INTERSTATE COMMISSION FOR JUVENILES
ANNUAL BUSINESS MEETING
October 26, 2011
MINUTES
Marriott Riverside – Norfolk, VA

Call to Order

The meeting was called to order by Chair Clark (PA) at 8:00 a.m. EDT. The AFJROTC Color Guard at Lakeland High School in Suffolk, Virginia presented the flags.

Roll Call

A. Lippert, Executive Director, called the roll. Of the 51 member states and territories, 47 were in attendance, 45 *voting* members were present, establishing a quorum.

Members

1. Alabama	Patrick Pendergast, Designee
2. Alaska	Barbara Murray, Commissioner
3. Arizona	Scott Fried, Designee
4. Arkansas	Judy Miller, Designee
5. California	Michael Farmer*
6. Colorado	Summer Foxworth, Commissioner
7. Connecticut	Maria Genca, Designee
8. Delaware	Damian Seymour, Designee
9. District of Columbia	Michael Umpierre, Commissioner
10. Florida	Jean Hall, Commissioner
11. Hawaii	Janice Yamada, Commissioner
12. Idaho	Sharon Harrigfeld, Commissioner
13. Illinois	Billie Greer, Designee
14. Indiana	Jane Seigel, Commissioner
15. Iowa	Gerry Prine, Designee
16. Kansas	Brad Burke, Commissioner
17. Kentucky	Paul Gibson, Commissioner
18. Louisiana	Angela Bridgewater, Commissioner
19. Maine	Mark Boger, Commissioner
20. Maryland	Sherry Jones, Commissioner
21. Massachusetts	Fred White, Designee
22. Michigan	Ted Forrest, Commissioner
23. Minnesota	Rose Ann Bisch, Commissioner
24. Mississippi	Clarence Powell, Designee
25. Missouri	Julie Hawkins, Commissioner
26. Montana	Cindy McKenzie, Commissioner

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27. Nebraska	Michael Reddish, Commissioner
28. Nevada	Fernando Serrano, Commissioner
29. New Hampshire	*Not in attendance*
30. New Jersey	Robert Mercado, Designee
31. New Mexico	Dale Dodd, Commissioner
32. New York	*Not in attendance*
33. North Carolina	Traci Marchand, Commissioner
34. North Dakota	Lisa Bjergaard, Commissioner
35. Ohio	Robyn Peterson, Commissioner
36. Oklahoma	Robert Hendryx*
37. Oregon	Philip Cox, Commissioner
38. Pennsylvania	Terry Clark, Designee
39. Rhode Island	*Not in attendance*
40. South Carolina	Dawne Gannon, Commissioner
41. South Dakota	Nancy Allard, Commissioner
42. Tennessee	Sherry Bolden-Rivers, Commissioner
43. Texas	Donna Bonner, Commissioner
44. Utah	Lisa Michele Church, Commissioner
45. Vermont	*Not in attendance*
46. Virginia	Mark Gooch, Commissioner
47. Virgin Islands	B. Patricia Welcome, Commissioner
48. Washington	Don Jones, Designee
49. West Virginia	Michael Lacy, Commissioner
50. Wisconsin	Shelley Hagan, Commissioner
51. Wyoming	Gary Hartman, Commissioner

*non-voting representative

Ex-Officios:

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

Agenda

S. Foxworth (CO) made a motion to approve the agenda as presented. D. Bonner (TX) seconded. The motion passed by a majority vote.

Minutes

D. Bonner (TX) made a motion to approve the 2010 Annual Business Meeting September 15, 2010 minutes as presented. S. Foxworth (CO) seconded. The motion passed by a majority vote.

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Opening Remarks

Chair Clark welcomed everyone to the 4th Annual Business Meeting of the Interstate Commission for Juveniles and introduced the guest speaker, Helivi Holland, Director of the Virginia Department of Juvenile Justice.

Welcome

Director Holland provided a warm welcome to the Commonwealth of Virginia acknowledging many of the state's attributes. She recognized the seven cadets from the Lakeland High School AFJROTC Color Guard with a plaque of appreciation on behalf of the Virginia Department of Juvenile Justice.

Executive Committee Report by Terry L. Clark (PA)

- Chair Clark updated that the current Compact membership includes 49 states and 2 territories. To assist states with non-member state Georgia, the Executive Committee approved the following initiatives: survey to determine state's cases with Georgia, legal memorandum advising member states on doing business with Georgia, letters to Georgia's border state Governors, and an invitation to Georgia's Department of Juvenile Justice to attend the 2011 Annual Business meeting.
- Chair Clark provided an overview of the Executive Committee's work which resulted in the following accomplishments:
  - Developed, published, and distributed a Bench Book for Judges and Court Personnel;
  - Enacted policies for State Council Enforcement and Media Requests;
  - Initiated a rule infraction reporting process;
  - Approved and posted four legal advisory opinions;
  - Filled immediate vacancies with interim appointments for Vice Chair (Summer Foxworth) and Treasurer (Lisa Bjergaard); and
  - Published fiscal year 2011 Semi-Annual and Annual Reports.
- Chair Clark presented the Executive Committee's recommendation to amend the ICJ By-laws to allow the immediate past-chairperson voting privileges during their one year term of service to the Executive Committee.
- The Commission questioned and debated the purpose of expanding the role of the immediate past-chairperson for one year and making the position an officer position. R. Masters clarified the proposed language.
- **P. Cox (OR) made a motion to adopt the amendment to the By-laws in Article IV Sections 1 and 2 to include the immediate past-chairperson as a voting officer for one year. M. Reddish (NE) seconded. The motion passed by a 39 - 5 majority vote.**
- Chair Clark updated on the following Ex-Officio Activity:
  - *National Organization for Victims of Crime*
    Victims' Representative, Trudy Gregorie, became a member of the Executive Committee.
  - *National Child Advocacy Center*
    Chris Newlin accepted an invitation to become an Ex-Officio member.
  - *Interstate Compact on the Placement of Children (ICPC)*
    R. Bisch (MN) Co-Chaired the AAICPC/ICJ Work Group created to refine the Memorandum of Understanding (MOU) document.

