

INTERSTATE COMMISSION FOR JUVENILES

Rules Committee Meeting Minutes

July 12, 2023

2:00 p.m. ET

Via Zoom



Voting Members in Attendance:

1. Caitlyn Bickford (NH), Commissioner, Vice Chair
2. Judy Miller (AR), Designee
3. Howard Wykes (AZ), Designee
4. Michael Tymkew (MI), Commissioner
5. Tracy Hudrlik (MN), Commissioner
6. Julie Hawkins (MO), Commissioner
7. Edwin Lee, Jr. (NJ), Designee
8. Trissie Casanova (VT), Designee
9. Dawn Bailey (WA), Designee

Non-Voting Members in Attendance:

1. Nita Wright (IN)
2. Kelly Palmateer (NY)
3. Raymundo Gallardo (UT)

Voting Members not in Attendance:

1. Stephen Horton (NC), Commissioner, Chair
2. Michael Farmer (CA), Designee
3. Jedd Pelander (WA), Commissioner

Guest in Attendance:

1. Sherri L Springate (KY)

National Office Staff & Legal Counsel in Attendance:

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

Call to Order

Vice Chair C. Bickford (NH) called the meeting to order at 2:00 p.m. ET.

Roll Call

Director Underwood called the roll and acknowledged that a quorum was established.

Agenda

E. Lee, Jr. (NJ) made a motion to approve the agenda. T. Casanova (VT) seconded. Vice Chair Bickford (NH) indicated the agenda was approved by unanimous consent without objection.

Minutes

J. Miller (AR) made a motion to approve the May 16, 2023 meeting minutes as presented. T. Hudrlik (MN) seconded. Vice Chair Bickford (NH) indicated the minutes were approved by unanimous consent without objection.

Discussion

Review Updated Proposals from Committees, Regions, and Commissioners

Rule 4-102: Sending and Receiving Referrals by Midwest Region

- Vice Chair C. Bickford (NH) recapped that the Rules Committee initially did not support the proposed amendment to Rule 4-102: Sending and Receiving Referrals submitted by the Midwest Region. During the Rules Committee face-to-face meeting on May 16, the Rules Committee members deliberated the proposal at length and recommended edits to the proposal for the Midwest Region to consider.
- Vice Chair C. Bickford (NH) presented the updated proposal for re-consideration for support by the Rules Committee, noting that the Midwest accepted all recommendations and re-submitted the proposal.
- J. Miller (AR) requested a refresher on the changes. Vice Chair C. Bickford (NH) explained the changes in paragraph c., subsections i. and ii.
- **T. Hudrlik (MN) made a motion to recommend for adoption as presented the proposed amendment to Rule 4-102: Sending and Receiving Referrals submitted by the Midwest Region. E. Lee, Jr. (NJ) seconded. J. Miller (AR) opposed. The motion passed by an 8-1-0 vote.**

Rule 4-104: Authority to Accept/Deny Supervision by Delaware and Maryland Commissioners

- Vice Chair C. Bickford (NH) recapped that the Rules Committee initially did not support the proposed amendment to Rule 4-104: Authority to Accept/Deny Supervision submitted by the Delaware and Maryland Commissioners. During the Rules Committee face-to-face meeting on May 16, the Rules Committee deliberated the proposal at length and recommended edits to the proposal for the Delaware and Maryland Commissioners to consider.
- Vice Chair C. Bickford (NH) presented the updated proposal for re-consideration for support by the Rules Committee, noting that the Commissioners accepted all recommendations and no additional modifications were made.
 - **J. Miller (AR) made a motion that the Rules Committee maintain the original decision not to recommend adoption.**
 - J. Miller (AR) added that although the Rules Committee recommended edits to the proposal, she did not support the proposal.
 - J. Hawkins (MO) commented that the authority already exists in the rules. The proposal does not change the current practice, rather moves to a positive rather than a negative framing, and requires justification for denials.
 - J. Miller (AR) stated that her issue was with the amended paragraph #5.
 - T. Hudrlik (MN) explained that the proposed language rewords the current rule language to a positive tone.
 - **J. Miller (AR) withdrew her motion.**

- **J. Hawkins (MO) made a motion to recommend for adoption as presented the proposed amendment to Rule 4-104: Authority to Accept/Deny Supervision submitted by Delaware and Maryland Commissioners. H. Wykes (AZ) seconded. The motion passed by a 9-0-0 vote.**

