



**INTERSTATE COMMISSION FOR JUVENILES  
ANNUAL BUSINESS MEETING  
October 9, 2013  
MINUTES  
Tempe Mission Palms – Tempe, Arizona**

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**Call to Order**

The meeting was called to order by Chairman Terry L. Clark at 8:00 a.m. WDT. The Arizona Department of Juveniles Corrections Special Ceremonies Unit presented the flags and Sergeant Katina Murphy with the Arizona Department of Corrections sang the National Anthem.

**Roll Call**

A. Lippert, Executive Director, called the roll. Forty-nine of the fifty-one member states and territories were in attendance, establishing a quorum.

**Members:**

- |                         |                                  |
|-------------------------|----------------------------------|
| 1. Alabama              | Patrick Pendergast, Designee     |
| 2. Alaska               | Barbara Murray, Commissioner     |
| 3. Arizona              | John Crabtree, Designee          |
| 4. Arkansas             | Judy Miller, Designee            |
| 5. California           | Curtis Hill, Commissioner        |
| 6. Colorado             | Summer Foxworth, Commissioner    |
| 7. Connecticut          | Maria Genca, Designee            |
| 8. Delaware             | Damian Seymour, Designee         |
| 9. District of Columbia | Bruce Wright, Commissioner       |
| 10. Florida             | Jean Hall, Commissioner          |
| 11. Hawaii              | Linda Kiyotoki, Designee         |
| 12. Idaho               | Alicia Ehlers, Designee          |
| 13. Illinois            | Odell Jamison*                   |
| 14. Indiana             | Jane Seigel, Commissioner        |
| 15. Iowa                | Gerry Prine, Designee            |
| 16. Kansas              | Jeff Cowger, Commissioner        |
| 17. Kentucky            | Karen King-Jones, Commissioner   |
| 18. Louisiana           | Angela Bridgewater, Commissioner |
| 19. Maine               | <i>Not in attendance</i>         |
| 20. Maryland            | Sherry Jones, Commissioner       |
| 21. Massachusetts       | Tracy Longvall-Rivera, Designee  |

22. Michigan	Ted Forrest, Commissioner
23. Minnesota	Rose Ann Bisch, Commissioner
24. Mississippi	Melonie Taylor-Gore, Designee
25. Missouri	Julie Hawkins, Commissioner
26. Montana	Gloria Soja, Designee
27. Nebraska	Kari Rumbaugh, Commissioner
28. Nevada	Anne Connor, Commissioner
29. New Hampshire	<i>Not in attendance</i>
30. New Jersey	Felix Mickens, Designee
31. New Mexico	Dale Dodd, Commissioner
32. New York	Gladys Carrion, Commissioner
33. North Carolina	Traci Marchand, Commissioner
34. North Dakota	Lea Quam, Designee
35. Ohio	Robyn Peterson, Commissioner
36. Oklahoma	Robert Hendryx, Designee
37. Oregon	Philip Cox, Commissioner
38. Pennsylvania	Terry Clark, Commissioner
39. Rhode Island	JoAnn Niksa, Designee
40. South Carolina	Mia Richardson-Pressley, Commissioner
41. South Dakota	Nancy Allard, Commissioner
42. Tennessee	Sherry Bolden-Rivers, Commissioner
43. Texas	Daryl Liedecke, Commissioner
44. Utah	Krista Airam, Designee
45. Vermont	Rachel Hopkins, Designee
46. Virginia	Natalie Dalton, Designee
47. Virgin Islands	B. Patricia Welcome, Commissioner
48. Washington	Jeff Patnode, Commissioner
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) – *Not in attendance*
2. Association of Administrators of the Interstate Compact on the Placement of Children (AAICPC) – Jean Taylor
3. Council of Juvenile Correctional Administrators (CJCA) – *Not in attendance*
4. Conference of State Court Administrators (COSCA) – *Not in attendance*
5. International Association of Chiefs of Police (IACP) – *Not in attendance*
6. Interstate Commission for Adult Offender Supervision (ICAOS) – Dori Ege
7. National Association of Attorneys General (NAAG) - *Not in attendance*
8. National Children’s Advocacy Center (NCAC) – *Not in attendance*
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 Association for Crime Victims [Justice Solutions] - Trudy Gregorie

