



INTERSTATE COMMISSION FOR JUVENILES

EXECUTIVE COMMITTEE

Minutes

May 22, 2014

11:15 a.m. EDT

Committee Members in Attendance:

1. Patrick J. Pendergast (AL) Chair
2. Anne Connor (NV) Vice Chair
3. Phil Cox (OR) Treasurer
4. Terry Clark (PA) Past Chair
5. Judy Miller (AR) Designee
6. Summer Foxworth (CO) Commissioner
7. Kari Rumbaugh (NE) Commissioner
8. Patricia Welcome (VI) Commissioner
9. Rick Masters, Legal Counsel
10. Trudy Gregorie, Victims Representative, Ex-Officio

Committee Members Not in Attendance:

1. Rose Ann Bisch (MN) Commissioner
2. Traci Marchand (NC) Commissioner
3. Michael Lacy (WV) Commissioner
4. Shelley Hagan (WI) Commissioner

Guests in Attendance:

None

ICJ National Office Staff in Attendance:

1. Ashley Lippert, Executive Director
 2. Jenny Adkins, Project Manager
 3. Morgan Rhodes, Training and Administrative Coordinator
 4. Emma Goode, Administrative and Logistics Coordinator
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Call to Order

Chair Pendergast called the meeting to order at 11:17 a.m. EDT.

Roll Call

A. Lippert called the roll. Ten of the fourteen members were present and a quorum established.

Agenda

- P. Cox (OR) made a motion to approve the agenda. A. Connor (NV) seconded. The motion passed.

Minutes

- **J. Miller (AR) made a motion to approve the April 1, 2014 meeting minutes. S. Foxworth (CO) seconded. The motion passed.**

Executive Director Report (presented by Ashley Lippert)

Commissioner Update

- A. Lippert reported new Commissioner Appointments for Illinois (Candice Jones) and Ohio (Nina Belli). The Hawaii and New York Commissioner positions have been vacant since December 2013. New York has identified someone and awaits official approval through the appropriate state agencies. Hawaii requires senate approval which takes place at the end of their legislative session in June.
- R. Masters recommended the Commission Chair send a letter to New York and Hawaii and include a response date. The Executive Committee discussed each state's situation and agreed with the recommendation.
- **P. Pendergast (AL) made a motion to approve issuing a letter to New York and Hawaii in regards to the vacant Commissioner Appointments. P. Cox (OR) seconded. The motion passed.**

Ex-Officios

- A. Lippert informed that the ICJ Statute identifies specific organizations to be Ex-officios to ICJ and that the Commission may provide for other organizations in its By-laws. A. Lippert recommended the By-laws be updated to reflect the current Ex-officio members and presented an amendment. The proposed amendment deletes two inactive organizations and adds seven active organizations.
- R. Masters supported the amendment as proposed and advised it correlates the By-laws to the Statute and assists to alleviate questions regarding reimbursement for Ex-officios.
- T. Gregorie suggested including the National Association of Juvenile Corrections Agents (NAJCA). A. Lippert clarified that the NAJCA is included under Article III b. *juvenile justice and juvenile correction officials*.
- **T. Clark (PA) made a motion to accept the proposed amendment to the By-laws to delete National Institute of Corrections (NIC) and Office of Juvenile Justice and Delinquency Prevention (OJJDP) and add American Probation and Parole Association (APPA), Conference of State Court Administrators (COSCA), International Association of Chiefs of Police (IACP), National Children's Advocacy Center (NCAC), National Council of Juvenile and Family Court Judges (NCJFCJ), National Sheriff's Association (NSA), and National Runaway Safeline. S. Foxworth (CO) seconded. The motion passed.**
- The National Office will post the proposed By-laws amendment 30 days prior to vote at the 2014 Annual Business Meeting.

Advisory Opinions

- A. Lippert reported that three advisory opinions were impacted due to rule amendments and/or Georgia joining the Compact. The advisory opinions were presented with footnotes to reflect the impact. The Executive Committee discussed and agreed with the updated advisory opinions as presented.
- **P. Cox (OR) made a motion to approve the footnote update to Advisory Opinions #02-2011, #01-2012, and #05-2012. P. Welcome (VI) seconded. The motion passed.**
- A. Lippert reported a new advisory opinion request from Rules Committee Chair Bisch (MN) regarding the definition of sanctions. The request stemmed from the West Region's rule proposals to add language that *sanctions may be up to and including*

detention time. Legal Counsel and the Executive Director will present the legal advisory opinion at the next meeting.