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- *American Probation and Parole Association (APPA)*
  B. Greer (IL) and J. Hall (FL) presented at the 2011 APPA Winter and Summer Institutes respectively.
- *National Juvenile Detention Association (NJDA)*
- D. Bonner (TX) presented at the Annual National Symposium on Juvenile Justice in San Antonio, TX in October 2010.
- *National Council of Juvenile and Family Court Judges (NCJFCJ)*
  D. Dodd (NM) presented at the National Conference on Juvenile and Family Law in Reno, NV in March 2011.
- *Interstate Commission for Adult Offender Supervision (ICAOS)*
  D. Dodd (NM), ICAOS Ex-Officio, attended the ICAOS 2010 and 2011 Annual Business Meetings. The ICJ and the ICAOS National Offices continue sharing resources.
- *Association of Juvenile Compact Administrators (AJCA)*
  An agreement was proposed between AJCA and ICJ for the transfer of AJCA's remaining funds upon the dissolution of AJCA.

- **G. Prine (IA) made a motion to accept the Executive Committee Report as presented. J. Hall (FL) seconded. The motion passed by a majority vote.**

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

- Chair Hall recognized the members of the Training Committee.
- Chair Hall reported the Training Committee met five times resulting in the following successes:
  - Updated Quick Reference Guide
  - Provided Rule amendment training after the 2010 Annual Business meeting
  - Developed a Commissioner Handbook
  - Developed a Judicial Training Curriculum to compliment the ICJ *Bench Book for Judges and Court Personnel*.
  - Conducted sixteen rules training sessions via WebEx.
  - Received training and technical assistance requests from: Alabama, Idaho, Illinois, North Carolina; and Minnesota/North Dakota border training.
  - Published two training bulletins: 01-2011: Training and Technical Assistance: Putting the Policy to Work for You and 02-2011: Juveniles and Unarmed Escorts in Air Travel.
  - Presented on ICJ at the following National Conferences:
    2010 National Symposium on Juvenile Services
    2011 American Probation and Parole Association Winter Institute
    2011 National Conference on Juvenile and Family Law
  - Made a recorded training available online which was accessed by 600+ people for a record annual training of 3,371.
  - Proposed Training Committee projects are: 2011 Rule Amendment Training for Compact Offices and the implementation of interactive, self-paced training programs.
  - Chair Hall noted that training resources are available 24/7 on the ICJ website.
- **R. Mercado (NJ) made a motion to accept the Training, Education and Public Relations Committee Report as presented. M. Boger (ME) seconded. The motion passed by a majority vote.**

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Compliance Committee Report by Dale Dodd (NM)

- Chair Dodd recognized the members of the Compliance Committee.
- Chair Dodd reported that the Compliance Committee met twice resulting in the following recommendations and results:
  - Four states were found to be in non-compliance for the non-payment of dues. The Committee authorized ICJ General Counsel to send default letters. Within 30 days all four states remitted payment and no further action was taken.
  - Three dispute resolution requests were received and resolved prior to the Committee's involvement.
- **P. Pendergast (AL) made a motion to accept the Compliance Committee Report as presented. R. Peterson (OH) seconded. The motion passed by a majority vote.**

Legal Report by R. Masters, Legal Counsel

- R. Masters, Legal Counsel, referenced his written report included in the Docket Book highlighting:
  - the development and positive feedback of the Bench Book;
  - the usage of and protocol for legal opinions;
  - border state training for Minnesota and North Dakota and the opportunity to request technical and training assistance; and
  - tools available to avoid legal actions.
- There were no legal recommendations included in the report; therefore, a motion to accept the Legal Report was not necessary.

Technology Committee Report by Clarence Powell (MS)

- Chair Powell acknowledged the members of the Technology Committee and the National Office for their contributions. He highlighted the following resources currently available on the ICJ Website:
  - Airline Matrix
  - Sex Offender Matrix
  - Interactive Directory Map
  - Electronic Training Report Form
  - ICJ Rules in HTML Format
- Chair Powell encouraged the usage of the ICJ Website and reported the following statistics between July 1, 2010 and June 30, 2011:
  - Total Visits = 32,149
  - Total Page Views = 161,522
  - Average visits per day = 88
  - Total Number of Registered Users = 2,389
- Regarding a National System, Chair Powell reported the sequence of events leading up to the recommendation from The National Consortium for Justice Information and Statistics (SEARCH). He reported that SEARCH recommended a Request for Information (RFI) be issued to qualified vendors. The Technology Committee will meet in November to review the vendor responses. He projected a vendor to be selected in December and development to begin January 2012.

