



Summary of ICPC Informational Survey – March 2010

Conducted on behalf of the ICJ ICPC Ad Hoc Committee – Chair, Mike Reddish

Summary of Findings

On February 25, 2010, the ICJ National Office launched the ICPC Informational Survey on behalf of the ICJ ICPC Ad Hoc Committee. The ICJ ICPC Ad Hoc Committee built this survey to collect information regarding the interaction between the Interstate Compact on the Placement of Children (ICPC) and the Interstate Commission for Juveniles (ICJ). The ICJ ICPC Ad Hoc Committee designed this survey to assess how states structure their ICPC and ICJ offices; to determine if any overlap exists in states regarding certain cases that may fall under the purview of both ICPC and ICJ; to analyze if and how states supervise juveniles in out-of-state facilities; and to devise solutions to problems that arise due to overlapping compact authority.

The ICJ National Office used the online survey website Zoomerang to edit the survey and deploy it to the entire Commission. 25 respondents completed the survey.

Some points of discussion –

- While there are some exceptions, in general, most states report that there are no formal, clear channels of communication between ICJ and ICPC, and decisions on juveniles that involve ICPC are made on a case-by-case basis.
- Regarding supervision of juveniles in out-of-state private facilities, most states reported that ICPC offices are assigned supervision responsibilities. Some respondents reported concerns that at-risk juveniles may not be as closely supervised as they would have if the case was under ICJ authority.
 - Respondents also reported that communication between ICPC and ICJ is mostly reactionary in nature; communication does not occur until there is a problem with the placement of the juvenile in a facility.
- Respondents expressed the need for educating ICJ members on ICPC rules and procedures to ensure better coordination between the two compact.
 - Respondents also stated that the discrepancies in timeframes in ICPC vs. ICJ create confusion when dealing with cases.
- Most respondents agree that the authority of ICPC and ICJ differs significantly, therefore the two compacts must coordinate with one another; due to the differing natures of ICPC cases in relation to ICJ cases, neither compact should attempt to conduct the work of the other compact.
- Lack of communication between the ICPC and ICJ offices is the most common theme in these responses.
 - Respondents cited a need for clear rules that dictate when a case falls under the authority of ICPC, ICJ or both compacts.

Responses

The following section summarizes key responses from questions in the survey.

Question 2: What would you like to know about the ICJ and ICPC interface to help you conduct Compact business?

- How it is determined which Compact will be in operation?
- Clear rules that clearly state the operations of each Compact in relation with each other
 - o Better coordination so that juveniles don't get lost between Compacts
- Become more familiar with ICPC rules/procedures
- Placement of juveniles in residential facilities – child protective services facilities vs. “correctional facilities; “licensing” issues that prohibit ICPC cases from being transferred to certain facilities
- Do current ICPC rules prohibit concurrent ICJ/ICPC cases (ICPC Article VIII)
- Are there mandated law enforcement notifications for such cases?

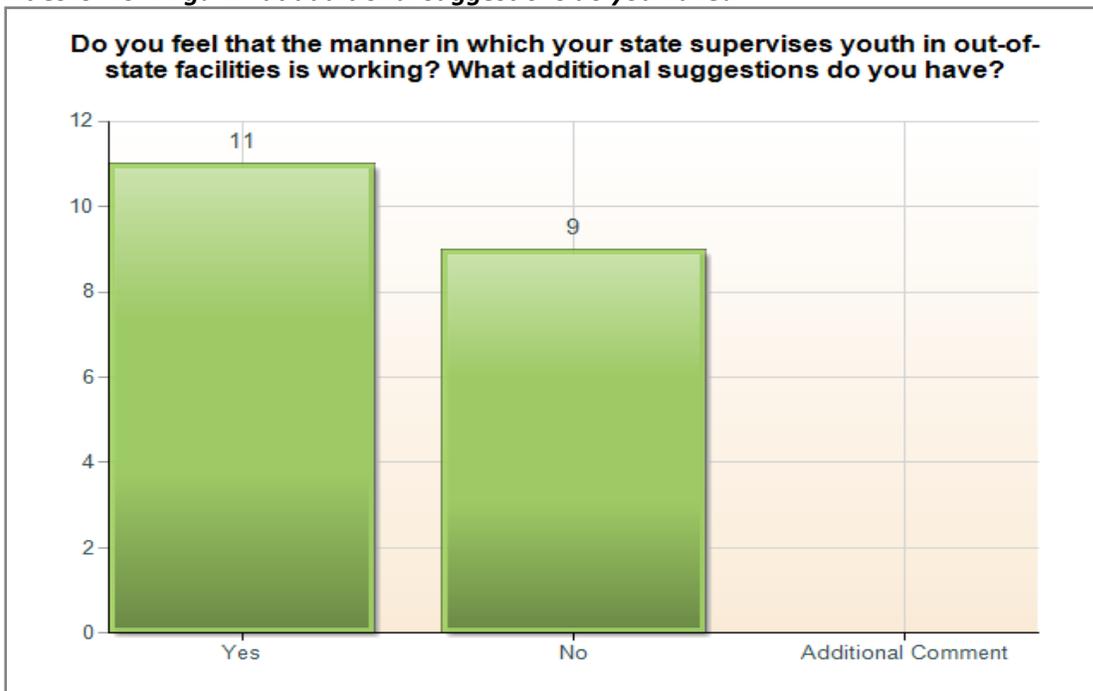
Question 3: Does your state have ICJ and ICPC operations housed within the same office?

- 4 respondents reported Yes
- 21 respondents reported No

Question 4: How does your state handle supervision of juveniles in out-of-state private residential facilities?

- ICPC handles referrals
- Other states won't take ICJ referrals
 - o Some fear that juveniles are being sent without supervision

Question 5: Do you feel that the manner in which your state supervises juveniles in out-of-state facilities is working? What additional suggestions do you have?



Additional Comments:

- ICJ should supervised ICPC youth who are placed in homes w/family/relatives where this is dual jurisdiction w/both compacts.
- There is no outside 'supervision' provided with ICPC cases. Delinquent juveniles in private residential facilities are supervised only by the staff in the facility. I believe these types of placements should be handled, at a minimum, with notification to ICJ. Ideally, ICJ would be involved with juvenile probation/parole services incorporated.
- We don't hear about these cases until there is a problem. And then we're blamed as to why supervision was not provided for these offenders.

