

INTERSTATE COMMISSION FOR JUVENILES

Executive Committee Meeting Minutes



September 22, 2022

12:00 p.m. ET

Via Zoom

Committee Members in Attendance:

1. Tasha Hunt (CT), Chair
2. Nina Belli (OR), Vice Chair
3. Sherry Jones (MD), Treasurer
4. Jacey Rader (NE), Immediate Past Chair and Compliance Committee Chair
5. Corrie Copeland (TN), Finance Committee Chair
6. Kellianne Torres (IA), Information Technology Committee Chair
7. Stephen Horton (NC), Rules Committee Chair
8. Becki Moore (MA), East Region Representative
9. Daryl Liedেকে (TX), South Region Representative
10. Michael Farmer (CA), West Region Representative

Committee Members Not in Attendance:

1. Nate Lawson (OH), Training Committee Chair
2. Chuck Frieberg (SD), Midwest Region Representative
3. Nataki Brown (SC), Victims Representative

Guests in Attendance:

1. None

National Office Staff and Legal Counsel in Attendance:

1. MaryLee Underwood, Executive Director
2. Jenny Adkins, Operations and Policy Specialist
3. Joe Johnson, Systems Project Manager
4. Amanee Cabbagestalk, Training and Administrative Specialist
5. Emma Goode, Logistics and Administrative Specialist
6. Rick Masters, Legal Counsel

Call to Order

Commission Chair T. Hunt (CT) called the meeting to order at 12:00 p.m. ET.

Roll Call

Director Underwood called the roll and a quorum was established.

Agenda

Chair Hunt presented the agenda for approval by unanimous consent. No objection was made.

Minutes

S. Horton (NC) made a motion to approve the August 25, 2022 minutes as presented. M. Farmer (CA) seconded. The motion passed.

Commission Chair Report *by Tasha Hunt (CT)*

- Chair Hunt congratulated the Executive Committee members on a successful year this last meeting before going to the ICJ 2022 Annual Business Meeting.
- Chair Hunt thanked the Commission for the opportunity to serve as the Chair this year and the work completed and that will continue with the new leadership to be elected and she will not seek another term.

Fiscal Year 2022 Audit Report

- Chair Hunt introduced A. J. Sharpe with Hicks and Associates, Certified Public Accounts in Lexington, Kentucky. Mr. Sharpe presented the FY 2022 ICJ Audit Report summary. He explained changes in line items under the assets, liabilities, and capital year over year from 2021 and 2020. The audit resulted in an “unmodified opinion” which means a good, clean audit with all information and support documentation provided as requested.
- **J. Rader (NE) made a motion to accept the ICJ Fiscal Year 2022 Audit Report presented by Hicks and Associates. S. Jones (MD) seconded. The motion passed.**

Treasurer Report *by Sherry Jones (MD)*

- Treasurer Jones (MD) acknowledged that it has been a pleasure to serve as the Commission’s Treasurer this year and provided an update to the outstanding dues payments to date.

National Office Report *by MaryLee Underwood, Executive Director*

- Director Underwood updated on the new Commissioner and Designee appointments and planned attendance at the Annual Business Meeting (ABM) in October.
 - ALASKA – The new ICJ Commissioner is Robert Heide and Nichel Saceda-Hurt has been appointed his part time Designee. Both will attend the ABM.
 - FLORIDA – Jean Hall has been officially appointed ICJ Commissioner. She returns to the role of Florida ICJ Commissioner with a new data system and has requested a mentor. Both Ms. Hall and Tracy Howard will attend the ABM.
 - GEORGIA – Tracy Cassell has been appointed part time designee to Commissioner Oliver. She will be the voting designee for Georgia during the ABM.
 - OHIO – Sashaun Lane’s ICJ Commissioner appointment is pending. Nate Lawson will attend the ABM as the Ohio voting representative.
 - UTAH – Sonia Sweeney has been hired and Utah’s Juvenile Court Administrator and will soon be appointed to an ICJ position. She will attend the ABM. Raymundo Gallardo continues as the Utah voting Designee and will also attend the ABM.
 - COLORADO – Summer Foxworth announced her retirement in November. Summer will attend the ABM and a new commissioner appointment will be forthcoming.

