

13.3 Interstate Compact for Juveniles	
Application: To All Department of Children Services Employees	
Authority: TCA 37-4-101; 37-5-105 (3); 37-5-106; 4-29-Part 2; Crime Control Act-4 U.S.C. §112 (1965); Interstate Compact for Juveniles Rules	Standards: COA: PA-JJCM 4, PA-JJCM 6
Commissioner:	Date:
Original Effective Date: 05/15/97 Current Effective Date: 03/17/22	Supersedes: DCS 1.25 07/30/21 Last Review Date: 03/17/22

Glossary:

- ◆ Absconder:
 - A juvenile probationer or parolee who hides, conceals or absents him/herself with the intent to avoid legal process or authorized control.
- ◆ Demanding State:
 - The state seeking the return of a juvenile with or without delinquency charges.
- ◆ Escapee:
 - A youth who has made an unauthorized flight from a facility or agency's custody to which he/she has been committed by the court.
- ◆ Holding state:
 - The state having physical custody of a youth and where the youth is located.
- ◆ ICJ Commissioner:
 - The voting representative for Tennessee pursuant to Article III of the ICJ.
- ◆ ICJ Compact Administrator:
 - The individual in each compacting state appointed pursuant to the terms of the Compact, responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of the Compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this Compact.
- ◆ Deputy Compact Administrator
 - The individual, if any, in each compacting state appointed to act on behalf of a Compact Administrator pursuant to the terms of this Compact responsible for the administration and management of the state's supervision and transfer of juveniles subject to the terms of this compact, the rules adopted by the Interstate Commission and policies adopted by the State Council under this Compact.
- ◆ Receiving State:
 - A state to which a juvenile is sent for supervision under the provisions of the ICJ.
- ◆ Requisition:
 - A written demand for the return of a non-delinquent runaway, probation or parole absconder, escapee or accused delinquent.
- ◆ Runaway:
 - Persons within the juvenile jurisdictional age limited established by the home state who have voluntarily left their residence without permission of their legal guardian or custodial agency or refuse to return to their residence by their legal guardian or custodial agency, but who may not have been adjudicated.
- ◆ Sending State:
 - A state which has sent or is in the process of sending a juvenile to another state for supervision under the provisions of the ICJ.

Policy Statement:

The State of Tennessee is a member of the Interstate Compact for Juveniles (ICJ) and cooperate with member states in accordance with the provisions of the Compact. The Department of Children's Services is assigned responsibility to administer the ICJ and cooperates with member states, agencies, courts and law enforcement officers in the State of Tennessee.

Purpose:

To provide direction to DCS employees, Juvenile Court personnel, and law enforcement (LE) regarding adhering to the requirements of the ICJ.

Procedures:**A. Administration of the Interstate Compact for Juveniles (ICJ)**

1. The ICJ assists states in the return of youth who run away, escape or abscond across state lines and provides for the cooperative supervision of juvenile probationers and parolees between states.
2. The ICJ has the force of federal law superseding state law. The compacting states recognize that Congress, by enacting the *Crime Control Act, codified in 4 U.S.C. § 112 (1965)*, has authorized and encouraged compacts for cooperative efforts and mutual assistance in the prevention of crime.
3. The Interstate Commission for Juveniles, <https://juvenilecompact.org/>, provides oversight of the ICJ. Currently all fifty (50) states and two (2) U.S. Territories; the District of Columbia and U.S. Virgin Islands, are members of the ICJ. All matters relating to the ICJ are accomplished in accordance with the procedures established by the Interstate Commission for Juveniles. The Commission's website is: <https://juvenilecompact.org/>
4. DCS employees, local Juvenile Court Judges and court staff, who are responsible for the supervision or detainment of juveniles, are required to adhere to the ICJ including law enforcement at the state or local level.
5. The administration of the ICJ is managed by the Office of Juvenile Justice (OJJ) in the DCS Central Office who provide supervision, education, and assistance regarding the compact.
6. The work is led by the ICJ Commissioner and Compact Administrator who are appointed by the Governor. The team provides direct assistance to local juvenile courts, law enforcement, and DCS staff.
7. Legal jurisdiction or disposition of a juvenile case **cannot** be transferred across state lines. The sending state retains court jurisdiction of a youth sent to TN and TN retains jurisdiction of youth supervised in another state. The courts can, however,

defer adjudication, place youth on probation and transfer supervision of the youth using the ICJ.