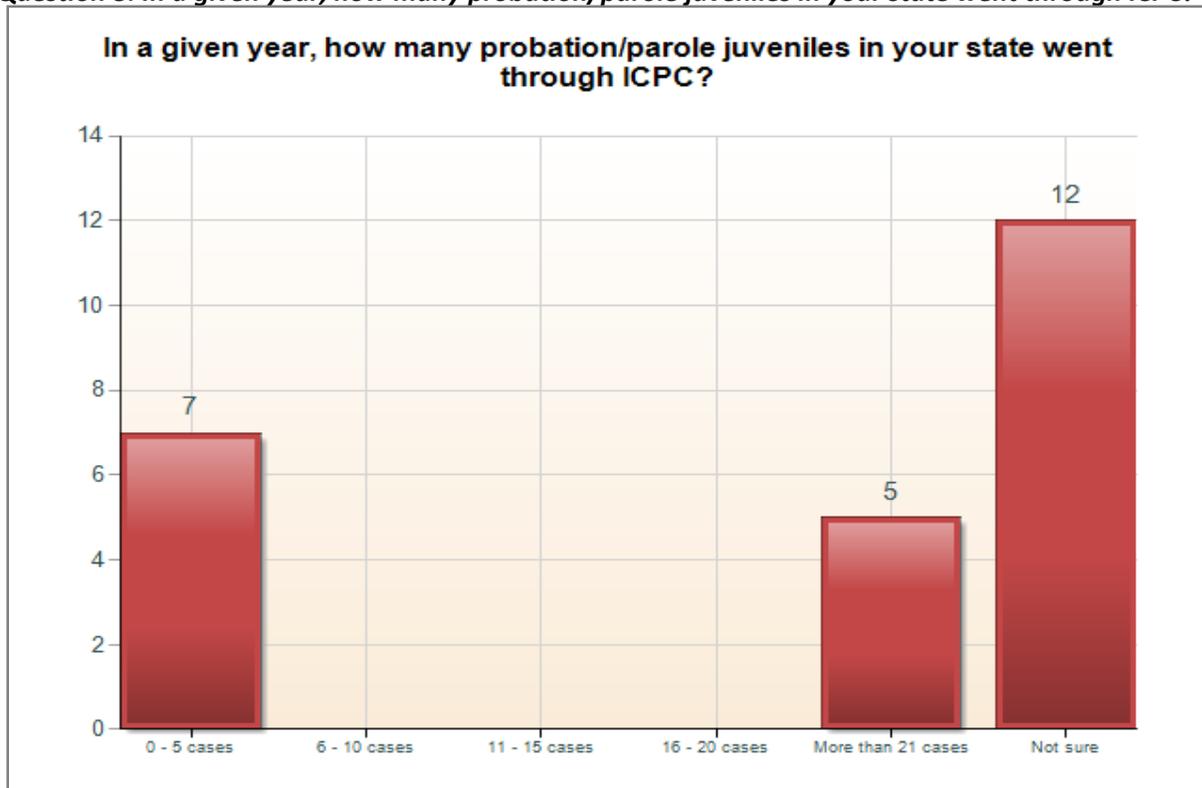
Question 6: Why would it be beneficial to have local POs supervise delinquent juveniles in private residential facilities in addition to the 24 hr. staff facility supervision?

- Maybe it wouldn't be beneficial – duplication of services, not feasible due to lack of staff
- Benefits - close monitoring, ICJ would be aware if placement does fail, quicker response to emergencies

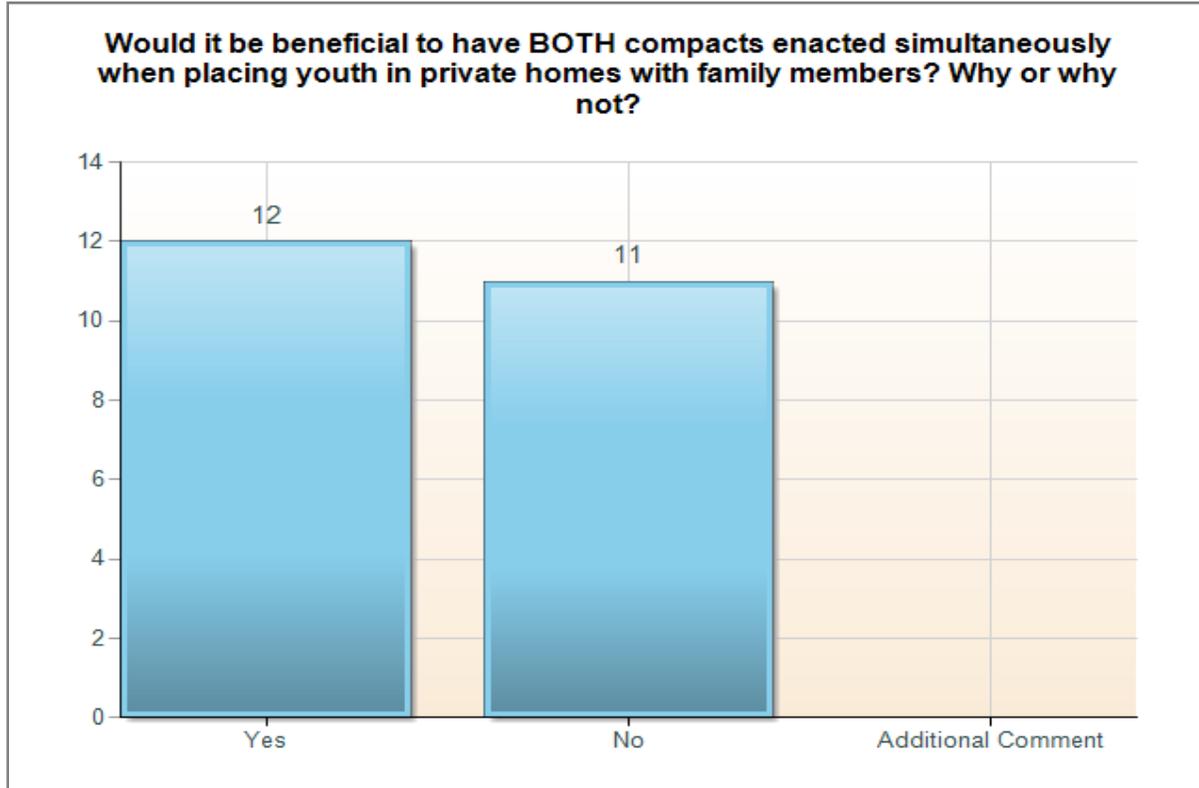
Question 7: Are there any barriers for local POs in supervising juveniles in private residential facilities?

