



## INTERSTATE COMMISSION FOR JUVENILES

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Serving Juveniles While Protecting Communities

### Travel Permits: Mandatory vs. Discretionary

#### Mandatory Travel Permits

Rule 8-101(1) focuses on a specific population of higher risk juveniles. Travel permits are mandatory for juveniles traveling out-of-state for a period in excess of 24 consecutive hours who meet the criteria set forth in (a) or (b):

- a. Juveniles who have been adjudicated or have deferred adjudications and are on supervision for one of the following:
  - i. sex-related offenses;
  - ii. violent offenses that have resulted in personal injury or death; or
  - iii. offenses committed with a weapon;
  
- b. Juveniles who are one of the following:
  - i. state committed;
  - ii. pending a request for transfer of supervision, and who are subject to the terms of the Compact;
  - iii. returning to the state from which they were transferred for the purposes of visitation;
  - iv. transferring to a subsequent state(s) with the approval of the original sending state; or
  - v. transferred and the victim notification laws, policies and practices of the sending and/or receiving state require notification.

If a juvenile does not meet the criteria listed above, a travel permit is not mandatory under the ICJ Rules. Additional travel permit requirements for transfer of supervision cases are provided in Rules 4-102 and 4-103.

#### Discretionary Travel Permits: Juveniles Traveling to a Residential Facility

Rule 8-101(2) states that, "juveniles traveling to a residential facility for placement shall be excluded from this rule; however, states may elect to use the Form VII, Out-of-State Travel Permit and Agreement to Return, for notification purposes."

Therefore, a travel permit is discretionary for a juvenile traveling to a residential program in another state that meets the case circumstances outlined in 8-101 (1)(a) or (1)(b).

*For more information about the ICJ Rules or to access training, please visit the Commission's website: [www.juvenilecompact.org](http://www.juvenilecompact.org).*

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According to Rule 8-101(3), travel permits shall not exceed 90 calendar days.

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