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- Chair Powell addressed questions from the floor regarding SEARCH, HIPAA, a web base, and the national system.
- **M. Boger (ME) made a motion to accept the Technology Committee Report as presented. F. Serrano (NV) seconded. The motion passed by a majority vote.**

Finance Committee Report by Lisa Bjergaard (ND)

- Treasurer Bjergaard acknowledged the members of the Finance Committee and the National Office for their due diligence and stewardship with the Commission's finances.
- Treasurer Bjergaard reported the Finance Committee met nine times to review monthly budget expenditures, draft the Fiscal Year 2013 Budget, and to discuss the reserve funds for a national system and investment opportunities.
- Treasurer Bjergaard reported that the Fiscal Year 2011 Budget finished eight percent under budget. She presented Budgets for fiscal year 2012 and 2013 highlighting appropriations for new member states, the reserve fund, and the anticipated costs to develop a national system. Treasurer Bjergaard encouraged members to join the Finance or other ICJ Committees.
- **P. Cox (OR) made a motion to accept the Finance Committee Report as presented. J. Hall (FL) seconded. The motion passed by a majority vote.**
- M. Lacy (WV) questioned when the Fiscal Year 2013 Budget was to be approved. Chair Clark advised that acceptance of the Committee report included the approval of the budget.
- **M. Lacy (WV) made a motion to review and vote to adopt the Fiscal Year 2013 Budget separate of the Finance Committee Report. S. Jones (MD) seconded. The motion passed by a majority vote**.
- Treasurer Bjergaard expanded on the Fiscal Year 2013 Budget. F. White (MA) questioned Line Item 30 *Consulting Services*. A. Lippert clarified the amount appropriated by the Executive Committee for technical and training assistance. M. Gooch (VA) questioned the formal restrictions and unrestricted cash amounts taxable for non-profit organizations in reserves. A. Lippert clarified the reserves percentage to be in accordance with the recommendation by the Council of State Governments (CSG). She will research and report to the Finance Committee a response to IRS taxable unrestricted cash reserves for non-profit organizations. D. Bonner (TX) questioned the CSG indirect costs. A. Lippert clarified the percentages in FY '12 and FY '13 Budgets reflect a decrease over the next two years.
- **M. Lacy (WV) made a motion to approve the Fiscal Year 2013 Budget as presented. P. Cox (OR) seconded. The motion passed by a majority vote**.

Region Reports

Regional Representatives by Summer Foxworth (CO)

Representative Foxworth reported the regional representatives met quarterly and discussed topics of regional interest. The Regional Representatives relayed their meeting discussions to the regions for consideration and pertinent action which was reported out by each Region's Representative.

West Region by Summer Foxworth (CO)

- Representative Foxworth reported holding six West Region meetings. Discussion included the proposed AAICPC/ICJ MOU document, proposed rule and form amendments, and advisory opinion requests.

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- Two advisory opinions were requested and issued:
  # 02-2011 The placement of juveniles in residential treatment centers
  # 03-2011 Eligibility of juveniles with abeyance pleas
- **J. Hall (FL) made a motion to accept the West Region Report and the Regional Representatives Report as presented. M. Boger (ME) seconded. The motion passed by a majority vote.**

Midwest Region by Rose Ann Bisch (MN)

- Representative Bisch (MN) reported the Midwest Region welcomed new member states and convened for five meetings. Items discussed included the proposed AAICPC/ICJ MOU, proposed rule and form amendments, warrants as detainers, types of status offenders eligible for ICJ, and venue transfers when parents/legal guardians do not reside in the dispositional state.
- **R. Peterson (OH) made a motion to accept the Midwest Region Report as presented. M. Reddish (NE) seconded. The motion passed by a majority vote.**

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

- Co-Chair Bisch recognized the ICJ members, the AAICPC members, and the ICJ National Office for their work. She summarized the history of the Work Group to date.
- Co-Chair Bisch presented a Memorandum of Understanding document between AAICPC and ICJ. The MOU document is presented as a broad general frame work for collaboration between the two parties. Further, the Work Group recommends moving forward with a Phase II and Phase III to develop addendums to the MOU detailing the types of overlapping cases.
- At the request of Chair Clark, Carla Fults of AAICPC clarified the process of obtaining signature and approval from AAICPC. The Commission considered and agreed with the recommendations of the Work Group.
- **D. Bonner (TX) made a motion to accept the Memorandum of Understanding (MOU) between the Interstate Commission for Juveniles (ICJ) and the Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) as presented. M. Reddish (NE) seconded. The motion passed by a majority vote.**
- **P. Pendergast (AL) made a motion that the Executive Committee be approved to modify the document on behalf of the Commission for non-substantial changes, if necessary, after review by AAICPC. G. Prine (IA) seconded. The motion passed by a majority vote.**

East Region by Mark Boger (ME)

- Representative Boger reported that the East Region welcomed new member states. The East Region met four out of five times without a quorum. He reported that meetings were well attended and the areas discussed were: state councils, ICJ visibility, Bench Book distribution, the proposed AAICPC/ICJ MOU, proposed rule and form amendments, non-members Georgia and Puerto Rico, airport/airline issues, legal opinions, and the dues structure.
- **R. Mercado (NJ) made a motion to accept the East Region Report as presented. C. Powell (MS) seconded. The motion passed by a majority vote.**

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South Region by Judy Miller (AR)