### **Others in Attendance:**

1. Arizona	Dona Marie Markley
2. California	Michael Farmer
3. District of Columbia	Alexandra Caceres
4. District of Columbia	Carla Fults
5. Idaho	Mark Freckleton
6. Idaho	Shawn Hill
7. Idaho	Jen Baer
8. Indiana	Robert Champion
9. Kentucky	John Fitzpatrick
10. Kentucky	Amy Welch
11. Louisiana	Suzie Durrett
12. Mississippi	Maxine Baggett
13. New York	Kelly Palmateer
14. North Dakota	Diane Larson
15. Oregon	Carol Gillespie
16. South Dakota	Kathy Christenson
17. Utah	Jessica Eldredge
18. Virginia	Connie Richardson
19. Washington	Bonnie Glenn
20. West Virginia	Randall Wagner
21. Wyoming	Maureen Clifton

### **Agenda**

- Chair Clark recommended amending the agenda to move the Legal Report prior to lunch. The Commission agreed.
- **A. Connor (NV) made a motion to approve the agenda. T. Longvall-Rivera (MA) seconded. The motion passed by a majority vote.**

### **Minutes**

- **P. Cox (OR) made a motion to approve the October 17, 2012 Annual Business Meeting Minutes. G. Soja (MT) seconded. R. Hopkins (VT) abstained. The motion passed by a majority vote.**

### **Opening Remarks**

- Chair Clark welcomed the attendees to the 6<sup>th</sup> Annual Business Meeting of the Interstate Commission for Juveniles.
- Chair Clark introduced Dona Marie Markley, Assistant Director, Arizona Department of Juvenile Corrections, who welcomed the Commission.

### **Welcome**

- Dona Marie Markley welcomed the attendees to Arizona. She shared mission statements from numerous attending member states and commended the Commission for its essential work.

### **Executive Committee Report by Terry L. Clark (PA)**

- Chair Clark reported and highlighted the accomplishments of the Commission over the year as follows:
  - Approved three new advisory opinions and amended one previously approved advisory opinion.
  - Published the 2013 Annual Report.
  - Issued a resolution regarding the Prison Rape Elimination Act (PREA).
  - Updated states regarding Georgia's decision not to enact Compact legislation.
  - Developed a long-range strategic plan.
- Chair Clark reported activities involving Ex-Officio affiliate organizations as follows:
  - Interstate Compact on the Placement of Children (ICPC)
    - The AAICPC/ICJ Work Group continues to study the prevalence of overlapping cases.
  - American Probation and Parole Association (APPA)
    - ICJ presented at the 2013 APPA Summer Institute.
  - Interstate Commission for Adult Offender Supervision (ICAOS)
    - ICJ continued resource sharing with ICAOS and attended their 2013 Annual Business Meeting.
- Chair Clark briefed on the Executive Committee's strategic planning session and the development of the 2013-2016 Strategic Plan presented. The Commission reviewed the five strategic initiatives presented.
- **P. Cox (OR) made a motion to approve the 2013-2016 Strategic Planning Report as presented. S. Foxworth (CO) seconded. The motion passed by a 48 - 0 vote.**

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

- Chair Hall recognized the members of the Training Committee and acknowledged their contributions.
- Chair Hall reported the following accomplishments by the Training Committee over the course of seven meetings:
  - Updated the quick reference guide, all training curriculums, and resources to reflect the rule changes made effective April 1, 2013.
  - Developed rule amendment training on the rules adopted last year.
  - Added FAQs to the Commission's website.
  - Published a training bulletin regarding Travel Permits.
  - Approved the 2013 Annual Business Meeting training curriculums.
- Chair Hall presented the statistics for the on-demand training modules; she reported 73 live WebEx training sessions and 5,773 individuals who completed rules training.
- Chair Hall reported an ICJ presence at three 2013 national conferences: Association of Administrators for the Interstate Compact on the Placement of Children (AAICPC), American Probation and Parole Association Summer Institute (APPA), and the Interstate Commission for Adult Offender Supervision Annual Business Meeting (ICAOS).
- **P. Pendergast (AL) made a motion to approve the Training, Education and Public Relations Committee Report as presented. S. Jones (MD) seconded. The motion passed by a majority vote.**

### **Compliance Committee Report by Summer Foxworth (CO)**

- Chair Foxworth recognized the members of the Compliance Committee and acknowledged their contributions.
- Chair Foxworth reported that the Compliance Committee met four times. Eleven states received State Council enforcement letters and to date only one state (California) remains without a state council.
- Chair Foxworth reported that California was found in default of the Compact for failure to establish a State Council and to provide adequate staffing resources in their Compact office. California was issued an enforcement letter to which California responded addressing the steps being taken to cure the default. The Compliance Committee recommended and the Executive Committee approved issuing a second letter to California asking for further details and clarification regarding the timeframes outlined in their corrective action plan.
- **G. Prine (IA) made a motion to accept the Compliance Committee Report as presented. J. Hall (FL) seconded. The motion passed by a majority vote.**

