of \_\_\_\_\_ and fled the state. This  
(home/demanding  
Court may hold a hearing to determine the "legality of the proceeding" and to ensure that the request from

\_\_\_\_\_ is "in order". In the instant case, the legality of \_\_\_\_\_ request for  
(home/demanding) (home/demanding)  
the return of the juvenile is not in question, and therefore this Court should issue an Order for the return of  
the juvenile-without regard to the wishes of the managing conservator or any parent of the juvenile.

Respectfully submitted,

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name)

\_\_\_\_\_  
(Title)

ICJ Petition for Hearing for Escapee,  
Absconder, or Juvenile Charged as  
Delinquent (Optional Form)

**Page 3 of 4**

STATE OF \_\_\_\_\_ NO. \_\_\_\_\_ § COURT OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_ §  
IN THE MATTER OF \_\_\_\_\_ §  
D.O.B. \_\_\_\_\_ §

### ORDER SETTING HEARING

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, came on to be considered the State of \_\_\_\_\_ Requisition For Escapee, Absconder or Juvenile Charged as  
(home/demanding state's)  
Delinquent under the Interstate Compact for Juveniles, and the Court is of the opinion that the same should be set for hearing.

IT IS HEREBY ORDERED that the State of \_\_\_\_\_ Requisition For  
(home/demanding state's)  
Escapee, Absconder or Juvenile Charged as Delinquent is set for hearing on the \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_\_\_ at \_\_\_\_\_ .M.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
(Judge's Signature)  
Honorable \_\_\_\_\_  
JUDGE OF \_\_\_\_\_  
(court)

cc: ICJ Office

STATE OF \_\_\_\_\_ ) (

COUNTY OF \_\_\_\_\_ ) (

IN THE INTEREST OF **JUVENILE DIVISION**

DOB: \_\_\_\_\_

SEX: \_\_\_\_\_ RACE: \_\_\_\_\_

**INTERSTATE COMPACT FOR JUVENILES  
RIGHTS FOR VOLUNTARY RETURN OF RUNAWAY, ABSCONDER,  
ESCAPEE, OR JUVENILE BEING CHARGED AS DELINQUENT**

1. Based on reasonable information, you have been taken into protective custody as a runaway from the State of \_\_\_\_\_ and the State of \_\_\_\_\_ has requested your return.
2. You have the right to legal counsel/guardian ad litem.
3. Should you desire to have legal counsel and cannot afford to retain legal counsel, this court will appoint legal counsel for you free of charge.
4. You have the right to have a court hearing to determine whether sufficient cause exists to hold you until such time that a requisition or official request for your return has been received from the State of \_\_\_\_\_, the demanding state.
5. Should this Court find sufficient cause to hold you pending receipt of this requisition, you can be held for a period of time not to exceed 90 days.
6. Upon receipt of the requisition, you have the right to a court hearing to determine whether the requisition is in order.
7. **You have the right to waive or give up the above described rights and to voluntarily Consent to return to the State of \_\_\_\_\_**
8. If there are pending charges in the demanding state, that voluntary consent to return is made Without reference to guilt or innocence and is not in any way prejudicial to your case and is not an admission of guilt of any crimes.

The above named juvenile has been advised of his/her rights existing under the Interstate Compact for Juveniles as of this date and time.

ENTERED: \_\_\_\_\_ (Signature of Judge)



## INTERSTATE COMPACT FOR JUVENILES CASE CLOSURE FORM

Date: \_\_\_\_\_

To: \_\_\_\_\_

From: \_\_\_\_\_

\_\_\_\_\_  
(Name of Juvenile)

\_\_\_\_\_  
(Date of Birth)

Probation / Parole  
(Status – Circle one)

\*According to ICJ Rules & Regulations. Please close the above referenced case due to:

\_\_\_\_\_ Case has expired. \*\*According to ICJ Rules & Regulations 4-106(3-4)

\_\_\_\_\_ Early Release from Supervision either satisfactory or unsatisfactory

\_\_\_\_\_ Unable to locate youth.

\_\_\_\_\_ Youth has absconded/escaped.

\_\_\_\_\_ Youth has moved or returned to another state.

\_\_\_\_\_ Youth has been revoked.

\_\_\_\_\_ Youth has been adjudicated and is currently in custody.

\_\_\_\_\_ Other, please specify:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*\*Please note that the sending state has sole authority to discharge/terminate its juveniles.*

*\*\*Cases which terminate due to expiration of a court order or upon expiration of the period of parole 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.*

**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Draft By-laws (to be considered, Dec. 2009) --**

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***PROPOSED AMENDMENTS***  
***5/14/09***

**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 and treasurer. 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:

- e. *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.
- f. *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.
- g. *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.
- h. *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.

### ***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:

- k. Recommend general policies and program initiatives for the Commission's consideration;
- l. Recommend for the Commission's consideration administrative personnel policies governing the recruitment, hiring, management, compensation and dismissal of Commission staff;
- m. Implement and monitor administration of all policies, programs, and initiatives adopted by the Commission;
- n. Prepare draft annual budgets for the Commission's consideration;
- o. Monitor all Commission expenditures for compliance with approved budgets, and maintain accurate records of the Commission's financial account(s);
- p. Assist Commission Members as directed in securing required assessments from the Compacting States;
- q. Execute contracts on behalf of the Commission as directed;
- r. Receive service of process on behalf of the Commission;
- s. Prepare and disseminate all required reports and notices directed by the Commission; and
- t. 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 immediate past chairperson of the Commission shall also serve as an ex-officio member of the executive committee and both the ex-officio victims' representative and immediate past chairperson 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.