- Need for HIPPA waivers
- Waste of resources / duplication of efforts
- Some states POs will not supervise youth in private facilities or are not allowed on private facilities
- State fiscal issues have forced states to give POs larger and larger caseloads; there is a concern that this added supervision would add further strain on the system
- Facility is too far from closest PO office

Question 8: In a given year, how many probation/parole juveniles in your state went through ICPC?



Question 9: Would it be beneficial to have BOTH compacts enacted simultaneously when placing juveniles in private homes with family members? Why or why not?



Additional Comments

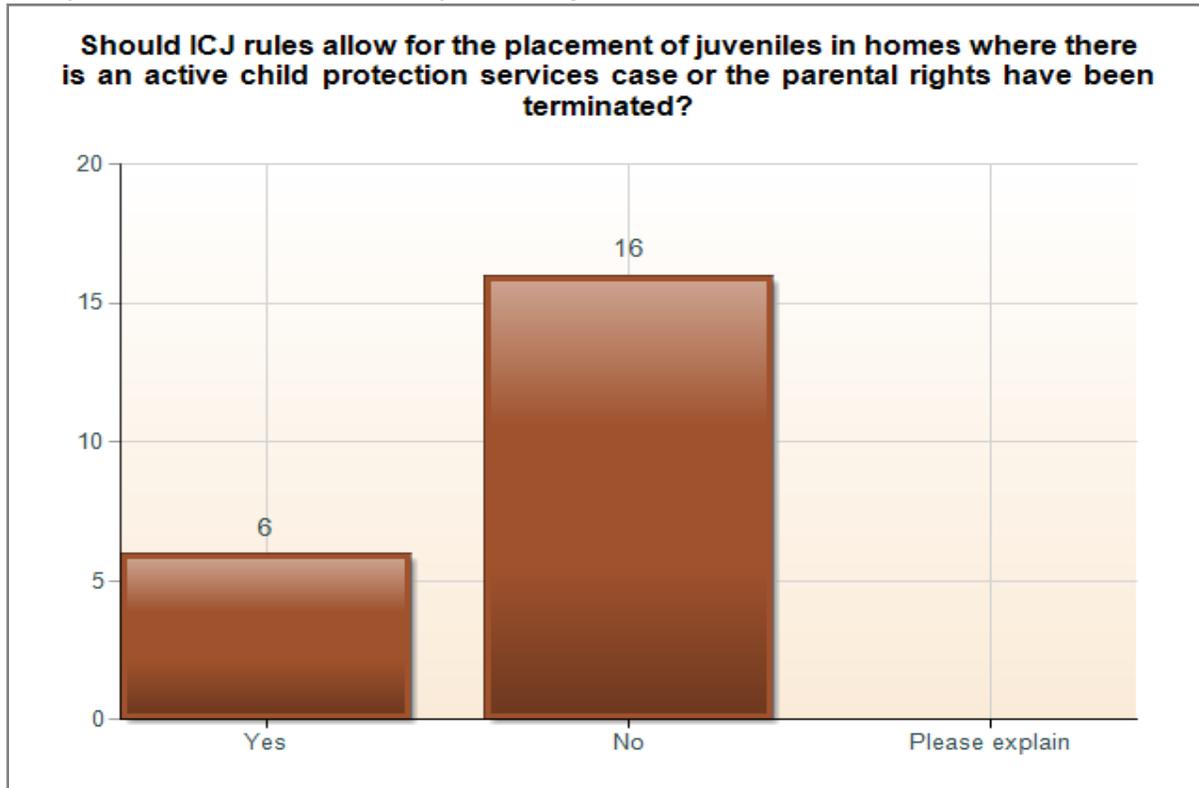
- Yes – If youth is in state custody under child welfare provisions and an adjudicate youth under court supervision then yes both compacts need to be involved and coordinating. We may be dealing with two separate issues one being guardianship issues and the other court ordered/correctional supervision needs.
- Yes – Since ICPC does not provide supervision ICJ should be involved in cases that deal with probation and parole
- No – Overlapping jurisdiction and differing timeframes create confusion in cases, especially ones that deal with a foster care placement that fails
- No – It would lead to confusion and duplication of services
- No – Confusion of federal monitoring laws with ICJ supervision rules

Question 10: In your opinion, what compact should have primary responsibility over such dual-status cases? Please explain

- If the sending/placing state remains the official guardian for the youth then the ICPC agency should have primary authority. If youth is placed with the legal guardian in the receiving state then ICJ should have primary authority
- If the juvenile is a delinquent and has a open foster care case, the delinquent case is the primary and this will fall under ICJ
- The delinquency adjudication will generally be the more recent adjudication. Supervision and control (ICJ) are primary in that if you cannot control the youth you cannot provide treatment to the youth through ICPC.
- Each compact’s needs are different, so each compact’s needs should be met

- Depends on the status of the youth, the type of placement, risk assessments, etc. ICJ in most cases should be primary though since the youth is under probation/parole supervision for crimes committed.
- Two separate entities dealing with completely separate issues.

Question 11: Should ICJ rules allow for the placement of juveniles in homes where there is an active child protection services case or the parental rights have been terminated?



