



## INTERSTATE COMMISSION FOR JUVENILES

### EXECUTIVE COMMITTEE MEETING

#### *Minutes*

Thursday, April 28, 2011

11:00 a.m. EDT

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#### **Committee Members in Attendance:**

1. Terry Clark (PA) Chair
2. Summer Foxworth (CO) Vice Chair
3. Dennis Casarona (KS) Treasurer
4. Judy Miller (AR) Designee
5. Rose Ann Bisch (MN) Commissioner
6. Lisa Bjergaard (ND) Commissioner
7. Dale Dodd (NM) Commissioner
8. Trudy Gregorie (DC) Victims Ex-Officio

#### **Committee Members Not in Attendance:**

1. Jean Hall (FL) Commissioner
2. Mark Boger (ME) Commissioner
3. Clarence Powell (MS) Designee
4. Gary Hartman (WY) Commissioner
5. Donna Bonner (TX) Past Chair Ex Officio

#### **Guests in Attendance:**

1. Cheryl Sullivan-Colglazier (WA) Victims Ad Hoc Committee Chair

#### **Staff in Attendance:**

1. Ashley Lippert, ICJ Executive Director
2. Jack Branum, Project Manager
3. Jimmy Frazier, MIS Project Manager
4. Emma Goode, Administrative and Logistics Coordinator
5. Rick Masters, Legal Counsel

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#### **Call to Order**

Chair Clark called the meeting to order at 11:04 a.m. EDT.

#### **Roll Call**

A. Lippert called the roll. Eight of the thirteen members were present. Seven of the eleven *voting* members were present, establishing a quorum.

## Agenda

Chair Clark asked for a motion to approve the agenda. **R. Bisch (MN) moved to approve the agenda as presented, S. Foxworth (CO) seconded. The motion passed.**

## Minutes

Chair Clark asked for a motion to approve the minutes from the previous meeting. **J. Miller (AR) moved to approve the minutes of the March 24, 2011 meeting, R. Bisch (MN) seconded. The motion passed to approve the minutes as corrected.**

## Executive Director Report (presented by Ashley Lippert)

### *New Policies*

- A. Lippert presented a proposed new ICJ Administrative Policy #01-2011 State Council Enforcement. The proposed policy was a recommendation by the Executive Committee at the March meeting and if approved would take effect immediately.
- The policy affords new member states one year to form a state council before being referred to the Compliance Committee.
- Chair Clark questioned the method to collect state council information and inclusion into the ICJ Annual Report.
- A. Lippert clarified that all states would submit an annual roster and verification of meetings with the annual report data. The information would not be included in the Annual Report unless otherwise directed.
- C. Sullivan-Colglazier (WA) questioned the process of the Executive Committee implementing new policies without the full Commission's review and approval.
- A. Lippert clarified that the Executive Committee is empowered to act on behalf of the Commission when the Commission is not in session.
- R. Masters, Legal Counsel, advised that the Executive Committee enacts ICJ policies that are consistent and supportive to the ICJ Rules and Statutes which are approved by the full Commission.
- **R. Bisch (MN) made the motion to approve the ICJ Administrative Policy #01-2011 State Council Enforcement as presented. J. Miller (AR) seconded. The motion passed.**
- A. Lippert presented a proposed new ICJ Administrative Policy #02-2011 Media Requests. The proposed policy was a recommendation by the Executive Committee at the March meeting. She clarified the policy excludes local media requests.
- The Committee discussed and agreed with the policy as presented.
- **S. Foxworth (CO) made the motion to approve the ICJ Administrative Policy #02-2011 Media Requests as presented. D. Dodd (NM) seconded. The motion passed.**

### *Georgia Update*

- A. Lippert reported the directives regarding the state of Georgia to be complete:
  - A letter from Chair Clark was issued to the Governors of Georgia's five Border States.
  - A memorandum was issued from R. Masters to Georgia.
  - A memorandum was issued from R. Masters to all Commissioners and Designees and will remain posted on the ICJ website.
  - A survey was issued relative to the transfer data member states conduct with Georgia.
- A. Lippert shared the survey's cumulative responses.

- The Committee discussed the responses and the validity of the results without a response from all states particularly Georgia's Border States. The Committee determined to collect additional data before making any further recommendations.
- At the request of the Committee, the National Office will re-submit the survey to states who did not respond.

#### *New Compact States*

- A. Lippert reported on the progress being made by Indiana, New Hampshire, New York, Ohio, and the District of Columbia.
- Chair Clark updated the Committee with a recent conversation with Robyn Peterson regarding Ohio's positive progress.