**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Explanation of Proposed By-law Amendments --**

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**By-Laws, By-laws, Bylaws**

Changed to By-laws throughout the document for consistency. Any of these would be okay, except the Compact refers to by-laws.

**Article I  
Commission Purpose, Function and Bylaws**

**Section 1. Purpose.**

Added the following to better define the Commission's Purpose:

- "as a body corporate" from Article III, new ICJ.
- "provides for the welfare and protection of juveniles, victims and the public by" from Article I, old ICJ (with the exception of the word, "victims")

Changed the rest of the sentence for better flow and added a key juvenile-related responsibility with "temporary travel of defined offenders from Article I.(H), new ICJ.

**Section 2. Functions.**

- Corrected a typo by placing a lower case 'c' in the word 'coordination'
- Added the language, "The provisions of the Compact shall be reasonably and liberally construed to accomplish the purposes and policies of the Compact. (Article I, new ICJ)

**Article II  
Existing Rights and Remedies**

Changed the word "degradation" to "derogation." In Article II of the Interstate Compact on Juveniles, the word is "derogation."

Definitions:

Degradation – 1: the act or process of degrading 2 a: decline to a low, destitute or demoralized state b: moral or intellectual decadence: DEGENERATION

Derogation – L, to annul (a law), detract, fr. De + rogare to ask, propose (a law) – more at RIGHT) vt: to cause to seem inferior: DISPARAGE - vi 1: to take away a part so as to impair: DETRACT 2: to act beneath one's position or character

### **Article III Membership**

Added:

Section 2. Ex-Officio Members – this is in our Compact and is addressed in ICAOS' Compact and Bylaws.

- The language, with the exception of the last sentence, is taken from Article III, new ICJ.
- The last sentence providing that the agencies of the National Institute of Corrections and the Office of Juvenile Justice and Delinquency Prevention are ex-officio members of the Commission mirrors ICAOS' language regarding the National Institute of Corrections, the American Parole and Probation Association and Association of Paroling Authorities International.

### **Article IV Officers**

Added:

Section 4. Vacancies – need to address this situation was discussed in the May 6, 2009, ICJ Commission Executive Committee Emergency Meeting. The language is taken verbatim from the ICAOS Bylaws.

### **Article VIII Committees**

Section 1. Executive Committee. – added language from ICAOS Bylaws:


- regional representatives and the ex-officio victims' representative to the Interstate Commission are members of the Executive Committee.
- immediate past chairperson also serves as an ex-officio member of the Executive Committee
- both the victims' representative and immediate past chairperson serve a term of one year. (Changed the term length to one year from two years to be consistent with the terms of the ICJ officers. ICAOS officers serve a two year term.)

Section 3. Regional Representatives. – deleted sentence that regional representatives are members of the executive committee as it is now part of Section 1.

### **Article IX Finance**

Section 3. Accounting and Audit.

Changes made are to align with the language of ICAOS Bylaws which make for better readability.

 <b>Interstate Commission</b>	<b>DRAFT Policy Number</b>  <b>1-2009</b>	<b>Page Number:</b>  <b>1</b>
<div> <b>ICJ Compliance Policy</b>  <b>Compliance Enforcement - Investigating</b>  <b>Allegations of Non-Compliance</b> </div> <div> <b>Dated:</b>  <b>07/13/09</b> </div>		

## I. Objectives

The objective of this policy is to define the course of action the Compliance Committee of the Interstate Commission for Juveniles (ICJ) may take when an allegation of non-compliance by a member state is received or referred to the Compliance Committee. A duty of the Compliance Committee is to address substantial or persistent violations of the Compact, its rules, and Bylaws when all other efforts to assist the alleged violating state to come into compliance are exhausted or in cases where such alleged violations warrant immediate action.

The Compliance Committee has the responsibility to ensure that the rules and regulations of the Compact are adhered to in order to protect public safety while promoting juvenile offender rehabilitation. In order to properly exercise its authority, the Compliance Committee shall review and/or investigate all allegations of non-compliance that are referred to the Committee and may take one or more appropriate actions. These alternatives may range from corrective measures, educational measures to monetary fines, administrative orders, or other punitive sanctions as authorized by the Compact.


## II. Investigation

### A. Purpose

The purpose of the investigation is to substantiate or “rule out” a factual basis for the allegation by assembling and examining all relevant evidence including statements and/or testimony of witnesses, documents, and all other information which may lead to the discovery of relevant evidence.

### B. Procedures

During the investigation, information may emerge which justifies broadening the scope of the investigation beyond the initial allegations. The Commissioner of the State alleged to be in non-compliance will be informed in writing if new and different allegations are discovered during the course of the investigation.


 <b>Interstate Commission</b>	<b>DRAFT Policy Number</b>  <b>1-2009</b>	<b>Page Number:</b>  <b>2</b>
<div> <b>ICJ Compliance Policy</b>  <b>Compliance Enforcement - Investigating</b>  <b>Allegations of Non-Compliance</b> </div> <div> <b>Dated:</b>  <b>07/13/09</b> </div>		

The investigation shall be conducted by a neutral investigator independently, employed or otherwise contracted by ICJ. (See ICJ Compliance **draft** policy #2-2009, Compliance Enforcement - Investigation Process.) Current ICJ Commissioners are disqualified from acting as investigators, as it may be perceived as a conflict of interest. The investigator, at the direction of the Executive Director, shall use any and all materials and reports gathered during the inquiry phase and request any and all documents that would further assist the investigation. The investigator may interview any person(s) who may have information relevant to the allegation(s) of non-compliance and may obtain, through appropriate subpoena or other process if necessary, all documents and other information relevant to such allegation(s). Pursuant to the provisions of the Compact all such investigatory information and investigative file(s) shall be confidential and not subject to public disclosure.