Illinois Meeting

- A. Lippert presented the Compliance Committee report for Chair Lacy in conjunction with her update on her meeting with Candice Jones on May 6 in Illinois.
- A. Lippert reported the Compliance Committee met April 29 and voted to recommend the Executive Committee find Illinois in default of its obligations under the terms of the Interstate Compact for Juveniles and assess a \$25k fine should Illinois not respond to a second letter requesting a response within 15 business days.
- The Compliance Committee authorized Legal Counsel to attend the May 6 meeting between Ashley Lippert and Candice Jones in Illinois to deliver the letter and articulate the sentiments of the Committee regarding their non-compliance, lack of response, and potential legal recourse.
- A. Lippert reported the May 6 meeting to be successful; however, no formal written response has been received. Rick Masters echoed the benefits of the meeting. The 15 business day deadline is May 28 and the Compliance Committee meets May 29. Candice Jones has been appointed Commissioner and Anne Connor has conducted teleconference and onsite trainings with Illinois and continues to conduct teleconference trainings with Christopher Copeland.

Audit Standards

- A. Lippert updated that in accordance with the ICJ Strategic Plan, the development of audit standards are half way to completion. The development revealed rule discrepancies which have been referred to the Rules Committee Chair and will be discussed in the Rules Committee Face-to-Face Meeting in July.

D&O Insurance

- A. Lippert reported the D&O insurance coverage is due for renewal. She presented the annual premium for renewal with increased coverage. R. Masters recommended the increased coverage as presented.
- The Executive Committee debated and requested a side by side comparison chart of the present coverage and proposed coverage before making a decision.

2014 Annual Report

- A. Lippert updated the National Office has begun organizing and preparing information for the 2014 Annual Report. Committee chairs will be contacted individually with regards to their reports. The data collection will commence after July 1.

Committee Reports

Executive Committee (presented by Patrick Pendergast)

- Chair Pendergast suggested the development of an ICJ protocol to assist states undergoing major administrative changes that impact ICJ. The proposed protocol should offer guidance and direction to states in transition in an effort to avoid future incidents as recently experienced with California and Illinois.
- Chair Pendergast recommended the Compliance Committee develop the protocol document and present to the full Commission at the 2014 Annual Business Meeting.
- The Executive Committee discussed and concurred with the recommendation. K. Rumbaugh (NE) suggested linking the document with the 2014 ABM training session on Compliance. Chair Pendergast will update Chair Lacy.

Finance Committee (presented by Ashley Lippert)

- In the absence of Chair Hagan, A. Lippert reported that the Finance Committee met in April and May. In April an adjustment increase of \$18,000 was approved for the inclusion of Georgia in JIDS. The fiscal year 2014 budget continues to be on track for completion under budget with 83 percent of the year completed and 72 percent of the funds expended.
- A. Lippert updated that the fiscal year 2015 dues invoices were mailed and approximately 25 percent of the states have paid.

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

- In the absence of Chair Marchand, Co-Chair Hall reported that 158 total participants attended the Rules Training sessions in April and May. The next session is scheduled for June 4-5, 2014.
- The Training Committee will meet May 28 to review the following training materials:
 - Best Practice for Saving and Naming Documents in JIDS
 - Training Bulletin #01-2013 Travel Permits
 - New JIDS Workflow Guides for travel permits for visits and testing placement
- The Training Committee is working to enhance training and orientation resources for new commissioners.
- Chair Marchand will give a presentation on ICJ at the APPA Conference in New Orleans in August. The presentation will focus on runaways using revamped training materials to increase interest and interaction.
- The Training Committee approved the 2014 Annual Business Meeting training topics below. Trainers and speakers are to be secured and curriculums drafted:
 - Human Trafficking
 - Secure Detention
 - State Compliance and Legal Matters
 - ICPC
 - JIDS Clinic

Compliance Committee (presented by Ashley Lippert)

- In Chair Lacy's absence, A. Lippert presented the Compliance Committee report in conjunction with the Executive Director Report earlier in the meeting.