### **Technology Committee Report by Traci Marchand (NC)**

- Chair Marchand recognized the past and present members of the Technology Committee acknowledging their contributions throughout the year.
- Chair Marchand reported that JIDS launched November 5, 2012 and highlighted significant dates over the past year.
- Chair Marchand recognized the JIDS' trainers. She reported to date that 52 WebEx trainings were conducted for 1,497 participants and 1,149 people completed on-demand courses.
- Chair Marchand reported that the ICJ National Office resolved 99 percent of the 1,290 JIDS online helpdesk tickets in addition to providing one-on-one remote support.
- Chair Marchand reported the Technology Committee responded to the states' concerns regarding JIDS' performance. A. Lippert briefed that a third party vendor (Compuware) was contracted to conduct a JIDS' performance test and to provide performance monitoring. A. Lippert explained the specifics of the test and reported the failing results. These results were shared with InStream who determined the issue to be two-fold: server underutilization and insufficient database structure.
- A. Lippert illustrated the proposed resolution to increase the number of application server pools and clarified the technical plan to index the database. In 30 days (October 31) both InStream and ICJ will conduct another performance test.
- P. Welcome (VI) questioned the payment for the third party vendor. A. Lippert informed that ICJ contracted the outside third party vendor directly.
- G. Prine (IA) questioned the next steps and inquired as to the type of system used by ICAOS. A. Lippert spoke to the expedient corrective actions taken by InStream noting the correlation between InStream, Amazon, and FileBound by educating on their specific roles. Further, A. Lippert clarified the differences between the ICJ forms management system and the ICAOS case management system.
- Chair Clark spoke to the higher costs to implement a case management system and the Commission's work over the past three years to implement an affordable electronic system. He suggested the Commission take steps to make JIDS work for ICJ rather than reverting back to the historical paper method.

- J. Seigel (IN) commended the initiative to look at JIDS' performance, but expressed concerns of growing tensions and workarounds over JIDS' use. She suggested soliciting end users feedback while assessing the functionality of JIDS.
- G. Soja (MT) requested a copy of the performance test results. A. Lippert agreed to furnish upon request.
- D. Liedecke (TX) requested feedback on the enhancement requests submitted. A. Lippert referenced the Technology Committee's Enhancements Working Spreadsheet noting the National Office would update the spreadsheet details and upload to the Commission's website.
- **P. Welcome (VI) made a motion to approve the Technology Committee Report as presented. M. Lacy (WV) seconded. The motion passed by a majority vote.**

### **Finance Committee Report by Patrick Pendergast (AL)**

- Chair Pendergast acknowledged the members of the Finance Committee and highlighted the following areas of financial discussions:
  - reconciled the fiscal year 2013 budget;
  - drafted a fiscal year 2015 budget;
  - recommended a long term investment opportunity;
  - allotted an additional \$50,000 for JIDS enhancements;
  - agreed to revisit the dues structure in 3-5 years with JIDS data; and
  - agreed to alternative methods of DCA involvement over reimbursing a DCA to accompany the Commissioner/Designee to the annual meeting.
- Chair Pendergast reported the fiscal year 2013 budget finished 20 percent under budget realizing a total reserve fund balance of \$1,058,888.
- Chair Pendergast presented the Finance Committee's recommendation to participate in the CSG-sponsored Vanguard Long Term Investment Option as shared with the membership during their respective region meetings on Tuesday.
- G. Carrion (NY) questioned exploring other investment options. Chair Pendergast explained that the pooling of funds with the Council of State Government affiliates affords better investment opportunities than a single entity. He noted the Vanguard twelve percent growth last year versus the current savings account rate of less than one percent. R. Masters commented to the fiduciary responsibility of each Commissioner with the Commission's finances.
- J. Miller (AR) questioned the amount to be invested. Chair Pendergast clarified the recommended investment to be \$240,000 over 12 months at \$20,000 per month beginning December 2013.
- **G. Prine (IA) made a motion to approve the Finance Committee's recommendation to participate in the CSG-sponsored Vanguard Long Term Investment Option as a dollar cost averaging of \$240,000 over 12 months at \$20,000 per month, beginning December 2013, and continuing to invest amounts in excess of 100 percent of the annual expenses in this portfolio in the future. C. Hill (CA) seconded. The motion passed by a 47 - 1 vote.**
- Chair Pendergast presented the drafted fiscal year 2015 budget for consideration.
- **P. Cox (OR) made a motion to approve the fiscal year 2015 budget as presented. S. Jones (MD) seconded. The motion passed by a 48 - 0 vote.**
- **P. Cox (OR) made a motion to approve the Finance Committee Report as presented. M. Lacy (WV) seconded. The motion passed by a majority vote.**