The State alleged to be in non-compliance will be given an opportunity to submit written documents and appear before the investigator at the State's own expense. At the conclusion of the investigation, the investigator will prepare a written report to the Executive Director which shall include a summary of the conclusions. This investigative report shall be confidential and not subject to public disclosure. The Executive Director shall forward the report and recommendations to the Chair of the Compliance Committee within 30 days of the conclusion of the investigation phase, unless a time extension has been granted by the Chairperson or designee. The Chair of the Compliance Committee shall forward the report to the full Committee, the State alleged to be in non-compliance and the complaining State, if applicable. The State alleged to be in non-compliance shall be given the opportunity to appear before the Compliance Committee at the State's own expense, or reply in writing at a date and time to be determined by the Compliance Committee.

#### C. Final Outcome

The Compliance Committee will base its finding on the report and any verbal or written submissions. The Compliance Committee will present their findings and make a recommendation to the Executive Committee at their next scheduled meeting. If the State in question is found in non-compliance, that State shall reimburse all costs associated with the investigation to Interstate Commission for Juveniles.

 <b>Interstate Commission</b>	<b>DRAFT Policy Number 2-2009</b>	<b>Page Number:</b>  <b>1</b>
<b>ICJ Compliance Policy</b>  <b>Compliance Enforcement - Investigation Process</b>		<b>Dated:</b>  <b>07/08/2009</b>

I. **Authority**

The Compliance Committee of the Interstate Commission for Juveniles (ICJ) is vested with the authority to monitor member states' compliance with the terms of the Compact and the ICJ's rules and Bylaws, and for developing appropriate enforcement procedures for the Commission's consideration including initiating interventions to address and correct non-compliance.

In accordance with ICJ Compliance draft Policy #1-2009, Compliance Enforcement – Investigating Allegations of Non-Compliance, investigations shall be conducted by a neutral investigator independently, employed or otherwise contracted by the ICJ.

II. **Applicability**

This policy applies to ICJ signatory states and it's appointed Commissioners.

III. **Policy**

The following guidelines have been established to provide the procedures by which investigations may be conducted by the Compliance Committee to determine whether an allegation of non-compliance of signatory states can be substantiated.

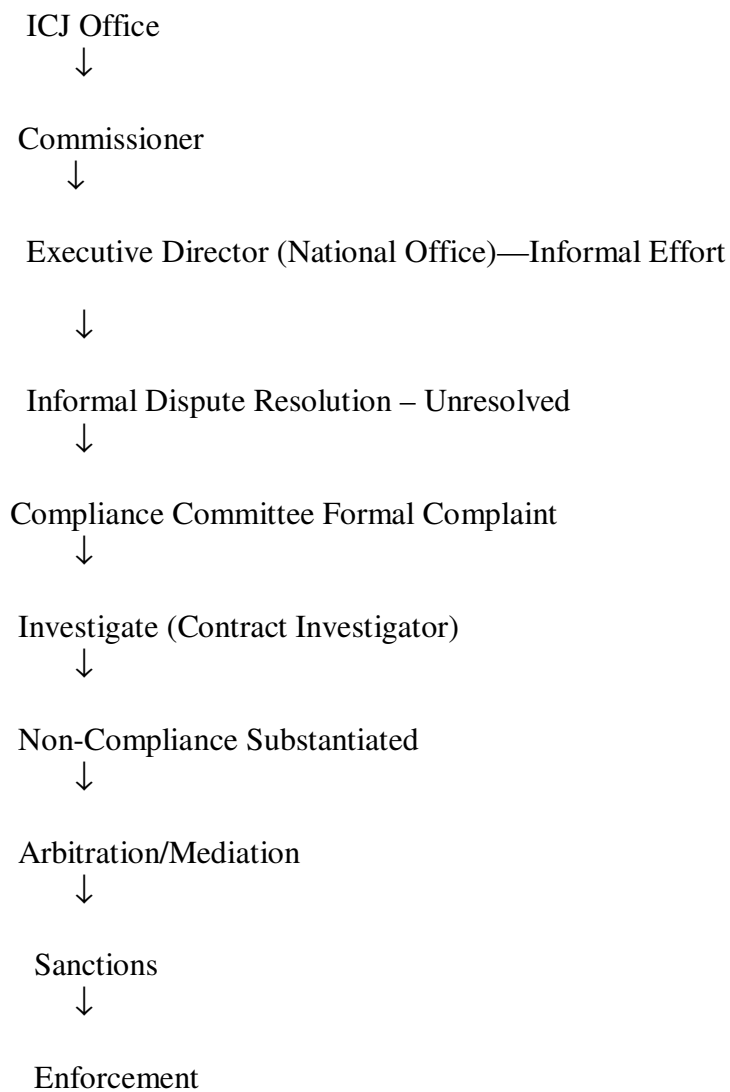
A. Contract consultants will be utilized to conduct investigations, audits, mediations, and other services on behalf of the ICJ for the purpose of establishing states' compliance.

1. Contract Consultants will consist of:
  - a. Former Commissioners of ICJ
  - b. Retired Commissioners of ICJ
  - c. Individuals with Compact knowledge and/or experience who are no longer involved in the day to day business
2. Cost for utilizing contract consultants:
  - a. The ICJ will pay a daily per diem of \$400.00 not to exceed eight hours.
  - b. The Commission will pay \$50.00 per hour when less than a full eight hour day is needed.
  - c. The ICJ will pay for travel, lodging and meal per diems, not to exceed the Federal reimbursement rates, when travel is needed.


