

2025 Rule Amendment Proposals With Comments



Contents

Proposals At-A-Glance
Rule Amendment Proposals
with Comments

Published March 31, 2025 after Commenting Period

Proposals Subject to Change After Commenting Period Final Posting Scheduled
for July 28, 2025

Proposals At-A-Glance

	Rule Number and Name	Submitted By	Supported by Rules Committee	Effect on other Rules & Advisory Opinions	UNITY Impact	FORMS Impact	FISCAL Impact
Section 100 Definitions							
1	1-101: Human Trafficking	East Region	N	N	N	N	N
Section 400 Transfer of Supervision							
2	4-102: Sending and Receiving Referrals	Rules Committee	Y	Y	Y	N	Y; TBD
3	4-103: TOS Procedures for JSOs	Rules Committee	Y	Y	Y	N	Y; TBD
4	4-104: Authority to Accept/Deny Supervision	Midwest Region	Y	Y	Y	Y	Y; TBD
Section 500 Supervision in Receiving State							
5	5-103A: Failed Supervision Determined by Receiving State	Rules Committee	Y	Y	Y	Y	Y; TBD
Section 600 Voluntary and Non-Voluntary Return of Juveniles/Runaways							
6	6-102: Voluntary Return of Runaways, Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders	Rules Committee	Y	N	N	N	N
Section 800 Travel Permits							
7	8-101: Travel Permits	Rules Committee	Y	N	N	N	N

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

Proposed by: East Region

NEW Rule 1-101: Definitions

Human Trafficking: exploitation of a person through the use of force, fraud, or coercion for the purposes of forced labor or commercial sex. For sex trafficking of a person under the age of 18, the elements of force, fraud, or coercion are not needed since anyone under the age of 18 cannot consent to commercial sex acts.

Justification:

Currently there is no definition in the ICJ Rules for Human Trafficking. Due to the correlation of running away and Human Trafficking, we thought it is important to have a definition since runaways are at high risk for trafficking. Having a definition of trafficking will allow for better identification of trafficking cases to be documented in UNITY and case coordination with other stakeholders.

If Human Trafficking is mentioned in any future rules, there will already be a definition in place. This proposal is based on the federal definition of human trafficking.

Effect on Other Rules or Advisory Opinions: None

UNITY Impact: None

Forms Impact: None

Fiscal Impact: None

Effective Date: #/1/2026

Region Referral to Rules Committee: [12/10/2024](#)

Rules Committee Action: Click on meeting date to view approved minutes.

[12/18/2024](#) – Rules Committee voted 7-2-0 to not support this proposal because the term is not used in the ICJ Rules, and legal documents do not contain definitions that are not referenced in the document.

Rule 1-101: Definitions "Human Trafficking" (East Region)

Comments received during Rule Amendment Proposal Commenting Period

Commenter	State	Role	Comment
Judy Miller	Arkansas	Deputy Compact Administrator	It is not necessary to have this definition; it is not mentioned in the ICJ Rules.
Casey Gerber	Wisconsin	Commissioner	<p>It is not necessary to add this definition as Human Trafficking is not mentioned in the ICJ Rules.</p> <p>WI ICJ State Council supports continued efforts regarding working toward capturing human trafficking information related to runaways and high-risk youth.</p>
Nita Wright	Indiana	Deputy Compact Administrator	To keep consistency with the rules, the definition of human trafficking is not needed.

Proposed by Rules Committee

RULE 4-102: Sending and Receiving Referrals

1. Each ICJ Office shall develop policies/procedures on how to handle ICJ matters within its state.
2. The sending state shall maintain responsibility until supervision is accepted by, and the juvenile has arrived in, the receiving state.
 - a. State Committed (Parole) Cases – When transferring a juvenile parolee, the sending state shall not allow the juvenile to transfer to the receiving state until the sending state’s request for transfer of supervision has been approved, except as described in 4-102(2)(a)(ii).
 - i. The sending state shall ensure the following referral is complete and forwarded to the receiving state forty-five (45) calendar days prior to the juvenile’s anticipated arrival. The referral shall contain: Form IV, Parole or Probation Investigation Request; Form VI, Application for Services and Waiver; and Order of Commitment. The sending state shall also provide copies (if available) of the Petition and/or Arrest Report(s); Legal and Social History; supervision summary if the juvenile has been on supervision in the sending state for more than thirty (30) calendar days at the time the referral is forwarded; photograph, and any other pertinent information deemed to be of benefit to the receiving state. Parole conditions, if not already included, shall be forwarded to the receiving state upon the juvenile’s release from an institution. Form V, Notification from Sending State of Parolee or Probationer Proceeding to the Receiving State, shall be forwarded prior to or at the time the juvenile relocates to the receiving state.
 - ii. When it is necessary for a State Committed (parole) juvenile to relocate prior to the acceptance of supervision, under the provision of Rule 4-104(5), the sending state shall determine if the circumstances of the juvenile’s immediate relocation justify the use of provide to the receiving state a Form VII, Out-of-State Travel Permit and Agreement to Return, prior to the juvenile’s departure from the sending state, including consideration of the appropriateness of the residence. If approved by the sending state, it shall provide the receiving state with the approved Form VII, Out-of-State Travel Permit and Agreement to Return, along with a written explanation as to why ICJ procedures for submitting the referral could not be followed.
 - iii. If not already submitted, the sending state shall provide the complete referral to the receiving state within ten (10) business days of submitting the Form VII, Out-of-State Travel Permit and Agreement to Return, being issued. ~~The receiving state shall make the decision whether or not it will expedite the referral.~~

