



**INTERSTATE COMMISSION FOR JUVENILES**  
**EXECUTIVE COMMITTEE**

*Minutes*  
**June 26, 2014**  
**11:15 a.m. EDT**

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**Committee Members in Attendance:**

1. Patrick J. Pendergast (AL) Chair
2. Anne Connor (NV) Vice Chair
3. Terry Clark (PA) Past Chair
4. Judy Miller (AR) Designee
5. Summer Foxworth (CO) Commissioner
6. Rose Ann Bisch (MN) Commissioner
7. Kari Rumbaugh (NE) Commissioner
8. Patricia Welcome (VI) Commissioner
9. Michael Lacy (WV) Commissioner
10. Shelley Hagan (WI) Commissioner
11. Rick Masters, Legal Counsel

**Committee Members Not in Attendance:**

1. Phil Cox (OR) Treasurer
2. Traci Marchand (NC) Commissioner
3. Trudy Gregorie, Victims Representative, Ex-Officio

**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 11:22 a.m. EDT.

**Roll Call**

A. Lippert called the roll. Eleven of the fourteen members were present, establishing a quorum.

**Agenda**

**S. Hagan (WI) made a motion to approve the agenda. R. Bisch (MN) seconded. The motion passed.**

## Minutes

**J. Miller (AR) made a motion to approve the May 22, 2014 meeting minutes as clerically amended. M. Lacy (WV) seconded. The motion passed.**

## Executive Director Report (presented by Ashley Lippert)

### *Commissioner Appointments*

- A. Lippert updated that New York appointed Sheila Poole Commissioner and Hawaii appointed Linda Kiyotoki full-time Designee. Michigan Commissioner Ted Forrest will retire July 1, 2014.

### *Georgia*

- A. Lippert updated that A. Connor conducted three Compact office trainings and one field staff training for Georgia. Gloria Soja will conduct a Georgia field staff training next week. Two additional field staff trainings will be scheduled in July.
- A. Lippert updated that R. Masters issued a letter to the nine remaining states under the old Compact announcing Georgia's membership and encouraging those states to repeal the old Compact legislation.

### *D&O Insurance*

- A. Lippert presented the D&O Insurance details, coverage, and premiums emailed to the Executive Committee after the last meeting. Rick Masters and other Executive Committee members spoke in favor of the additional coverage for the D&O Insurance.
- **M. Lacy (WV) made a motion to purchase the additional D&O Insurance coverage at an annual premium of \$3,000 per year beginning October 2014. P. Welcome (VI) seconded. The motion passed.**

### *Advisory Opinion*

- A. Lippert presented for consideration ICJ Advisory Opinion #02-2014 addressing whether or not the term 'sanctions' as used in Rule 5-103(3) included detention time.
- R. Masters summarized that the term 'sanctions' as used in ICJ Rule 5-101 (3) is sufficiently broad to include detention without the need to explicitly list in the rule every possible sanction which might be imposed.
- P. Pendergast (AL) questioned the length of detention time. T. Clark (PA) noted the length of stay would not exceed the time a state would impose on their youth.
- J. Miller (AR) questioned the impact of the Advisory Opinion on the two 2014 rule proposals submitted by the West Region. R. Masters suggested that at least one of the two proposals would be unnecessary. S. Foxworth (CO) shared the difficulty of exercising the rule for juveniles on probation. She updated that the West Region concurred with the drafted Advisory Opinion; however, reached a consensus not to withdraw the rule proposals.
- **M. Lacy (WV) made a motion to adopt ICJ Advisory Opinion #02-2014. R. Bisch (MN) seconded. The motion passed.**

### *Audit Standards*

- A. Lippert updated that ICJ Audit Standards have been drafted. The National Office is reviewing and anticipates circulating to the Executive Committee by September.

### *2014 Annual Business Meeting*

- A. Lippert reported that the 2014 Annual Business Meeting online registration will open July 21, 2014. Information and instructions regarding the live feed will be posted 30 days prior to the meeting. The National Office will ask the panelists outside of the ICJ Commission to sign a waiver as the presentation will be recorded and posted to the Commission's website.

### *2014 Annual Report*

- A. Lippert updated that the draft 2014 Annual Report awaits the final budget figures and states' annual statistics. To assist the committee chairs, the National Office has collected information for their respective reports and will forward to each Chair for their input. The Executive Committee will approve the final version before going to print.