 <b>Interstate Commission</b>	<b>DRAFT Policy Number 2-2009</b>	<b>Page Number:</b>  <b>2</b>
<b>ICJ Compliance Policy</b>  <b>Compliance Enforcement - Investigation Process</b>		<b>Dated:</b>  <b>07/08/2009</b>

### Resolution Process:

The following is a progressive resolution process:





 <b>Interstate Commission</b>	<b>Policy Number</b>  <b>3-2009</b>	<b>Page Number:</b>  <b>185</b>
<b>ICJ Administrative Policy</b>  <b>Guidelines for Resolving Compliance Issues</b>		<b>Dated:</b> <b>07/13/2009</b>

**I. Objectives**

The objectives of this policy is to establish a proactive process for resolving non-compliance prior to a referral to the Compliance Committee. The guidelines are intended to promote resolution of such issues through positive interaction and seek to invoke punitive sanctions in the most serious cases and/or only as a measure of last resort. While the guidelines set forth in this policy are intended to assist member states with non-compliance problems by promoting positive working relationships and solutions, it is recognized that this process may not be applicable in all cases and it is not intended to circumvent the powers and duties of the Commission to enforce the provisions of the Compact as specified by statute or rules.

**II. Applicability**

This policy applies to the National Office and all member states.


**III. Procedures**

When a non-compliance matter or complaint comes to the attention of the National Office, the National Office will respond by taking the action identified in Level One and continuing up the continuum through Level Five or until the issue is considered resolved. The Five Levels for guiding the Commission on compliance matters are identified and outlined. They are as follows:

**Level One:** At Level One the Executive Director makes contact with the involved Commissioners and attempts to resolve the matter to the satisfaction of both parties. If the matter can't be resolved it is advanced to Level Two for additional action.

**Level Two:** At Level Two the Executive Director continues to work to identify An acceptable solution by consulting with the appropriate standing Committees, i.e. rules, training etc.

**Level Three:** At Level Three the Executive Director attempts to resolve the matter by offering technical assistance to include, securing the assistance of subject matter experts, on-site training, assistance with completing a self assessment audit etc.

 <b>Interstate Commission</b>	<b>Policy Number</b>  <b>3-2009</b>	<b>Page Number:</b>  <b>186</b>
<div> <div> <b>ICJ Administrative Policy</b>  <b>Guidelines for Resolving Compliance Issues</b> </div> <div> <b>Dated:</b>  <b>07/13/2009</b> </div> </div>		

Level Four: At Level Four the Executive Director has exhausted attempts to Resolve the compliance problem using the methods identified in the first three levels. The Executive Director prepares a report to the Executive Committee recommending that the matter be referred to the Compliance Committee for further action. (See: *Compliance Policy: Procedure for Investigating Allegations of Non-Compliance*).

Level Five: Level Five the Compliance Committee finds the non-compliant State in default and assesses a penalty. (See: *Compliance Policy: Procedure for Investigating Allegations of Non-Compliance*).

	<b>FY10 Budget</b>	<b>FY11 Proposed Budget</b>
<b><u>REVENUE</u></b>		
DUE ASSESSMENT	734,666.67	757,000.00
Carried Over Reserves		
INTEREST INCOME		
<b>Total Administration Revenue</b>	<b>734,666.67</b>	<b>757,000.00</b>

<b><u>EXPENSE</u></b>		
60000 SALARIES & WAGES	165,250.00	174,000.00
61000 EMPLOYEE BENEFITS	37,000.00	43,000.00
CSG CONTRACT STAFF	58,219.00	
61079 EDUCATION, ACCREDITATION	1,000.00	2,000.00
61089 PROFESSIONAL MEMBERSHIP FEES	300.00	300.00
62000 SUPPLIES	15,000.00	7,000.00
62010 POSTAGE	750.00	1,000.00
62090 COMPUTER SERVICES/SUPPORT	6,000.00	7,812.00
62130 OUTSIDE WEB SUPPORT	10,000.00	5,000.00
62140 SOFTWARE PURCHASE	3,000.00	1,000.00
62280 INSURANCE	1,300.00	1,728.00
62310 PHOTOCOPY	750.00	1,000.00
62360 DIRECT TELEPHONE EXPENSE	2,565.00	3,420.00
62370 CELL PHONE EXPENSE	1,000.00	1,500.00
62410 MARKETING/ADVERTISING	1,500.00	500.00
66000 EQUIPMENT PURCHASE	20,000.00	15,000.00
68200 WEB/VIDEO CONFERENCE (WebEx)	9,000.00	12,000.00
68230 MEETING EXPENSE	1,125.00	1,500.00
72000 CONSULTANT SERVICES	15,000.00	25,000.00
74000 STAFF TRAVEL	7,500.00	10,000.00
78050 PRINTING	7,000.00	5,000.00
80000 LEGAL SERVICES	40,000.00	35,000.00
85000 RENT	13,750.00	18,000.00
91010 INDIRECT COST	83,401.80	50,052.60
<b>Total Administration Expenditures</b>	<b>500,410.80</b>	<b>420,812.60</b>

<b><u>OTHER EXPENSE</u></b>		
Executive Committee Meetings	14,100.00	15,000.00
Annual Meeting	81,176.00	85,000.00
Finance Committee	750.00	1,000.00
Compliance Committee	750.00	1,000.00
Rules Committee	10,000.00	15,000.00
Technology Committee	7,500.00	15,000.00
Training/Education Committee	15,000.00	15,000.00
Executive Director Search	7,725.00	
Other Indirect Cost	27,400.20	19,845.00
<b>Total Other Expense</b>	<b>164,401.20</b>	<b>166,845.00</b>

<b>Total Commission Expenses</b>	<b>664,812.00</b>	<b>587,657.60</b>
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<b>Over/Under Budget</b>	<b>69,854.67</b>	<b>169,342.40</b>
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<b>Fund Balance and Liabilities</b>		
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**INTERSTATE COMPACT  
FOR  
JUVENILES**

**INTERSTATE COMMISSION MEETING**

**-- Compact Language --**

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**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 noncompliance; (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; 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; provide an opportunity for an informal hearing if petitioned by ten (10) or more persons; and 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

superseded 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 35<sup>th</sup> 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 nonvoting 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 bylaws 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.