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

- b. Probation Cases – The sending state shall ensure the following referral is complete and forwarded to the receiving state. The referral shall contain: Form IV, Parole or Probation Investigation Request; Form VI, Application for Services and Waiver; ~~O~~order of ~~A~~adjudication and ~~D~~isposition; ~~C~~onditions of ~~P~~robation; and ~~P~~etition and/or ~~A~~arrest ~~R~~eport(s). The sending state shall also provide (if available) ~~L~~egal and ~~S~~ocial ~~H~~istory; supervision summary, if the juvenile has been on supervision in the sending state for more than thirty (30) calendar days at the time the referral is forwarded; photograph, and any other pertinent information. Form V, Notification from Sending State of Parolee or Probationer Proceeding to the Receiving State, shall be forwarded prior to or at the time the juvenile relocates to the receiving state, if the juvenile is not already residing in the receiving state.
3. The sending state shall forward additional documentation, if available, at the request of the receiving state. The receiving state shall not delay the investigation pending receipt of the additional documentation. If the juvenile is already residing in the receiving state, the receiving state shall obtain the juvenile’s signature on the Form VI, Application for Service and Waiver.
4. The receiving state shall, within forty-five (45) calendar days of receipt of the referral, forward to the sending state the home evaluation along with the final approval or disapproval of the request for supervision ~~or provide an explanation of the delay to the sending state.~~

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013; amended October 9, 2013, effective April 1, 2014; amended August 26, 2015, effective February 1, 2016; clerically amended October 17, 2016; amended September 27, 2017, effective March 1, 2018; amended September 11, 2019, effective March 1, 2020; clerically amended May 19, 2021; amended October 7, 2021, effective March 1, 2022

Justification:

In 2024, Rule 8-101 was amended to clarify that travel permits are required for all pending transfer requests. The current language in Rule 4-102(2)(a)(ii-iii) could create confusion in that it appears to allow the option of sending a travel permit for a parolee who must relocate prior to the acceptance of supervision. The proposed edits clarify the requirement of a travel permit for this unique situation.

The language also mirrors the proposed edits to Rule 4-103(3). Because the sections in Rules 4-102(2)(a)(ii-iii) and 4-103(3) speak to the same process, but for different populations, the language should be as similar as possible to eliminate confusion and inconsistencies between the two rules.

The language regarding “expediting” the process in Rule 4-102(2)(a)(iii) is stricken, as the receiving state has the discretion to expedite the home evaluation. Since it is not a requirement, and there is no timeframe or mechanism to track this, the language should be removed.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

The language that is suggested to be removed from Rule 4-104(4) creates confusion with this rule. The rule clearly states that a receiving state has 45 days to forward the home evaluation with the final approval or disapproval. It should end at that to lessen confusion and keep the rule to its intended purpose. No other rule allows for the ambiguity presented with this language that implies that states do not have to comply with the 45-day timeframe if an explanation is provided. This creates unnecessary confusion and frustration.

The timeframe should be maintained just as it is in any other rule without the ambiguity of language to suggest otherwise.

Effect on Other Rules or Advisory Opinions:**Administrative Updates: Advisory Opinions**

- [Advisory Opinion 02-2015: Signatures on the Form VI](#). The rule is quoted in entirety in the advisory opinion and will require administrative updates to reflect new language. However, the summary and findings are not affected by the proposed language.

UNITY Impact: Yes. The current due date for submitting the full referral after submitting a travel permit is currently calculated according to 10 business days after "arrival date." The calculation would need to be adjusted to 10 business days after submission date.

Forms Impact: None

Fiscal Impact: Given the impact on UNITY, there would be a fiscal impact. Cost estimates will be provided in the final rule amendment proposal posting on July 28, 2025.

Effective Date: #/1/2026

Rules Committee Action: Click on meeting date to view approved minutes.

[2/21/2024](#) – Rules Committee voted 6-5-1 to recommend rule amendment.

[6/13/2024](#) – Rules Committee voted 10-0-0 to recommend rule amendment.

2/19/2025 – Rules Committee voted 6-0-0 to edit language in paragraph 2(a)(ii) to clarify that the written explanation is to be submitted “along with” the Form VII, Travel Permit.

Rule 4-102: Sending and Receiving Referrals (Rules Cmte)

Comments received during Rule Amendment Proposal Commenting Period

Commenter	State	Role	Comment
Shyra Bland	New Jersey	Deputy Compact Administrator	I think the amendment proposal allows for clarity.
Judy Miller	Arkansas	Deputy Compact Administrator	Rule 4-102. 4: In my opinion, the Receiving State should be allowed to have an extension when completing a Home Evaluation. Many times, there are extenuating circumstances that cannot be avoided to complete the Evaluation in 45 days. The ICJ Rules allow for an extension when returning runaways. There should be a Rule to allow an extension for Home Evaluations.
Nita Wright	Indiana	Deputy Compact Administrator	The clarity achieved by cleaning up this rule is appropriate and helpful.
Julie Hawkins	Missouri	Commissioner	I have concerns about striking "or provide an explanation of the delay to the sending state" in number 4. I think it is important to have an expectation to notify the sending state of delays or challenges completing a home evaluation request. More work can be done to this language to allow states the ability to work together to resolve challenging cases while maintaining accountability. I would be in favor of allowing a 10 or 15-day extension when both states are in agreement. This would be consistent with the practice in other sections of the rules and would avoid challenging cases being prematurely denied.