- Representative Miller reported that the South Region welcomed the District of Columbia. The South Region met twice prior to the 2011 Annual Business Meeting. Items discussed included the proposed AAICPC/ICJ MOU, proposed rule and form amendments, state councils, the national data system, and non-member state Georgia.
- **J. Hall (FL) made a motion to accept the South Region Report as presented. C. Powell (MS) seconded. The motion passed by a majority vote.**

Victims Notification Ad Hoc Committee by Philip Cox (OR)

- P. Cox (OR) presented the Victims Notification Ad Hoc Committee Report. He commended Chair Cheryl Sullivan-Colglazier, the Commission members, and the Ex-Officio members for their dedicated service.
- The Victims Notification Ad Hoc Committee completed their scope of work. To ensure responsibility by states to satisfy victim notification requirements, the following recommendations were proposed:
    - an amendment to Rule 4-107;
    - an amendment to Rule 5-102;
    - a Victim Notification Supplemental Form; and
    - proposed training
- **B. Burke (KS) made a motion to accept the report of the Victims Notification Ad Hoc Committee as presented. M. Lacy (WV) seconded. The motion passed by a majority vote.**

Rules Committee by Chair G. Hartman (WY)

- Chair Hartman acknowledged the members of the Rules Committee and their contributions.
- R. Masters reviewed the voting procedures in accordance with Roberts Rules of Order.
- **G. Hartman (WY) made a motion to limit the debate on rule amendments to 45 minutes for Sections 400 and 500, to 30 minutes for Section 600 and Forms, and to 45 minutes for Sections 200 and 100. B. Greer (IL) seconded. The motion passed by a majority vote.**

Rules Section 400

4-101: Processing Referrals

- J. Hawkins supported the rule amendment to Rule 4-101 and proposed additional language to include full time students and include who the juvenile will reside with. The Commission agreed to the proposed language as a new paragraph 2.e. to Rule 4-101.
- **J. Hawkins (MO) made the motion to add a new paragraph 2.e. to the proposed amendment to Rule 4-101: Processing Referrals. D. Bonner (TX) seconded. The motion passed by a majority vote.**
- D. Bonner (TX) proposed inserting the language *overlapping issues arise* after *concurrent jurisdiction* in paragraph 3 to be consistent with the law.
- R. Masters ruled the proposal to be out of order.
- **M. Lacy (WV) made a motion to adopt the amended proposal to Rule 4-101: Processing Referrals recommended by the Rules Committee. P. Cox (OR) seconded. The motion passed by a 42 - 1 vote.**

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4-102: Sending and Receiving Referrals

- B. Burke (KS) spoke against the proposed language in Rule 4-102, paragraph 3(a) *release from a facility* and recommended reinserting the original language *arrival*
- J. Hawkins (MO) spoke in favor of the proposed language to assist states in complying with the time frame.
- B. Burke (KS) explained the change would create the opposite effect. Additional states spoke in favor of reverting back to the original language citing that the majority of placements are in community settings and emergency provisions could be exercised for release from facilities if necessary.
- **B. Burke (KS) made a motion to strike the proposed language *release from a facility* and revert back to the original language *arrival* in Rule 4-102(3) (a). D. Dodd (NM) seconded. The motion passed by a 30 -13 vote.**
- J. Seigel (IN) voiced concern that *expedited transfer* is not defined in the rules.
- **P. Cox (OR) made a motion to adopt the amended proposal to Rule 4-102: Sending and Receiving Referrals recommended by the Rules Committee. J. Hall (FL) seconded. The motion passed by a 40 - 4 vote.**

4-103: Transfer of Supervision Procedures

- **M. Lacy (WV) made a motion to adopt the proposed amendment to Rule 4-103: Transfer of Supervision Procedures as recommended by the Rules Committee. B. Greer (IL) seconded. The motion failed by a 19 - 25 vote.**
- D. Dodd (NM) recommended reinserting the word *juvenile* preceding sex offenders. He referenced Adam Walsh Act which requires delineation between juveniles and sex offenders and defines sex offender as a convicted person. Chair Hartman clarified that *juvenile* was deleted to be consisted with Rule 1-101 Sex Offender.
- **D. Dodd (NM) made a motion to revert back to the original language and reinsert *juvenile* sex offender in all instances within the proposed amendment to Rule 4-103: Transfer of Supervision Procedures. D. Bonner (TX) seconded. The motion passed by a 43 - 1 vote.**
- J. Seigel (IN) again voiced concern that *expedited transfer* is not defined in the rules.
- **M. Lacy (WV) made a motion to adopt the amended proposal to Rule 4-103: Transfer of Supervision Procedures as recommended by the Rules Committee. P. Cox (OR) seconded. The motion passed by a 43 - 1 vote.**

4-104: Cooperative Supervision/Services Requirements

- B. Burke (KS) recommended inserting *or other* appropriate authority. As written, the court appears not be an appropriate authority.
- **B. Burke (KS) made a motion to insert the word *other* in front of appropriate in the proposed amendment to Rule 4-104(5). M. Boger (ME) seconded.**
    - **P. Cox (OR) made a friendly amendment to strike the words *either court or paroling.* B Burke (KS) and M. Boger (ME) agreed.**

  The motion passed by a 36 -7 vote.
- **S. Harrigfeld (ID) made a motion to adopt the amended proposal to Rule 4-104: Cooperative Supervision/Services Requirements recommended by the Rules Committee. B. Greer (IL) seconded. The motion passed by a 39 - 5 vote.**