2022ICJ Annual Business Meeting (ABM) Update

- Director Underwood updated that 87 persons are registered to attend onsite and 20 are registered to watch via live stream. There have been inquiries relative to voting via live stream. The decision by the Executive Committee to vote onsite only was shared.
- S. Horton (NC) expressed concern about the fairness of conducting an important vote such as a major dues increase without allowing the opportunity for all members to vote.
- J. Rader (NE) commented that the annual business meetings have always required a voting delegate on site to vote. During the pandemic, virtual voting was introduced for all because there was no onsite meeting or voting.
- Chair Hunt noted the importance of moving forward with the decision made months back after much deliberation, and remaining consistent with the ICJ by-laws and policies.
- C. Copeland (TN) commented that when the decision for an onsite in-person Annual Business Meeting was made, the ICJ dues increase of 35 percent was not known and that may have made a difference in the decision.
- M. Farmer (CA) wished the regions would have more time to discuss the dues increase proposal in their region meetings prior to September.
- S. Horton (NC) suggested tabling the vote at the ABM for the ICJ dues increase until all members could be represented, such as a virtual meeting similar to when the Commission voted for the suspension of enforcement of the rules during the pandemic.
- N. Belli (OR) asked how many states are not planning to have voting delegate at the on-site meeting. Director Underwood responded three states have indicated they will not attend, which is typical for annual onsite meeting. Over the years, there have been very few full Commission meetings where all voting members were present. For example, three members were not present at the special virtual meeting regarding suspension of enforcement of the ICJ Rules in the early days of the COVID-19 pandemic.
- Director Underwood explained the alternatives to postponing the vote and the impact to the Fiscal Year 24 Budget. R. Masters, Legal Counsel, advised that currently the Commission operates under the Roberts Rules of Order, which require a majority of the members for a quorum to conduct a meeting and voting.
- **S. Horton (NC) made a motion to table the vote for the 35% dues increase at the ABM until all ICJ members could be notified of a virtual meeting for the vote. D. Liedecke (TX) seconded. M. Farmer (CA), C. Copeland (TN), S. Horton (NC), and D. Liedecke (TX) voted yes. T. Hunt (CT), K. Torres (IA), S. Jones (MD), J. Rader (NE), and N. Belli (OR) voted no. (B. Moore (MA) left the meeting prior to the vote.) The motion failed by a 4 – 5 vote.**

Publications

- Director Underwood presented the final version of **the ICJ 2022 Annual Report** for approval of the publication. The report will be ready to reveal and share with the full Commission during the ICJ 2022 Annual Business Meeting.

- **S. Jones (MD) made a motion to accept and publish the 2022 ICJ Annual Report as presented. N. Belli (OR) seconded. The motion passed.**
- Director Underwood noted the updated **ICJ Executive Committee Orientation Handbook** was distributed prior to the meeting for review and will be considered for approval under old business.

Collaborations

- Director Underwood provided an update on collaborations with affiliate organizations.
 - The **National Equity Partnership** is the new partnership that has grown from the Justice System Partnership on Racial Equity. The group continues to meet to finalize a document of interest to the White House.
 - Richard Cordon, Westmoreland County Regional Youth Services Center, was recently appointed as the new **ICJ National Partnership for Juvenile Services (NPJS) Ex Officio**. His appointment was received too late to attend the ABM.
 - Last week, three staff attended the American Probation and Parole Association (**APPA**) Conference in Chicago. The registration fee was waived for Director Underwood, Jenny Adkins attended at the student rate, and Amanee Cabbagestalk was a regular attendee. The three attended different courses. It was a good learning and networking opportunity and Director Underwood is now a part of the Juveniles Justice Committee.
 - Director Underwood will participate in the **Council of Juvenile Justice Administrators (CJJA)** Webinar slated for November 7, 2022. Three ICJ Training Committee members are working with staff to prepare the curriculum.

Finance Committee Report *by Corrie Copeland (TN)*

- Finance Committee Chair C. Copeland (TN) reported the “ICJ Dues Update Q&A” live session was conducted on September 21. Much of the feedback was discussed earlier. She shared one suggestion to reduce costs was conducting on-site Annual Business Meetings in the rules-making years only.
- She encouraged members to review the proposal and consult with their state’s fiscal departments in preparation for the vote.
- During the ABM on October 4, the regions will discuss and vote on October 5.

