



INTERSTATE COMMISSION FOR JUVENILES

EXECUTIVE COMMITTEE MEETING

Minutes

Thursday, October 28, 2010

11:00 a.m. EST

Committee Members in Attendance:

1. Terry Clark (PA) Designee, Chair
2. Ray Wahl (UT) Commissioner, Vice Chair
3. Dennis Casarona (KS) Commissioner, Treasurer
4. Judy Miller (AR) Designee
5. Summer Foxworth (CO) Commissioner
6. Jean Hall (FL) Commissioner
7. Mark Boger (ME) Commissioner
8. Clarence Powell (MS) Designee
9. Dale Dodd (NM) Commissioner
10. Lisa Bjergaard (ND) Commissioner
11. Gary Hartman (WY) Commissioner
12. Donna Bonner (TX) Commissioner, Past-Chair, Ex Officio

Committee Members Not in Attendance:

1. Rose Ann Bisch (MN) Commissioner

Guests in Attendance:

None

ICJ Staff in Attendance:

1. Ashley Lippert, Executive Director
 2. Jack Branum, Project Manager
 3. Emma Davis, Administrative and Logistics Coordinator
 4. Rick Masters, Legal Counsel
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Call to Order

Chair T. Clark called the meeting to order at 11:00 a.m. EST.

Roll Call

A. Lippert called the roll. Twelve of the thirteen members were present. Eleven of the twelve *voting* members were present, establishing a quorum.

Agenda

Chair Clark asked for a motion to approve the agenda. **S. Foxworth (CO) moved to approve the agenda. J. Hall (FL) seconded. The agenda was approved as presented.**

Minutes

Chair Clark asked for a motion to approve the minutes from the previous meeting. **J. Hall (FL) moved to approve the minutes of September 13, 2010. M. Boger (ME) seconded. The minutes were approved as clerically amended.**

Executive Director Report (presented by Ashley Lippert)

ICPC MOU

- A. Lippert presented the latest version of the ICJ/ICPC Memorandum of Understanding received from the AAICPC Executive Committee.
- The Committee discussed changes suggested by D. Bonner (TX) which were to include the language *without prior notification* in paragraphs (f) and the deletion of paragraphs (g) under Sections III and IV due to their redundancy. All other changes were grammatical.
- **J. Miller (AR) made the motion to table a decision to accept the ICPC/ICJ Memorandum of Understanding. S. Foxworth (CO) seconded. The motion failed.**
 - R. Wahl (UT) spoke against the motion identifying current issues without an agreement in place and reminded the Committee they agreed to go forward with the MOU and re-evaluate in 12 months.
 - J. Miller (AR) questioned implementing the MOU.
 - The Committee discussed the extent of supervision with various ICPC State compact offices.
- **R. Wahl (UT) made a motion to accept and approve the ICPC/ICJ Memorandum of Understanding as amended by D. Bonner (TX). D. Casarona (KS) seconded. The motion passed.**
- **R. Wahl (UT) made motion to re-visit the ICPC/ICJ Memorandum of Understanding with supporting data within 12 months. J. Hall (FL) seconded. The motion passed.**
- J. Miller (AR) inquired as to the process going forward and requested to serve on the ICPC Ad Hoc Committee to re-visit the MOU.
- A. Lippert clarified the ICPC Ad Hoc Committee Chair reported at the 2010 Annual Business Meeting and the Executive Committee approved entering into a Memorandum of Understanding, therefore the Committee disbanded.
- A. Lippert will forward the approved version to ICPC and bring back any additional amendments or the final version for execution.

Bench Book Update

- A. Lippert reported that the Bench Book and appendices were complete and under review for editorial changes.
- Upon completion of the draft by R. Masters, Legal Counsel, and Attorney M. Buenger, Susan Burke (UT) reviewed for juvenile judicial processes.
- At the will of the Committee, A. Lippert will contact Judge David Stucki, NCJFCJ, and Kathi Grasso, OJJDP, to review.
- A. Lippert plans to have the final full document compiled by November 5 and will forward the draft to the Executive Committee for review during the week of November 8.

Emergency Rule Notice

- A. Lippert updated the Committee that emergency rule making procedures were performed for the transition rule amendment and no comments were received during the 30 day posting period.

Dues for FY 2011

- In accordance with the ICJ Dues Enforcement Policy, four states are 120-days delinquent with their dues payment and will be forwarded to the Compliance Committee.
- Two states with an Oct 1 - Sept 30 fiscal year will be issued a 30-day notice on November 1, 2010.