Rule 4-102: Sending and Receiving Referrals (Rules Cmte), continued

Nina Belli	Oregon	Commissioner	<p>The Oregon ICJ State Council feels that removing the suggested wording in (2)(a)(ii) of “determined if the circumstances of the juvenile’s immediate relocation justify the use of a travel permit” and leaving “...along with a written explanation as to why ICJ procedures for submitting the referral could not be followed” elevates guidance to states as there might be extenuating circumstances, and could come across as negative and/or could put states on the defensive.</p> <p>Also, the UNITY database asks for “Explanation for why juvenile allowed to proceed to the receiving state prior to acceptance”; So, shouldn’t the wording in this rule match what is in UNITY for consistency? This wording would accomplish the same goal as the proposed wording, provides guidance, has a more approachable tone, and would appear to have little to no fiscal or UNITY impact.</p> <p>In the justification section of the proposal there appears to be a typo where it references Rule 4-104(4) and it should reference Rule 4-102(4).</p>
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Proposed by Rules Committee

RULE 4-103: Transfer of Supervision Procedures for Juvenile Sex Offenders

1. When transferring a juvenile sex offender, the sending state shall not allow the juvenile to transfer to the receiving state until the sending state's request for transfer of supervision has been approved, or reporting instructions have been issued by the receiving state unless Rule 4-103(3) is applicable.
2. When transferring a juvenile sex offender, the referral shall consist of: Form VI, Application for Services and Waiver; Form IV, Parole or Probation Investigation Request; Order of Adjudication and Disposition; Conditions of Supervision; Petition and/or Arrest Report. The sending state shall also provide (if available): Safety Plan; Specific Assessments; Legal and Social History information pertaining to the criminal behavior; Victim Information, i.e., sex, age, relationship to the juvenile; sending state's current or recommended Supervision and Treatment Plan; photograph, and all other pertinent materials. Parole conditions, if not already included, shall be forwarded to the receiving state upon the juvenile's release from an institution. Form V, Notification from Sending State of Parolee or Probationer Proceeding to the Receiving State, shall be forwarded prior to or at the time the juvenile relocates to the receiving state, if unless the juvenile is ~~not~~ already residing in the receiving state pursuant to Rule 4-103(3).
3. When it is necessary for a juvenile sex offender to relocate or reside with a legal guardian prior to the acceptance of supervision, under the provision of Rule 4-104(5) ~~and there is no legal guardian in the sending state, the sending state shall determine if the circumstances justify the use of~~ provide to the receiving state a Form VII, Out-of-State Travel Permit and Agreement to Return, prior to the juvenile's departure from the sending state, ~~including consideration of the appropriateness of the residence. If approved by the sending state's ICJ Office, the following shall be initiated:~~ along with a written explanation as to why ICJ procedures for submitting the referral could not be followed.
 - a. ~~The sending state shall provide the receiving state with an approved Form VII Out-of-State Travel Permit and Agreement to Return along with a written explanation as to why ICJ procedures for submitting the referral could not be followed.~~
 - b. If not already submitted, the sending state shall ~~transmit~~ provide the a complete referral to the receiving state within ten (10) business days of submitting the Form VII, Out-of-State Travel Permit and Agreement to Return. ~~The receiving state shall make the decision whether it will expedite the referral or process the referral according to Rule 4-102.~~
 - c. Within five (5) business days of receipt of the Form VII, Out-of-State Travel Permit and Agreement to Return, the receiving state shall advise the sending state of any applicable registration requirements and/or reporting instructions, ~~if any~~. The sending state shall ~~be~~

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

~~responsible for communicating the registration requirements and/or reporting instructions to the juvenile and his/her~~ their family in a timely manner.

- d. The sending state shall maintain responsibility until supervision is accepted by, and the juvenile has arrived in, the receiving state. ~~The receiving state shall have the authority to supervise juveniles pursuant to reporting instructions issued under 4-103(3)(c).~~
4. In conducting home evaluations or when issuing reporting instructions for juvenile sex offenders, the receiving state shall monitor ~~ensure~~ the juvenile's compliance with local policies or laws ~~when issuing reporting instructions. If the proposed residence is unsuitable, the receiving state may deny acceptance referred to in Rule 4-104(4).~~
5. Juvenile sex offender shall abide by the registration laws in the receiving state, i.e., felony or sex offender registration, notification, or DNA testing.
6. A juvenile sex offender who fails to register when required will be subject to the laws of the receiving state.

History: Adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013; amended October 9, 2013, effective April 1, 2014; amended August 26, 2015, effective February 1, 2016; clerically amended October 17, 2016; clerically amended May 19, 2021; amended October 7, 2021, effective March 1, 2022; amended September 27, 2023, effective April 1, 2024

Justification:

In 2024, Rule 8-101 was amended to clarify that travel permits are required for all pending transfer requests. The current language in Rule 4-102(3) could create confusion in that it appears to allow the option of sending a travel permit for a sex offender who must relocate prior to the acceptance of supervision. The proposed edits clarify the requirement of a travel permit for this unique situation.