## State Status (as of October 29, 2009)

<u>State</u>	<u>Status</u>
Alabama	Signed into law, 4/22/04
Alaska	Signed into law, 6/26/09
Arizona	Signed into law, 4/30/03
Arkansas	Signed into law, 4/6/05
California	Signed into law, 10/11/09
Colorado	Signed into law, 4/26/04
Connecticut	Signed into law, 6/18/03
Delaware	Signed into law, 7/8/03
Florida	Signed into law, 5/26/05
Georgia	
Hawaii	Signed into law, 6/05/09
Idaho	Signed into law, 3/19/04
Illinois	Signed into law, 8/26/08
Indiana	
Iowa	
Kansas	Signed into law, 3/29/04
Kentucky	Signed into law, 3/18/05
Louisiana	Signed into law, 7/3/03
Maine	Signed into law, 6/25/03
Maryland	Signed into law, 5/17/07
Massachusetts	
Michigan	Signed into law, 7/11/03
Minnesota	

<u>State</u>	<u>Status</u>
New Hampshire	
New Jersey	Signed into law, 9/10/04
New Mexico	Signed into law, 3/19/03
New York	
North Carolina	Signed into law, 7/18/05
North Dakota	Signed into law, 3/13/03
Ohio	
Oklahoma	Signed into law, 4/21/04
Oregon	Signed into law 8/4/09
Pennsylvania	Signed into law, 7/2/04
Rhode Island	Signed into law, 7/10/03
South Carolina	Signed into law, 5/24/06
South Dakota	Signed into law, 2/13/04
Tennessee	Signed into law, 6/20/08
Texas	Signed into law, 6/18/05
Utah	Signed into law, 3/16/05
Vermont	
Virginia	Signed into law, 3/12/07
Washington	Signed into law, 5/9/03
West Virginia	Signed into law, 4/6/04
Wisconsin	Signed into law, 3/30/06
Wyoming	Signed into law, 3/5/04
Amer. Samoa	

Mississippi	Signed into law, 3/17/09	Dist. of Columbia	
Missouri	Signed into law, 4/1/03	Guam	
Montana	Signed into law, 4/1/03	N. Mariana Is.	
Nebraska	Signed into law, 5/27/09	Puerto Rico	
Nevada	Signed into law, 5/19/05	U.S. Virgin Is.	

## INTERSTATE COMMISSION FOR JUVENILES

### REGIONAL MAP

#### WEST

Alaska  
Arizona  
California  
Colorado  
Hawaii  
Idaho  
Montana  
Nevada  
New Mexico  
Oregon  
Utah  
Washington  
Wyoming

#### MIDWEST

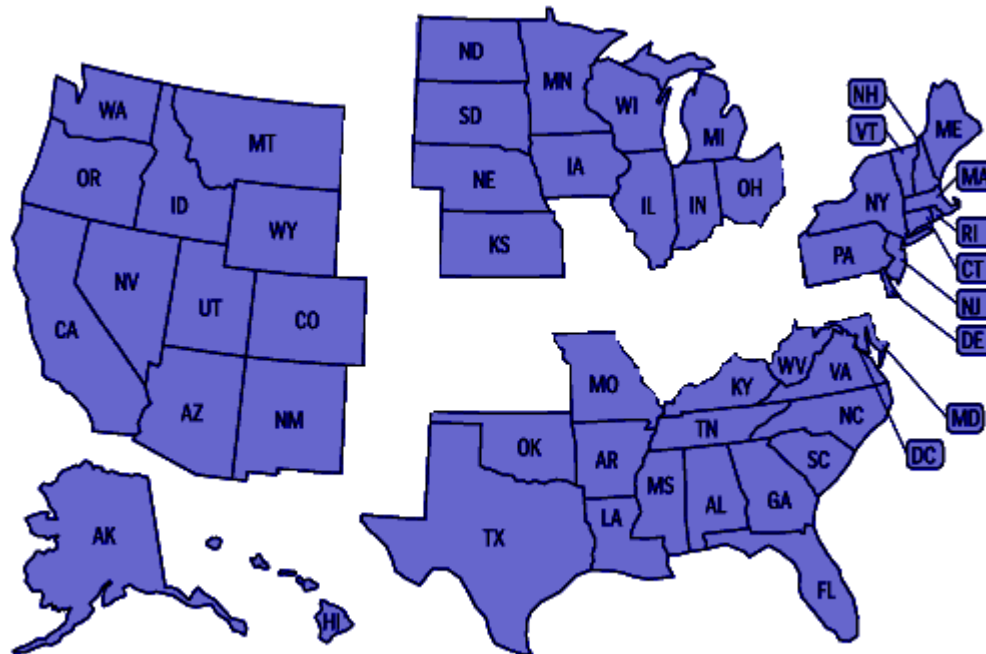
Illinois	Nebraska
Indiana	North Dakota
Iowa	Ohio
Kansas	South Dakota
Michigan	Wisconsin
Minnesota	