Non-Member States

- A. Lippert updated the Committee on the status of non-member states and their legislative efforts to join the Compact.
- A. Lippert presented draft letters informing non-member states of the transition rule extension.
- Chair Clark shared comments made during the Annual Business Meeting regarding the ICJ budget line item for staff wages and salaries.
- The Committee discussed the comments and agreed the ICJ policies and procedures and budget are in good standing, The Committee agreed a response to these comments is not warranted.
- A. Lippert will continue to work with the non-member states to acquire the appropriate documentation and will keep the Executive Committee apprised of the progress.

Requests from the 2010 Annual Business Meeting:

National Child Advocacy Center

- S. Jones (MD) suggested the Commission invite the National Child Advocacy Center to serve as an Ex-Officio member to bring awareness to the Commission in the area of human trafficking of juveniles. The Committee discussed and agreed.
- **R. Wahl (UT) made a motion to invite the National Child Advocacy Center to join the Commission as an Ex-Officio member. S. Foxworth (CO) seconded. The motion passed.**
- A. Lippert will forward a letter of invitation on behalf of Chair Clark.

FAA and TSA Standards

- F. White (MA) recommended the Commission provide updates/training on FAA and TSA Standards.
- D. Bonner (TX) spoke to a past AJCA presentation which included panelists from TSA and major airlines.
- At the Committee's agreement, the national office will work with the Training Committee to develop various training resources.

Tribal Issues

- G. Soja (MT) requested the Commission form an Ad Hoc Committee to address interstate transfers and supervision on Tribal Reservations.
- The Committee discussed the Legal Advisory Opinion issued on this subject and agreed the formation of an ad hoc committee could provide no additional Compact authority with Native American Sovereign Territories.

Dispute Resolution

- A. Lippert reported the National Office received a dispute resolution request from the State of California against the State of Oklahoma. Oklahoma was notified of the request, and asked to provide a response and supporting documentation of the case in question.
- Compliance Chair, Legal Counsel, and the ICJ Executive Director will meet to develop a plan of resolution.

Language Translation

- A. Lippert reported a request from Delaware to translate the ICJ forms to Spanish and Creole.
- A. Lippert researched and reported preliminary costs to translate only the forms which require the juvenile to read and sign.
- The Executive Committee discussed the need to translate forms, the degrees of need between each state and the languages most widely used by Commission members. The Committee approved translating Forms III, IA/VI, VII Travel Permit and the Juvenile Rights Form to Spanish.

National Office Update

2012 Annual Business Meeting Sites

- A. Lippert reported on potential sites for the 2012 Annual Business Meeting: Salt Lake City, Utah; Portland, Oregon; Denver, Colorado; Seattle, Washington; Boise, Idaho; Lincoln, Nebraska; and Kansas City, Kansas. The Committee should forward any additional recommendations to the National Office.

New Staff

- A. Lippert reported filling the vacant MIS Project Manager position.

Maternity Leave

- A. Lippert discussed plans for her maternity leave with the Committee.
- H. Hageman, ICAOS Executive Director, will provide national office oversight as needed in her eight-week absence. The proposed plan will allow the National Office services to continue with minimal interruption.
- Chair Clark supported the plan and the Committee agreed.
- **R. Wahl (UT) made the motion to adopt the maternity leave plan as presented. C. Powell (MS) seconded. D. Casarona (KS) made a friendly amendment to include a \$2,000 consulting fee for H. Hageman's oversight and assistance. R. Wahl (UT) and C. Powell (MS) agreed. The motion passed.**

Committee Reports

Executive Committee (presented by Terry Clark)

- Newly elected Chair Clark expressed his thanks to the Committee for their willingness to serve the Commission in their respective roles.

Victims Representative Candidates

- T. Clark presented three qualified candidates recommended to the Executive Committee to serve as the Victims Representative Ex-Officio member: Valerie Bender, Jill Weston, and Trudy Gregorie.
- The Committee commented on the qualifications of the three exemplary candidates.
- At the request of the Committee, the National Office will forward a voting ballot and report the elected results.

ICJ Awareness

- Chair Clark reported D. Bonner (TX) presented at the 16th National Symposium for Juvenile Services and discovered a low percentage of attendees were aware of the new ICJ.
- Chair Clark opened the floor to the discussion of avenues to enhance ICJ's visibility.
- Chair Clark cited the distribution of the ICJ Annual Report as a means for enhancing visibility
- S. Foxworth (CO) agreed to add this as an item for discussion at the next Region Representatives meeting in November.