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4-106: Closure of Cases

- **J. Seigel (IN) made a motion to insert the word *supervision* after *discharge/terminate* in paragraph 1 of the proposed amendment to Rule 4-106: Closure of Cases recommended by the Rules Committee. G. Prine (IA) seconded. The motion passed by a 43 - 1 vote.**
- J. Hawkins (MO), R. Peterson (OH), and B. Burke (KS) spoke against the proposed amendment in paragraph 1 as recommended by the Rules Committee and suggested reverting back to the original language.
- **R. Peterson (OH) made a motion to revert back to the original language with the exception of maintaining the word *supervision* in Rule 4-106(1). D. Bonner (TX) seconded. The motion passed by a 41 - 3 vote.**
- **P. Gibson (KY) made a motion to adopt the amended proposal to Rule 4-106: Closure of Cases recommended by the Rules Committee. S. Hagan (WI) seconded. The motion failed by a 22 - 22 vote.**
- C. Wicklund, Ex-Officio questioned the term adult court for juveniles.
- **D. Bonner (TX) made a motion to amend the language from *adult court* to *criminal court* in Rule 4-106 (1) (a). J. Hall (FL) seconded. The motion failed by a 7 - 37 vote.**
- The Commission debated the blended sentencing for adjudicated juveniles in adult criminal court.
- **B. Burke (KS) made a motion to table consideration of the proposed amendment to Rule 4:106 and refer back to the Rules Committee. R. Mercado (NJ) seconded. The motion failed by a 14 - 30 vote.**
- S. Foxworth (CO) recommended maintaining the adult court language. J. Hawkins (MO) agreed and noted substantial language within other paragraphs of the proposed amendment. R. Masters made a point of order that the rule amendment was voted down and would need a vote to re-consider.
- **J. Seigel (IN) made a motion to reconsider the proposed amendment to Rule 4-106: Closure of Cases as recommended by the Rules Committee. B. Greer (IL) seconded. The motion passed by a 36 - 7 vote.**
- **J. Hawkins (MO) made a motion to accept the previously approved amendment to paragraph 1 and adopt the amended proposal to Rule 4-106: Closure of Cases recommended by Rules Committee. C. Powell (MS) seconded. The motion passed by a 41 - 2 vote.**

4-107: Victim Notification

- D. Bonner (TX) noted the terms *supervising officer* and *supervising worker* are not defined within the rules.
- **P. Cox (OR) made a motion to replace the term *supervising officer* with *supervising person* in the proposed Rule 4-107: Victim Notification. D. Bonner (TX) seconded. The motion passed by a 31 - 13 vote**.
- S. Hagan (WI), Victims Ad Hoc Committee member, clarified the intent of the proposed language and rule.

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- **R. Peterson (OH) made a motion to insert the language *to the extent possible* after *sending state* in proposed Rule 4-107(3). P. Welcome (VI) seconded. The motion passed by a 40 - 4 vote**.
- **B. Burke (KS) made a motion to replace the word *their* with *receiving* in the first location and replace with *sending* in the second location of the proposed amendment to Rule 4-107(3). S. Jones (MD) seconded. The motion passed by a 44 - 0 vote**.
- **B. Burke (KS) made a motion to adopt the amended proposed new Rule 4-107: Victim Notification. M. Lacy (WV) seconded. The motion passed by a 41 - 2 vote.**

Rules Sections 500 and 600

5-101: Authority to Accept/Deny Supervision

- **M. Lacy (WV) made a motion to adopt the proposed amendment to Rule 5-101: Authority to Accept/Deny Supervision as recommended by the Rules Committee. R. Mercado (NJ) seconded. The motion passed by a 41 - 0 vote.**

5-102: Travel Permits

- Chair Hartman presented two proposed amendments to Rule 5-102: Travel Permits, one proposed by the Rules Committee and one from the Victims Ad Hoc Committee.
- B. Burke (KS) noted the use of the undefined term *appropriate authority* throughout both proposals. P. Cox (OR) noted use of the term *supervising officer*.
- **J. Hawkins (MO) made a motion to strike *in the sending state* in Rule 5-101(4) in both proposals. R. Bisch (MN) seconded**. **The motion passed by a 38 - 7 vote**.
- **S. Harrigfeld (ID) made a motion to move forward with the proposed amendment to Rule 5-102: Travel Permits recommended by the Rules Committee. C. Powell (MS) seconded**. **The motion passed by a 36 - 9 vote**.
- The Commission discussed and agreed to include the language in paragraph 6 of the Victims Ad Hoc Committee proposal.
- **B. Burke (KS) made a motion to insert paragraph 6 as proposed by the Victims Ad Hoc Committee and to adopt the amended proposal to Rule 5-102: Travel Permits recommended by the Rules Committee. P. Cox (OR) seconded. The motion passed by a 33 - 12 vote**.

