



RECEIVING A CASE FOR SUPERVISION

Within 45 days of receipt of the referral, the receiving state must provide a home evaluation report, including final approval or disapproval of the request for supervision.

Accepting/Denying Supervision

- ▶ Supervision may be denied if the:
 - ◆ Proposed residence is unsuitable, or
 - ◆ Juvenile is not in substantial compliance with terms & conditions of supervision
- ▶ Supervision cannot be denied:
 - ◆ Based solely on the juvenile's age or offense.
 - ◆ If no legal guardian remains in the sending state and the juvenile has a legal guardian in the receiving state.

If Accepted

- Sending state provides advance notice of departure, unless the juvenile already resides in receiving state.
- Quarterly progress reports are due every 3 months.
- Violation and absconder reports are submitted if the juvenile has violated conditions, committed a new offense, or cannot be located.

If Denied

- Sending state has 5 business days to return the juvenile.
- Sending state may submit a new referral request.

Additional Considerations for Supervision

- Sending state retains jurisdiction throughout the supervision.
- Both sending and receiving states have authority to enforce the terms of supervision.

Supervision fees cannot be assessed by the sending or receiving states.

TRAVEL

MANDATORY TRAVEL PERMITS

Travel Permits are mandatory for the following juveniles traveling out-of-state over 24 consecutive hours:

Juveniles who have been adjudicated and are on supervision for:

- Sex-related offenses;
- Violent offenses that have resulted in personal injury or death; or
- Offenses committed with a weapon.

Juveniles who are one of the following:

- State committed;
- Relocating pending a transfer of supervision;
- Returning to the state from which they were transferred;
- Transferring to a subsequent state; or
- Transferred and the victim notification laws require notification.

OPTIONAL TRAVEL PERMITS

Parolees and Juvenile Sex Offenders:
Prior to Acceptance of Supervision

When there is no legal guardian in the sending state, it may be necessary for a parolee or sex offender to relocate with a legal guardian prior to the acceptance of supervision. The sending state must:

- Determine whether it is appropriate to issue a travel permit.
- Include a written explanation why the ICJ procedures for submitting the referral could not be followed.
- Submit a complete referral packet within 10 business days of issuance of travel permit.

TRAVEL PERMITS MAY NOT EXCEED 90 DAYS

- If a Travel Permit exceeds 30 calendar days, the sending state provides instructions for the juvenile to maintain contact the supervising agency.

**FOR RESOURCES & CONTACT
INFORMATION FOR STATE ICJ
OFFICES:**

www.juvenilecompact.org



Quick Reference Guide for ICJ Cases

The **Interstate Compact for Juveniles (ICJ)** is the law that regulates the interstate movement of juveniles who are under court supervision or have run away to another state.

ICJ is a contract that has been adopted as law throughout the United States. Therefore, all state and local officials are legally bound to honor and enforce the terms of the Compact. The compact supersedes any conflicting state law or policy.

STATE ICJ OFFICES

Each member state operates a state ICJ Office that manages interstate juvenile cases, including:

◆ Transfers of Supervision

- ◆ Initial Referral
- ◆ Quarterly Progress Reports
- ◆ Violation and Absconder Reports

◆ Travel

- ◆ Prior to Acceptance of Transfer
- ◆ Visiting Another State
- ◆ Notice of Placement for Residential Treatment

◆ Returns

- ◆ Non-Delinquent Runaways
- ◆ Escapees, Absconders, and Accused Delinquents

COMMUNICATION

All written and verbal communication regarding interstate cases must go through the state ICJ Offices and be documented in the electronic data system. Local law enforcement, parole/probation officers, and court personnel may communicate only about an ICJ case with the permission of both state ICJ Offices.

TRANSFERS OF SUPERVISION

A supervised juvenile who is relocating to another state must be transferred through the ICJ if the juvenile:

- Is classified as a juvenile in the sending state; and
- Is an adjudicated delinquent, adjudicated status offender, or has a deferred adjudication; and
- Is under the jurisdiction of a court of appropriate authority; and
- Has a plan to relocate for a period exceeding 90 days; and
- Has more than 90 days of supervision remaining; and
- Will reside with a legal guardian, relative, non-relative or independently; OR
- Is a fulltime student at an accredited secondary school, university/college, or a licensed specialized training program.

