

Interstate Compact Facts:

- Original Juvenile Compact started in 1955.
- The Interstate Compact for Juveniles (ICJ) was written in 2000 and enacted 2008.
- The new ICJ significantly updates the 50-year old mechanism for tracking and supervising juveniles moving across state borders.
- The Juvenile Compact ensures public safety and preserves child welfare by providing enhanced accountability, enforcement, visibility and communication.
- ICJ established a Commission, which is a joint agency of the compacting states.
- The Commission oversees the day-to-day operations of ICJ, and through its rule making powers, seeks to achieve the goals of the ICJ.
- The Commission is also empowered to monitor compliance, and where warranted, initiate interventions to address and correct noncompliance.

State Councils: The ICJ requires each state to form a state council. 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. The Council may advise, exercise oversight, and advocate for the state's participation in Commission activities, as well as develop policies concerning Compact operations and procedures.

Rulemaking Authority: The Commission is vested with the authority to promulgate and publish rules to achieve the purposes of the Compact. Because the rules of the Compact are legally authorized and approved by the Commission, no state is permitted to unilaterally modify any of these requirements.

Compliance and Enforcement:

- If the Commission determines that a compacting state has defaulted on their responsibilities under the Compact, the Commission may impose any or all of the following sanctions: remedial training, technical assistance, alternative dispute resolution, fines, fees and suspension or termination of membership in the Compact.
- Compact law supersedes any individual state law that is in direct conflict with Compact law.
- ICJ is the only legal authority for transferring a juvenile's probation or parole supervision to another state.
- ICJ is the only legal authority for returning juveniles who have run away, escaped, or absconded.
- ICJ provides for the return of juveniles with pending delinquent charges who have never resided in the demanding state.



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For more information about ICJ:
www.juvenilecompact.org



INTERSTATE COMMISSION FOR JUVENILES

Serving Juveniles While Protecting Communities



Quick Reference Guide

Compact Operations

SENDING A CASE FOR SUPERVISION

Requirements:

- A juvenile must be under a court or agency's jurisdiction.
- A juvenile must have a placement resource willing to provide a stable home who will participate in a home evaluation and all aspects of the juvenile's supervision.
- A juvenile under supervision enrolled as a full-time student at an accredited secondary school, accredited university/college, or state licensed training program is eligible for Compact services.

Paperwork Required:

- Cover letter
- Form IV
- Form IA/VI
- Form V
- Petition(s) and/or Arrest Report(s)
- Order(s) of Adjudication/Disposition
- Conditions of Supervision
- Legal and Social History
- Any other pertinent information

Send all referral packets to your ICJ Office and allow a **minimum** of 6 weeks for a response from the receiving state.

Don't forget...

- The case remains active in the sending court or agency.
- The sending state retains jurisdiction.
- If a juvenile moves prior to acceptance, the juvenile must sign the Form VII: Travel Permit. The caseworker maintains contact with the juvenile until approval is received.
- Supervision fees cannot be assessed by the sending or receiving states.

Helpful Hint: Call or email your state's ICJ office prior to submitting referral packets on any referral with special conditions.

RECEIVING A CASE FOR SUPERVISION

When an ICJ case is received:

- Review the referral packet.
- Schedule an appointment with the placement resource.
- Conduct the home evaluation.
 - Ensure compliance with local law.
- Ensure the placement resource understands:
 - The juvenile's legal history,
 - The obligation and responsibility when providing placement, and
 - The terms and conditions of supervision.
- Prepare a home evaluation and submit it to your ICJ Office with your findings and recommendations for supervision. Your ICJ Office is the approval authority.
- If the juvenile is already in the placement, begin supervision at the time of the home evaluation. (Note in the Home Evaluation Report the date the juvenile arrived in the receiving state).
- If the juvenile is not in placement, the sending state will provide arrival information.
- Progress reports are due every three (3) months.
- Violation Reports shall be submitted within 10 business days of discovered violation.
- While the receiving state may request an early release from supervision, the sending state retains sole authority to terminate supervision.

RETURNS TO HOME/DEMANDING STATE NON-DELINQUENT RUNAWAYS

- Runaways are juveniles within the juvenile jurisdictional age limit established by the home state and run away without the consent of the parent, guardian, person or agency entitled to their legal custody. These juveniles are not on probation or parole and have no outstanding warrants.
- May be released to the parent/legal guardian within 24 hours.
 - Notify the ICJ Office if abuse or neglect is suspected.

ABSCONDERS, ESCAPEES, and ACCUSED DELINQUENTS

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

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

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

Contact your ICJ Office as soon as possible when juveniles subject to the ICJ are in your juvenile detention center.

When one of your juveniles is located in another state, contact the ICJ office with information regarding the juvenile and his/her current location.

Voluntary Consent to Return Process: The judge will advise the juvenile of his/her rights and have the juvenile sign the Form III: Consent for Voluntary Return. Forward the completed Form III to the home/demanding state's ICJ Office. The home/demanding state returns the juvenile within five (5) business days after receiving the completed Form III.

Non-Voluntary Return Process: If the juvenile refuses to sign the Form III, return the juvenile to detention and call your ICJ Office for further guidance. The ICJ office ensures the juvenile is afforded due process rights and coordinates the return arrangements.

Absconders: The receiving state shall attempt to locate a juvenile absconder by contacting the last known place of residence, the last known school or place of employment, and known family members or collateral contacts. If the juvenile is not located, submit a violation report to the ICJ office.