6-101: Release of Non-delinquent Juveniles to Parent or Legal Guardian

- **D. Bonner (TX) made a motion to insert the language *in accordance with Rule 6-103* in the proposed amendment to Rule 6-101(6). P. Welcome (VI) seconded. The motion passed by a 43 - 2 vote.**
- **M. Lacy (WV) made a motion to accept the amended title to Rule 6-101: *Release of Runaways to Parent or Legal Guardian* as proposed by the Rules Committee. B. Greer (IL) seconded. The motion passed by a 44 - 1 vote.**
- **G. Prine (IA) made a motion to strike *non-delinquent juvenile* and insert *runaway* in Rule 6-101(1) a and (2). P. Pendergast (AL) seconded. The motion passed by a 42 - 3 vote.**

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- **R. Mercado (NJ) made a motion to accept the proposed amendment to Rule 6-101(3) as recommended by the Rules Committee. P. Pendergast (AL) seconded. The motion passed by a 44 - 1 vote.**
- **M. Lacy (WV) made a motion to accept the proposed amendment to Rule 6-101(4) as recommended by the Rules Committee. J. Hawkins (MO) seconded. The motion passed by a 41 - 4 vote.**
- D. Bonner (TX) questioned the consistency of the terms juvenile and runaway juvenile.
- **F. Serrano (NV) made a motion to accept the proposed amendment to Rule 6-101(5) as recommended by the Rules Committee. M. Reddish (NE) seconded. The motion passed by a 33 - 12 vote.**
- M. Farmer (CA) questioned the inclusion of Form III in Rule 6-101 rather than 6-102.
- **F. Serrano (NV) made a motion to accept the proposed amendment to Rule 6-101(6). M. Reddish (NE) seconded. The motion passed by a 33 - 12 vote.**
- J. Miller (AR) noted not all ICJ compact offices issue requisitions.
- **D. Bonner (TX) made a motion to strike the language *if permissible under the home/demanding state's laws* in the proposed amendment to Rule 6-101(6). R. Peterson (OH) seconded. The motion passed by a 26 - 19 vote.**
- **P. Gibson (KY) made a motion to accept all amendments and adopt the amended proposal to Rule 6-101: Release of Runaways to Parent or Legal Guardian. J. Hall (FL) seconded. The motion passed by a 40 - 5 vote.**

<u>6-103: Non-Voluntary Return of Out-of-State Juveniles</u>

- **M. Boger (ME) made a motion to adopt the proposed amendment to Rule 6-103: Non-Voluntary Return of Out-of-State Juveniles as recommended by the Rules Committee. M. Lacy (WV) seconded. The motion passed by a 44 - 1 vote.**

<u>6-104: Return of Juveniles Whose ICJ Placement Has Failed</u>

- **B. Burke (KS) made a motion to adopt the proposed amendment to Rule 6-104: Return of Juveniles Whose ICJ Placement Has Failed as recommended by the Rules Committee. G. Prine (IA) seconded. The motion passed by a 44 - 1 vote.**

<u>6-111: Airport Supervision</u>

- **M. Genca (CT) made a motion to delete the term *housing* and insert *appropriate living arrangements* in the proposed amendment to Rule 6-111(4). F. White (MA) seconded.**
    - **J. Hawkins (MO) made a friendly amendment to replace the word *living* with *shelter*. M. Genca (CT) and F. White (MA) agreed.**

  The motion passed by a 39 - 6 vote.
- S. Harrigfeld (ID) spoke to the airport supervision rule not addressing ground transportation in correlation with flight changes, cancellations, and inclement weather.
- R. Masters noted that Rules 6-111 and 6-112 will merge upon adoption of the amended Rule 6-111.

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- **P. Pendergast (AL) made a motion to adopt the amended proposal to Rule 6-111: Airport Supervision recommended by the Rules Committee. P. Cox (OR) seconded. The motion passed by a 41 - 4 vote.**

Mandatory Forms

Form I: Requisition for a Runaway Juvenile

- **P. Cox (OR) made a motion to strike *court or* in the first line of the proposed amendment to Form I. B. Burke (KS) seconded. The motion passed by a 37 - 8 vote.**
- **G. Prine (IA) made a motion to adopt the amended proposal to Form I: Requisition for a Runaway Juvenile. P. Cox (OR) seconded. The motion passed by a 36 - 9 vote.**

Form II: Requisition for Escapee or Absconder
Requisition Juvenile Charged with Being Delinquent

- **P. Cox (OR) made a motion to strike *appropriate court or* in the first line of the proposed amendment to Form II. B. Burke (KS) seconded. The motion passed by a 36 - 9 vote.**
- **M. Lacy (WV) made a motion to adopt the amended proposal to Form II: Requisition for Escapee or Absconder, Requisition Juvenile Charged with Being Delinquent. S. Jones (MD) seconded. The motion passed by a 43 - 2 vote.**

Form III: Consent for Voluntary Return of Out of State Juvenile(s)

- **M. Gooch (VA) made a motion to adopt the proposed amendment to Form III: Consent for Voluntary Return of Out of State Juvenile as recommended by the Rules Committee. S. Harrigfeld (ID) seconded. The motion passed by a 44 - 0 vote.**

Form IV: Parole or Probation Investigation Request

- **J. Seigel (IN) made a motion to insert *attach photograph if available* in the first section of the proposed Form IV. R. Bisch (MN) seconded. The motion passed by a 36 - 9 vote.**
- **D. Bonner (TX) made a motion to adopt the amended proposal to Form IV: Parole or Probation Investigation Request. S. Hagan (WI) seconded. The motion passed by a 43 - 2 vote.**

Form IA/VI: Application for Services and Waiver

- **P. Cox (OR) made a motion to adopt the proposed amendment to Form IA/VI: Application for Services and Wavier as recommended by the Rules Committee. F. Serrano (NV) seconded. The motion passed by a 45 - 0 vote.**

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Optional Forms

Petition for Hearing on Requisition for Escapee, Absconder, or Juvenile Charged Delinquent