A juvenile is not eligible for transfer under the Compact if the sole condition is to collect restitution or if traveling to a residential facility.

SENDING A CASE FOR SUPERVISION

Sending state's ICJ Office submits a referral through the electronic data system, including:

- ICJ Forms IV, V, and VI
- Petition(s) and/or Arrest Report(s)
- Order(s) of Adjudication/Disposition
- Conditions of Supervision
- Legal and Social History
- Supervision Summary
- Other documents may be required for parolees or sex offenders

► Sending state supervises the case until it is accepted by receiving state.

► If the juvenile already resides in the receiving state, the receiving state obtains the juvenile's signature on the Form VI.

► If a juvenile must move or travel prior to acceptance, a Form VII: Travel Permit is required.



RETURNS OF RUNAWAYS & OTHERS

Contact the state ICJ Office when an out-of-state juvenile is located.

- ICJ return procedures must be followed if the juvenile is a/an:
 - Runaway: left their residence without permission or refuses to return to their residence as directed
 - Accused delinquent: charged with an offense would be considered a criminal offense, if committed by an adult
 - Absconder: probationer or parolee who hides, conceals, or absents him/herself with the intent to avoid legal process or authorized control
 - Escapee: made an unauthorized flight from in custody status or a facility to which he/she was committed.

- If abuse or neglect is suspected, the holding state notifies home/demanding state ICJ Office.
- Allegations of abuse or neglect do not alleviate a state's responsibility to return a juvenile.

Special Considerations for Non-Delinquent Runaways

- May be released to the legal guardian or custodial agency within 24 hours.
- If held more than 24 hours, the ICJ must be applied.
- Runaways & accused status offenders who are a danger to themselves/others must be held in security facilities until returned.
- The Juvenile Justice Delinquency Prevention Act (JJDP), which limits detention of "status offenders," specifically allows detention of minors pursuant to the ICJ.

Procedures for Returning Runaways, Escapees, Absconders, and Accused Delinquents

VOLUNTARY RETURN

- The court advises the juvenile of his/her rights.
- The juvenile and court signs the Form III: Consent for Voluntary Return.
- The holding state submits the Form III to the home/demanding state's ICJ Office via the electronic data system.
- Home/demanding state returns the juvenile within 5 business days of receiving a completed Form III.

NON-VOLUNTARY RETURN

- If the juvenile will not return voluntarily, a requisition must be filed using the Form I or II.
- If the legal guardian/custodial agency is unable or refuses to file the requisition, the home/demanding state must initiate the requisition.
- The home/demanding state has 60 days from notice of juvenile's refusal to return to petition the court for the requisition.
- Within 30 days of receipt of a requisition, the holding state must hold a hearing.
- The juvenile must be returned within 5 business days of receipt of an order granting a requisition.
- Timeframes may be extended if both state ICJ Offices agree.
- The home/demanding state makes transportation arrangements and determines appropriate measure to ensure safety.
- Juveniles must be detained in secure facilities if they are: a danger to themselves or others, or are held on a warrant.
- Juveniles may be held for a maximum of 90 calendar days.

THE INTERSTATE COMMISSION FOR JUVENILES

is the governing body of the ICJ, collectively formed by the Commissioners from each member state and territory. The Commission's authority extends to all 50 states, the District of Columbia, and the U.S. Virgin Islands. To ensure compliance with the compact, the Commission

- Provides training and technical assistance;
- Issues interpretations of rules;
- Conducts Performance Measurement Assessments; and
- Assists with resolution of disputes between states.

If the Commission determines a state has defaulted on its responsibilities under the Compact, the Commission may require corrective action, remedial training, technical assistance; impose fines or fees; or suspend/terminate membership in the Compact.

