

# INTERSTATE COMMISSION FOR JUVENILES

## Rules Committee Meeting Minutes

December 1, 2020  
2:00 p.m. ET  
Via WebEx



### Voting Members in Attendance:

1. Tracy Hudrlik (MN), Commissioner
2. Judy Miller (AR), Designee
3. Tomiko Frierson (IL), Commissioner
4. Mary Kay Hudson (IN), Commissioner
5. Julie Hawkins (MO), Commissioner
6. Caitlyn Bickford (NH), Commissioner
7. Edwin Lee, Jr. (NJ), Designee
8. Daryl Liedecke (TX), Commissioner
9. Maureen Clifton (WY), Commissioner

### Non-Voting Members in Attendance:

1. Roy Curtis (ME)
2. Kelly Palmateer (NY)
3. Stephen Horton (NC)
4. Raymundo Gallardo (UT)
5. Dawn Bailey (WA)
6. Steve Jett (NPJS, Ex Officio)

### Members Not in Attendance:

1. Jennifer LeBaron (NJ)

### National Office Staff & Legal Counsel in Attendance:

1. MaryLee Underwood, Executive Director
2. Emma Goode, Logistics and Administrative Specialist
3. Jenny Adkins, Operations and Policy Specialist

### Call to Order

Chair Hudrlik (MN) called the meeting to order at 2:00 p.m. ET.

### Roll Call

Director Underwood called the roll and a quorum was established.

### Agenda

**M. Clifton (WY) made a motion to approve the agenda as presented.**  
**T. Frierson (IL) seconded. The motion carried.**

### Minutes

**J. Miller (AR) made a motion to approve the August 18, 2020 meeting minutes as presented. M. Clifton (WY) seconded. The motion carried.**

## Discussion

### Section 100: Definitions

#### *RULE 1-101: Court*

- The Rules Committee reviewed the recommendation from the Technology Committee to consider amending the definition of Court to include other roles that are authorized to sign ICJ forms, i.e., Judge, Magistrate, Family Court Commissioner, etc.
- Chair Hudrlik also noted that the term “court” is used in the definition of court.
- The Rules Committee discussed and proposed the following language:

Court: any person or institution ~~court~~ with the authority to adjudicate legal disputes and having jurisdiction over delinquent, neglected, or dependent children.

- The Rules Committee agreed to forward the proposed language to Rick Masters, Legal Counsel, to review before taking a vote.
- The National Office will forward to R. Masters and resume discussion at the next meeting.

### Section 600: Voluntary and Non-Voluntary Return of Juveniles/Runaways

#### *RULE 6-103A: Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent*

- Chair Hudrlik reported that the Juvenile/Adult Ad Hoc Committee previously submitted the proposed amendment.
- J. Hawkins (MO), who chaired the Ad Hoc Committee updated that the committee’s intent was to reflect that the ICJ does not involve itself with adult matters.
- J. Miller (AR) expressed concern about the language “*pursuant to a warrant,*” noting that warrants are not always issued when juveniles run away.
- The Rules Committee discussed and agreed the proposed language was unnecessary in this rule.
- J. Hawkins indicated that the Ad Hoc Committee might be willing to withdraw the motion, but noted that it had concluded its work.
- Director Underwood noted that Executive Committee discussed the possibility that the Juvenile/Adult Ad Hoc Committee might need to be reconvened to review recommendations to their proposals, and indicated that the ICJ National Office could follow-up.
- Chair Hudrlik summarized that the Rules Committee’s general consensus is the language here is not necessary and therefore does not recommend for adoption.
- **J. Miller (AR) made a motion that the Rules Committee does not support or recommend the proposed amendment to Rule 6-103A: Non-Voluntary Return of an Escapee, Absconder or Accused Delinquent as presented. M. K. Hudson (IN) seconded. The motion carried by a 9-0-0 vote.**
- Once all rule recommendations have been reviewed, the ICJ National Office will follow-up.