Additional Comments

- Yes – Most ICJ cases are adolescents. Safety concerns for younger siblings may not be applicable to older youth. This issue can be decided on a case-by-case basis. ICJ Rule #5-101-4 already provides for rejection of unsuitable placements.
- Yes – If the ICJ home study approves the residence. In answering this question we need to remember the age of the delinquent youth that are going through ICJ for placement. They are older and many times want to be with the biological parent. This is more of an issue for small children and babies placed through ICPC with a parent who has lost their parental rights.
- Yes – Conducted on a discretionary basis
- No – It is not in the best interest of the juvenile. When ICJ approves these types of placements, CPS has to be involved in the receiving state. When this occurs, it violates the purpose of the compact - to protect juveniles and the public.
- No – Parental rights are terminated for a reason. Placing a youth in a home under these circumstances is placing the youth into a high-stress environment and setting that youth up for failure. If family services and the courts are comfortable enough with the parent's skills then they can reinstate the parent's rights prior to placement.

Question 12: What challenges do you face when working with a juvenile involved in both compacts?

- Poor coordination / communication between separate agencies
- Often, ICPC referrals are never made. If the placement fails, the financial responsibility for return of the juvenile is an issue.
- Differing ICPC vs. ICJ timeframes
- We are just not aware of when a child is placed here under ICPC and they are on probation/parole
- We constantly get complaints from law enforcement and local authorities on these delinquent youth being placed in facilities with no supervision.

Question 13: Do you have any additional comments on the interaction of ICPC with ICJ?

- Working together in a holistic approach where the compacts overlap can only result in more successful outcomes for our juveniles.
- We would like to see the two compacts work in conjunction and cooperation with one another rather than having one trump the other.
- Formal communication process needed

Appendix

The following sections include the complete survey responses for each question as well as a copy of the survey questionnaire.

Question 2: What would you like to know about the ICJ and ICPC interface to help you conduct Compact business?

Can ICJ now supervise clients in RTC's, schools, psych hospitals.

Sharing knowledge when adjudicate youth are placed via the ICPC in private RTCs. Raises public safety concerns when these youth are no received any ICJ related supervision. At times they become involved in new criminal activity in the receiving state and we have no knowledge of them. These youth can be very high risk offenders and can pose serious public safety issues in the receiving state. Needs to better coordinated, to provide effective supervision and case management of these higher risk offenders

ICPC deals with private residential facilities that are "licensed" through the agency that administers child protective services. If the facility is more correctional in nature, it will not be licensed by that agency. There are a number of post-adjudication facilities operated in Texas that are "registered" through the Texas Juvenile Probation Commission rather than licensed through the Texas Dept of Family and Protective Services. As such, these facilities are ineligible for placement through ICPC. There is great interest by this community to recruit placements from other states. If ICJ were involved with placement of delinquent juveniles in private residential facilities, there would be a large increase to these facilities that ICPC currently does not handle.

yes

How to provide supervision for juvenile offenders.

I have had limited contact with ICPC in IL. The ICJ compact staff have had contact with ICPC Manager regarding out of state residential placements. I also Manage Illinois Adult Interstate Probation Services

I do not interact with IL ICPC

I would like for both ICJ and ICPC to learn about what each other compacts do in working with children and families.

To become more familiar with ICPC polices and procedures.

Historically, we have had very little to nothing to do, for good reason, with ICPC cases which are handled by the Department of Health and Human Resources in the executive branch.

I'm not sure what you mean by "interface" here, but I'd be interested in knowing how it is determined which children go through ICPC and which through ICJ if the child is on probation. We have youth in state custody who are on probation, but because of their custody status they seem to go through ICPC.

I have not been doing ICPC with delinq placed in treatment facilities, however I have in the past with MN I am wondering if we just do the travel permit for short term non foster placements like for treatment of D and A?

The Delaware Interstate Office includes ICJ, ICPC, ICAMA, and Intercountry adoptions.

Why ICPC continues to send youth who are on probation/parole through their compact rather than ours.

I would like to see clear rules, which are not open to interpretation in order that this issue could be understood and finally put to rest.

I would like to know how I am to train Probation officers who are under a different branch about ICPC and when or if it should be used. Our ICPC office doesn't work with probation so we are trying to learn how to make sure we don't miss it and comply with the rules without being part of the process.

Other states' relationships and formal working arrangements.

How can ICJ serve Status Offenders to meet language in Article 1.

YES

A list of common case types that would fall under both ICJ and ICPC and a list of cases that would only be ICPC. This would help staff determine if ICPC needs to be contacted as well.

We would like clarification if what is stated in the current ICPC, Article VIII(b) prohibits both an ICJ and an ICPC from existing concurrently.

Is there going to be an interface?

No current need identified

1.) Is there a definition of the cases that crossover between both compacts, meaning they could be an ICJ case but are handled through ICPC? 2.) Are there any mandated law enforcement notifications required for these crossover ICPC cases that are placed in State Facilities (even though the judge orders case supervision under ICPC). What requirement is there for ICPC to notify law enforcement in the state the youth is in?

Question 3: Does your state have ICJ and ICPC operations housed within the same office?

ICJ and ICPC are located in the same building but not same office.

In Nebraska we have ICJ Parole and ICPC both under the Executive Branch. But, I work with ICJ Probation which is under the Judicial Branch.

No

NO

No

No

No

no

No

NO

No

No, although both offices fall under the Division of Child and Family Services.

No, ICPC is housed with the Department of Human Services

No, ICPC is with Health and Welfare.

No, separate agencies in separate branches of government.

No. ICPC is under Department of Public Health and Human Services. ICJ is under the Department of Corrections.

No. They are handled by two different agencies.

No. Under a separate state department in Maine It is under our Dept of Health & Human Services

No.

ICJ is in juvenile corrections division, dept of Corrections.

ICPC is in state department of children and families.

Both compacts are implemented mainly by local county human services agencies.

Not in the same office or branch of government.

Yes

yes.

Yes. PA has a tri-compact office housing ICJ, ICPC, and ICAMA (Interstate Compact on Adoption and Medical Assistance)

No, separate State agencies

No. CA IJC is a Division of the California Department of Corrections and Rehabilitation, under the Juvenile Parole Operations. ICPC is under the California Department of Social Services.

Question 4: How does your state handle supervision of youth in out-of-state private residential facilities?

I believe the question is about 'delinquent' youth. These are handled through ICPC. It creates confusion among juvenile probation/parole officers when ICJ tells them that all placements for delinquent juveniles must go through ICJ except these types of placements. In addition, public protection is not well served when ICJ is not involved.