## **Committee Reports**

### **Executive Committee** (presented by Patrick Pendergast)

#### *ICJ Recognition*

- Chair Pendergast shared a suggestion received from Jen Baer (ID) that ICJ recognize staff for exceptional contributions to ICJ. He compared the suggestion to the ICAOS annual awards. A. Lippert clarified the ICAOS awards to be two-fold: (1) the Chair's Award which specifically recognizes one Commissioner or DCA at the meeting; and (2) the Spirit Award which recognizes a number of persons not necessarily present at the meeting. The Idaho suggestion noted that the recognized individual would be announced at the ICJ Annual Business Meeting and a recognition letter would be mailed to the recipient acknowledging the national achievement.
- T. Clark (PA) spoke in favor of recognizing an individual and reimbursing the recipient to attend the ICJ Annual Business Meeting. R. Bisch (MN) cautioned that a stringent nomination and selection process would be required to recognize one individual nationwide and include reimbursement to the Annual Business Meeting. J. Miller (AR) recalled the William L. Fredericks Award presented annually by AJCA.
- The Executive Committee agreed to defer further discussion until reviewing the William L. Fredericks Award guidelines. The National Office will forward the archived AJCA award guidelines to the Executive Committee prior to the next meeting.

#### *ICJ Forms*

- Chair Pendergast presented an issue for discussion regarding the approval/modifications to the ICJ forms. The National Office is seeking direction on how to handle form changes and affirm final approval.
- The Rules Committee Chair Bisch and Technology Committee Chair Connor attested to the confusion with dual committee involvement and defining the responsibilities.
- S. Hagan (WI) as a Technology Committee member voiced concern to modifying language on the forms solely by the Technology Committee. J. Miller (AR) supported involvement by the Rules Committee with regard to forms.
- A. Lippert shared that after the 2013 Annual Business Meeting, the Technology, Rules, and Training Chairs held a teleconference to discuss the impact of the passage of the rule amendments to each of the respective committees.
- At the suggestion of Rick Masters, the Executive Committee agreed to create a Forms Policy Ad Hoc Committee consisting of Rick Masters, Ashley Lippert, Patrick Pendergast, Rose Ann Bisch, Anne Connor, and Judy Miller. The Forms Policy Ad Hoc

Committee will report to the Executive Committee at the next meeting. The National Office will poll for a meeting date.

**Finance Committee** (presented by Shelley Hagan)

- Chair Hagan reported that the Finance Committee met June 24, 2014. The fiscal year 2014 budget is on track to complete under budget with one month remaining. Additionally the members revisited the dues structure. The next Finance Committee meeting is August 19. The final FY 2014 Budget totals and the dues structure incorporating FY 2014 JIDS statistics and 2010 Census figures will be discussed.

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

- In Chair Marchand's absence A. Lippert reported that the Training Committee met June 18, 2014. The following training materials were approved:

Best Practices

- Saving and Naming Files in JIDS
- Managing JIDS Users

Training Bulletins

- #01-2013 Rule 8-101: Travel Permits
- #01-2014 Resending a Home Evaluation Request

JIDS Workflows

- Travel Permit - Testing Placement Process Training Manual
- Travel Permit - Visit Process Training Manual

Commissioner Resources

- New Commissioner - Orientation Document
- New Commissioner - Training Power Point

- A. Lippert highlighted the added responsibility of Regional Representatives in the new Commissioner Training. Past Representatives R. Bisch (MN) and T. Clark (PA) applauded the resource and attested to its value. J. Miller (AR) expressed concern regarding her understanding of the talking points outlined in the program. Additionally, in an effort to increase involvement and understanding of the ICJ, a new Commissioner/Designees on-demand training is being developed and a bi-annual live training is being considered.
- A. Lippert updated on the presenters, moderators, and panelists for the 2014 Annual Business Meeting Training Sessions on Tuesday and the Human Trafficking Panel Discussion on Wednesday.
- Georgia goes live in JIDS July 20. A. Connor has conducted JIDS and Rules Trainings with the Georgia Compact office and field staff. Additional Rules Trainings are ongoing.
- S. Hagan (WI) commended the accomplishments and direction of the Training Committee.

**Compliance Committee** (presented by Michael Lacy)

- Chair Lacy updated that Illinois complied with the Compliance Committee's requests and no further action is necessary.
- Chair Lacy reported that the Compliance Committee formed a *States in Transition Ad Hoc Committee* to develop a protocol to assist states undergoing administrative changes that impact ICJ. The Compliance Committee Ad Hoc is chaired by Dale Dodd conducted their first meeting on June 19 and meet again July 17. A draft best practice/checklist will

be presented to the full Compliance Committee on August 13 and a recommendation is anticipated for the Executive Committee in August.

#### **Technology Committee** (presented by Anne Connor)

- Chair Connor reported the Technology Committee has not met since the last Executive Committee meeting. The next Technology Committee meeting is scheduled for July 22.
- Chair Connor reported activity with Georgia in preparation for the JIDS live launch on July 20 and updated on the trainings completed/scheduled in June and July.

