

 <b>Interstate Commission for Juveniles</b>	<b>Policy Number:</b> 03-2009	<b>Page Number:</b> 1
<b>ICJ Compliance Policy</b>  Dispute Resolution	<b>Dated:</b> December 1, 2009  <b>Revised:</b> March 1, 2020	

## I. Authorization

Article VII(B)(3) of the Interstate Compact for Juveniles (ICJ), in relevant part, provides: “The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact using any or all means set forth in Article XI of this compact.” Rule 9-101 addresses “Initial Dispute Resolution and Interpretation of the Rules.” This policy ensures compliance with Article VII(B) and Rule 9-101.

## II. Policy

The Commission and its members shall use proactive processes for resolving disputes and controversies in order to promote resolution through positive interactions. This policy does not circumvent the powers and duties of the Commission to enforce the provisions of the Compact as specified by statute or rules.

## III. Responsibility

- A. Each state’s Compact Commissioner shall assist and/or cooperate with efforts to resolve disputes and controversies.
- B. As authorized by the Executive Committee, the Executive Director shall respond to all written requests for assistance with resolution of disputes or controversies.
- C. As authorized by the Executive Committee, the Compliance Committee may assist the Executive Director with resolution of disputes or controversies.

## IV. Procedures

- A. Through the office of a state’s Compact Commissioner, states shall attempt to resolve disputes or controversies by communicating with each other directly. Attempts to resolve the controversy or dispute shall be documented.
- B. After states have unsuccessfully attempted to resolve a dispute or controversy, a state’s Compact Commissioner may request assistance with a dispute resolution by submitting a written request to the Executive Director. The request shall include information regarding the dispute or controversy, and efforts to resolve the matter.

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The request may be submitted using the Request for Dispute Resolution Form available on the ICJ website.

- C. When a dispute or controversy comes to the attention of the National Office, the Executive Director:
  - 1. Shall make contact with the involved Commissioners; and
  - 2. May seek the assistance of legal counsel, the Executive Committee, and/or the Compliance Committee.
  
- D. The Executive Director, or the Chair of the Commission in the Executive Director's absence, shall issue a written response within ten (10) business days. Responses may include, but shall not be limited to: acknowledgement of receipt of the request for assistance, recommendation for training and/or technical assistance, or referral to the Executive or Compliance Committee.
  
- E. Upon the request of either state or the Executive Director, the Executive Committee shall review the written response and determine whether further action is required. Further action may include, but not be limited to: issuance of an Advisory Opinion.
  
- F. In the event that a Commission officer(s) or member(s) of the Executive Committee or other committees authorized to process the dispute is the Commissioner(s) or designee(s) of the state(s) which is a party(ies) to the dispute, such Commissioner(s) or designee(s) shall refrain from participation in the dispute resolution process.
  
- G. If the matter is not resolved, either party may file a written complaint or allegation of default, which shall be reviewed by the Executive Committee for further action as set forth in ICJ Policy 01-2009.