ICJ SERVICES ARE NOT AVAILABLE IF THE YOUTH IS IN A PRIVATE RESIDENTIAL FACILITY. THEREFORE, THE ICJ REQUEST WOULD BE DENIED.

ICPC

ICPC handles all of these cases.

ICPC handles all.

ICPC is done for these youth. Also, Department of Corrections audits any facilities where we have youth placed (part of ACA standards).

ICPC referral

If a referral is made through ICJ we assign a parole or probation officer to complete a home evaluation and supervise the case.

If they are delinquent, they are placed pursuant to ICPC Article VI. If not, then ICPC Article III.

It is a paperwork exercise. The sending state informs Utah but our state provides absolutely no supervision.

One area in Nebraska Probation uses ICPC, the others use ICJ and my fear is they might be sending juveniles without supervision.

Placement in a private out of state facility is handled by the ICPC and is not a Compact eligible transfer.

The staff at the residential facility provide 24-7 supervision of the youth.

These youth go through ICPC.

They are most often in DHHR custody and it is DHHR's responsibility to monitor their progress through the agencies social workers assigned to the case.

They are submitted and processed through ICPC.

This section falls under the ICPC.

Transfer through ICPC as the other state will not supervise through ICJ. My state will supervise youth from out of state if sent to residential facilities within our state.

Via the ICPC

WA's local PO's supervise, staying in direct contact with residential facilities because other state's don't usually take these ICJ referrals.

We make phone contact with counselor in area. Use 100-A form for placements.

We normally do not supervise youths that are placed in a private residential facility, but have done so in the past on case by case basis.

Youth placed out of state go thru the ICPC process. If the youth is an adjudicated youth under court supervision we coordinate with the placing agency and share info on youth progress. They are currently not eligible for ICJ supervision so we cant transfer thru ICJ when placed in private residential settings

Kansas does not send juvenile offender youth out of state for placement.

ICPC cases are assigned to special caseworkers in California. These caseworkers communicate with the out of state placement facilities to review the services provided to the youth. Under ICJ, if a youth was on probation in CA and was ordered by the Judge to an out of state treatment facility, the CA ICJ unit will forward an ICJ packet to the receiving state. Often times the receiving state probation officer advises that they are not allowed access to a treatment facility. In those situations the ICPC caseworker becomes involved in the receiving state and the request is made through both CA ICJ and ICPC to ensure communication is made available to both compacts.

Question 5: Do you feel that the manner in which your state supervises youth in out-of-state facilities is working?

What additional suggestions do you have? Additional Comment

As stated before I would like to assure they are being transferred with the compact and plan to do this in trainings I will be doing in March and April.

I feel certainly adjudicated youth placed out of state should be eligible for ICJ supervision do to serious public safety concerns some of these high risk juvenile offenders present. ICJ provisions more readily allow for a quick response to emergencies should they arise in the receiving state.

I have not had many referrals to determine whether this is working or not. Hope they will be getting the supervising and services they need while in the out-of-state facilities.

ICJ should not supervise 24 hour residential facilities. ICJ should supervise ICPC youth who are placed in homes w/family/relatives where this is dual jurisdiction w/both compacts.

ICPC function and responsibility isn't fully understood - ICPC training for the Judiciary/Family Division Courts

Idaho, has several private residential facilities that other states place youth in. When the other state's youth commit a crime while at one of Idaho's residential settings and is committed to Idaho's custody, some locals complain.

Law enforcement and local authorities continually want information about youth who come through ICPC - these youth are no different than the ICJ youth and at least we would provide some type of supervision.

N/A

N/A to IL ICJ Parole

Since the sending jurisdiction is in effect "contracting" with the residential facility as an independent provider which is licensed through social services, I don't believe the cases should be processed through our compact.

Some states are not as open to supervise youth from another state who are placed on supervision probation.

There is no outside 'supervision' provided with ICPC cases. Delinquent juveniles in private residential facilities are supervised only by the staff in the facility. I believe these types of placements should be handled, at a minimum, with notification to ICJ. Ideally, ICJ would be involved with juvenile probation/parole services incorporated.

We contract with each provider to include the services needed for each child.

We do a good job but were doing it long distance. Delinquent youth in out-of-state facilities need the supervision of a local parole and probation officer.

We don't hear about these cases until there is a problem. And then we're blamed as to why supervision was not provided for these offenders.

Yes, carefully followed by the Division and Human Services

Yes

No, There needs to be a formal way to communicate and share information on crossover cases including progress reports and release information.

Question 6: Why would it be beneficial to have local POs supervise delinquent youth in private residential facilities in addition to the 24 hr. staff facility supervision?

- 1) Support to the facility when the youths program starts to fall apart.
- 2) The ability to arrest and detain in an emergency situation.

Because the youth will still be seeing a JPO who can still drug test the youth, hold them accountable for their conditions etc. and make the placement more successful.

Because they know something about their delinquent behavior, understand how to interact with the courts and releasing authorities, and can provide supervision to these youth.

Due to staff shortages, this would be impossible.

I am not sure whether this would be beneficial begin that the juvenile is getting 24 hour supervision services while in a facility.

Why would the juvenile need duplicate of services.

I believe this is beneficial to have the POs part of the support group, as well as knowing how the juvenile is doing, help with issues because they are the direct link to the courts, and continue a relationship when the juvenile is release and possibly returns home.

I do not believe it would be beneficial if a youth is in a private residential facility. I'm not sure why a private residential facility would not be available in the state of residence. This type of placement would be difficult to supervise as the legal guardian, parent are not in the receiving state.

I don't believe it would be beneficial. The sending jurisdiction should receive as good or better supervision and oversight from the residential facility staff than they would if the case were an ICJ case assigned to the receiving state's PO.

I don't find it necessary for both, and I would have concern that their might not be agreement over case management.

I don't know that it would. The question is worded in such a way that it assumes a positive answer. My question is, by what authority would a probation officer supervise delinquent children in a private residential facility?

I don't think so, our workers do visit the youth regularly and keep in touch with the treatment facilities and youth.

It is important that the youth remains aware that they are under court order supervision for deliquent behaviors and what the ramifications for non compliance can be. Also ICJ supervision allows for a quicker response to emergencies should they arise.

Effective coorectional case management services may complement and enhance the services provided at the facility.