The language also mirrors the proposed edits to Rule 4-102(2)(a)(ii-iii). Because the sections in Rules 4-102(2)(a)(ii-iii) and 4-103(3) speak to the same process, but for different populations, the language should be as similar as possible to eliminate confusion and inconsistencies between the two rules.

The second sentence in Rule 4-103(3)(d) regarding the receiving state having authority to supervise the juvenile prior to case acceptance based on reporting instructions is stricken as it conflicts with the previous sentence and other rules. Pursuant to Rules 4-104(1)-(2) and Rule 5-101(1), the receiving state does not have the authority to supervise the juvenile until supervision is accepted following the recommendation from the investigating officer.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

The language regarding “expediting” the process in Rule 4-103(3)(b) is stricken, as the receiving state has the discretion to expedite the home evaluation. Since it is not a requirement, and there is no timeframe or mechanism to track this, the language should be removed.

The language in Paragraph 4 is edited to clarify that the receiving state will monitor the juvenile’s compliance with local policies and laws. The second sentence is stricken as unnecessary and redundant, as Rule 4-104 addresses home evaluation approvals and denials.

Effect on Other Rules or Advisory Opinions: None

UNITY Impact: Yes. The current due date for submitting the full referral after submitting a travel permit is currently calculated according to 10 business days after "arrival date." The calculation would need to be adjusted to 10 business days after submission date.

Forms Impact: None

Fiscal Impact: Given the impact on UNITY, there would be a fiscal impact. Cost estimates will be provided in the final rule amendment proposal posting on July 28, 2025.

Effective Date: #/1/2026

Rules Committee Action: Click on meeting date to view approved minutes.

[6/13/2024](#) – Rules Committee voted 10-0-0 to recommend rule amendment.

02/19/2025 – Rules Committee voted 6-0-0 to edit language in paragraph 3 to clarify that the written explanation is to be submitted “along with” the Form VII, Travel Permit.

Rule 4-103: TOS Procedures for JSOs (Rules Cmte)

Comments received during Rule Amendment Proposal Commenting Period

Commenter	State	Role	Comment
Shyra Bland	New Jersey	Deputy Compact Administrator	I think the amendment proposal provides clarity to the rule.
Nita Wright	Indiana	Deputy Compact Administrator	Useful clarity! Agreed that changes will be helpful.
Nina Belli	Oregon	Commissioner	<p>The Oregon ICJ State Council feels that removing the suggested wording in (2)(a)(ii) of “determined if the circumstances of the juvenile’s immediate relocation justify the use of a travel permit” and leaving “...along with a written explanation as to why ICJ procedures for submitting the referral could not be followed” elevates guidance to states as there might be extenuating circumstances, and could come across as negative and/or could put states on the defensive.</p> <p>Also, the UNITY database asks for “Explanation for why juvenile allowed to proceed to the receiving state prior to acceptance”; So, shouldn’t the wording in this rule match what is in UNITY for consistency? This wording would accomplish the same goal as the proposed wording, provides guidance, has a more approachable tone, and would appear to have little to no fiscal or UNITY impact.</p> <p>There also appears to be a numeration error under paragraph 3, due to subparagraph “a” being deleted. This action would make subparagraph “b” the new subparagraph “a”; subparagraph “c” would become the new subparagraph “b”; and subparagraph “d” would become the new subparagraph “c”.</p>

Rule 4-103: TOS Procedures for JSOs (Rules Cmte), continued

Raymundo Gallardo	Utah	Deputy Compact Administrator	The proposed amendments to Rule 4-103(3) may not align with the reality of what occurs in delinquency cases. In some instances, a youth referred for sex offenses may have a legal guardian in both the sending and receiving states or may have a relative in the receiving state, and in order to protect a victim in the home, the youth is often placed by legal guardians in the receiving state before an investigation, a formal petition, adjudication, or disposition. Given the availability of remote hearings, the youth often does not return to the sending state. It makes sense to require a Travel Permit for parole youth as the youth has physically remained in the sending state due to a commitment order, but in some cases, requiring a Travel Permit prior to a youth's departure to the receiving state may not be feasible.
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Proposed by Midwest Region***RULE 4-104: Authority to Accept/Deny Supervision***

1. Only the receiving state's authorized Compact Office staff shall accept or deny supervision of a juvenile by that state after considering a recommendation by the investigating officer.
2. The receiving state's authorized Compact Office staff's signature is required on or with the Form VIII Home Evaluation Report that accepts or denies supervision of a juvenile by that state.
3. Supervision cannot be denied based solely on the juvenile's age or the offense.
4. Supervision shall be accepted unless the home evaluation reveals that the proposed residence is unsuitable or that the juvenile is not in substantial compliance with the terms and conditions of supervision required by the sending or receiving state. Supervision shall also be accepted as provided in Rule 4-104(5). When supervision is not recommended, the Form VIII, Home Evaluation Report, shall include a detailed justification to include why the proposed residence is not safe and/or suitable.
5. Supervision shall be accepted when a juvenile has no legal guardian remaining in the sending state and the juvenile does have a legal guardian residing in the receiving state.
6. A receiving state that is unable to enforce any condition of supervision imposed by the sending state shall notify the sending state of its inability to enforce the condition(s) by documenting the conditions which cannot be enforced on the Form VIII, Home Evaluation Report.
7. Upon receipt of acceptance of supervision from the receiving state, and prior to the juvenile's departure if the youth is not already residing in the receiving state, the sending state shall provide reporting instructions to the juvenile, and provide a Form V, Notification from Sending State of Parolee or Probationer Proceeding to the Receiving State, to the receiving state.
8. If the transfer of supervision is denied by the receiving state and the juvenile is already residing in the receiving state, the sending state shall, within five (5) business days, secure alternative living arrangements and submit an updated referral or return the juvenile to the sending state. This time period may be extended up to an additional five (5) business days with approval from both ICJ offices.