## Section 700: Additional Return Requirements for Sections 500 and 600

### *RULE 7-106: Transportation*

- Chair Hudrlik presented a comment proposed by the ICJ National Office in paragraph 5 that questioned whether the highlighted language should be amended.
  5. In cases where a juvenile is being transported by a commercial airline carrier, the holding/receiving state shall ensure the juvenile has a **picture identification card, if available**, and/or a copy of the applicable ICJ paperwork or appropriate due process documentation in his/her possession before entering the airport.
- Director Underwood updated on recent discussions regarding a proposed new ICJ Identification Form developed by the Technology Committee. This form is to be used as a form of alternative identification, and may prevent some disruptions that could result from Real ID requirements. Development of such a form was suggested by TSA last year during the 2019 Annual Business Meeting (ABM). The Technology Committee recently met and requested that TSA affirm whether they would accept the new ICJ form without a photo ID.
- D. Liedecke (TX) noted for clarification that the Rules Committee would be considering the language “*if available*” rather than *the picture identification card* language. Chair Hudrlik affirmed his clarification to be correct. Additionally, amended language may be required to address J. Hawkins’ (MO) comment requesting clarity that the TSA requirement applies to juveniles age 18 and over.
- The Rules Committee agreed to table further discussion on the matter until after Director Underwood meets with TSA later this month.

## Section 800: Travel

### *RULE 8-101: Travel Permits*

#### *Proposed by the Technology Committee*

- The Rules Committee reviewed the proposed rule amendment from the Technology Committee that transpired from the UNITY Business Analysis Team.
- The proposed rule amendment included three sections of the rule as noted below.
  - Paragraph 1(b)(ii)
    - b. Juveniles who are one of the following:
      - ii. relocating pending a request for transfer prior to acceptance of supervision, including juveniles who resided in the receiving state prior to offense and/or disposition and who are subject to the terms of the Compact;
  - Paragraph 3
    3. The travel permit shall not exceed ninety (90) calendar days.
      - a. When a travel permit exceeds thirty (30) calendar days, the sending state shall provide specific instructions for the juvenile to maintain contact with his/her supervising agency.
      - b. The issuing state shall instruct the juvenile to immediately report any change in status during that period.

- c. If a travel permit is issued for a juvenile prior to acceptance of supervision for the purposes of testing a proposed residence, the sending state shall submit a referral is to be received by to the receiving state's ICJ Office within ~~thirty (30) calendar~~ fifteen (15) business days of the effective date of the travel permit. This does not apply to transfers of supervision for parolees as described in Rule 4-102(2)(a)(ii) or juvenile sex offenders as described in Rule 4-103(3).
- Paragraph 5.
  - 5. If a Form VII Out-of-State Travel Permit and Agreement to Return is issued, the sending state is responsible for victim notification in accordance with the laws, policies and practices of that state. ~~The sending and receiving states shall collaborate to the extent possible to comply with the legal requirements of victim notification through the timely exchange of required information.~~
- The Rules Committee discussed the 3 proposed sections of Rule 8-101 and the justification.
- M. K. Hudson (IN) commented that she had no issues with to the first 2 sections.
- M. Clifton (WY) questioned the change from 30 calendar days to 15 business days in paragraph 5. Chair Hudrlik noted the justification addresses 10 business days for juvenile sex offenders and the intent to shorten the time frame for others.
- K. Palmateer (NY) voiced support for a shorter time frame in paragraph 3.
- J. Miller (AR) suggested that the Technology Committee be asked to submit a justification for clarity before making a decision on paragraph 5.
- The Rules Committee agreed further information is needed.
- **T. Frierson (IL) made a motion to table a vote on the Rule 8-101 proposal until additional justification for paragraph 5 is received. M. K. Hudson (IN) seconded. The motion carried by a 9-0-0 vote.**

## Old Business

### *Definition of "Proof of Entitlement"*

- Chair Hudrlik noted that in the interest of time, the discussion of the definition of "proof of entitlement" will be tabled until the next meeting.

## New Business

- According to the Rules Committee calendar, in 2021 the Rules Committee will meet monthly and meet for longer periods of time.
- The next meeting is January 5, 2021 @ 2pm ET and will be scheduled for two hours.

## Adjourn

**T. Frierson (IL) made a motion to adjourn. D. Liedecke (TX) seconded. Chair Hudrlik adjourned the meeting without objection at 3:15 p.m. ET.**