- **R. Peterson (OH) made a motion to adopt the proposed amendment to the optional form title: Petition for Hearing on Requisition for Escapee, Absconder, or *Juvenile Charged* Delinquent to Petition for Hearing on Requisition for Escapee, Absconder, or *Accused* Delinquent as recommended by the Rules Committee. M. Lacy (WV) seconded. The motion passed by a 45 - 0 vote.**

Order Setting Hearing for Requisition for Escapee, Absconder, or Juvenile Charged as Delinquent

- **P. Pendergast (AL) made a motion to adopt the proposed amendment to the optional form title: Petition for Hearing on Requisition for Escapee, Absconder, or *Juvenile Charged* as Delinquent to Petition for Hearing on Requisition for Escapee, Absconder, or *Accused* Delinquent as recommended by the Rules Committee. M. Gooch (VA) seconded. The motion passed by a 45 - 0 vote.**

Rights for Voluntary Return of Runaway, Escapee, Absconder, or Juvenile Being Charged as Delinquent

- D. Dodd (NM) noted the form as optional for a required court action.
- **G. Prine (IA) made a motion to adopt the proposed amendment to the optional form title: Rights for Voluntary Return of Runaway, Escapee, Absconder, or Juvenile Being Charged as Delinquent to *Juvenile* Rights *Form for Consent* for Voluntary Return of *Out of State Juvenile* as recommended by the Rules Committee. J. Hall (FL) seconded. The motion passed by a 43 - 2 vote.**

Victim Notification Supplement Form

- B. Burke (KS) noted the validity of the confidential notation for an open records disclosure case.
- **M. Reddish (NE) made a motion to adopt the proposed Victim Notification Supplement Form as recommended by the Victims Ad Hoc Committee. P. Cox (OR) seconded. The motion passed by a 40 - 5 vote.**

Rules Section 200

2-102: Data Collection

- **M. Lacy (WV) made a motion to adopt the proposed amendment to Rule 2-102: Data Collection to change the term *juveniles charged as delinquent* to *accused delinquent* as recommended by the Rules Committee. B. Greer (IL) seconded. The motion passed by a 44 - 0 vote.**

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Rules Section 300

3-101: Approved Forms

- **D. Bonner (TX) made a motion to adopt the proposed amendment to Rule 3-101: Approved Forms to coincide to the amended mandatory form titles as recommended by the Rules Committee. R. Peterson (OH) seconded. The motion passed by a 44 - 0 vote.**

3-102: Optional Forms

- **J. Hall (FL) made a motion to include the language *official forms may be found at www.juvenilecompact.org* on the bottom of the proposed amendment to Rule 3-102. S. Jones (MD) seconded. The motion passed 43 - 1 vote.**
- **P. Pendergast (AL) made a motion to accept and adopt the proposed amendment to Rule 3-101: Optional Forms to coincide with the amended optional form titles as recommended by the Rules Committee. R. Peterson (OH) seconded. The motion passed by a 43 - 1 vote.**

Rule 1-101 Definitions:

1-101: Definitions Adjudicated

- **B. Burke (KS) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Adjudicated as recommended by the Rules Committee. S. Harrigfeld (ID) seconded. The motion passed by a 42 -1 vote.**

1-101: Definitions Appropriate Authority

- **B. Burke (KS) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Appropriate Authority as recommended by the Rules Committee. B. Greer (IL) seconded.**
  - **D. Bonner (TX) made a friendly amendment to insert the word *court* after *agency*. B. Burke (KS) and B. Greer (IL) agreed.**

  The motion passed by a 39 - 3 vote.

1-101: Definitions Commitment

- **B. Burke (KS) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Commitment as recommended by the Rules Committee. F. Serrano (NV) seconded. The motion passed by a 42 - 1 vote.**

1-101: Definitions Cooperative Supervision

- D. Bonner (TX) spoke against removing the word *cooperative.*
- **M. Lacy (WV) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Supervision as recommended by the Rules Committee. J. Seigel (IN) seconded. The motion passed by a 36 - 8 vote.**

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1-101: Definitions Detainer

- **B. Burke (KS) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Detainer as recommended by the Rules Committee. B. Greer (IL) seconded. The motion passed by a 38 - 6 vote.**

1-101: Definitions Hearing

- **P. Welcome (VI) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Hearing as recommended by the Rules Committee. S. Hagan (WI) seconded. The motion passed by a 43 - 1 vote.**

1-101: Definitions Holding State

- The Commission debated the applicability of physical custody as it relates to each the receiving state, sending state, and holding state.
- **S. Harrigfeld (ID) made a motion to insert the language *and where the juvenile is located* after the term *juvenile* the proposed amendment to Rule 1-101: Definitions Hearing as recommended by the Rules Committee. F. White (MA) seconded. The motion passed by a 23 - 20 vote.**
- **S. Harrigfeld (ID) made a motion to accept and adopt the proposed amendment to Rule 1-101: Definitions Hearing as recommended by the Rules Committee. F. White (MA) seconded. The motion passed by a 43 - 1 vote.**

1-101: Definitions Judgment

- Chair Hartman presented the definition for Judgment recommended by the West Region which was not recommended by the Rules Committee.
- **P. Cox (OR) made a motion to adopt the amendment to Rule 1-101: Definitions Judgment as proposed by the West Region. S. Foxworth (CO) seconded. The motion failed by a 22 - 22 vote.**

