

INTERSTATE COMMISSION FOR JUVENILES Rules Sub-Committee Meeting

Minutes Wednesday, May 19, 2010 1:00 p.m. EST

Sub-Committee Members in Attendance:

- 1. Billie Greer (IL) Commissioner, Chair
- 2. Traci Marchand (NC) Commissioner
- 3. Philip Cox (OR) Commissioner
- 4. Carol Gillespie (OR) Designee
- 5. Letta Porter-Jones (VA) Designee
- 6. Andy Snook (ID) Ex-Officio

Sub-Committee Members Not in Attendance:

- 1. Kurt Wilson (CA) Commissioner
- 2. Julie Hawkins (MO) Commissioner
- 3. Lisa Bjergaard (ND) Commissioner
- 4. Fernando Serrano (NV) Commissioner
- 5. Molli Davis (NV) Designee
- 6. Terry Clark (PA) Commissioner

Rules Standing Committee Member in Attendance:

- 1. Judy Miller (AR) Designee
- 2. Sharon Harrigfeld (ID) Commissioner
- 3. Dawn Melzo (WA) Designee
- 4. Helen Killian (OK) Ex-Officio

Guests in Attendance:

None

ICJ Staff in Attendance:

- 1. Ashley Lippert, Executive Director
- 2. Jack Branum, Project Manager
- 3. Tom Watters, MIS Project Manager
- 4. Emma Davis, Administrative and Logistics Coordinator
- 5. Rick Masters, Legal Counsel

Call to Order

Sub-Committee Chair B. Greer called the meeting to order at 1:02 p.m. EST.

Roll Call

A. Lippert called the roll and a quorum was established with seven *voting* members in attendance.

Agenda

J. Miller (AR) moved to approve the agenda. Carol Gillespie (OR) seconded. The motion passed.

Minutes

S. Harrigfeld (ID) made the motion to approve the minutes of May 13, 2010 as amended. J. Miller (AR) seconded. The motion passed.

Discussion

Chair Greer opened the floor to discussion on the following rule proposals:

4-107: Victim Notification submitted by the East Region

• The Committee reviewed the proposed amendment as presented by the East Region and voiced concerns relative to portions of the language. The Committee understood no substance changes could be made and agreed *not to recommend* the amendment for adoption as written by the East Region.

New Proposed Rule: 4-xxx: Transfer of Students submitted by the East Region

- The Committee questioned the intent of the proposed rule and issues with regard to supervision of a college student living on campus.
- R. Master, Legal Counsel, expounded that the primary intent of the new rule is to address the issue of post-secondary students legally crossing state lines to attend school.
- A. Lippert clarified the intent of the rule is about eligibility and not process. The proposed new rule was submitted by a region and no substance changes may be made to the rule without the East Region approval. Regarding any new rules, the Rules Committee is to assign a rule number prior to presenting to the Commission.
- J. Miller (AR) made the motion to <u>defer</u> the East Region new rule proposal to the next full Rules Committee meeting on May 25. P. Cox (OR) seconded. The motion passed.

Rule: 4-104: Cooperative Supervision/Services Requirements submitted by Idaho

- The Committee discussed the new language re-submitted by A. Snook (ID), J. Miller (AR) and J. Hawkins (MO).
- J. Miller (AR) noted the new language is intended to allow both sending and receiving states more authority to impose sanctions on non-compliant juveniles.

4-104(2)

• The Committee deliberated on the issue of enumerating criteria.

- R. Masters, Legal Counsel, advised that courts might imply enumerated items as all inclusive whether or not that is the intent.
- A. Snook (ID) agreed to delete 4-104.2 (a) and (b).
- J. Miller (AR) made the motion to recommend 4-104.2 as amended. B. Greer (IL) seconded. Motion passed.
- The Committee questioned the collection of supervision fees. ICJ offices have not collected fees in the past.
- R. Masters, Legal Counsel, advised ICJ Compact offices may legally charge fees.
- A. Snook (ID) agreed to strike proposed language as it relates to fees in the last sentence of the original proposed Item #4 and the current revision Item #1.
- J. Miller (AR) made the motion to recommend 4-104 as amended. T. Marchand (NC) seconded. Motion passed.

Adjourn

Chair Greer adjourned the meeting at 2:05 p.m. EST.