Legal Counsel Report *by Legal Counsel Rick Masters*

- Rick Masters, Legal Counsel, updated that on his work regarding the request from the East Region for an ICJ Advisory Opinion on what triggers “detainment” as used in Rule 6-101(1) for the release of runaway allowed within 24 hours of “detainment.” He cautioned an approved ICJ Legal Advisory Opinion would lessen the state’s discretion and therefore modified as a legal memo to those requesting guidance.
- Director Underwood updated that she and Legal Counsel continue to review and revise. Legal Counsel added that the memorandum includes OJJDP language in

an attempt to provide guidance without contradiction the ICJ Rule. The final draft will be presented to the Executive Committee for review before final distribution.

Old Business

New ICJ Standing Committee beginning 2023

- Chair Hunt presented a proposed title and charge for the new ICJ standing committee which will be formed after the ABM as follows:
The Racial Diversity, Equity, and Inclusion (DEI) Committee develops strategies to promote diversity awareness and increase equity and inclusion through active learning, collaboration, and partnerships. The Committee reviews the Commission's data, Rules, policies, operations, and resources, and makes specific recommendations to promote equity and procedural justice. The Committee facilitates the Commission's continuing efforts to cultivate a culture of mutual respect that educates, advocates, and empowers members to be productive and socially responsible global citizens.
- M. Farmer (CA) commented that he respects all of the work the ad hoc committee has completed for the last two years. He did not support forming a new standing committee, as he believes the work is being done across the all the ICJ Committees and the Commission. Chair Hunt replied the standing committee will codify and ensure continued focus on the work year after year.
- **J. Rader (NE) made a motion to approve the title and charge of the new ICJ standing committee as presented above. K. Torres (IA) seconded. S. Horton (NC) and M. Farmer (CA) abstained. The motion passed.**

Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)

- Chair Hunt opened the floor for discussion of strategies for returning runaways when guardian is unwilling to file a requisition. The topic was presented by M. Farmer (CA) and the discussion tabled at the last meeting.
- M. Farmer (CA) provided an update on the case he shared last month between California and Nevada, which involved a runaway juvenile whose mother refused to take her child back into her home. The judges in both states conferenced to establish the jurisdiction.
- He raised the issue for discussion because the rules are silent on guidance in such cases when there are issues involving child welfare, ICJ, and the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA). The juvenile was willing to return; however, the guardian was not willing to file a requisition.
- R. Masters, Legal Counsel, updated that he and Director Underwood conducted a teleconference with representatives from the Uniform Laws Commission, which drafted the UCCJEA. They were receptive to learning about ICJ and agreed judges need to talk to one another across the state lines and the UCCJEA provides that ability.
- Director Underwood added that the UCCJEA is broad, and may be applicable in other ICJ cases. The UCCJEA primarily establishes Court jurisdiction. Jurisdiction is always the home state; however, an "emergency jurisdiction" can be established where the child is found. An action must be filed in the Court before the communication can occur.

- M. Farmer (CA) commented that he is looking for guidance for ICJ offices for how to handle these situations and to let Commission members know this can occur and there are many state agencies that are not aware of ICJ.
- C. Copeland (TN) requested additional clarity on the topic.
- J. Rader (NE) shared how Nebraska ICJ handles these situations. The ICJ office has a contact with the Child Protection Services (CPS) and an understanding that ICJ will oversee the process of the return and communication with the other state and the CPS will oversee the payment and arrangements. She also noted that Nebraska has a CPS member on their state council.
- S. Jones (MD) suggested and Chair Hunt agreed to retain the topic on the agenda for future discussions.

New Business

ICJ Executive Committee Handbook

- Director Underwood presented and explained the updates to the “ICJ Executive Committee Handbook.” The update primarily included addition of the new ICJ Racial Diversity, Equity, and Inclusion (DEI) Committee, as approved earlier.
- **S. Jones (MD) made a motion to approve the revised “ICJ Executive Committee Handbook. K. Torres (IA) seconded. The motion passed.**

Final Meeting

- Chair Hunt announced she looks forward to seeing everyone at the 2022 ICJ Annual Business Meeting (ABM) in Burlington, Vermont. The Executive Committee will conduct a brief meeting onsite, October 4 @ 8:30 a.m. ET.

Adjourn

Chair Hunt adjourned the meeting by unanimous consent without objection at 2:01 p.m. ET.