It would allow juvenile probation to treat the juvenile 'as one of their own' as provided in ICJ. Further, if the placement fails, ICJ would be aware of it. In the case of the delinquent juvenile who is placed in one of these facilities commits another offense and is adjudicated in the county where the facility is located, an ICJ referral is initiated. ICJ would already know about the juvenile. There are other times when the placement fails and ICJ is contacted to assist in the juvenile's return to the sending state. Also, it would be most beneficial when delinquent juveniles escape from these facilities - it just makes sense from a public protection perspective.

It would allow the youth to get to know the PO and establish a relationship prior to release from the facility.

It would not add significant benefit.

Our locals would appreciate knowing when out-of-state delinquent youth are placed in private residential facilities, because they often see such youth in their juvenile court intake offices. But the locals do not want to supervise the youth under out-of-state orders.

It would not, because treatment facilities have no legal obligation to share information, provide access to juvenile, and it would be a duplication of function.

N/A to IL ICJ Parole

No. But, if a local county has a relationship with the facility, and the facility welcomes the support, it should be allowed.

Resources are stretched in our economy, and this duplication in services would not be cost effective for our system.

THE YOUTH WOULD BE IN A DESIGNATED PLACE SO THE PO'S WOULD FOLLOW UP ON THE YOUTH'S PROGRESS JUST AS THEY WOULD IF THE YOUTH WAS IN THE COMMUNITY.

We believe it's important that we be notified so contact can be made with those facilities. Our probation officers are also more equipped to handle delinquency problems than our ICPC office.

We see no benefit to having a PO in the facility. This would be a duplication of services.

YES....

No response

Probation is responsible to report to the court the youth's progress. This does not mean they have to supervise but they need necessary information to report on youth's compliance with conditions and progress on treatment.

Question 7: Are there any barriers for local POs in supervising juveniles in private residential facilities?

As long as we get a waiver regarding HIPPA so we can contact the youth and facility there are no barriers.

Depending upon the treatment case plan, it may be contraindicated.

Depends on facility. Overall, yes, most facilities.

I have not been aware of any, barriers however our office does not deal with this issue, only the ICJ referrals and runaways.

In some facilities, PO's may not be allowed on the grounds. With staff shortages at the local and state level, resources are stretched too thin to provide duplicate services.

N/A to IL ICJ Parole

no

None here

None that I know of - other than the 'old' ICJ did not provide for this type of placement.

Not in my state.

Not probation in Nebraska.

Once again the juvenile will be getting the services while placed in a private facilities and will have a worker assigned to him or her.

Our locals would see it as a waste of their resources, and duplicative of the services that the residential facilities were supposed to be providing.

Our POs will not supervise youth at private facilities.

Since the ICJ is in the Supreme Court as are all probation officers, the question of authority would have to be addressed and resolved. If a social worker is assigned to the case and monitoring the case, I see little need for the court's officers to additionally monitor youth in private residential facilities.

Some local RTC would welcome it and some may resist. I think if this joint supervision was provided for under the provisions of both ICJ and ICPC it would certainly elevate some reluctant.

The barrier is ICPC not wanting to send them through ICJ - private facilities think it will impede their money making ability.

There could be barriers with a private facility allowing probation staff access or providing information for supervision. Again, every state should have private residential facilities that should be available to clients in their state.

THE FACILITY ITSELF NOT ALLOWING OUTSIDE SUPERVISION OR THE FACILITY IS TOO FAR FROM THE CLOSEST PO'S OFFICE.

The only barrier that I know of comes from ICPC.

Yes, due to the restrictions of entering private facilities without permission, etc.

Yes, I believe that it is appropriate for delinquent juveniles who are living in private, individual placements to be supervised separately (by a juvenile justice professional) from those in a private residential contracted treatment setting. Under ICJ, the sending jurisdiction assigns a probation, parole or aftercare officer to every case, who receives and reviews the residential placement provider's reports and monitors the juveniles progress or lack thereof. All states and local jurisdictions are currently facing economic challenges, which result in higher caseloads and staff being stretched beyond reasonable limits. If these PO's (and Interstate Offices) were to also add the burden of dual cases, I believe it would further limit the supervision provided to "straight" ICJ cases and the effectiveness of the interstate system.

Yes, see answer above.

Resources

yes, Probation officers are usually not allowed entrance into the facility to supervise these cases. The issue is the communication between the PO and the facility staff for the purpose of reporting the progress to the courts.

Question 8: In a given year, how many probation/parole juveniles in your state went through ICPC?

More than 21 cases

Not sure

Not sure

Not sure

Not sure

0 - 5 cases

Not sure

Not sure

More than 21 cases

More than 21 cases

Not sure

Not sure

Not sure

Not sure

Not sure

Not sure

More than 21 cases

0 - 5 cases

0 - 5 cases

More than 21 cases for California

Question 9: Would it be beneficial to have BOTH compacts enacted simultaneously when placing youth in private homes with family members? Why or why not? Additional Comment

