

## INTERSTATE COMPACT FACTS

- The original juvenile compact formed in 1955.
- The Revised Interstate Compact for Juveniles (ICJ) was enacted in 2008.
- The Revised Compact ensures public safety and preserves child welfare through providing enhanced accountability, enforcement, visibility and communication for juveniles moving across state lines.
- The Revised Compact establishes the Interstate Commission for Juveniles, which is the governing body for the Compact.
- As of March 2012, 51 states and territories are members of the Interstate Commission for Juveniles
- The Commission consists of:
  - Commissioners and designees from each signatory state are appointed by the Governor in consultation with the state council.
  - Members of interested organizations are ex-officio (non-voting) members.
- **Rulemaking Authority:** The Interstate Commission for Juveniles is vested with the authority to promulgate and publish rules to achieve the purposes of the Compact.
- **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 will advise and may exercise oversight and advocacy concerning the state's participation in Commission activities and develop policy concerning operations and procedures of the Compact within that state.
- **ICJ Offices:** Each state has an ICJ Office that is responsible for coordinating the transfer of supervision; arranging the return of runaways, escapees, absconders, and accused delinquents; providing notification for out-of-state travel; educating courts, agencies, and law enforcement personnel; and resolving disputes between other states.

## COMPLIANCE AND ENFORCEMENT

- ICJ is the only legal authority to transfer supervision of a juvenile on probation or parole to another state.
- ICJ is the only legal authority to return juveniles who have run away, escaped, or absconded from their home state or state of jurisdiction.
- ICJ law provides for the return of juveniles with pending delinquent charges who have never resided in the demanding state.
- Courts and criminal justice agencies must enforce the Compact and its Rules.
- Compact law supersedes any individual state law that is in direct conflict with the Compact.
- 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.



For more information about ICJ, the law, rules, and forms, go to:  
[www.juvenilecompact.org](http://www.juvenilecompact.org)



## INTERSTATE COMMISSION FOR JUVENILES

*Serving Juveniles While Protecting Communities*



## Quick Reference Guide

## Compact Operations

## PREPARING A TRANSFER OF SUPERVISION

### Requirements:

A juvenile is eligible for supervision under the ICJ if he or she is:

- Under the jurisdiction of a court or appropriate authority; and
- An adjudicated delinquent, adjudicated status offender, or has a deferred adjudication; and
- Planning to relocate for 90 consecutive days in receiving state; and
- Has 90 days or more of supervision remaining; and
- Resides with a parent, legal guardian, relative, non-relative, or independently, excluding residential facilities; or
- Is under supervision enrolled as a full-time student at a secondary school, accredited university/college, or state licensed training program

### 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. Include the optional Victim Notification Supplement form in the referral packet to help meet victim notification requirements of the sending state.

### Don't forget...

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

**\*Helpful Hint: Contact your ICJ Office before submitting a referral on a juvenile with special conditions.**

## RECEIVING A CASE FOR SUPERVISION

- An ICJ case is received by your department from your ICJ Office.
- Review the referral packet to learn about the juvenile.
- 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 which is assumed and agreed to when providing placement, and
  - Terms and conditions of supervision.
- Prepare a home evaluation (using the Form VIII: *Home Evaluation Report*) 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 and should be submitted on the Form IX: *Quarterly Progress or Violation Report* form. Violation Reports may be submitted as needed.
- While the receiving state may request for early release from supervision, the sending state retains sole authority to terminate supervision.

## RETURNING RUNAWAYS TO THE HOME/DEMANDING STATE

The Compact provides for the return of runaways who are within the juvenile jurisdictional age limit established by the home/demanding state and leave without the consent of the parent, guardian, or appropriate authority entitled to legal custody or supervision. These runaways are not on probation or parole and have no outstanding warrants.



## ABSCONDERS, ACCUSED DELINQUENTS, and ESCAPEES

**Absconder:** A juvenile probationer or parolee who hides, conceals, or absents his/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.

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

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

**Voluntary Consent to Return Process (applies to all juveniles):** The judge will advise the juvenile of his/her rights under the ICJ and give the juvenile the opportunity to sign the Form III: *Consent for Voluntary Return of Out of State Juvenile*. When the juvenile and the judge sign the Form III, fax or e-mail the completed Form III (including physical and clothing description) to the home/demanding state's ICJ Office. The home/demanding state returns the juvenile within five (5) business days after the home/demanding state's ICJ office receives the completed Form III.

If you suspect abuse or neglect by the parent or legal guardian, contact the holding state's ICJ Office immediately.

If the juvenile **refuses** to sign the Form III, return the juvenile to detention and call your ICJ Office for further guidance. When one of your juveniles is located in another state, contact the ICJ office with information regarding the juvenile and his/her current location. The ICJ office will ensure that the juvenile is afforded due process rights and will coordinate return arrangements once the juvenile is ready to travel.