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Chapter:	Interstate Compact	
Subject:	Interstate Compact on Juveniles	Page 1 of 5
Approved:	Frederick M. Ober, Division Director	Effective: 9/8/98 FINAL
Supersedes:	Casework Procedures 4302,4303,4304	Dated: 2/1/95, 9/26/88, 1/1/90

## Purpose

To outline the requirements of district office staff when handling situations covered by the Interstate Compact on Juveniles.

### *Introduction*

The Interstate Compact on Juveniles (ICJ) is an agreement among the fifty states, the District of Columbia and some U.S. territories on procedures for the uniform handling of:

- courtesy supervision of probationers and parolees from one state by another state;
- the return of runaways, escapees and absconders (see definitions in Policy #180) to their home state.


The following are general rules that apply to the ICJ:

- since the ICJ regulations are complex, the social worker should consult with the Deputy Compact Administrator (DCA) early and regularly;
- communication with the compact administrator in another state will occur only through Vermont's Deputy Compact Administrator (DCA);
- all required documents are submitted in triplicate;
- supervision provided in the receiving state is in accordance with the conditions of probation or parole in the sending state;
- jurisdiction remains in the sending state;
- the home state is responsible for the cost of their youth's return, but not for the cost of the detention;
- parallel procedures exist within most other states.

## Policy

Division staff will comply with the requirements of the ICJ.

When a Vermont probationer or delinquent in custody will be placed in another state, the


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worker will discuss that placement with the juvenile and his or her parents, obtaining their signature on the Application for Services/Memorandum of Understanding and Waiver (ICJ Form IA/VI). This form is a contract signed by the juvenile and responsible parent/guardian before signature by the sending state's compact administrator or judge. It requests and authorizes the transfer of supervision. It also details whom the juvenile would live with, where and the term of the contract.

When division staff become aware that there is a runaway, escapee or absconder (see definitions in Policy 180) from another state who has been apprehended in Vermont, staff will advocate for detention under 33 VSA, Chapter 57 (ICJ) rather than 33 VSA, Chapter 55. Chapter 55 proceedings often make it more difficult to return the juvenile to his or her home state.

#### **Social Worker Tasks**


1. Requests For Transfer of Supervision of Vermont Probationer to Another State
  - After conferring with supervisor about the need to request out-of-state supervision, prepares three copies of referral packet:
    - cover letter;
    - disposition order;
    - probation certificate and information about status of completion and restitution;
    - information about youth's social history, current educational, medical and psychological status;
    - any recent evaluations;
    - Application for Services/Memorandum of Understanding and Waiver (ICJ-IA/VI).
    - Probation or Parole Investigation Request (ICJ-IV).
  - Once approval for supervision is received, completes the "Report of Sending State...." form (ICJ-V) detailing how and when the youth will be traveling to the other state.
  - Maintains contact with the supervising agency and others as appropriate;

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- Reviews quarterly reports on juvenile, alerting DCA if reports are not received;
- Attends case plan reviews and dispositional reviews.

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### 3. Requests to Supervise Out of State Probationers and Parolees


- On receipt of a request made through the DCA, conducts assessment of youth's home, centering on the ability of the parent or guardian to adequately supervise the youth, available community resources, the nature and severity of his or her offenses;
- Within 25 days of the district's receipt of the request, completes assessment and recommendations, using the Initial Investigation Series (FS-242 (a - e)), or other appropriate format. Routes to supervisor for review.

### 4. Voluntary Return of Runaways (non-delinquents) from Out-of-State

Note: Article II of the ICJ provides for an informal procedure for the return of runaways within 24 hours of their apprehension by law enforcement. Under this procedure, the youth's parent or guardian can work directly with the police and youth-serving organizations to return the runaway. The option should be used with discretion and only with supervisory approval. If determined not appropriate, use the procedures outlined in the next section.

### 5. Involuntary Return of Non-Delinquent Youth to Out of State Custodian

- Attends hearing, advocating for detention under Chapter 57;
- Clarifies custody status and whereabouts of the youth's out-of-state custodian;
- Notifies Vermont DCA of situation. If the child is in the custody of another state, the DCA will assure that proper paperwork has been completed by and received from the home state, including:
  - certified copies of the child's custody status
  - Petition for Requisition to Return Runaway Juvenile form (ICJ-A)
  - Requisition for Runaway Juvenile (ICJ-I) signed by a judge exercising jurisdiction in the home state

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- Presents signed Petition and Requisition to the Vermont Family Court Judge, requesting signature;
- Works with DCA to arrange for the youth's return home;
- If youth is in the custody of out-of-state parents, assists parents as necessary.

6. Voluntary Return of Escapees and Absconders to Out of State Custodian

- Attends hearing, advocating for detention under Chapter 57;
- Requests that the youth, his attorney and guardian ad litem (if any are assigned) sign Consent for Voluntary Return by Runaway, Escapee or Absconder ICJ-III);
- Gives copy of signed form to youth and to whomever transports; sends three copies to the Vermont DCA;
- Arranges for short-term placement;
- Works with DCA to facilitate the return of youth to his or her home state within five days of the consent being signed.

F. Involuntary Return of an Escapee, Absconder or Juvenile Charged with Being a Delinquent

- Attends hearing and requests detention under Chapter 57;
- Confirms youth's custody status and whereabouts of caretakers;
- Notifies Vermont's DCA of status of case. DCA assures that proper paperwork is completed out-of-state, including:
  - Requisition for Escapee or Absconder/Juvenile Charged with Being Delinquent form (ICJ-II), signed by a judge
  - certified proof of the youth's custody status
- Presents the above documents to the Vermont judge;
- Upon receipt of the Vermont judge's order to return the youth, works with DCA to facilitate the return;
- If the youth is facing delinquency charges in this state, before his or her return, makes plan for disposition of those charges (dropping of charges, scheduling of trial date, etc.).