



INTERSTATE COMMISSION FOR JUVENILES

RULES COMMITTEE

December 7, 2016
2:00 p.m. EDT

Committee Members in Attendance:

1. Julie Hawkins (MO) Chair
2. Judy Miller (AR) Designee
3. Alicia Ehlers (ID) Designee
4. Jeff Cowger (KS) Commissioner
5. Edwin Lee, Jr. (NJ) Designee
6. Daryl Liedecke (TX) Commissioner
7. Jessica Eldredge (UT) Designee
8. Randall Wagner (WV) Designee
9. Damian Seymour (DE) Ex Officio
10. Rick Masters, Legal Counsel

Committee Members Not in Attendance:

1. Dale Dodd (NM) Commissioner
2. Kevin Brown (NJ) Commissioner
3. Michael Lacy (WV) Commissioner
4. Steve Jett (NPJS) Ex Officio

Guests in Attendance:

1. Michael Farmer (CA) Designee
2. Matt Billinger (KS) Staff
3. Gloria Soja (OR) Designee

ICJ Staff in Attendance:

1. Ashley Lippert, Executive Director
 2. Emma Goode, Administrative and Logistics Coordinator
 3. Shawn Robinson, Administrative and Training Coordinator
 4. Jennifer Adkins, Project Manager
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Call to Order

Chair Hawkins called the meeting to order at 2:02 p.m. EST.

Roll Call

A. Lippert called the roll and a quorum was established.

Agenda

D. Liedecke (TX) made a motion to approve the agenda. A. Ehlers (ID) seconded. The motion passed.

Minutes

J. Miller (AR) made a motion to approve the November 2, 2016 meeting minutes. J. Eldredge (UT) seconded. The motion passed.

Discussion

ICJ Petitioning the Court of Jurisdiction to Return a Runaway

- Chair Hawkins revisited the discussion from the last meeting regarding the return of a runaway noting she invited Mike Farmer (CA) to the Rules Committee meeting to share details of the issue. M. Farmer (CA) briefed on the case which involved a requisition request for a non-delinquent, non-dependent runaway. The runaway was returned after much communication and several reviews of the language in the ICJ Rules and Statute.
- R. Masters advised that ICJ regards “runaways” to be included in the ICJ Statute Article II and suggested amending the definition of runaway in the rules.
- J. Eldredge (UT) suggested moving forward sooner than later noting the increased support for the Juvenile Justice and Delinquency Prevention Reauthorization Act regarding the detainment of juveniles.
- The Rules Committee discussed and agreed to propose an amendment to the term Runaway. Rick Masters, Legal Counsel and Mike Farmer (CA) agreed to draft amended language to Rule 1-101: Definition Runaway and present it to the Rules Committee.
- M. Farmer (CA) referenced the last sentence in paragraph 6 of the Rules 6-103 and 6-103A and questioned in what instance(s) judges would issue written findings detailing the reasons for denial. The Rules Committee discussed past judicial denials and concurred that in most instances denials were due to the incorrect completion of paperwork. Other instances included custody conflicts or a judge’s decision to deny.
- The Rules Committee recommended addressing the concerns through training resources.

Rule 5-104 Closure of Cases

- Chair Hawkins suggested adding language regarding juveniles placed in residential treatment facilities to Rule 5-104 Closure of Cases.
- The Rules Committee discussed and reached a consensus to add a new paragraph in Rule 5-104 to clarify that receiving states may close a supervision case when the juvenile is admitted for a long term stay in a residential facility.
- **J. Miller (AR) made a motion to insert the following language as the new last paragraph in Rule 5-104 - #6. *The receiving state may close the supervision case upon notification that the juvenile has been admitted to a residential facility in excess of ninety (90) calendar days. Upon release from the facility, if the juvenile remains on supervision within the sending state and meets eligibility requirements, the sending state shall submit a new referral.***
D. Liedecke (TX) seconded. The motion passed by a 9-0-0 vote.
- J. Miller (AR) questioned the potential impact to the Form X. A. Lippert commented that it would be left to the discretion of the Technology Committee.

Standardizing Intrastate Relocations

- Chair Hawkins presented for consideration standardizing “intrastate” relocations noting there to be inconsistencies in the processes from state to state and how the relocation information is entered in JIDS after the juvenile has moved.
- The Rules Committee reviewed the current language in Rule 5-101(4) and the Form IA/VI. A. Lippert referenced Rule 5-101(4) that reads... *when there is a change in residence, the progress report is to be used.* In addition to the progress report, the National Office directs

states to add the change of address and denote the date in the JIDS case notes. D. Liedecke (TX) and J. Miller (AR) noted states handle differently when scenarios differ when the initial placement's entire family relocates compared the juvenile solely relocates and resides with another family.

- The Rules Committee discussed whether notification alone was sufficient noting that a juvenile could be returned if the sending state opposed the new location or the receiving state conducted another home evaluation.
- J. Eldredge (UT) suggested that the regions discuss this topic at their next region meetings for input as to whether to address the issue with a rule or a training resource.
- The Rules Committee agreed to defer the topic for discussion to the next meeting.

Old Business

Amendments to the Rules in Sections 500 and 600 and 700 regarding transporting juveniles across state lines

- The Rules Committee reviewed the proposed amendments to Rule 5-103 3(e), Rule 6-103 (10), Rule 6-103A (10), and Rule 7-106 (7) and agreed that the proposals presented reflected the intention of the Rules Committee's motion during the November meeting.

New Business

There was no new business.

Adjourn

- The Rules Committee agreed not to meet in January. The next meeting is February 8, 2017 @ 2 p.m. EST.
- **Chair Hawkins adjourned the meeting without objection 3:17 p.m. EDT.**