8. Compact staff coordinate with the Tennessee ICJ State Council, which is stipulated as required by Article IX of the Interstate Compact for Juveniles. The council:
 - ◆ Meets at least annually;
 - ◆ Is comprised of members from DCS with at least one representative, from the legislative, judicial and executive branches of government, victim groups and the ICJ Commissioner, Compact Administrator and the Deputy Compact Administrator. Each state can determine the membership of the council; □ Can advise and may exercise oversight and advocacy regarding the state's participation in Interstate Commission activities;
 - ◆ Can participate in the development of policy regarding ICJ Operations and procedures; and □ Submits an annual report to the Interstate Commission by January 31st of each year.
9. The Interstate Commission for Juveniles reports annually to the Tennessee legislature, governors, judiciary, and state councils of the compacting states concerning activities of the Interstate Commission during the preceding year. Such reports also include any recommendations that may have been adopted by the Interstate Commission.
10. As required by the Tennessee Governmental Entity Review Law, the ICJ Commissioner prepares a report to submit to the legislature to determine if the ICJ will be recommended to continue or if Tennessee will withdraw from the Compact. This process repeats every five (5) to seven (7) years.

B. Administrative guidelines

1. Written and verbal communication between states on ICJ matters occurs between each state's [ICJ Offices per ICJ Rule 2-104: Communication Requirements Between States](#). States may communicate directly only with the prior approval of the ICJ Offices in BOTH states. If contacted by someone from out of state refer them to the ICJ Office in the respective state, a directory may be found at juvenilecompact.org/.
2. The maximum age a youth can remain on Probation or Aftercare (Parole) varies from state to state. Cases can be supervised until the age of majority in the sending state. See the [ICJ Age Matrix](#) for specific requirements in each state.
3. An ICJ case cannot be opened for the sole purpose of collecting restitution or less than ninety (90) days.
4. Casework is documented in TFACTS and on approved ICJ Forms, that are available on the DCS forms page and on the Interstate Commission website, juvenilecompact.org/.

5. The ICJ team may be contacted via email at ICJ@tn.gov or by using contact information found on the DCS ICJ Internet page.

C. Youth Eligibility for compact services

A youth is eligible for services under the ICJ if the youth:

- ◆ Is adjudicated delinquent and classified as a juvenile in the sending state;
- ◆ Has run away, escaped, or absconded to or from TN;
- ◆ Is an adjudicated status offender;
- ◆ Is under the jurisdiction of a court, or appropriate authority, that withholds or defers adjudication but stipulates conditions of supervision;
- ◆ Is on Probation or Parole (Aftercare); and
 - Plans to relocate to another state **for more** than ninety (90) consecutive days; or
 - Is a full-time student at a secondary school or training program with proof of acceptance and enrollment.

D. Travel Permits

1. The use of a travel permit is required in [*ICJ Rule 8-101: Travel Permits.*](#)
2. A Travel Permit, **ICJ Form VII, Out of State Travel Permit and Agreement to Return** is mandatory for a youth traveling out-of-state for a period **in excess of 24 (24) consecutive hours** and who meet the criteria below:
 - ◆ Youth who have been adjudicated and are on supervision for one of the following:
 - Sex-related offenses;
 - Violent offenses that have resulted in personal injury or death; or
 - Offenses committed with a weapon.
 - ◆ Youth who are one of the following:
 - Juveniles who are state committed;
 - Relocating pending a request for transfer of supervision and subject to the compact;
 - Returning to the state from which they were transferred for the purpose of visitation;
 - Transferring to a subsequent state(s) with the approval of the initial sending state; and
 - Transferred and the victim notification laws, policies, and practices of the sending and/or receiving state require notification.
3. A travel permit for youth with a sex related offense is submitted to the ICJ Office for approval before the youth leaves Tennessee. The youth may be required to register

as a sex offender (see registration requirements for each state using the [State Sex Offender Matrix](#) and Section G below for additional requirements for sex offenders).