### East Region by Damian Seymour (DE)

- Chair Clark updated that East Region Representative Fred White (MA) retired and Damian Seymour (DE) was elected to fill the remaining term.
- Representative Seymour reported that the East Region met four times to discuss state legislative and personnel changes, state council updates, non-members Georgia and Puerto Rico, JIDS, the proposed rule amendments, national office updates, and nominate the 2014 officers' slate.
- Representative Seymour reported he will step down as the East Region Representative at the close of the general session. Patricia Welcome (VI) was elected to fill the remaining term as the East Region Representative.
- **P. Pendergast (AL) made a motion to approve the East Region Report as presented. G. Carrion (NY) seconded. The motion passed by a majority vote.**

### Midwest Region by Rose Ann Bisch (MN)

- Representative Bisch reported the Midwest Region held four teleconference meetings and one face-to-face meeting onsite Tuesday. She highlighted the topics of discussion included rule proposals, reorganization of the rules, officers' slate, state councils, JIDS, and the long term investment option. Additionally, she reported the discussion and rejection for an optional youth restitution worksheet submitted by Wisconsin.
- **T. Forrest (MI) made a motion to accept the Midwest Region Report as presented. M. Taylor-Gore (MS) seconded. The motion passed by a majority vote.**

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

- Co-Chair Bisch reported the AAICPC/ICJ MOU Work Group met ten times during the year. The Work Group consists of seven ICPC members and seven ICJ members. She recognized the ICJ members for their contributions.
- Co-Chair Bisch reported that the Work Group discussed case scenarios where ICPC and ICJ overlap. The discussions necessitated obtaining legal guidance from Rick Masters, which resulted in the recommendation for two ICJ rule proposals.
- Co-Chair Bisch reported that at the recommendation of ex-officio member, Judge Rideout, the Work Group proposed drafting a judicial survey to gain a better understanding of the information shared between the organizations and the criminal and family court judges in cases involving juveniles of mutual interest. Additionally, the Work Group made a recommendation to take a position on the Coalition of Juvenile Justice's (CJJ) Safety Opportunity and Success Project (SOS). The campaign involves the detainment of juveniles and impacts both organizations.
- Co-Chair Bisch recommended that the Work Group continue another year to complete the task of developing best practices, guidelines, and training resources that promote the communication, cooperation, and collaboration between the two organizations.
- **S. Foxworth (CO) made a motion to approve the AAICPC/ICJ MOU Work Group Report as presented. D. Dodd (NM) seconded. The motion passed by a majority vote.**

### South Region by Judy Miller (AR)

- Representative Miller reported that the South Region held two teleconference meetings and one face-to-face meeting onsite Tuesday, noting all sixteen states were represented.

Representative Miller reported during the year the following topics of discussion: JIDS, strategic initiatives, human trafficking, long term investments, and the 2014 officer's slate.

- Representative Miller reported that the South Region supported the round table discussion of rules the day prior to the general session.
- **J. Hall (FL) made a motion to accept the South Region Report as presented. M. Pressley (SC) seconded. The motion passed by a majority vote.**

#### **West Region by Anne Connor (NV)**

- Chair Clark recognized Anne Connor (NV) for her volunteer efforts to California.
- Representative Connor reported the West Region met six times during the year discussing state councils, training, JIDS, rule proposals, the strategic initiatives, nominated a 2014 officers slate, submitted two rule proposals and requested a legal advisory opinion.
- **G. Hartman (WY) made a motion to accept the West Region Report as presented. S. Foxworth (CO) seconded. The motion passed by a majority vote.**

