



QUICK REFERENCE GUIDE FOR ICJ CASES



WHAT IS THE ICJ?

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
- Failed Supervision Reports

Returns

- Runaways who have been detained
- Accused delinquents, escapees, and parole/probation absconders

Travel Permits

- Prior to acceptance of transfer
- Visiting another state
- Notice of placement for residential treatment (Optional)

COMMUNICATION

All written and verbal communication regarding interstate cases shall go through the state ICJ Offices and be documented in UNITY, the Commission's 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.

FISCAL YEAR 2024 STATISTICS AT A GLANCE

- **4,570** juveniles' supervision was transferred to another state
- **7,713** permits issued for juveniles traveling out-of-state
- **1,683** juveniles were returned to home or demanding states

INTERSTATE COMMISSION FOR JUVENILES

The **Interstate Commission for Juveniles** is the governing body of the Interstate Compact for Juveniles (ICJ). Commission members include representatives from all 50 states, the District of Columbia, and the US Virgin Islands, who work together to preserve child welfare and promote public safety. The Commission is responsible for promulgating and enforcing rules to implement the ICJ.



TRANSFERS OF SUPERVISION



A SUPERVISED JUVENILE WHO RESIDES IN OR IS RELOCATING TO ANOTHER STATE SHALL BE TRANSFERRED THROUGH THE ICJ IF THE YOUTH:

- 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 reside in another state 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 full-time student at an accredited secondary school, university/college, or a licensed specialized training program.

A youth is not eligible for transfer under the Compact if the sole condition is to collect restitution or they will reside in 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 youth already resides in the receiving state, Form VII, Travel Permit, must be issued. The receiving state shall obtain the youth's signature on the Form VI.



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



RECEIVING A CASE FOR SUPERVISION



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

ACCEPTING/DENYING SUPERVISION

Acceptance is required when there is a legal guardian in the receiving state and no legal guardian in the sending state.

Supervision shall be accepted unless:

- Proposed residence is unsuitable, or
- Juvenile is not in substantial compliance with terms and conditions of supervision.

Supervision cannot be denied based solely on age or offense.

IF ACCEPTED:

- Sending state provides advance notice of departure, unless the youth already resides in receiving state.
- Quarterly progress reports are due every 90 days.
- Violation and absconder reports are submitted if they have violated conditions, committed a new offense, or cannot be located.
- Sending state retains jurisdiction, i.e. authority in the case, throughout supervision.
- Both sending and receiving states have authority to enforce the terms of supervision.

IF DENIED:

- Home evaluation shall include detailed justification for why the residence is not safe and/or suitable.
- If the juvenile already resides in the receiving state, the sending state has five business days to return them.
- A sending state may submit a new referral request. New referrals are often submitted after alternative living arrangements are secured or concerns are addressed.



RETURNS OF RUNAWAYS, ACCUSED DELINQUENTS, & OTHERS



**CONTACT THE STATE ICJ
OFFICE WHEN AN OUT-OF-
STATE JUVENILE IS
DETAINED.**

ICJ return procedures shall be followed if the youth 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 themselves so that they are unavailable for legal process or authorized control
- ✦ **Escapee:** made an unauthorized flight from in custody status or a facility to which they were committed

SPECIAL CONSIDERATIONS FOR NON-DELINQUENT RUNAWAYS

- If abuse or neglect is not suspected, non-delinquent runaways may be released to the legal guardian or custodial agency within 24 hours.
- If held more than 24 hours (excluding weekends and holidays), the ICJ shall be applied.
- Runaways and accused status offenders who are a danger to themselves or others shall be held in secure facilities until returned.
- The Juvenile Justice Delinquency Prevention Act (JJDP), which limits detention of “status offenders,” specifically allows detention pursuant to the ICJ.
- Human traffickers often target runaways and sometimes move them to other states. In addition to assessment of ICJ-related issues, all runaways should be screened for human trafficking services and referred for appropriate services.



PROCEDURES FOR RETURNING RUNAWAYS, ACCUSED DELINQUENTS, ESCAPEES, AND ABSCONDERS

VOLUNTARY RETURNS

- ▶ The court advises the youth of their rights.
- ▶ The youth 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 UNITY.
- ▶ The home/demanding state returns the youth within five business days of receiving a completed Form III.



NON-VOLUNTARY RETURNS

- ▶ Many youths who do not agree to return have run away from abuse or neglect. ICJ Offices, child welfare agencies, and courts must collaborate to ensure they are returned to safe environments.
- ▶ Youths shall be detained in secure facilities if they are held on a warrant or are a danger to themselves or others.
- ▶ Requisitions are used to initiate non-voluntary returns.
- ▶ If the youth is a runaway or accused status offender, the legal guardian/custodial agency shall file a petition (Form A) within 60 days to initiate the process. If they are unable or unwilling to file, the home/demanding state shall do so.
- ▶ If a home/demanding state court determines the youth should be returned, a requisition is issued using Form I or Form II.
- ▶ Within 30 days of receipt of a requisition, the holding state must hold a hearing to determine proof of entitlement. The court may appoint counsel for the youth or a guardian ad litem.
- ▶ The youth shall be returned within five business days of receipt of an order granting a requisition. This timeframe may be extended by five business days if both state ICJ Offices agree.
- ▶ The home/demanding state makes transportation arrangements and determines appropriate measures to ensure safety.



TRAVEL PERMITS FOR YOUTH ON PROBATION OR PAROLE SUPERVISION



Many youths who are supervised through probation or parole are prohibited from traveling out-of-state unless special authorization is granted by probation/parole authorities. The ICJ Travel Permits Rule provides a process that must be used when travel is approved for youths adjudicated of specific charges and those with active or pending ICJ transfer of supervision cases.

MANDATORY TRAVEL PERMITS

Travel permits are mandatory for the following juveniles to travel out-of-state over 24 consecutive hours.

Regardless of whether there is an ICJ transfer case, juveniles who have been adjudicated or have deferred adjudications and are on supervision for:

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

If there is an active or pending ICJ transfer case, juveniles who are one of the following:

- State committed on parole;
- Pending a transfer of supervision;
- Returning to the state from which they were transferred for the purposes of visitation;
- Transferring to a subsequent state; or
- Transferred and the victim notification laws require notification.

TRAVEL PERMITS FOR 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 shall:

- Submit a travel permit with a written explanation why the ICJ procedures for submitting the referral could not be followed and
- Submit a complete referral packet within 10 business days of issuance of travel permit.

TRAVEL PERMITS SHALL NOT EXCEED 90 DAYS

- If a travel permit is issued for the purpose of testing a proposed residence, the sending state must submit a referral within 30 days.
- If a travel permit exceeds 30 calendar days, the sending state shall provide instructions for the youth to maintain contact the supervising agency.

For resources, rules, and contact information for State ICJ Offices, visit juvenilecompact.org.