History: Adopted as Rule 5-101 December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; renumbered as Rule 4-104, effective April 1, 2014; amended August 26, 2015, effective February 1, 2016; amended September 27,

2017, effective March 1, 2018; amended September 11, 2019, effective March 1, 2020; clerically amended May 19, 2021; amended October 7, 2021, effective March 1, 2022; amended September 27, 2023, effective April 1, 2024

Comment: Rule 4-104 was originally titled "Supervision/Services Requirements," adopted December 2, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; renumbered as Rule 5-101, effective April 1, 2014

Justification:

Problem Statement

The ICJ Rules do not currently require a receiving state to notify the sending state if any condition of supervision cannot be enforced. As a result, the sending state may assume all conditions will be enforced upon acceptance of supervision and oftentimes do not learn of the receiving state's inability to enforce conditions until a Form IX-Quarterly Progress Report or Form IX-Violation Report is submitted by the receiving state. Consequently, the current process lacks the transparency needed for the sending state to determine whether the best interests of the youth can be served in the receiving state as the ability of the receiving state to enforce certain conditions may directly affect decisions made by the sending state regarding the proposed transfer of supervision. Additionally, the sending state authority does not have the opportunity to determine if a condition may be removed from the order.

Success Statement

The receiving state will document in the Form VIII-Home Evaluation any conditions of supervision that cannot be enforced, resulting in the sending state having the ability to make informed decisions regarding the youth. The sending state will be able to more easily determine whether the best interests of the youth can be served in the receiving state and take such actions as: waiving certain conditions if deemed non-essential, assuming financial responsibility for non-treatment services if payment is a barrier or deciding to not allow the proposed relocation. The Commission could assess the overall success of the amendment through a qualitative analysis.

Effect on Other Rules or Advisory Opinions:

Administrative Updates: Advisory Opinions

- [Advisory Opinion 03-2011: Plea and Abeyance Order](#) – Administrative edits only to renumber rule references affected by paragraph numbering change. The summary and findings are not affected by the proposed language.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

UNITY Impact: Yes. The Home Evaluation Information tasks will need an additional field for the receiving state to indicate which conditions cannot be enforced.

Forms Impact: Yes. The Form VIII, Home Evaluation Report, will need an additional field for the receiving state to indicate which conditions cannot be enforced.

Fiscal Impact: Given the impact on UNITY and ICJ Forms, there would be a fiscal impact. Cost estimates will be provided in the final rule amendment proposal posting on July 28, 2025.

Effective Date: #/1/2026

Region Action:

[11/12/2024](#) – Region referred proposal to Rules Committee.

1/28/2025 – Region approved editing the proposal to clarify what is to be documented.

Rules Committee Action: Click on meeting date to view approved minutes.

[12/18/2024](#) – Rules Committee voted 8-0-1 to support the proposal with a recommendation to clarify what is documented on the form: “[by documenting \[insert word here\] on the Form VIII, Home Evaluation Report.](#)”

Rule 4-104: Authority to Accept/Deny Sprvsn (Midwest Region)

Comments received during Rule Amendment Proposal Commenting Period

Commenter	State	Role	Comment
Shyra Bland	New Jersey	Deputy Compact Administrator	It is important for the sending state to be aware of which conditions a receiving state cannot meet and the documentation of such. This allows the sending state to determine alternate ways to enforce the condition or the need to go back to court to have it modified.
Judy Miller	Arkansas	Deputy Compact Administrator	If the Receiving State cannot provide the conditions of supervision required by the Sending State, is this a reason to 'deny supervision'? I think the word 'enforce' should be changed to unable 'to comply with' or 'provide'.
Nita Wright	Indiana	Deputy Compact Administrator	This is a much needed change to assist both the sending and the receiving state. This will help the receiving state determine how well it can supervise when limited conditions can be enforced. The changes would also help the sending state by providing upfront information to assist with additional planning decisions for the youth. If alternate conditions are needed or additional resources, this opens the door for communication between the states to ensure the best and most efficient services are provided for the youth during their term of supervision.
Brooke Montelongo	Colorado	Commissioner	This guidance provides necessary clarification for the provision of services in the Receiving State. The additional consideration of conditions that can and cannot be enforced is another support for our youth in their successful completion of supervision. Beneficial for both the receiving and sending states.

Rule 4-104: Authority to Accept/Deny Sprvsn (Midwest Region), continued

Nina Belli	Oregon	Commissioner	Although there are benefits from this proposal, Arkansas brings up a valid point and the OR ICJ State Council had similar thoughts. Could a receiving state use the argument that since they (receiving state) can't enforce a condition of supervision, the youth won't be in compliance and therefore are denying the transfer case? Maybe wording along the lines of ...the sending state of its inability to impose (or use administer to impose) the condition(s) by documenting the conditions which cannot be provided on the Form VIII..."
Raymundo Gallardo	Utah	Deputy Compact Administrator	This proposal seems helpful and reasonable. I do agree that the term "enforce" should be changed to a term that aligns with evidence-based practices. See the AAPA's "The 10 Core Principles of Juvenile Probation," (https://www.appa-net.org/10_Principles/), specifically, principles 3, 6, 8, and 9. Initially I thought, "unable to supervise" was better, but I'm not entirely sure. I like Ms. Miller's "unable to provide," but that may need additional wordsmithing as change would also be needed further into the sentence.