#### **Legal Report by Rick Masters, Legal Counsel**

- R. Masters gave an overview of legal counsel's contribution during the year.
- R. Masters briefed on the Coalition of Juvenile Justice's (CJJ) Safety Opportunity and Success (SOS) Project regarding the detainment of juveniles. He presented a legal white paper entitled, *Temporary Secure Detention of Non-Adjudicated Juvenile Runaways*. The white paper is a legal analysis documenting the circumstances under which a non-adjudicated juvenile may permissibly be detained under the ICJ as a recognized exception to the Juvenile Justice and Delinquency Prevention Act (JJDP). R. Masters updated that the CJJ SOS Project Report will include a footnote referencing the JJDP codes and recognize the specific ICJ exception.
- R. Masters referenced the Compliance Committee's Report and advised in accordance with the ICJ Statute Article III, Section I, that the meeting move into closed session for the discussion of internal regulatory matters pertaining to enforcement.
- **M. Lacy (WV) made a motion that the meeting move into closed session in accordance with the Statute Article III, Section I. R. Bisch (MN) seconded. The motion passed by a majority vote.**  
{ Closed Session }
- **S. Foxworth (CO) made a motion that the meeting move out of closed session. R. Bisch (MN) seconded. The motion passed by a majority vote.**
- **P. Cox (OR) made a motion to accept the Legal Counsel Report as presented. J. Seigel (IN) seconded. The motion passed by a majority vote.**

#### **Rules Committee by Rose Ann Bisch (MN)**

- Chair Bisch acknowledged the members of the Rules Committee and their contributions and commended the past Rules Committees for their accomplishments.
- Chair Bisch reported the Rules Committee's focus was clarification, consistency, and continuity of the current rules. R. Masters advised that the passage of each of the rule proposals would include the effective date of April 1, 2014.



- Chair Bisch presented 25 rule proposals and provided a brief synopsis on each prior to making or accepting a motion for approval. The proposed new rules, rule amendments, form amendments, and the decisions for adoption were made as follows:

**1-101: Definitions *Adjudicated Status Offender* submitted by the Rules Committee**

- R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 1-101: Definitions *Adjudicated Status Offender* as presented and recommended by the Rules Committee. J. Hawkins (MO) seconded. The motion passed by a 48 - 0 vote.

**1-101: Definitions *Aftercare* submitted by the Rules Committee**

- R. Bisch (MN) made a motion to approve for adoption the proposed amendment to delete Rule 1-101: Definitions *Aftercare* as presented and recommended by the Rules Committee. P. Cox (OR) seconded. The motion passed by a 45 - 3 vote.

**1-101: Definitions *Custody* submitted by the Rules Committee**

- R. Bisch (MN) made a motion to approve for adoption the proposed amendment to delete Rule 1-101: Definitions *Custody* as presented and recommended by the Rules Committee. J. Miller (AR) seconded. The motion passed by a 47 - 1 vote.

**1-101: Definitions *Home Evaluation/Investigation* submitted by the Rules Committee**

- R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 1-101: Definitions *Home Evaluation/Investigation* as presented and recommended by the Rules Committee. N. Allard (SD) seconded. The motion passed by a 46 - 2 vote.

**1-101: Definitions *Juvenile Sex Offender* submitted by the Rules Committee**

- R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 1-101: Definitions *Juvenile Sex Offender* as presented and recommended by the Rules Committee. C. Hill (CA) seconded. The motion passed by a 46 - 2 vote.

**1-101: Definitions *Residential Facility* submitted by the Rules Committee**

- R. Bisch (MN) made a motion to approve for adoption the proposed new Rule 1-101: Definitions *Residential Facility* as presented and recommended by the Rules Committee. J. Hall (FL) seconded. The motion passed by a 47 - 1 vote.

**1-101: Definitions *Sanction* submitted by the Rules Committee**

- R. Bisch (MN) made a motion to approve for adoption the proposed new Rule 1-101: Definitions *Sanction* as presented and recommended by the Rules Committee. T. Longvall-Rivera (MA) seconded. The motion passed by a 44 - 4 vote.

## **2-101: Data Collection submitted by the Rules Committee**

- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 2-102: Data Collection as presented and recommended by the Rules Committee. D. Liedecke (TX) seconded. The motion passed by a 48 - 0 vote.**

## **4-101: Processing Referrals submitted by the Rules Committee**

### *Paragraph 2 and 2(f)(2)*

- **R. Bisch (MN) made a motion to approve the proposed amendment for adoption to Rule 4-101: Processing Referrals, paragraph 2 and 2(f)(2) as presented and recommended by the Rules Committee. R. Peterson (OH) seconded. The motion passed by a 46 - 2 vote.**