#### EAST

Connecticut  
Delaware  
Maine  
Massachusetts  
New  
Hampshire  
New Jersey  
New York  
Pennsylvania  
Rhode Island  
Vermont

#### SOUTH

Alabama  
Arkansas  
Florida  
Georgia  
Kentucky  
Louisiana  
Maryland  
Mississippi  
Missouri  
North Carolina  
Oklahoma  
South Carolina  
Tennessee  
Texas  
Virginia  
West Virginia





**INTERSTATE COMMISSION FOR JUVENILES**  
**Second Annual Meeting**  
**December 1-3, 2009**

**-- Commissioner and Designee Contact Information --**

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**Alabama**

Patrick J. Pendergast  
Administrator of Placement  
Alabama Dept. of Youth Services  
P.O. Box 66  
Mt. Meigs, AL 36057  
Phone: 334-215-3820  
Email: [pat.pendergast@dys.alabama.gov](mailto:pat.pendergast@dys.alabama.gov)  
*Designee*

Walter Wood  
Executive Director  
Alabama Division of Youth Services  
P. O. Box 66  
Mt. Meigs, AL 36057  
Phone: 334-215-3820  
Email: [walter.wood@dys.alabama.gov](mailto:walter.wood@dys.alabama.gov)  
*Commissioner*

**Alaska**

Barbara Murray  
Deputy Compact Administrator  
Division of Juvenile Justice  
PO Box 110635  
240 Main Street, Suite 700  
Juneau, AK 99811  
Phone: 907-465-2116  
Email: [barbara.murray@alaska.gov](mailto:barbara.murray@alaska.gov)  
*Commissioner*

**Arkansas**

Judy Miller  
Deputy Compact Administrator  
AR Division of Youth Services, Interstate  
Compact Unit, P.O. Box 1437, Slot S-503  
Little Rock, AR 72203  
Phone: 501-682-1929  
E-mail: [judy.miller@arkansas.gov](mailto:judy.miller@arkansas.gov)  
*Designee*  
*Southern Regional Representative*

Ron Angel, Director  
DHS Division of Youth Services  
P.O. Box 1437-Slot S-501  
Little Rock, AR 72203  
Phone: 501-682-8755  
Email: [Cindy.Fulton@arkansas.gov](mailto:Cindy.Fulton@arkansas.gov)  
*Commissioner*

**Arizona**

Michael Branham  
Director  
Arizona Department of Juvenile Corrections  
Central Administration Office  
1624 West Adams  
Phoenix, Arizona 85007  
Phone: 602.542.4302  
Email: [mbranham@azdjc.gov](mailto:mbranham@azdjc.gov)  
*Commissioner*

**California**

Rachel Rios, *Representative*  
Kurt Wilson, *Representative*

**Colorado**

Summer Foxworth  
Deputy Compact Administrator  
Colorado Division of Youth Correction  
4255 S. Knox Court  
Denver, CO 80239  
Phone: 303-866-7690  
Email: [summer.foxworth@state.co.us](mailto:summer.foxworth@state.co.us)  
*Commissioner*

**Connecticut**

Stacey Gerber  
Bureau Chief  
CT-DCF-Bureau of Child Welfare Services  
505 Hudson Street  
Hartford, CT 06106  
Phone: 860-550-6397  
Email: [stacey.gerber@ct.gov](mailto:stacey.gerber@ct.gov)  
*Commissioner*

**Delaware**

Susan Burns  
Office of Case Management, DSCYF  
1825 Faulkland Road  
Wilmington, DE 19805  
Phone: 302-633-2685  
Email: [susan.burns@state.de.us](mailto:susan.burns@state.de.us)  
*Commissioner*

Michelle Huntley  
Office of Case Management, DSCYF  
1825 Faulkland Road  
Wilmington, DE 19805  
Phone: 302-633-2685  
Email: [michele.huntley@state.de.us](mailto:michele.huntley@state.de.us)  
*Designee*

**Florida**

Jean Hall  
Compact Administrator  
Department of Juvenile Justice  
2137 Centerview Drive  
Tallahassee, FL 32399  
Phone: 850-488-3795  
Email: [jean.hall@djj.state.fl.us](mailto:jean.hall@djj.state.fl.us)  
*Commissioner*  
*Training, Education, and PR Committee Chair*

**Hawaii**

Wendell Kikuchi  
Deputy Compact Administrator  
777 Punchbowl Street  
Honolulu, HI 96813  
Phone: 808-539-4414  
Email: [Wendell.K.Kikuchi@courts.state.hi.us](mailto:Wendell.K.Kikuchi@courts.state.hi.us)  
*Commissioner*

**Idaho**

Sharon Harrigfeld, Director  
Idaho Department of Juvenile Corrections  
954 W. Jefferson St.  
PO Box 83720  
Boise, ID 83720-0285  
Phone: 208-577-5404 (direct)  
Email: [sharon.harrigfeld@idjc.idaho.gov](mailto:sharon.harrigfeld@idjc.idaho.gov)  
*Commissioner*

**Illinois**

Billie W. Greer  
Deputy Compact Administrator  
Illinois Dept. of Juvenile Justice  
707 North 15<sup>th</sup> Street  
Springfield, IL 62702  
Phone: 217-557-1030  
Email: [billie.greer@doc.illinois.gov](mailto:billie.greer@doc.illinois.gov)  
*Designee*

**Kansas**

Dennis A. Casarona  
KJJA Deputy Commissioner  
Compact Commissioner  
Kansas Juvenile Justice Authority  
714 S.W. Jackson, Ste. 300  
Topeka, KS 66603  
Phone: 785-368-7223  
Email: [dcasarona@jja.ks.gov](mailto:dcasarona@jja.ks.gov)  
*Commission Treasurer*