Proposed by Rules Committee

RULE 5-103A: ~~Failed Supervision~~ Mandatory Relocation Determined by Receiving State

1. The receiving state may determine relocation is mandatory when ~~supervision has failed when a juvenile is not detained and~~ one of the following circumstances applies:
 - a. A legal guardian remains in the sending state, the receiving state has documented efforts or interventions to redirect the behavior, and:
 - i. The juvenile no longer resides in the residence approved by the receiving state due to documented instances of violation of conditions of supervision; or
 - ii. An alternative residence is determined to be in the best interest of the juvenile due to documented instances of violation of conditions of supervision and no viable alternatives have been located in the receiving state; or
 - iii. An immediate, serious threat to the health and safety of the juvenile and/or others in the residence or community is identified.
 - b. The juvenile does not reside with a legal guardian and the person with whom the juvenile resides requests the juvenile be removed from his/her home.
 - c. The juvenile is a student or resides independently in the receiving state and the transfer of supervision fails due to documented instances of violations of conditions of supervision, and the receiving state has documented efforts or interventions to redirect the behavior.
2. ~~Upon a determination of failed supervision, The~~ the receiving state shall notify the sending state using Form IX, Mandatory Relocation ~~Failed Supervision~~ Report, which shall contain the following information:
 - a. Details regarding ~~why how~~ the supervising agent determined relocation is mandatory ~~supervision in the receiving state failed~~; and
 - b. Description of efforts or interventions to redirect behavior or maintain current residence; and
 - c. Any pending charges in the receiving state.
3. The sending state shall respond to the Form IX, Mandatory Relocation ~~Failed Supervision~~ Report, no later than ten (10) business days following receipt by the sending state.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

- a. The response shall provide details of an alternative living arrangement secured by the sending state or provide notice that a decision has been made to return the juvenile.
- b. If an alternative living arrangement is not secured, the juvenile shall be returned no later than ten (10) business days following receipt of the Form IX, [Mandatory Relocation Failed Supervision](#) Report, by the sending state. This time period may be extended up to an additional five (5) business days with the approval from both ICJ Offices.

History: Adopted September 27, 2023, effective April 1, 2024

Summary of Proposed Amendment:

In [Rule 5-103A: Failed Supervision](#), the phrase “a juvenile is not detained and” should be deleted. Additionally, the proposal changes “failed supervision” to “mandatory relocation.”

History and Justification:

Removal of “a juvenile is not detained”

The [2022 National UNITY Data Assessment](#) identified concerns about implementation of the ‘failed supervision provisions’ in former Rule 5-103(4). The “new” Rule 5-103A was created to clarify requirements for a receiving state to initiate a ‘mandatory relocation due to failed supervision.’ The requirements for determining supervision has failed were ‘moved’ to the new, more focused Rule 5-103A. Also, a provision was added to specify the receiving state may only determine supervision has failed if the “juvenile is not detained.” This addition was intended to reduce potential conflicts between ICJ Rules, as other ICJ Rules may take precedence in cases where the youth is detained. For example, a receiving state should not initiate a ‘mandatory relocation for failed supervision’ if the youth is detained pursuant to a warrant, as required by ICJ [Rule 7-104](#).

Approximately six months after Rule 5-103A took effect, the Commission received a request for interpretation of Rule 5-103A focused on the meaning of “not detained.” In response, the Executive Committee recommended the Rules Committee determine whether an amendment should be made.

The Rules Committee recommends the phrase “a juvenile is not detained and” should be deleted. It is overly broad and unnecessarily constrains the states’ options for effective responses. In some cases, receiving states temporarily hold youths in detention because “supervision has failed” and there are no other viable options in the community. Most notably, [ICJ Rule 5-101\(3\)](#) authorizes receiving states to detain juveniles as a “[Sanction](#)” for “non-compliance with terms of supervision.” Such temporarily holds allow time for a “[Form IX: Failed Supervision Report](#)” to be issued, alternative living arrangements to be explored, and arrangements for the return to be made, if needed.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

Receiving states should be permitted to initiate a ‘mandatory relocation’ in such cases, so long as all other requirements of Rule 5-103A(1) are applicable. Deleting “juvenile is not detained and” will enable receiving states to do so. This amendment will promote the intended purpose of Rule 5-103A by eliminating an unintended consequence of the current rule.

Changing “failed supervision” to “mandatory relocation”

One of the primary reasons for creating the new statute was to clarify that action was required by the sending state. The phrase “mandatory relocation” captures both the need for action and the type of action required. Also, the term “failed supervision” may lead to negative assumptions about the young person’s behavior. However, there the receiving state’s determination could be based on several factors that are not related to the youth’s behavior.

Effect on Other Rules or Advisory Opinions:

Administrative Updates: Other Rules

- [Rule 7-104: Warrants](#) – If the proposal to ICJ Rule 5-103A passes, ICJ Rule 7-104: Warrants, paragraph 3, will require an administrative consistency edit, per [Rule 2-103\(11\)](#), to replace "failed supervision" with "mandatory relocation."