### *Paragraphs 3 and 4*

- R. Hopkins (VT) commented that the full name of ICPC was deleted and editorially should be included in the proposed language in paragraph 3. R. Masters stated that syntax corrections are within the authority of the Rules Committee. Chair Bisch confirmed the proper correction would be made upon passage of the rule proposal.
- J. Miller (AR) voiced concern to a means to implement the proposed language: *not precluding ICPC*.
- J. Hall (FL) questioned the type of placement. Chair Bisch clarified the language applies to community placements.
- The Commission members shared scenarios where both ICJ and ICPC overlap and questioned the procedures to implement the rule. Chair Bisch endorsed the scope of work by the AAICPC/ICJ MOU Work Group for the development of guidelines and best practices.
- M. Lacy (WV) questioned the progression of the language as presented. Chair Bisch explained the origination noting the proposal was written to allow both services based on the current ICJ Rules and ICPC Articles.
- R. Masters referenced the ICPC Article V which indicates that only one Compact may be in place. The contradictory language was intentional to provide a means for both Compacts to apply. He apprised that the ICPC interpretation defers the terms and conditions to the controlling Compact. Carla Fults, AAICPC, requested permission to speak.
- **P. Cox (OR) made a motion to suspend the Robert's Rules of Order to allow participation by attendees outside of the voting body. R. Hopkins (VT) seconded. The motion passed by majority vote.**
- C. Fults (AAICPC) clarified that the ICPC Articles cited by R. Masters to be Article VIII rather than Article V.
- **P. Cox (OR) made a motion to reinstate the Robert's Rules of Order. S. Jones (MD) seconded. The motion passed by majority vote.**
- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 4-101: Processing Referrals, paragraphs 3 and 4 as presented and recommended by the Rules Committee. G. Prine (IA) seconded. The motion passed by a 32 - 16 vote.**

#### **4-101A: Transfer of Students by the Rules Committee**

- **R. Bisch (MN) made a motion to approve for adoption the rescinding of Rule 4-101A: Transfer of Students as presented and recommended by the Rules Committee. P. Pendergast (AL) seconded. The motion passed by a 46 – 2 vote.**

#### **4-102: Sending and Receiving Referrals submitted by the Rules Committee**

- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 4-102: Sending and Receiving Referrals, paragraph 4, as presented and recommended by the Rules Committee. R. Hendryx (OK) seconded. The motion passed by a 47 - 1 vote.**

#### **4-103: Transfer of Supervision Procedures for Juvenile Sex Offenders submitted by the Rules Committee**

- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 4-103: Transfer of Supervision Procedures for Juvenile Sex Offenders, paragraphs 2, 2(d), and 4, as presented and recommended by the Rules Committee. N. Allard (SD) seconded. The motion passed by a 44 - 3 vote.**

#### **4-104: Supervision/Services Requirements submitted by the Rules Committee**

- C. Hill (CA) questioned the proposed language in paragraph 2 regarding costs from conditions imposed. D. Liedecke (TX) questioned repercussions when costs are not paid.
- Chair Bisch clarified the costs would be imposed as the receiving state would impose their own and any payment default would be handled as a violation.
- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 4-104: Supervision/Services Requirements, paragraphs 2 and 3 as presented and recommended by the Rules Committee. M. Taylor-Gore (MS) seconded. The motion passed by a 42 - 6 vote.**

#### **5-102: Travel Permit submitted by the Rules Committee**

- R. Hopkins (VT) questioned the intent of the rule proposal. S. Hagan (WI) clarified the intent to exclude the issuance of a Travel Permit Form for residential placement. The exclusion allows the Travel Permit Form to be used as notification at state's discretion without evoking the Rule 5-102 Travel Permit.
- P. Welcome (VI) recommended an effective date of November 1, 2013 should the rule pass. Chair Bisch confirmed that due to the impact on training and materials to enact rules, logistically an earlier date could not be imposed.
- D. Dodd (NM) spoke against the rule proposal commenting that it goes against the Compact's mission for public safety.
- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 5-102: Travel Permit, paragraph 2 as presented and recommended by the Rules Committee. S. Hagan (WI) seconded. The motion passed by a 39 - 9 vote.**

### **5-102: Travel Permit submitted by the West Region**

- P. Cox (OR) questioned the process whereby two amendments are proposed for one rule. R. Masters instructed that one amendment per rule could be adopted. He cautioned that passage of a second rule amendment to the same rule would repeal the first.
- J. Seigel (IN) disclosed that the language between the two proposed amendments to Rule 5-102 did not conflict. D. Dodd (NM) clarified that the intent of the West Region's proposal to Rules 5-102 was solely to add subsection i. to paragraph 1. West Virginia and Indiana opposed the language commenting that the proposal would require the issuance of travel permits for all probation cases regardless of the severity of the offense vastly increasing the number of travel permits processed.
- **P. Cox (OR) made a motion to add to Rule 5-102, as approved for adoption above, Paragraph 1 (i.) *Juveniles who are subject to probation supervision.* D. Liedecke (TX) seconded. The motion failed by a 10 – 38 vote.**