4. A Travel Permit may be used as a notification of a youth traveling to an out of state residential treatment facility if the youth is also on Probation or Aftercare (Parole).
5. Application is made to the Interstate Compact for the Placement of Children (ICPC) when youth in DCS custody are placed out of state for residential treatment (see **ICPC Regulation #4** for information on how to make a referral).
6. Authorization for out-of-state travel is approved at the discretion of the supervising worker unless other instructions have been given. A travel permit cannot exceed ninety (90) calendar days. If the travel is for testing placement, a referral packet is sent to the ICJ Office within thirty (30) calendar days of the effective date noted on the travel permit. The youth is instructed to immediately report any change in status.
7. If the travel permit **exceeds thirty (30) calendar days**, the sending state provides specific instructions for the youth to maintain contact with the originating supervising agency.
8. The sending state's ICJ Office submits the travel permit in the interstate data system to the state where the visit will occur. The travel permit is sent to the ICJ Office **prior to the youth's travel**. Upon receipt of the travel permit, the receiving state processes and/or disseminates the information in accordance with established law, policy, practice, or procedure in the receiving state.
9. If victim notification is required by the sending state, a **Victim Notification Supplement** form is completed and sent along with the travel permit.

E. Transfer Cases: supervision of probation and aftercare (parole) cases leaving TN

1. The ICJ prohibits the transfer of Probation or Aftercare (Parole) supervision out of state without making application under the ICJ. If a family moves without DCS knowledge, application to the ICJ is made as soon as possible.
2. Guidelines on case transfers are found in the [ICJ Rules, Section 400, Transfer of Supervision](#).
3. When a youth who does not live in Tennessee is placed on Probation or Aftercare (Parole) with DCS while in Tennessee, the case is considered a pass-through case and is transferred to the state of residence through the ICJ.
4. To request a transfer of supervision, the information indicated below is sent to the ICJ Office:
 - a) A **cover letter** that describes the reason for out of state placement including who the youth is to live with, the relationship to the youth, whether or not the

- youth wishes to pursue post-secondary education, and information regarding any mental health service needs or special conditions ordered by the court;
- b) If a youth is on Probation and is planning to move out of state, the judge must agree to the move and sign **ICJ Form VI, Application for Services and Waiver/Form VI Memorandum of Understanding and Waiver**. The Family Service Worker (FSW)/Juvenile Service Worker (JSW) explains to the youth and family that signing this form authorizes the court to return the youth to Tennessee without additional court action. For an Aftercare (Parole) case the ICJ Office signs this form.
 - c) **ICJ Form IV Parole or Probation Investigation Request** is completed. Fill in a date for the maximum and minimum Probation/Aftercare (Parole) expiration date (**if one is not specified, use the date the youth will turn 19**).
 - d) **ICJ Form V, Notification from Sending State of Parolee or Probationer Proceeding to the Receiving State** is forwarded prior to or at the time the youth relocates to the receiving state, unless youth is residing in the receiving state.
 - e) Court Order(s) placing juvenile under DCS supervision and related petition(s).
 - f) DCS form, **CS-0043, Rules of Probation/Aftercare**;
 - g) Assessment results, if available;
 - h) School & Medical/Immunization Records, if available;
 - i) **ICJ Form VII, Out of State Travel Permit and Agreement to Return**;
 - j) If victim notification has been requested, a **Victim Notification Supplement Form** is completed;
 - k) Supervision Summary, if youth has been on supervision for more than thirty (30) calendar days at the time the referral is forwarded; and

Additional Items needed for Aftercare (Parole) case:

- l) DCS form **CS-0130, Juvenile Justice Trial Home Placement**;
- m) Release summary from residential placement

Additional items needed for sex offenders:

- n) A psychosexual evaluation, if available;
 - o) Safety plan, and
 - p) Discharge plan from residential facility.
5. ICJ staff review the information for completeness and enter the case into the interstate data system requesting a home investigation, the receiving state has 45 calendar days to complete a home investigation.
 6. Tennessee Juvenile Courts can request an out of state Probation transfer directly to the ICJ Office. It is **not** necessary to involve local DCS staff or to place youth on State Probation in order to do an interstate transfer.