Administrative Updates: Advisory Opinions

- [Advisory Opinion 03-2018: Whether ICJ Rule 7-104 Requires a Home/Demanding State to Return a Juvenile Being Held on a Warrant](#) – Administrative edits for consistency due to the required edit to Rule 7-104(3) as referenced in the preceding section.

UNITY Impact: Yes. The “Failed Supervision Event” will need to be modified in language and functionality to conform with the proposed amendments. The title will be renamed to “Mandatory Relocation Event.” Additionally, the event currently begins with “Is the juvenile detained?” If the UNITY user responds “yes,” the event will not proceed. This screening question will be removed from the process.

Forms Impact: Yes. The Form IX, Failed Supervision Report, will require a title change to “Mandatory Relocation Report,” as well as other text edits for conformity with the proposed amendments.

Fiscal Impact: Given the impact on UNITY and ICJ Forms, there would be a fiscal impact. Cost estimates will be provided in the final rule amendment proposal posting on July 28, 2025.

Effective Date: #/1/2026

Rules Committee Action: Click on meeting date to view approved minutes.

[1/15/2025](#) – The Rules Committee voted to recommend the proposed amendment to Rule 5-103A by a vote of 9-0-0.

Rule 5-103A: Failed Supervision Determined by Receiving State (Rules Cmte)

Comments received during Rule Amendment Proposal Commenting Period

Commenter	State	Role	Comment
Shyra Bland	Maryland	Deputy Compact Administrator	I am not in agreement with the name "Mandatory Relocation." Perhaps just "Relocation Required."
Judy Miller	Arkansas	Deputy Compact Administrator	I agree with deleting the phrase: 'supervision has failed when a juvenile is not detained'.
Nita Wright	Indiana	Deputy Compact Administrator	I agree with changing the language to "mandatory relocation" because regardless of where the you will be placed next, it's the next step in the failed supervision process. The youth can no longer remain in the current placement. I believe it's useful and will also provide more clarity on the confusion of the "failed supervision" rule.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

Proposed by Rules Committee

RULE 6-102: Voluntary Return of Runaways, Probation/Parole Absconders, Escapees or Accused Delinquents and Accused Status Offenders

Once an out-of-state juvenile is found and detained, the following procedures shall apply:

1. Runaways and accused status offenders who are a danger to themselves or others shall be detained in secure facilities until returned by the home/demanding state. The holding state shall have the discretion to hold runaways and accused status offenders who are not a danger to themselves or others at a location it deems appropriate.
2. Probation/parole absconders, escapees or accused delinquents who have an active warrant shall be detained in secure facilities until returned by the home/demanding state. In the absence of an active warrant, the holding state shall have the discretion to hold the juvenile at a location it deems appropriate.
3. The holding state's ICJ Office shall be advised that the juvenile is being detained. The holding state's ICJ Office shall contact the home/demanding state's ICJ Office advising them of case specifics.
4. The home/demanding state's ICJ Office shall immediately initiate measures to determine the juvenile's residency and jurisdictional facts in that state.
5. At a court hearing (physical or electronic), the court in the holding state shall inform the juvenile of his/her due process rights and may use the ICJ Juvenile Rights Form. The court may elect to appoint counsel or a guardian ad litem to represent the juvenile.
6. If in agreement with the voluntary return, the juvenile shall sign the Form III, Consent for Voluntary Return of Out-of-State Juveniles, in the presence (physical or electronic) of the court. The Form III, Consent for Voluntary Return of Out-of-State Juveniles, shall be signed by the court.
7. When an out-of-state juvenile has reached the age of majority according to the holding state's laws and is brought before an adult court for an ICJ due process hearing, the home/demanding state shall accept an adult waiver instead of the Form III, Consent for Voluntary Return of Out-of-State Juveniles, provided the waiver is signed by the juvenile and the court.
8. When consent has been duly executed, it shall be forwarded to and filed with the Compact administrator, or designee, of the holding state. The holding state's ICJ Office shall in turn, forward a copy of the consent to the Compact administrator, or designee, of the home/demanding state.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

9. ~~The home/demanding state shall be responsive to the holding state's court orders in effecting the return of its juveniles.~~ Each ICJ Office shall have policies/procedures in place involving the return of juveniles that will ensure the safety of the public and juveniles.
10. Juveniles shall be returned by the home/demanding state in a safe manner and within five (5) business days of receiving a completed Form III Consent for Voluntary Return of Out-of-State Juveniles or adult waiver. This time period may be extended up to an additional five (5) business days with approval from both ICJ Offices.

History: Adopted December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; clerically amended January 5, 2011, effective February 4, 2011; amended October 17, 2012, effective April 1, 2013; amended August 26, 2015, effective February 1, 2016; amended September 11, 2019, effective March 1, 2020

Justification:

Deleting this sentence from the Rule helps clarify who is responsible for making return arrangements for a juvenile. This Rule is contradictory to other Rules, such as, Rule 7-102: Public Safety, which states: "The home/demanding/sending state's ICJ Office shall determine appropriate measures and arrangements," and Rule 7-106: Transportation, which states: "Holding/receiving states are responsible for transporting juveniles to local airports or other means of public transportation as arranged by the home/demanding/sending state....".

