

INTERSTATE COMMISSION FOR JUVENILES

Rules Committee Meeting Minutes

January 17, 2024

2:00 p.m. ET

Via Zoom



Preliminary Business

Call to Order

Rules Committee Chair S. Horton (NC) called the meeting to order at 2:00 p.m. ET.

Roll Call

Director Underwood called the roll, and a quorum was established.

Voting Commissioners/Designees in Attendance:

1. Stephen Horton (NC), Commissioner, Chair
2. Caitlyn Bickford (NH) Commissioner, Vice Chair
3. Judy Miller (AR), Designee
4. Howard Wykes (AZ), Designee
5. Jean Hall (FL), Commissioner
6. Tracy Hudrlik (MN), Commissioner
7. Julie Hawkins (MO), Commissioner
8. Sasaun Lane (OH), Commissioner
9. Trissie Casanova (VT), Designee
10. Dawn Bailey (WA), Designee
11. Casey Gerber (WI), Commissioner

Non-Voting Members in Attendance:

1. Jen Baer (ID)

Guest in Attendance:

1. Sherri Springate (KY)

Members Not in Attendance:

1. Jennifer LaBaron (NJ), Commissioner
2. Edwin Lee, Jr. (NJ), Designee
3. Jedd Pelander (WA), Commissioner

National Office Staff in Attendance:

1. MaryLee Underwood, Executive Director
2. Jenny Adkins, Operations and Policies Specialist
3. Joe Johnson, System Project Manager
4. Amanee Cabbagestalk, Training and Administrative Specialist

Agenda

T. Hudrlik (MN) made a motion to approve the agenda as presented. D. Bailey (WA) seconded. The motion passed.

Minutes

J. Miller (AR) made a motion to approve the December 20, 2023, meeting minutes. J. Hawkins (MO) seconded. The motion passed.

Check-ins

- Rules Committee Chair Horton (NC) welcomed everyone to the first meeting in 2024. He shared two quotes from Bob Ross to emphasize a meeting expectation that everyone’s voice is important and to remind members to review the ICJ Rules and proposals globally.

Reports

Review Rules 4-104 and 7-106 consistency edits.

- Rules Committee Chair Horton (NC) reported discussions from a meeting between the Rules Committee Chairs, Jenny Adkins, Operations and Policy Specialist, and MaryLee Underwood, Executive Director, regarding minor consistency edits to Rules 4-104 and 7-106. The authors of both rule proposals were emailed information related to the edits.
- Director Underwood updated that Racial Diversity Equity and Inclusion Chairs and the Committee endorsed the edits related to their proposal.

Unfinished Business

Decide whether an appeals process for denied home evaluations is needed.

- Rules Committee Chair Horton (NC) recalled the motion made during the Rules Committee May 16, 2023, meeting for the Rules Committee to consider a proposal to create an ICJ appeals process to address the denial of home evaluations.
- The motion was discussed during the December 20, 2023, meeting and a new motion was made to consider creating both an ICJ appeals process to address the denial of home evaluations and to include the possibility of extending the time frame of those home evaluations. The topic was then added to the January agenda for further discussion.
- J. Hawkins (MO) commented that “appeals” may not be the best term and suggested instead “request for reconsideration.” The option would keep the UNITY case records accurate and avoid the need for closing the case and resubmitting as a new case transfer. She suggested many home evaluations are denied based on inaccurate or insufficient information.
- H. Wykes (AZ) updated that the West Region discussed the proposal and was not in favor of developing an appeals process. They believed these matters can be resolved with communication between the states and added that resubmitting the information in UNITY is not a difficult process.
- T. Casanova (VT) supported the option for “reconsideration” rather than “appeal”. She noted that cases are becoming more complicated and new information oftentimes warrants reconsideration.
- T. Hudrlik (MN) commented that she did not support the term “appeals process.” If the goal is to enter new information into UNITY for reconsideration, perhaps there is a better way to do it in UNITY and make a request to Technology Committee to review in UNITY.
- Director Underwood suggested specifically defining the issue prior to recommending a solution.
- J. Miller (AR) stressed communications to be key and suggested the Information Technology Committee consider a box or section for a justification to ask for reconsideration.
- **T. Casanova (VT) made a motion to refer to the Technology Committee a request to create a new event in UNITY to reconsider a denied home evaluation without having to re-submit an entirely new request. J. Hawkins (MO) seconded. S. Horton (NC) opposed. The motion passed.**
- Director Underwood reminded the Rules Committee that change in UNITY requires completing the UNITY enhancement online request. This ensures all information necessary for the committee to evaluate the request is provided. The issue appears to be broader than UNITY.
- T. Casanova (VT) and J. Hawkins (MO) agreed to complete the online UNITY enhancement request.

Determine options for states when issues arise in completing home evaluations in 45-calendar days

- Rules Committee Chair Horton (NC) suggested that this topic be tabled for the February meeting.

- T. Hudrlik (MN) made a motion to table the item (determine options for states when issues arise in completing home evaluations in 45-calendar days) to the next meeting. J. Hall (FL) seconded. The motion passed.

New Business

Discuss whether Rules [6-102\(9\)](#), [7-102](#), and [7-104](#) regarding warrants and unaccompanied juveniles are in conflict

- Rules Committee Vice Chair C. Bickford (NH) led a discussion whether Rules [6-102\(9\)](#), [7-102](#), and [7-104](#) regarding warrants, runaways, and unaccompanied juveniles to be in conflict. Prior to the meeting, Vice Chair Bickford (NH) shared a redacted New Hampshire court order to assist in the discussion. The age of majority in New Hampshire is 18. When a juvenile of age 18 or older is picked up, they are placed in a county corrections facility. In a recent return case, the demanding state made plans for a juvenile held pending a warrant to be returned unaccompanied. New Hampshire judiciary suggested that the ICJ Rules [6-102\(9\)](#), [7-102](#), and [7-104](#) are contradictory in that they allow a juvenile who is an absconder to be held without bond. The same juvenile can then be transported by law enforcement to the airport to fly home unaccompanied because the demanding state determines what measures are required to ensure safety. A judicial member of the New Hampshire ICJ State Council raised the question at their last council meeting. Rules Committee Vice Chair C. Bickford (NH) brings the question to the committee for input.
- J. Hall (FL) shared the procedures that Florida uses in making the determination of escorting juvenile returns.
- J. Hawkins (MO) voiced concern to the language in ICJ Rule 6-102(9) that the home/demanding state is responsive to the holding state's court orders in effecting the return of its juveniles.
- T. Hudrlik (MN) noted a contradiction of 6-102(9) to Rule 7-102(1) that states the home/demanding/sending state's ICJ Office shall determine appropriate measures and arrangements to ensure the safety of the public.
- The Rules Committee agreed to review the language in Rule 6-102(9), particularly with the court order language.
- Rules Committee Chair Horton (NC) requested the discussion be included in the February meeting under Unfinished Business.
- Director Underwood noted that because there was no motion on the floor a motion was not necessary to table the discussion.
- J. Miller (AR), J. Hawkins (MO), C. Bickford (NH), and J. Hall (FL) agreed to review the history of modifications of Rule 6-102(9).

Next Steps

- Rules Committee Chair Horton (NC) requested members bring ideas to the February meeting related to the home evaluations denial and the history of Rule 6-102(9).
- The next Rules Committee meeting is scheduled for February 21, 2024.

Adjourn

Rules Committee Chair Horton (NC) adjourned the meeting by acclamation without objection at 3:12 p.m. ET.