- Yes
- Yes It the youth is in state custody under child welfare provisions and an adjudicate youth under court supervision then yes both compacts need to be involved and coordinating. We may be dealing with two separate issues one being guardianship issues and the other court ordered/correctional supervision needs. Coordination and clear lines of dutioes, responsibiliies and authroity is essential
- No If the question deals strictly with a juvenile on probation or parole who is moving with his/her family, I don't know what benefit could be derived from it. This would seem to create more work rather than services for one office or the other. When discussing foster care situations, yes.
- No Probation can clearly handle this function more appropriately with the authority to recommend/proceed with violation proceedings
- No I recently had a case where one of Idaho's juveniles was placed in another state, and neither state's ICJ offices picked up on the fact that it was a foster care placement (the youth was sent to aunt). The youth started acting up and both Compacts went into action, and we learned about each others involvement. The aunt refused to have the juvenile continue to live there. ICJ office began plans to have the juvenile returned to Idaho. ICPC were planning to reunify the juvenile with the aunt. I learned that the timelines for removing a youth in a failed placement is different with each Compact. ICJ's is 5 business days and ICPC's is 30 days. Both ICJ offices closed our case and let ICPC take over because ICPC supersedes ICJ.
- No Illinois Probation does not handle ICPC placements.
- Yes As stated above, ICPC does not provide supervision. ICJ and ICPC completely different functions in private home and placement with family. ICJ should definitely be allowed to supervise.
- Yes
most of the juveniles who are on probation or aftercare (parole) are not placed in private homes.
- Yes If you is on supervised probation.
- No
- Yes If the youth is on probation or parole, we should handle the delinquency aspect of the case and ICPC should handle the dependency aspect of the case. ICPC should be the primary agency responsible and coordinate with us.
- No I would think is a duplicatin and would cause confusion on the leadership of the case and any ensuing communication. ICPC functions with the facilites, not he family
ICPC Article VIII (b) says ICPC shall not apply if ICJ does apply. For those who use both anyway, if the home is approved by both, the child and family is able to receive additional services. If ,however, ICPC denies, the youth may never get to be with family again before his 18th birthday. The foster care system does house these children.
- No No. Someone needs to be in charge of supervising the youth. Coming under both compacts will only lead to confusion.
- No ICJ and ICPC are rightfully separate compacts and should remain so. It would be burdensome and confusing to mix the two compacts, due to each compact serving differing populations, ages, with separate rules, forms,timeframes,goals and different different supervising workers for the cases (PO's versus caseworkers).
- No I don't believe with probation juveniles ICPC is necessary.
- No Federal rules for out-of-home placements in residential and foster care are substantial, detailed and closely-monitored. (For example, requirement for monthly face-to-face caseworker contact.) It would be confusing for some ICPC cases to be subject to the federal rules (i.e., those in residential/foster) and some not (i.e., those in family placement). It's much cleaner to keep family placements solely in ICJ.
- Yes Possibly because there are youth that need both supervision and treatment. ICJ expertise is supervision while ICPC has access to treatment resources because of their connection to Health and Human Services.
- Yes EACH COMPACT WOULD HAVE DIFFERENT NEEDS FOR THE YOUTH BUT CAN SHARE THE INFORMATION BETWEEN BOTH COMPACTS AS A FYI FOR FUTURE REFERENCE, IF NEEDED.
- Yes In some cases I can see a benefit, especially in situations where the placement is with a non-guardian family member. If placement is not suitable, DPHHS has more options than Corrections.
- Yes The two compacts provide two separate sets of services. Children and Youth provide completely different services to assess safety in the home and provide necessary service provisions. Probation addresses the delinquency issues including but not limited to school based, supervision, d & a testing, and general compliance with probation conditions. The probation piece addresses community safety whereas the c&y addresses the child's safety within the household setting.
- Yes
- No Inefficient use of resources
- yes Yes, primarily for the purpose of law enforcement notification and to communicate progress and treatment information. If a better method of communication existed, it might not be necessary.

Question 10: In your opinion, what compact should have primary responsibility over such dual-status cases? Please explain

If the sending/placing state remains the official guardian for the youth then the ICPC agency should have primary authority. If youth is placed with the legal guardian in the receiving state then ICJ should have primary authority

This would be the same explanation as #6 but in reverse. ICPC would be able to intervene when placements begin to fail.

It would be nice if it could be worked out that both could work together. It doesn't seem as though ICPC supervises the offender as a probation officer would.

If probation monitoring is ordered the probation services should be responsible.

ICPC - residential, both - private homes, family

If the juvenile is a delinquent and has an open foster care case, the delinquent case is the primary and this will fall under ICJ

ICPC needs to handle the dependency aspect of the case but work with us to handle any supervision aspect. We work closely with our Division of Child and Family so this process would be a continuation of that working relationship.

I do not think the ques above is a dual function it;s a family placement you are talking about.

ICJ has always superseded ICPC. Simply put, if the judge adjudicates a child dependent, and orders the child into placement in a foster home with MS. Smith, but the next Judge adjudicate the same child delinquent and orders him into the instituion, he goes into the institution. There is no debate. The delinquency disposition supercedes.

If ICPC is not going to provide supervision, ICJ should. ICJ understands how to supervise these youth.

Because there are law violations and possible public safety risks involved.

The delinquency adjudication will generally be the more recent adjudication. Supervision and control (ICJ) are primary in that if you cannot control the youth you cannot provide treatment to the youth through ICPC.

EACH COMPACT NEEDS ARE DIFFERENT, SO EACH COMPACT'S NEED SHOULD BE MET.

Depends on the status of the youth, the type of placement, risk assessments, etc. ICJ in most cases should be primary though since the youth is under probation/parole supervision for crimes committed.

Two separate entities dealing with completely separate issues.

ICJ

These cases should be staffed and decided upon at the county level and communication should continue throughout the process for law enforcement notification and progress reporting. The law enforcement notification should take precedent, which generally would mean ICJ would be the primary if there is an active IJC order.

Question 11: Should ICJ rules allow for the placement of juveniles in homes where there is an active child protection services case or the parental rights have been terminated? Please explain