### **6-103 and 6-103A submitted by the Rules Committee**

- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 6-103 and new Rule 6-103A as presented and recommended by the Rules Committee. J. Hawkins (MO) seconded. The motion passed by a 47 – 1 vote.**

### **6-106: Public Safety submitted by the Rules Committee**

- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 6-106: Public Safety as presented and recommended by the Rules Committee. A. Ehlers (ID) seconded. The motion passed by a 47 - 1 vote.**

### **7-101: Adoption of Amendments of Rules submitted by the Rules Committee**

#### *Paragraph 2*

- J. Seigel (IN) spoke in favor of the proposed amendment commenting on the impact to the rules training and re-training year after year; and confirming its alignment with the approved ICJ Strategic Initiatives. D. Ege (ICAOS, Ex-Officio) endorsed the proposal and encouraged the Commission to pass.
- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 7-101: Adoption of Amendments of Rules, paragraph 2, to add *falling in an odd-numbered year* as presented and recommended by the Rules Committee. P. Pendergast (AL) seconded. The motion passed by a 46 - 2 vote.**

#### *Paragraph 8*

- J. Patnode (WA) questioned the ability to amend rules from the floor in the years there would not be rule proposals. R. Masters clarified the process to temporarily suspend the Robert's Rules of Order.
- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Rule 7-101: Adoption of Amendments of Rules, paragraph 8, to add the sentence: *No additional rules or amendments shall be made at the time such action is taken.* as presented and recommended by the Rules Committee. P. Cox (OR) seconded. The motion passed by a 37 - 11 vote.**

### New Rule: ICPC Recognition submitted by the Rules Committee

- **R. Bisch (MN) made a motion to approve for adoption the proposed new rule: ICPC Recognition as presented and recommended by the Rules Committee. A. Ehlers (ID) seconded. The motion passed by a 41 – 7 vote.**

### New Rule: Reporting Juvenile Non-Compliance, Failed Placement and Retaking submitted by the Rules Committee

- Chair Bisch updated that due to confusion during Tuesday’s Rules Round Table Session additional language was recommended to include *continue supervision* in the rule.
- **K. Rumbaugh (NE) made a motion to insert *which may include continue supervision* in the second sentence of paragraph 3 of the proposed new rule: Reporting Juvenile Non-Compliance, Failed Placement and Retaking. R. Peterson (OH) seconded. The motion passed by a 47 – 1 vote.**
- K. Rumbaugh (NE) spoke to the value of the proposed new rule regarding violations.
- **R. Bisch (MN) made a motion to approve for adoption the proposed new rule: Reporting Juvenile Non-Compliance, Failed Placement and Retaking as amended and recommended by the Rules Committee; and to rescind Rule 6-104. S. Hagan (WI) seconded. The motion passed by a 41 – 7 vote.**

### Form IA/VI submitted by the Rules Committee

- S. Hagan (WI) spoke against the proposal and in favor of retaining the *placement resource* signature on the Form IA/VI. J. Miller (AR) spoke against the proposal commenting to the difficulty of obtaining parent/legal guardian signatures. The Commission discussed the time and place signatures are obtained and the difference between the Form III and the Form IA/VI. J. Hawkins (MO) commented that the Form IA/VI derived from two historical forms and suggested the Commission consider rescinding in the future.
- **R. Bisch (MN) made a motion to approve for adoption the proposed amendment to Form IA/VI to replace *placement resource* with *parent/legal guardian* as presented and recommended by the Rules Committee. N. Allard (SD) seconded. The motion failed by a 15 – 33 vote.**

### Form VII submitted by the West Region

- **P. Cox (OR) made a motion to approve for adoption the proposed amendment to Form VII to add physical descriptors as submitted by the West Region. F. Mickens (NJ) seconded. The motion passed by a 29 – 19 vote.**

### Form XI submitted by the Rules Committee

- **R. Bisch (MN) made a motion to approve the proposed amendment to delete Form XI as presented and recommended by the Rules Committee. J. Hawkins (MO) seconded. The motion passed by a 39 – 8 vote.**

### **New Order of Rules Reorganization**

- Chair Bisch highlighted the plan by the Rules Committee for the reorganization of the rules by categories into the following sections:
  - Section 100 Definitions
  - Section 200 General Provisions
  - Section 300 Forms
  - Section 400 Transfer of Supervision
  - Section 500 Supervision in Receiving State
  - Section 600 Voluntary and Non-Voluntary Return of Juveniles/Runaways
  - Section 700 Additional Return Requirements for Sections 500 and 600
  - Section 800 Travel Permits
  - Section 900 Dispute Resolution, Enforcement, Withdrawal, and Dissolution
  - Section 1000 Transition Rule

### **Old Business**

#### *Human Trafficking*

- S. Jones (MD) updated on the number of human trafficking cases in Maryland noting the importance of communication across state lines and increased awareness.