#### *California Sunset Clause*

- A. Lippert reported communication with Commissioner Debbie Rives regarding California's Sunset Clause. She updated the Committee that a letter will go to the Governor of California from Chair Clark to encourage reenacting legislation before their legislative session ends.

#### *FY12 Dues*

- A. Lippert reported the FY '12 Dues Invoices were issued and some payments received.
- At the request of the Committee, the National Office will notify each Commissioner or Designee via email when their respective state's dues are paid.

#### *Advisory Opinion: 02-2011*

- A. Lippert presented Advisory Opinion #02-2011 Juveniles Subject to the Provision of the new ICJ. The opinion is in response to a specific request from Hawaii. R. Masters, Legal Counsel, spoke to the opinion stating that the Hawaii request was not a dependency case and the opinion is an interpretation of the current ICJ Rules as written (Ref. Rule 4-101(3)).
- The Committee debated multiple aspects of concurrent supervision with AAICPC and current practices. The Committee agreed to defer further discussion of the proposed advisory opinion. At the request of the Committee, R. Masters agreed to amend the advisory opinion and present at the next Committee meeting.

#### *Dispute Resolution*

- A. Lippert updated the Committee that the Texas v. Oklahoma dispute is resolved.

#### *Training*

- A. Lippert updated the Committee that J. Branum has created an online form for states to report their training efforts. Beginning July 1, 2011, the new form will be available to complete online.

#### *Bench Book*

- A. Lippert reported that the Offices of Juvenile Justice and Delinquency Prevention (OJJDP) and the National Council of Juvenile and Family Court Judges (NCJFCJ) announced the new ICJ Bench Book.

#### *ICJ Website*

- A. Lippert reported that the ICJ Website directory has been modified to address the issues mentioned at the last Executive Committee meeting.

- The National Office has researched the requirements and costs to offer an interactive map on the website. She reported the costs to be less than \$1,000. The National Office will move forward to develop the map and absorb the expense in the current operating budget. Treasurer D. Casarona (KS) noted no objection to the budget expenditure.

#### *New Commissioner Update*

- A. Lippert updated the Committee that Lisa Michele Church was appointed the new Commissioner for Utah.

#### *Demo Paperless System*

- A. Lippert reported that the Executive and Technology Committees were invited to view a demo of Florida's Interstate Compact Office system. The system will be demonstrated by Florida's software programmer on May 3 at 11:00 a.m. EDT via WebEx.

### **Committee Reports**

#### **Executive Committee** (presented by Terry Clark)

##### *ICJ/AAICPC Work Group Meeting*

- Chair Clark reported that invitations were issued for the ICJ-AAICPC Work Group teleconference meeting on May 11, 2011 to discuss the Memorandum of Understanding.

##### *AAICPC Invitation to Annual Meeting*

- Chair Clark reported that last month the Executive Committee agreed to send R. Bisch (MN) to the AAICPC Annual Meeting in Minneapolis, MN. AAICPC refused to waive the \$500 registration fee for R. Bisch (MN) to attend the AAICPC 2011 Annual Conference.
- The Committee discussed the differing budgets and revenue streams between the two organizations, the desire to build working relationships, and past practice to waive annual meeting registration fees.
- Chair Clark will contact the new ICPC President to request a waiver of the registration fee.

#### **Finance Committee** (presented by Dennis Casarona)

- Treasurer Casarona reported the Finance Committee met on April 26, 2011. He reported that with the current fiscal year 75 percent complete, the expenses have leveled out and the FY '11 Budget is on target for a healthy year end allotting the recommended 20-25 percent savings in reserves.
- He reported discussions by the Finance Committee of costs to implement a national system and commented that the monetary restraints may change the focus to an online forms management system.

#### **Training, Education & Public Relations Committee** (presented by Ashley Lippert)

- In the absence of Chair Hall, A. Lippert reported that the Training Committee met on April 14, 2011. The Committee approved a Judicial Training PowerPoint Curriculum and the 2011 Annual Business Meeting training topics:
  - Working with Member States to Devise Practical Solutions
  - The Question of “How?” – Best Practices within the ICJ
  - Commissioner/Designee Responsibilities within the ICJ
  - Ex-Officio Membership within the ICJ
- In addition, 2,700 people have been trained to date in FY '11.

- The next regularly scheduled Training Committee Meeting will be May 12, 2011 at 2:00 p.m. EDT.