It should be the decision of the Home/Demanding State to determine the method of transportation to return the juvenile.

Effect on Other Rules or Advisory Opinions: None

UNITY Impact: None

Forms Impact: None

Fiscal Impact: None

Effective Date: #/1/2026

Rules Committee Action: Click on meeting date to view approved minutes.

[2/21/2024](#) – Rules Committee voted 12-0-0 to recommend rule amendment.

Rule 6-102: Voluntary Return (Rules Cmte)

Comments received during Rule Amendment Proposal Commenting Period

Commenter	State	Role	Comment
Shyra Bland	New Jersey	Deputy Compact Administrator	Provides more clarity and lessen confusion.
Judy Miller	Arkansas	Deputy Compact Administrator	I agree with deleting the first sentence in Rule 6-102,9.
Nita Wright	Indiana	Deputy Compact Administrator	I agree the changes are clarifying, useful and positive for return business.
Raymundo Gallardo	Utah	Deputy Compact Administrator	This rule amendment seems reasonable at face value. In fact, it may align with the way cases are handled the majority of the time. That said, ICJ Rule 7-102(1), which is cited in the justification section of the rule, states in full that, "The home/demanding/sending state's ICJ Office shall determine appropriate measures and arrangements to ensure the safety of the public and of juveniles being transported based on the holding and home/demanding/sending states' assessments of the juvenile, including but not limited to, the juvenile's psychological and medical condition and needs." Removing the language seems to convey the opposite of a collaborative approach when effecting the safe return of youth. There are instances in which it may be helpful to consider a holding state's findings and orders in order to ensure a safe transport. Again, these are probably not as common.

Proposed by Rules Committee***RULE 8-101: Travel Permits***

1. All travel permits shall be submitted prior to the juvenile's travel using the Form VII, Out-of-State Travel Permit and Agreement to Return. Travel permits shall be mandatory for the following juveniles traveling out-of-state for a period in excess of twenty-four (24) consecutive hours who meet the criteria set forth in 1(a) or 1(b):
 - a. Juveniles who have been adjudicated or have deferred adjudications and are on supervision for one of the following:
 - i. sex-related offenses;
 - ii. violent offenses that have resulted in personal injury or death; or
 - iii. offenses committed with a weapon;
 - b. Juveniles who are one of the following:
 - i. state committed;
 - ii. pending a request for transfer of supervision, and who are subject to the terms of the Compact;
 - iii. returning to the state from which they were transferred for the purposes of visitation;
 - iv. transferring to a subsequent state(s) with the approval of the original sending state; or
 - v. transferred and the victim notification laws, policies and practices of the sending and/or receiving state require notification.
2. Juveniles traveling to a residential facility for placement shall be excluded from this rule; however, states may elect to use the Form VII, Out-of-State Travel Permit and Agreement to Return, for notification purposes.
3. The travel permit shall not exceed ninety (90) calendar days. If for the purposes of testing a proposed residence, a referral is to be received by the receiving state's ICJ Office within thirty (30) calendar days of the effective date of the travel permit. The issuing state shall instruct the juvenile to immediately report any change in status during that period.
 - a. When a travel permit exceeds thirty (30) calendar days, the sending state shall provide specific instructions for the juvenile to maintain contact with his/her supervising agency.
4. Out-of-state travel for a juvenile under Compact supervision is at the discretion of the supervising person in the receiving state. If the sending state wishes to retain authority to approve travel, it shall do so by notifying the supervising state in writing.

Rule Amendment Proposal for Consideration at 2025 Annual Business Meeting

When the sending state retains authority to approve travel permits, the receiving state shall request and obtain approval prior to authorizing the juvenile's travel.

5. When ~~if~~ a Form VII, Out-of-State Travel Permit and Agreement to Return, is issued, the sending state is responsible for victim notification in accordance with the laws, policies, and practices of that state. The sending and receiving states shall collaborate to ~~the extent possible to~~ comply with the legal requirements of victim notification ~~through the timely exchange of~~ required information.

History: Adopted as Rule 5-102 December 3, 2009, effective March 1, 2010; amended September 15, 2010, effective January 1, 2011; amended October 26, 2011, effective March 1, 2012; amended October 17, 2012, effective April 1, 2013; amended October 9, 2013, and renumbered as Rule 8-101, effective April 1, 2014; amended August 26, 2015, effective February 1, 2016; amended September 27, 2017, effective March 1, 2018; amended September 27, 2023, effective April 1, 2024

Justification:

The addition of the travel permit form title, Form VII, Out-of-State Travel Permit and Agreement to Return, in Paragraph 1 specifies upfront the ICJ Form required for travel permits.

The language stricken from Paragraph 5 removes vague, unspecific language.

Effect on Other Rules or Advisory Opinions: None

UNITY Impact: None

Forms Impact: None

Fiscal Impact: None

Effective Date: #/1/2026

Rules Committee Action: Click on meeting date to view approved minutes.

[1/15/2025](#) – The Rules Committee voted to recommend the proposed amendment to Rule 8-101 by a vote of 9-0-0.

Rule 8-101: Travel Permits (Rules Cmte)

Comments received during Rule Amendment Proposal Commenting Period

Commenter	State	Role	Comment
Shyra Bland	New Jersey	Deputy Compact Administrator	Agree that the form name should be specified.
Nita Wright	Indiana	Deputy Compact Administrator	Another useful and positive change. I agree with the changes.