#### **Rules Committee and AAICPC/ICJ Work Group** (presented by Rose Ann Bisch)

##### Rules Committee

- Chair Bisch reported the Rules Committee met June 4. Out-of-state confinement and detention discussions were deferred due to the absence of Rick Masters. Sharon Harrigfeld (ID) replaced the vacated West Region position on the committee. The next meeting is the Face-to-Face Meeting July 10 in Louisville, Kentucky. In addition to reviewing the rule proposals and comments, the Rules Committee will standardize the multiple terms for “parent”.
- Chair Bisch explained that due to the 2015 Annual Business Meeting August date, the Rules Committee’s annual face-to-face meeting will be held earlier in the year; consequently, two meetings will be held in one fiscal year.
- **R. Bisch (MN) made a motion to approve appropriate funding for two ICJ Rules Committee Face-to-Face Meetings in FY 2015. S. Foxworth (CO) seconded. The motion passed.**

##### AAICPC/ICJ MOU Work Group

- Co-Chair Bisch reported the AAICPC/ICJ MOU Work Group’s productive progress on the development of scenarios in the three areas of ICPC and ICJ overlap. The Runaway and Residential Case Scenarios have been completed. The Family Case Scenarios are being reviewed and finalized.

#### **Region Reports**

##### **East Region** (presented by Patricia Welcome)

- Representative Welcome reported, prior to leaving the meeting, that the East Region has not met since the last Executive Committee meeting and the next meeting is scheduled for July 30.

##### **Midwest Region** (presented by Kari Rumbaugh)

- Representative Rumbaugh reported, prior to leaving the meeting, that the Midwest Region has not met since the last Executive Committee meeting and the next meeting is scheduled for August 5.

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

- Representative Miller reported that the South Region met June 25, 2014. A. Lippert provided an update regarding the Executive Committee update and Georgia’s status, the proposed By-law amendment, new training documents, data collection, and the 2014 annual report. The South Region drafted two 2015 rule amendment proposals regarding home evaluations for pre-adjudicated cases and signatures on the Form IA/VI. Additionally, P. Pendergast (AL) updated on the purpose of the States-in-Transition Ad Hoc Committee. The next meeting is October 28, 2014 and the 2015 officers’ nominations will be slated at that time.

## West Region (presented by Summer Foxworth)

- Representative Foxworth reported that the West Region met June 17. The West Region discussed the drafted Advisory Opinion #02-2014 and the West Region's rule proposals as stated earlier in the Executive Director's Report. The West Region is clear on the collection of annual statistics. States provided updates and had no additional comments on the 2014 proposed rule amendments. The 2015 officers' nominations will be finalized at the October 28 meeting.
- A. Connor (NV) updated that the *Washington Determinate Sentencing/ Placement Authority Statute West Region Work Group* met June 17. The West Region Work Group agreed to commence drafting a 2015 rule proposal at the next meeting on July 22.

## Victim's Representative

- In Trudy Gregorie's absence there was no report.

## Legal Counsel Report (presented by Rick Masters)

### Oregon Case

- R. Masters updated on a case filed in the Oregon Tax Appeals Court (equivalent to Oregon's State Court of Appeals). The case is similar to the California and Michigan Supreme Court cases questioning a state's authority to unilaterally change the terms of the Compact to which it is a member. An Amicus Curiae Brief was filed since the last Executive Committee meeting on behalf of the Compact to deny the authority of a state to unilaterally amend the Compact. Due to the filing deadline, Commission Chair Pendergast approved Rick Masters, Legal Counsel, to move forward with filing a Brief.
- Chair Pendergast affirmed there would be no additional costs incurred by ICJ. The Executive Committee concurred with filing the Brief and any additional legal documents as necessary.
- **S. Foxworth (CO) made a motion to ratify filing an Amicus Curiae Brief in the Oregon Tax Appeals Court and to authorize Rick Masters, Legal Counsel, to file additional documents in the matter as necessary. R. Bisch (MN) seconded. The motion passed.**

### Reforming Juvenile Justice – a developmental approach

- R. Masters reported on a book entitled *Reforming Juvenile Justice – a developmental approach* prepared by the National Research Council of the National Academies. A manuscript of the research was reviewed in the past and the Commission was made aware that a book would be published. A. Lippert shared excerpts from the book specifying ICJ's exemption regarding the detainment of runaways.
- R. Masters explained that the recommendation from the National Research Council (NRC) to the United States Congress is to eliminate both a valid court order exception and the Interstate Compact's exception to be included in the reorganization of the Juvenile Justice and Delinquency Prevention Act. The NRC's recommendation opposes ICJ's position. R. Masters suggested that Legal Counsel advocate ICJ's objection to all applicable persons/groups via appropriate channels when necessary.
- The Executive Committee agreed that Legal Counsel should contact the National Research Council (NRC) and follow up with others to convey ICJ's position.
- **J. Miller (AR) made a motion to authorize R. Masters, Legal Counsel, to advocate ICJ's opposition to the elimination of the Federal Law Exceptions relative to the detainment of runaways. S. Hagan (WI). The motion passed.**

## Old Business

There was no old business.

### **New Business**

There was no new business.

### **Adjourn**

- The next Executive Committee meeting is July 24.
- **M. Lacy (WV) made a motion to adjourn. T. Clark (PA) seconded. Chair Pendergast adjourned the meeting at 1:09 p.m. EDT.**