**Kentucky**

Paul T. Gibson  
Deputy Compact Administrator  
Kentucky Dept. of Juvenile Justice  
1025 Capital Center Drive, 3<sup>rd</sup> Floor  
Frankfort, KY 40601  
Phone: 502-572-2738  
Email: [pault.gibson@ky.gov](mailto:pault.gibson@ky.gov)  
*Commissioner*

**Louisiana**

Beth Meng, Program Manager  
Office of Juvenile Justice  
4083 Meadow Ridge Drive  
Baton Rouge, LA 70817  
Phone: 225-287-7926  
E-mail: [beth.meng@la.gov](mailto:beth.meng@la.gov)  
*Commissioner*

**Maryland**

Sherry Jones  
Deputy Compact Administrator  
Maryland Dept. of Juvenile Services  
120 W. Fayette Street  
Baltimore, MD 21201  
Phone: 410-230-3200  
Email: [jones@djs.state.md.us](mailto:jones@djs.state.md.us)  
*Commissioner*

**Maine**

Mark Boger  
Deputy Compact Administrator

Department of Corrections  
P.O. Box 2308  
Augusta, ME 04338  
Phone: 207-287-5068  
Email: [mark.boger@maine.gov](mailto:mark.boger@maine.gov)  
*Commissioner*

**Michigan**

Michael J. Ruedisale  
Deputy Compact Administrator  
Michigan Dept. of Human Services – BJJ  
235 S. Grand Ave., Ste. 401  
Lansing, MI 48909  
Phone: 517-241-8261  
Email: [Ruedisalem@michigan.gov](mailto:Ruedisalem@michigan.gov)  
*Commissioner*

**Missouri**

Julie Hawkins  
Deputy Compact Administrator  
Missouri Division of Youth Services  
P.O. Box 447  
Jefferson City, MO 65102  
Phone: 573-751-3324  
Email: [julie.hawkins@dss.mo.gov](mailto:julie.hawkins@dss.mo.gov)  
*Commissioner*

**Mississippi**

Don Thompson  
Executive Director  
MS Department of Human Services  
750 North State Street  
Jackson, MS 39202  
Email: [dale.thompson@mdhs.ms.gov](mailto:dale.thompson@mdhs.ms.gov)  
*Commissioner*

Clarence Powell  
Email: [clarence.powell@mdhs.ms.gov](mailto:clarence.powell@mdhs.ms.gov)  
*Designee*

**Montana**

Gloria Soja  
Deputy Compact Administrator  
Department of Corrections-Juv. Div.  
P. O. Box 201301

Helena, MT 59620  
Phone: 406-444-6409  
Fax: 406-444-0522  
Email: [gsoja@mt.gov](mailto:gsoja@mt.gov)

*Designee*

Steve Gibson  
Administrator Youth Services  
Department of Corrections  
1539 11<sup>th</sup> Avenue, PO Box 201301  
Helena, MT 59620  
Phone: 406-444-0851  
Email: [sgibson@mt.gov](mailto:sgibson@mt.gov)  
*Commissioner*

### **Nebraska**

Michael Reddish  
Health and Human Services  
Nebraska State Office Building, 3<sup>rd</sup> Floor  
301 Centennial Mall  
PO Box 95026  
Lincoln, NE 68509  
Phone: 402-471-9700  
Email: [Mike.Reddish@Nebraska.gov](mailto:Mike.Reddish@Nebraska.gov)  
*Commissioner*

### **New Jersey**

Veleria N. Lawson  
Executive Director  
Juvenile Justice Commission  
P.O. Box 107  
Trenton, NJ 08625  
Phone: 609-292-1444  
Email: [veleria.lawson@njjjc.org](mailto:veleria.lawson@njjjc.org)  
*Commissioner*

### **Nevada**

Fernando Serrano, Deputy Administrator  
Juvenile Services  
Div of Child & Family Services  
727 Fairview Drive, Suite E  
Carson City, NV 89701  
Phone: 775-684-4429  
Email: [jware@dcfs.state.nv.us](mailto:jware@dcfs.state.nv.us)

*Commissioner*

### **New Mexico**

Dale Dodd  
Interstate Compact Commissioner  
Children Youth & Families Department  
Youth & Family Services  
300 San Mateo Blvd., NE  
Albuquerque, NM 87108  
Phone: 505-841-4792  
Email: [dale.dodd@state.nm.us](mailto:dale.dodd@state.nm.us)  
*Commissioner*  
*Western Regional Representative*

### **North Carolina**

Traci Marchand  
Deputy Compact Administrator  
Department of Juvenile Justice and  
Delinquency Prevention  
1801 Mail Service Center  
Raleigh, NC 27699-1801  
Phone - (919) 743-8126  
Email: [traci.marchand@ncmail.net](mailto:traci.marchand@ncmail.net)  
*Commissioner*

### **North Dakota**

Lisa J. Bjergaard, Director  
North Dakota Division of Juvenile Services  
P.O. Box 1898  
Bismarck, ND 58502  
Phone: 701-328-6674  
Email: [lbjergaa@nd.gov](mailto:lbjergaa@nd.gov)  
*Commissioner*  
*Finance Committee Chair*  
*Midwestern Regional Representative*

### **Oklahoma**

Susan Morris  
Compact Commissioner  
Interstate Compact for Juveniles  
5 Lancet Court  
Shawnee, OK 74804  
Phone: 405-275-4975  
Email: [scm@hopehouseonline.org](mailto:scm@hopehouseonline.org)