1-101: Definitions Petition

- Chair Hartman presented two proposed definitions for Petition. One proposed by the West Region and not recommended by the Rules Committee, the other proposed and recommended by the Rules Committee.
- **P. Welcome (VI) made a motion to consider and adopt the amendment to Rule 1-101: Definitions Petition as proposed by the West Region. P. Cox (OR) seconded. The motion passed by a 33 - 11 vote.**

1-101: Definitions Requisition

- **S. Harrigfeld (ID) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Requisition as recommended by Rules Committee. M. Boger (ME) seconded. The motion passed by a 44 - 0 vote.**

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1-101: Definitions Residence

- **M. Gooch (VA) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Residence as recommended by Rules Committee. M. Lacy, (WV) seconded. The motion passed by a 43 - 1 vote.**

1-101: Definitions Status Offense

- **B. Burke (KS) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Status Offense as recommended by Rules Committee. F. White (MA) seconded.**
  - **M. Genca (CT) made a friendly amendment, F. White (MA) seconded to insert *or defined by state's laws* at the end of the sentence.**
  - **B. Burke (KS) did not accept the amendment.**

  The motion passed by a 40 - 4 vote.

1-101: Definitions Termination

- **R. Peterson (OH) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Termination as recommended by West Region. S. Harrigfeld (ID) seconded. The motion passed by a 42 - 1 vote.**

1-101: Definitions Voluntary Return

- **G. Prine (IA) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Voluntary Return as recommended by the Rules Committee. J. Hall (FL) seconded. The motion passed by a 44 - 0 vote.**

1-101: Definitions Voluntary Return

- **G. Prine (IA) made a motion to adopt the proposed amendment to Rule 1-101: Definitions Voluntary Return as recommended by the Rules Committee. J. Hall (FL) seconded. The motion passed by a 44 - 0 vote.**

1-101: Definitions Juvenile Sex Offender

- **B. Burke (KS) made a motion to amend the proposed amendment to Rule 1-101: Juvenile Sex Offender to keep the term *juvenile* sex offender, to strike *and*, to insert *or* after the word nature. T. Marchand (NC) seconded. The motion passed by a 37 - 7 vote.**
- **R. Mercado (NJ) made a motion to adopt the amended proposal to Rule 1-101: Juvenile Sex Offender recommended by the Rules Committee. P. Pendergast (AL) seconded. The motion passed by a 39 - 5 vote.**

- **P. Cox (OR) made the motion to make the adopted rule and form amendments effective March 1, 2012. D. Jones (WA) seconded. Motion passed by a 41 - 0 majority vote.**

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Old Business

- Chair Clark opened the floor to the public to address the Commission. There were no comments.
- D. Gannon (SC) urged states to advise personnel to use the ICJ terminology, forms, and letterhead.

New Business

- **P. Cox (OR) made a motion that the Rules Committee considers amending Rule 5-102: Travel Permits in 2012. D. Jones (WA) seconded. The motion passed**.
- **M. Boger (ME) made a motion that the current dues structure be reviewed in 2012. P. Welcome (VI) seconded. The motion passed**.
- Chair Clark recognized the 2011 Officers and Committee Chairs for their dedication and contributions to the Compact.
- On behalf of the Commission, Vice Chair Foxworth recognized Chair Clark for his leadership and professionalism during the year.
- **J. Hall (FL) made a motion to reconsider the amendment to the By-laws in Article IV Sections 1 and 2 to include the immediate past-chairperson as a voting officer position for one year. S. Jones (MD) seconded. The motion failed by an 11 - 31 vote.**
- D. Bonner (TX) recognized the dedication and contributions to AJCA and ICJ by Beth Meng who passed away in 2011. J. Hall (FL) and M. Genca (CT) recognized the dedication and contributions to AJCA by Pat Burt who passed in 2011. Posthumous Resolutions will be presented to their families on behalf of the Commission.
- Chair Clark thanked and recognized the work of the ICJ Executive Director and National Office Staff.
- D. Gannon (SC) requested the Commission consider providing continental breakfast, snacks, and lunch during the annual business meeting.

Officer Elections

Treasurer -

Robyn Peterson (OH)
Philip Cox (OR)

- Midwest Region Representative R. Bisch (MN) presented the slate for Treasurer and opened the floor for additional nominations. Nominations closed as there were no additional nominees or objections.
- The candidates addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected P. Cox (OR) as Treasurer.

Vice Chair -

- Summer Foxworth (CO)
- East Region Representative M. Boger (ME) presented the slate for Vice Chair and opened the floor for additional nominations. Nominations closed as there were no additional nominees or objections.
- The candidate addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected S. Foxworth (CO) as Vice Chair.

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Chair -

Terry L. Clark (PA)

- Midwest Region Representative R. Bisch (MN) presented the slate for Chair and opened the floor for additional nominations. Nominations closed as there were no additional nominees or objections.
- The candidate addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected T. Clark (PA) as Chair.

Oath of Office

Judge David Stucki, National Council of Juvenile and Family Court Judges Ex-Officio, delivered the Oath of Office to the 2012 Commission Officers:

Chair:	Terry L. Clark (PA)
Vice Chair:	Summer Foxworth (CO)
Treasurer:	Philip Cox (OR)

Adjourn

- Chair T. Clark announced the next ICJ Annual Business Meeting will be October 15 - 17, 2012 at the Intercontinental Hotel in Kansas City, Missouri.
- **S. Foxworth (CO) made the motion to adjourn. Chair Clark adjourned the meeting by acclamation at 5:00 p.m. EDT.**

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