- No
This is a difficult yes/no answer. Every case is so different. I think the rules could allow for a request for an investigation into the placement< BUT child welfare would have to conduct a complete home study and after which they would have to consent to the placement. If parental rights have been terminated that questions of legal guardianship for the youth would have to be clarified. Case by case basis..
- No
It is not in the best interest of the juvenile. When ICJ approves these types of placements, CPS has to be involved in the receiving state. When this occurs, it violates the purpose of the compact - to protect juveniles and the public.
- No
No, ICJ is in the business of the safety and protection of the child and the public. It also presents significant liability issues.
- No
ICJ is looking out for the juvenile's safety as well as the community's protection.
- No
- No
Depends on circumstance. Generally, no, but if youth is over 18, and chooses to live with parents, or investigation does not involve him maybe..
- No
It all depends on the CPS referral and the outcome of the investigation. As far as Parental rights that would be something to look at as far as an Order or amended order or basically the circumstances of the case.
- No
That would cause endangerment. No ICJ rules should not override a situation where parental rights are terminated and CPS is involved.
- No
But this matter needs further discussion.
- No
I would be concerned if a child was placed in a home where there was prior substantiation of abuse/neglect.
- No
No, and I have denied as such, we do not have the history on that termination and it would likely be a risky placement. Not unless complete history and current functioning by an agency can be provided. If there is TPR, then the parental relationship no longer exists. However, we know some of our older youth will return to Mom when they turn 18 no matter. For these kids who are now old enough and big enough to protect themselves from the neglect Mom may still be practicing, then these kids ought to have the chance to live with the only family with whom they want to live. If there is an active cps case, it would depend on the case specifics.
- Yes
Don't think we can prevent it.
- No
If parental rights have been terminated, placement of juveniles in those homes would violate the jurisdiction and protection of family courts.
- Yes
It depends on the situation, all are different.
- Yes
Most ICJ cases are adolescents. Safety concerns for younger siblings may not be applicable to older youth. This issue can be decided on a case-by-case basis. ICJ Rule #5-101-4 already provides for rejection of unsuitable placements.
- Yes
If the ICJ home study approves the residence. In answering this question we need to remember the age of the delinquent youth that are going through ICJ for placement. They are older and many times want to be with the biological parent. This is more of an issue for small children and babies placed through ICPC with a parent who has lost their parental rights.
- No
THE COURT'S DECISION WOULD NEED TO BE UPHOLD IF THE PARENTAL RIGHTS WERE TERMINATED OR IN QUESTION FOR THE SAFETY OF THE YOUTH.
- No
Parental rights are terminated for a reason. Placing a youth in a home under these circumstances is placing the youth into a high-stress environment and setting that youth up for failure. If family services and the courts are comfortable enough with the parent's skills then they can reinstate the parent's rights prior to placement.
- Yes
This should be done on a discretionary basis.
- No
You are just asking for trouble with a capitol T.
Should not be an absolute Yes or No, but rules should determine a process for considering this fact and weighing the best option for the specific juvenile offender and the specific home.
- Yes
Generally they should not, unless there has been a thorough review and recommendations with a plan from all parties has been identified.

Question 12: What challenges do you face when working with a youth involved in both compacts?

None

Poor coordination and communication between separate agencies. Placement agencies may be communicating with the child welfare agency only and not the probation/parole agency. Also differing opinions on what is the most appropriate treatment or case management services being provided in the receiving state. Issues related to authority/responsibility when the placement fails and the youth must be returned. Transport and security issues.

Services being initiated on the local level.

Often, ICPC referrals are never made. If the placement fails, the financial responsibility for return of the juvenile is an issue.

As stated above, ICJ's time frames, and how we resolve problems different than ICPC's.

In the limited number of cases the ICPC staff have been extremely helpful.

Many misunderstandings around compacts. ICPC and dependency staff are not informed (in my state) of differences. Very difficult cases.

N/A to IL ICJ Parole

For ICJ and ICPC, we try to work together to come up with a resolution if there are some challenges.

A main challenge faced is that a youth may not be supervised on probation if affiliated with ICPC in a residential facility.

It is really not a issue here.

We are just not aware of when a child is placed here under ICPC and they are on probation/parole. We only know about these when there are problems. I think some of these problems could have been prevented had we been involved earlier.

I have not had any interface in 13 years.

When we place a child in foster care in another state, we use ICPC because it is required for the foster care license. If the child is delinquent, we'll use ICJ to request probation/aftercare services.

We constantly get complaints from law enforcement and local authorities about these delinquent youth being placed in facilities with no supervision. Last week I spent 4 hours explaining this to a city where a residential facility is located. All of the youth in the facility are under probation/parole supervision from another state and not one went through ICJ. Two years ago, two ICPC youth escaped from a facility, nearly beat a youth worker to death, stole a car, and were on the lam for days. ICPC and residential facilities need to understand the danger some of these youth pose to the community.

I avoid any challenges, misunderstandings or confusion with dual cases by working strictly under the ICJ and its rules. I apply the rules on a case by case basis.

Receiving information that both are active

N/A

We don't work with youth in both compacts.

This has not been an issue here.

IN SOME CASES, EACH COMPACT NOT WANTING TO INITIATE THEIR HOME STUDY INVESTIGATION BECAUSE THEY ARE WAITING ON THE OTHER COMPACT TO COMPLETE THEIR INVESTIGATION. EACH COMPACT SHOULD COMPLETE THEIR OWN INVESTIGATION IF IT DOES NOT PLACE THE YOUTH IN HARM'S WAY.

Have not had any issues.

If a child's kinship foster placement is going well but he violates his terms of probation, would the youth be expected to return to the sending state due to the violation or revocation of probation. Same for the reverse situation. What if the kin foster home is deemed unsafe, yet the child is following all terms of probation. Which compact takes precedence?

You cannot get them to do anything since the youth is delinquent.

None

The challenge is communication and the lack of proper law enforcement notification, proper notification of treatment progress and release information.

Question 13: Do you have any additional comments on the interaction of ICPC with ICJ?

This has been a major issue for a long time and it is critical that these issues are clarified and worked out asap. We are jointly dealing with some very high risk youth across state lines and both the youth and the public deserve the best coordination of treatment and case management services that both compacts are charged with providing.

Working together in a holistic approach where the compacts overlap can only result in more successful outcomes for our juveniles.

If an individual is adjudicated as a juvenile but has or will reach the age of majority ICPC either will close the case or refuse to accept responsibility for same. // ICPC Rules need equivalent standing of both federal and state law, achieved by ICJ upon the adoption of the compact by the 35th state.

I work closely with the ICPC in Idaho, and we have a great relationship.

No

no

No.

n/a

I know there may be changes on the horizon, I feel it would be important to clarify the mandates and roles of both compacts/

Because we cross train on the compacts and juvenile justice and child welfare issues it is relatively easy for us to use what will best serve the children .

Haven't I said enough?

No.

Re question 10, I wasn't sure what you meant by "such dual-status cases." My answer assumed that you meant delinquent youth placed out-of-state in residential or foster care.

Both compacts need to help one another but we have to remember that ICPCs interests are different from ICJ. So we can overlap these compacts only so far.

NOT AT THIS TIME.

In Montana, even though we are under seperate agencies, we communicate quite well. In any case where there is a question of whether or not ICPC should be involved, we contact our ICPC coordinator.

We would like to see the two work in conjunction and cooperation with one another rather than having one trump the other.

No

None

There should be a formal process to communicate on a regular basis.