*Commissioner*

**Oregon**

Philip Cox, Assistant Director  
Oregon Youth Authority  
530 Center Street NE, Suite 200  
Salem, OR 97301  
Phone: 503-373-7531  
Email: [Philip.Cox@oya.state.or.us](mailto:Philip.Cox@oya.state.or.us)

*Commissioner*

**Pennsylvania**

Terry L. Clark, MPA, Director, Division of  
Operations and Deputy Compact Administrator  
for ICPC, ICJ & ICAMA  
PA Department of Public Welfare  
Office of Children, Youth & Families  
P.O. Box 2675  
Harrisburg, PA 17105  
Phone: 717-214-9545  
Email: [teclark@state.pa.us](mailto:teclark@state.pa.us)

*Designee*

*Eastern Regional Representative*

Richard J. Gold, Deputy Secretary  
PA Dept. of Public Welfare  
Office of Children, Youth & Families  
P.O. Box 2675  
Harrisburg, PA 17104  
Phone: 717-787-4756  
Email: [rgold@state.pa.us](mailto:rgold@state.pa.us)

*Commissioner*

**Rhode Island**

Kevin McKenna  
Probation & Parole Supervisor; Acting Deputy  
Compact Administrator  
R.I. Dept. for Children Youth and Families  
101 Friendship Street, 1<sup>st</sup> Floor  
Providence, RI 02903  
Phone: 401- 462-0259

Email: [Kevin.McKenna@dcyf.ri.gov](mailto:Kevin.McKenna@dcyf.ri.gov)

*Commissioner*

**South Carolina**

Dawne Gannon  
Deputy Compact Administrator  
SC Department of Juvenile Justice  
Interstate Compact, P.O. Box 21069  
Columbia, SC 29221  
Phone: 803-896-9351  
Email: [dsgann@scdjj.net](mailto:dsgann@scdjj.net)

*Commissioner*

**South Dakota**

Nancy Allard  
Compact Commissioner  
Unified Judicial System-Trial Court Services  
500 E. Capitol Avenue  
Pierre, SD 57501  
Phone: 605-773-4873  
Email: [Nancy.Allard@uj.s.state.sd.us](mailto:Nancy.Allard@uj.s.state.sd.us)

*Commissioner*

**Tennessee**

Sherry S. Bolden Rivers  
Deputy Compact Administrator  
Tennessee Department of Children's Services  
Division of Juvenile Justice  
436 6<sup>th</sup> Avenue North, 9<sup>th</sup> Floor  
Nashville, TN 37243  
Phone: 615-741-9856  
Email: [Sherry.Bolden.Rivers@state.tn.us](mailto:Sherry.Bolden.Rivers@state.tn.us)

*Commissioner*

**Texas**

Donna Bonner  
Deputy Compact Administrator/Commissioner  
Texas Youth Commission  
6400 US Highway 290 East, Ste. 202  
Austin, TX 78723  
Phone: 512-533-2713  
Email: [donna.bonner@tyc.state.tx.us](mailto:donna.bonner@tyc.state.tx.us)

*Commission Chair*

**Utah**

Ray Wahl  
Juvenile Court Administrator  
Utah Administrative Office of the Courts  
450 S. State  
Salt Lake City, UT 84114-0241  
Phone: 801-578-3812  
Email: [rayw@email.utcourts.gov](mailto:rayw@email.utcourts.gov)

*Commission Vice-Chair*

*IT Committee Chair*

*Executive Director Search Sub-committee  
Chair*

**Virginia**

Letta Porter Jones  
Deputy Compact Administrator  
Virginia Department of Juvenile Justice  
P.O. Box 1110, 700 E. Franklin Street  
Richmond, VA 23218  
Phone: 804-692-0863  
Email: [letta.jones@djj.virginia.gov](mailto:letta.jones@djj.virginia.gov)

*Designee*

Timothy Howard, Deputy Director  
Community Programs  
VA Dept. of Juvenile Justice  
*Commissioner*

**Washington**

Cheryl Sullivan-Colglazier  
DSHS  
1115 Washington Street, SE  
Olympia, WA 98504  
Phone: 360-902-8093  
Email: [SulliCL@dshs.wa.gov](mailto:SulliCL@dshs.wa.gov)  
*Commissioner*

Dawn Melzo  
Deputy Compact Administrator  
DSHS/Juvenile Rehabilitation Admin.-ICJ

1115 Washington Street, SE  
Olympia, WA 98504  
Phone: 360-902-8095  
Email: [melzodm@dshs.wa.gov](mailto:melzodm@dshs.wa.gov)

*Designee*

**West Virginia**

Michael B. Lacy  
Director, Division of Probation Services  
Compact Administrator  
WV Supreme Court of Appeals  
Bldg.1, 1900 Kanawha Blvd. E.  
Charleston, WV 25305  
Phone: 304-558-0145  
Email: [mike.lacy@courtswwv.gov](mailto:mike.lacy@courtswwv.gov)

*Commissioner*

**Wisconsin**

Margaret C. Carpenter  
Administrator  
Wisconsin Department of Corrections  
Division of Juvenile Corrections  
3099 E. Washington  
Madison, WI 53708  
Phone: 608-240-5901  
Email: [margaret.carpenter@wisconsin.gov](mailto:margaret.carpenter@wisconsin.gov)  
*Commissioner*

**Wyoming**

Gary P. Hartman  
Senior Advisor to the Governor  
Governor's Office  
Capitol Bldg., 200 W. 24<sup>th</sup>  
Cheyenne, WY 82002  
Phone: 307-777-5771  
Email: [ghartm@state.wy.us](mailto:ghartm@state.wy.us)  
*Commissioner*  
*Rules Committee Chair*