### **New Business**

#### *Public Comments*

- Chair Clark opened the floor for comments from the public.
  - Shawn Hill (ID) commented that resistance to charging supervision fees is in conflict with the Compact's foundation to treat out-of-state juveniles as your own.

#### *Recommendation to the AAICPC/ICJ MOU Work Group*

- S. Hagan (WI) recommended that the AAICPC/ICJ MOU Work Group consider developing a case scenario guideline to address the timely acquisition of reports from ICPC for face-to-face meetings noting select federal programs do not exempt ICJ cases from the mandate to provide monthly documentation.
- J. Taylor (ICPC, Ex-Officio) recognized the ICJ monthly versus the ICPC quarterly report requirements.
- The Commission discussed and agreed the Work Group should include this scenario as a discussion point next year.

#### *Legal Update*

- J. Hawkins (MO) shared legal information whereby the Uniform Child Jurisdiction and Enforcement Act, adopted in 49 states, including Guam and US Virgin Islands, may provide a mechanism outside of ICJ to return non-delinquent youth via child protective custody and the transfer of court jurisdiction. Judge David Stucki advised the transfer mechanism to be a conversation between the judges and applies primarily to custody disputes.

#### *2014 Annual Business Meeting*

- Chair Clark announced the ICJ 2014 Annual Business Meeting slated for October 27-29, 2014 in Charleston, South Carolina.

- J. Hawkins (MO) requested moving the date to avoid the Halloween holiday. A. Lippert clarified the date and location to be under contract. The National Office will review the option.

#### *Recognition*

- Chair Clark acknowledged the contributions of the Vice Chair, Treasurer, Committee Chairs, Region Representatives, and the National Office.
- Vice Chair Foxworth acknowledged the leadership of Chair Clark for the past three years.

#### **2014 Officer Elections**

- Midwest Region Representative Bisch presented the cumulative 2014 officers' slate from the four regions as follows:

##### **Treasurer -**

Philip Cox (OR)

##### **Vice Chair -**

Anne Connor (NV)

Daryl Liedecke (TX)

##### **Chair -**

Patrick Pendergast (AL)

Dale Dodd (NM)

##### **Treasurer -**

- Representative Bisch presented Philip Cox (OR) for Treasurer and opened the floor for additional nominations.
- **G. Hartman (WY) made a motion that the nominations for Treasurer cease and cast the announced ballot for Philip Cox (OR). R. Peterson seconded. The motion passed.**
- P. Cox (OR) addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected Philip Cox (OR) as Treasurer.

##### **Vice Chair -**

- Representative Bisch presented Anne Connor (NV) and Daryl Liedecke (TX) for Vice Chair and opened the floor for additional nominations.
- **R. Peterson (OH) made a motion that nominations for Vice Chair cease. S. Foxworth (CO) seconded. The motion passed.**
- The two candidates addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected Anne Connor (NV) as Vice Chair.

##### **Chair -**

- Representative Bisch presented Patrick Pendergast (AL) and Dale Dodd (NM) for Chair and opened the floor for additional nominations.
- **M. Lacy (WV) made a motion that nominations cease. T. Marchand (NC) seconded. The motion passed.**
- The two candidates addressed the Commission prior to vote.
- Representative Bisch announced the Commission elected Patrick Pendergast (AL) as Chair.

## Oath of Office

- Judge David Stucki, National Council of Juvenile and Family Court Judges (NCJFCJ) Ex-Officio, delivered the oath of office to the following 2014 Commission Officers and Regional Representative:
  - Chair: Patrick Pendergast (AL)
  - Vice Chair: Anne Connor (NV)
  - Treasurer: Philip Cox (OR)
  - West: Summer Foxworth (CO)
  - East: Patricia Welcome (VI)

## Adjourn

- **M. Lacy (WV) made a motion to adjourn. P. Welcome (VI) seconded. P. Pendergast (AL) adjourned the meeting by acclamation at 3:30 p.m. WDT.**