



**Interstate Commission
for Juveniles**

Policy Number

03-2009

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ICJ Compliance Policy

Guidelines for Resolving Compliance Issues

Dated:

December 1, 2009

I. Objectives

The objectives of this policy are to establish a proactive process for resolving non-compliance prior to a referral to the Compliance Committee. The guidelines are intended to promote resolution of such issues through positive interaction and seek to invoke punitive sanctions in the most serious cases and/or only as a measure of last resort. While the guidelines set forth in this policy are intended to assist member states with non-compliance problems by promoting positive working relationships and solutions, it is recognized that this process may not be applicable in all cases and it is not intended to circumvent the powers and duties of the Commission to enforce the provisions of the Compact as specified by statute or rules.

II. Applicability

This policy applies to the National Office and all member states.

III. Procedures

When a non-compliance matter or complaint comes to the attention of the National Office, the National Office will respond by taking the action identified in Level One and continuing up the continuum through Level Five or until the issue is considered resolved. The Five Levels for guiding the Commission on compliance matters are identified and outlined. They are as follows:

Level One: At Level One the Executive Director makes contact with the involved Commissioners and attempts to resolve the matter to the satisfaction of both parties. If the matter can't be resolved it is advanced to Level Two for additional action.

Level Two: At Level Two the Executive Director continues to work to identify an acceptable solution by consulting with the appropriate standing Committees, i.e. rules, training etc.

Level Three: At Level Three the Executive Director attempts to resolve the matter by offering technical assistance to include, securing the assistance of subject matter experts, on-site training, assistance with completing a self-assessment audit etc.



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Level Four: At Level Four the Executive Director has exhausted attempts to Resolve the compliance problem using the methods identified in the first three levels. The Executive Director prepares a report to the Executive Committee recommending that the matter be referred to the Compliance Committee for further action. (See: *Compliance Policy: Procedure for Investigating Allegations of Non-Compliance*).

Level Five: Level Five the Compliance Committee finds the non-compliant State in default and assesses a penalty. (See: *Compliance Policy: Procedure for Investigating Allegations of Non-Compliance*).