Technology Committee (presented by Anne Connor)

- Chair Connor reported that the Technology Committee met April 22 and May 20. She updated that the review of all e-forms regarding the "unlocking" of applicable fields to be complete. The Best Practice on JIDS document saving and filing was returned to the Training Committee with suggested changes. A new best practice on JIDS Users will be finalized at the next meeting.
- Chair Connor updated that Field Staff and Compact office trainings are scheduled for June and the Georgia Compact office will receive training June 2-3. Since the last meeting, 50 persons completed Compact office training which included California field staff and Illinois. To date, Chair Connor has conducted 28 teleconference hours and 3 days onsite training with Illinois. A new JIDS Workflow Training on the topic of *Resending a Home Evaluation Request* was conducted by Lea Quam. The response was positive from the 33 persons completing the training.
- Chair Connor reported that JIDS testing is on schedule for the Georgia go-live date of July 20. Information regarding new cases between July 1 and 20 will be addressed later.

A. Lippert reported communications with Phyllis Hall regarding the next steps for Georgia and trainings.

Rules Committee and AAICPC/ICJ Work Group (presented by Ashley Lippert)

- In Chair Bisch's absence, A. Lippert reported on the Rules Committee and AAICPC/ICJ Work Group.
- The Rules Committee met on April 9 and May 7, 2014. Five rule proposals have been posted for comment:
 1. Rule 2-102: Data Collection (submitted by the Rules Committee)
 2. Rule 3-101: Forms (submitted by the Rules Committee)
 3. Rule 3-102: Optional Forms (submitted by the Rules Committee)
 4. Rule 5-101: Supervision/Services Requirements (submitted by the West Region)
 5. Rule 1-101: Definitions Sanctions (submitted by the West Region)
- The Rules Committee continues to work through the ICJ Rules for consistency and clarity, define parent, review form proposals, and address out-of-state detention. The Rules Committee will meet face-to-face in Louisville July 10, 2014. Due to the 2015 Annual Business Meeting in August 2015, two Rules Committee Face-to-Face meetings will be held in fiscal year 2015 and require a budget adjustment of \$9,500.
- The Executive Committee agreed to defer discussion until the next meeting when Chair Bisch is in attendance.

AAICPC/ICJ MOU Work Group

- Co-Chair Bisch attended the AAICPC Annual Business Meeting and Conference May 2-5, 2014 where she presented the three approved AAICPC/ICJ Juvenile Runaway Scenarios. Other trainings topics of ICJ interest during the conference included: Human Trafficking, Rehoming, and the Indian Child Welfare Act (ICWA). A. Lippert explained the growing epidemic of rehoming whereby adoptive parents use social media to handover juveniles into other sometimes unsuitable homes. A recommendation from Chair Bisch was to increase ICJ awareness of rehoming through the state councils.
- The AAICPC/ICJ Work Group continues to standardize language throughout all case scenarios. The runaways and residential settings case scenarios are complete and family case scenarios are being developed.
- The next meeting is June 12, 2014.

Region Reports

East Region (presented by Patricia Welcome)

- Representative Welcome reported the East Region has not met since the last Executive Committee meeting and will meet in July.

Midwest Region (presented by Ashley Lippert)

- Representative Rumbaugh left the meeting early. A. Lippert reported that the Midwest Region met May 6 without a quorum. The Midwest Region agreed to draft a definition for *failed placement*. A matter regarding time frames in JIDS for violations was identified and presented to the Technology Committee. Lea Quam, Anne Connor, and Jenny Adkins agreed to review for a resolution.

South Region (presented by Judy Miller)

- Representative Miller reported that the South Region has not met since the last Executive Committee meeting and will meet in June.

West Region (presented by Summer Foxworth)

- Representative Foxworth reported the West Region met April 16. Discussions included the annual statistics, non-delinquent runaways in secure detention, state resources for ICJ dues, and state updates. The West Region concurred that home evaluations for pre-adjudicated youth are performed as courtesy at the sole discretion of the receiving state. The West Region proposed two rule amendments regarding sanctions as reported earlier in the meeting.
- A. Connor (NV) updated that the West Region Work Group met twice and agreed to draft a checklist to assist states regarding the Washington Determinate Sentencing/ Placement Authority. The next meeting of the West Region Work Group is June 17.

Victim's Representative (presented by Trudy Gregorie)

- T. Gregorie acknowledged the work of ICJ and had nothing new to report.

Legal Counsel Report (presented by Rick Masters)

- R. Masters reported all legal matters completed as reported earlier in the meeting.

Old Business

There was no old business.

New Business

There was no new business.

Adjourn

- The next teleconference meeting is June 26, 2014 @ 11:15 a.m. EDT.
- Chair Pendergast adjourned the meeting by acclamation at 12:43 p.m. EDT.