Minutes of the 2010 Annual Business Meeting

- Chair Clark presented the 2010 Annual Business Meeting draft minutes for approval. A. Lippert clarified the Committee would be approving the minutes in their draft form.
- **J. Miller made the motion to approve the 2010 Annual Business Meeting drafted minutes as presented. D. Dodd (NM) seconded. The motion passed.**

Finance Committee (presented by Dennis Casarona)

- Commission Treasurer D. Casarona (KS) reported the Finance Committee met on October 26 and reviewed the current fiscal year budget through September 30, which is in excellent standing.
- A discussion of the wages and salaries line item resulted in an agreement that the policies and procedures of the National Office salary structure are deemed appropriate.
- The next meeting is scheduled for December.

Training, Education & Public Relations Committee (presented by Jean Hall)

- Chair Hall reported the Training Committee met on October 27 and reviewed the 2010 Annual Business Meeting training evaluation responses.
- The Committee approved the new rule amendments training, the updated compact office and field staff training and the quick reference guide tri-fold.
- Chair Hall reported that 1,531 individuals have received training to date. The next meeting is scheduled for January 13, 2011.

Rules Committee (presented by Gary Hartman)

- Chair Hartman reported the Rules Committee is scheduled to meet November 3, 2010 to develop a work plan and highlighted important dates on the proposed business calendar.
- A. Lippert noted March 1, 2011 as the tentative date to submit rule amendment proposals to the Rules Committee.

Compliance Committee (presented by Dale Dodd)

- Chair Dodd reported the next Compliance Committee meeting is scheduled for November 10 at 1:00 p.m. EST to discuss the non-payment of dues.

Technology Committee (presented by Clarence Powell)

- Chair Powell reported October 29 as the deadline for Requests for Proposals from qualified vendors to bid on the National System project.

Region Reports

Region Representatives (presented by Summer Foxworth)

- Representative Foxworth reported the region representatives have not met since the 2010 Annual Business Meeting and had nothing new to report.
- Representative Foxworth proposed a meeting schedule of the third Wednesday of each month at 3:00 p.m. EST. If approved by all region representatives, the next meeting will be November 17.

West Region (presented by Summer Foxworth)

- West Region Representative S. Foxworth (CO) reported the West Region has not met since the 2010 Annual Business Meeting and had nothing new to report. A meeting will be scheduled after the first Region Representative meeting.

East Region (presented by Mark Boger)

- East Region Representative M. Boger (ME) reported the East Region has not met since the 2010 Annual Business Meeting and had nothing new to report. A meeting will be scheduled after the first Region Representative meeting.

Midwest Region (presented by A. Lippert)

- A. Lippert shared a written report by Midwest Representative R. Bisch (MN) in her absence. The Midwest Region will meet on a quarterly basis beginning January 12, 2011. S. Hagan (WI) has agreed to serve on the Victims Ad Hoc Committee representing the Midwest Region.

South Region (presented by Judy Miller)

- South Region Representative Miller reported the South Region has not met since the 2010 Annual Business Meeting and had nothing new to report.

Legal Counsel Report

- No report as R. Masters, Legal Counsel, had to exit the meeting early.

Old Business

None

New Business

ICAOS Ex-Officio (presented by Dale Dodd)

- D. Dodd (NM) reported he attended the ICAOS 2010 Annual Business Meeting in October in San Antonio, Texas, as the ICJ Ex-Officio and will continue the role in 2011.
- D. Dodd (NM) complimented the ICAOS meeting and noted that no rule amendments were taken from the floor.
- A. Lippert spoke in favor of this practice emphasizing how it eliminates confusion and potential costs to incorporate unanticipated changes in a national system.

California Sunset Clause (presented by Donna Bonner)

- The Committee acknowledged the expiration date of California's Compact Legislation.

Victim's Ad Hoc Committee (presented by Chair Clark)

- Chair Clark reported on behalf of Chair Sullivan-Colglazier.
- The Victims Ad Hoc Committee is established and includes a cross representation of the regions. The first meeting will be held in November or December.
- The intent of the ad hoc committee is to develop guidelines for victim notification.
- A drafted charter will be presented to the Committee next month.

Adjourn

- The Committee agreed to meet again on December 9, 2010 due to the Thanksgiving and Christmas holidays.
- At the request of the Committee, the National Office will forward committee members the proposed meeting dates in 2011.
- **R. Wahl (UT) made the motion to adjourn the meeting. D. Dodd (NM) seconded. The meeting adjourned.**