Review Proof of Concept and Quotes for Proposals

- Vice Chair C. Bickford (NH) provided an overview of the four rule proposals that have UNITY, forms, and fiscal impacts. Quotes were prepared by the UNITY vendor (Optimum Technology) for modifications in UNITY directly related to the rule amendments. She highlighted each of the four rule proposals and provided an explanation of the UNITY impact and justifications and presented the estimated cost for each.
- H. Wykes (AZ) asked if the quotes were for one-time expenses. Director Underwood confirmed the costs to be one-time costs for the modifications.
 1. Rule 4-102: Midwest Region
 - UNITY Impact: Addition of UNITY data fields for the receiving state to provide a point of contact and allow the workflow to track the new required 10 calendar day timeframe. Quote: \$15,750.
 - There were no questions or comments.
 2. Rule 4-104: Delaware and Maryland
 - UNITY & Form Impact: New required data field on Form VIII: Home Evaluation Report titled “Detailed Justification” which appears if a user selects “Supervision Not Recommended” for the recommendation. Quote: \$17,250.
 - R. Gallardo (UT) suggested making better use of the current form to avoid fiscal impact. He commented about the ample space currently on the form.
 - T. Casanova (VT) commented that while there is space on the current form, oftentimes the justifications for denial are insufficient. The intent of the Racial Diversity, Equity, and Inclusion Committee was to improve the justifications for denials. The ICJ Data Walk (review of ICJ data) highlighted that requests for transfer of supervision by youths of color are denied more frequently than requests for youths who are identified as “white.”
 - The Rules Committee discussed recommending the Technology Committee reconsider whether a change to the form is warranted.
 - J. Hawkins (MO) voiced concern about not improving the rules based on costs to update the data system. She asked for the total quote costs for all proposals. Director Underwood shared the total estimated costs for the four proposals to be \$97,500, and the budget line item is \$100,000. She added that once UNITY modifications commence, the actual costs could be slightly lower.
 3. New Rule 5-103A: Technology Committee
 - UNITY & Form Impact: Edits to applicable UNITY Failed Supervision Event to permit use of new Form IX: Failed Supervision Report and addition of new timelines. Quote: \$50,750.
 - There were no questions or comments.

4. Rule 8-101: Rules Committee

- UNITY and Form Impact: Edits to UNITY data fields and workflow are required to remove the travel permit requirement for transfer of supervision cases for juveniles who already reside in the receiving state.
Quote: \$13,750

- Vice Chair C. Bickford (NH) explained that if the bundled proposed rule amendments (Rule 1-101, 4-101, and 4-103) passes and Rule 8-101 passes there is no change to UNITY and no cost. However, if the bundle passes and the proposal to Rule 8-101 does not pass, there will be impacts to UNITY. The chart below provided a visual explanation.

What happens to Travel Permit requirements for juveniles who already reside in the receiving state at the time of adjudication?		
	If 8-101 Passes	If 8-101 Does Not Pass
If Bundle Passes	 Travel Permit Required No Changes to UNITY	 Changes Required to UNITY to Remove Travel Permit For These Cases
If Bundle Does Not Pass	 Travel Permit Required No Changes to UNITY	 Travel Permit Required No Changes to UNITY

Old Business

Annual Business Meeting: Rule Proposal Information Session

- Vice Chair C. Bickford (NH) presented the list of proposed rule amendments and the Rules Committee members assigned to present each proposal during the 2023 Annual Business Meeting Rule Proposal Training Session.
- The business for the Rules Committee is now complete. Therefore, the Rules Committee meeting time on August 2 will be used by the presenters to rehearse for the Rule Amendment Training session.
- M. Tymkew (MI) asked for clarification on the presentations and expectations. Vice Chair C. Bickford (NH) replied that the slides and presenter information is prepared by the National Office. E. Lee, Jr. (NJ) acknowledged the great work by the National Office to prepare the presentation and scripts for the presenters.
- Emma Goode will cancel the August 2 Rules Committee meeting. Jenny Adkins will create a new link and rehearsal invitation to the Rules Committee members who will be presenting at the Annual Business Meeting (ABM).

New Business

There was no new business.

Adjourn

Vice Chair Bickford adjourned the meeting by acclamation without objection at 2:39 p.m. ET.