**Rules Committee** (presented by Ashley Lippert)

- In Chair Hartman's absence, A. Lippert reported that the Rules Committee met on April 20, 2011 and is scheduled to meet again via WebEx on May 18. The rule proposals will be posted by June for comment and a face to face meeting will be held on August 4 in Lexington, Kentucky to review the comments and prepare the final amendments in preparation for the 2011 Annual Business Meeting.

**Compliance Committee** (presented by Dale Dodd)

- Chair Dodd reported that the April Compliance Committee meeting was cancelled due to the Texas v. Oklahoma dispute being resolved. No further issues are before the Compliance Committee at this time.

**Technology Committee** (presented by Ashley Lippert)

- In the absence of Chair Powell, Ashley Lippert updated the Committee that all items requested from SEARCH, Inc., were submitted and receipt of their recommendation is anticipated soon.

**Victims Notification Ad Hoc Committee** (presented by Cheryl Sullivan-Colglazier)

- Chair Sullivan-Colglazier updated the Executive Committee that the Rules Committee approved to recommend for adoption all three proposals submitted by the Victims Notification Ad Hoc Committee:
  1. Amendment to Rule 4-107: Victim Notification
  2. Proposed New Victim Notification Supplemental Form and Instructions
  3. Amendment to Rule 5-102: Travel Permits
- She reported the next steps to be working with the Training Committee to implement the new form and rule revisions assuming passage by the Commission.

**Region Reports**

**Region Representatives** (presented by Summer Foxworth)

- Representative Foxworth reported the Region Representatives met on March 31, 2011 and discussed presenting the ICJ/AAICPC Memorandum of Understanding document to the region members.
- The next regularly scheduled Region Chair meetings are May 19 and August 18.

**West Region** (presented by Summer Foxworth)

- West Region Representative Foxworth (CO) reported the West Region met on April 12, 2011.
- The West Region discussed the ICJ/AAICPC Memorandum of Understanding and members agreed to submit any recommendations in writing to Representative Foxworth by April 28.
- The West Region requested a legal opinion regarding Abeyance Pleas to address the ramifications of juveniles transferred to another state without supervision.
- The West Region approved the recommended revisions to Form IA/VI and re-submitted to the Rules Committee. The amended form IA/VI was recommended for adoption by the Rules Committee.
- The next meeting is scheduled for Tuesday, July 12, 2011 at 3:00 p.m. EDT.

### **South Region** (presented by Judy Miller)

- South Region Representative Miller (AR) reported the South Region held their first region meeting on April 27, 2011.
- The South Region discussed the ICJ/AAICPC Memorandum of Understanding and agreed to forward any recommendations in writing to the National Office on or before May 7, 2011.
- The other topic of concern was the impact of doing business with the non-compact state of Georgia after the transition rule expires on June 30, 2011.

### **Midwest Region** (presented by Rose Ann Bisch)

- Region Representative Bisch (MN) reported that in absence of a quorum the Midwest Region met informally on April 13, 2011 and discussed the ICJ/AAICPC Memorandum of Understanding.
- Several attending states reported difficulty establishing state councils.
- The attendees agreed to meet in June rather than July to review the rule proposals during the comment period.

### **East Region** (presented by Chair Clark)

- In the absence of East Region Representative Boger (ME), Chair Clark reported the East Region will meet on May 10, 2011 at 10:00 a.m. to discuss the ICJ/AAICPC Memorandum of Understanding and state updates.

### **Victim's Representative** (presented by Trudy Gregorie)

- T. Gregorie, Victims Ex-Officio, reported notification to two victims groups regarding the impact of Georgia not joining the Compact after June 30, 2011.

### **Legal Counsel Report** (presented by Rick Masters)

- R. Masters, Legal Counsel, reiterated the legal items addressed in earlier reports and quoted the ICJ statutes Article VII Section B that *ICJ shall attempt to resolve any dispute or issues arising with compacting and non-compacting states.*

### **Old Business**

There was no old business.

### **New Business**

#### *NCJFCJ Presentation*

- D. Dodd (NM) reported a favorable response to his ICJ presentation and the new ICJ Bench Book during the NCJFCJ 2011 National Conference on Juvenile and Family Law, March 27-30, 2011 in Reno, Nevada.

### **Adjourn**

- The next meeting of the Executive Committee is May 26, 2011 at 11:00 a.m. EDT.
- **S. Foxworth (CO) made the motion to adjourn the meeting. R. Bisch (MN) seconded. The meeting adjourned at 1:06 p.m. EDT.**