7. The sending state is responsible for supervision of the youth, via weekly telephone and/or video contacts, **until** the case is approved by the receiving state.
8. If a transfer of supervision request 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 youth to the sending state.

Note: The sending state is financially responsible for required treatment services, if the youth or family do not have resources to pay, or family insurance is not an option.

F. Transfer Cases: Supervision of probation and aftercare (parole) cases moving to TN

1. Guidelines on cases moving into Tennessee are found in the [ICJ Rules, Section 500, Supervision in the Receiving State.](#)
2. Referrals from out of state are received by the ICJ Office through the interstate data system. The referral is sent to the Team Coordinator (TC)/Team Leader (TL) in the region/county where the youth is to reside.
3. Once an FSW/JSW/Juvenile Probation Worker (JPO) is identified, the case is entered into TFACTS by the ICJ Office.
4. The FSW/JSW/JPO reviews the referral information and schedules a home visit to complete a home evaluation. While at the home the FSW/JSW/JPO assesses:
 - ◆ The home and neighborhood, physical description of the home, if youth has a place to sleep, criminal/gang activity, other pertinent information;
 - ◆ The composition of the family, interactions between family members, if there are “at-risk” family members living in the home (note if any sex offenders live in the home), attitude and ability of family to support and supervise the youth;
 - ◆ Family employment and financial resources;
 - ◆ Legal history of the family, including any current charges. Note if anyone in the home is on Probation or Parole (Aftercare, if applicable);
 - ◆ The plan once the youth moves regarding attending school, working, completing court ordered conditions and treatment needs; and
 - ◆ Note the availability of needed community resources in the area; and
 - ◆ If the youth is a sex offender, include the additional information below:
 - Is there is a victim or potential victim in the home?
 - Are there any local ordinances restricting residence?
 - Ensure the youth understands sex offender registry requirements.

5. The FSW/JSW/JPO documents the findings of the home evaluation on **ICJ Form VIII, Home Evaluation Report** and sends the completed form to ICJ staff who review the report.
6. The ICJ Office makes the final decision whether or not the case is accepted, the following criteria is used, supervision:
 - ♦ **May not** be denied:
 - If the parent/legal custodian lives in the home; or
 - Based solely on the juvenile's age or the offense.
 - ♦ **May be** denied:
 - When the home evaluation reveals the proposed placement is unsuitable according to the information in the report; or
 - The youth is not in substantial compliance with the terms and conditions of supervision required by the sending or receiving state.
7. When an incoming case is approved for supervision, all DCS supervision and case management requirements applicable to Probation and Aftercare (Parole) cases are required for the supervision of out of state youth supervised in Tennessee. The CANS assessment is completed to determine the youth's supervision level. For additional case supervision requirements see DCS Policy [13.12, Probation Requirements for Delinquent Youth](#) and [13.11, Trial Home Visit and Aftercare Requirements for Delinquent Youth](#).
8. If a youth that is accepted for supervision in Tennessee and attends school, determine if the adjudicated offense(s) meet the requirement for notification to the school principal per DCS Policy [21.18, Notification to School Principals of Certain Delinquent Adjudication](#).

Note: The collection of restitution is the responsibility of the sending state.

G. Transfer Cases: Sex offenders

1. Guidelines on sex offenders are found in the [ICJ Rules, Rule 4-103, Transfer of Supervision Procedures for Juvenile Sex Offenders](#).
2. Juvenile sex offenders, under the supervision of DCS or the court, that request to move or visit another state are **not allowed** to depart Tennessee until an approved case transfer is completed or the issuance of a travel permit.
3. Prior to a youth with a sex offense visiting or moving to another state the FSW/JSW/JPO or Court staff notify the youth and family of laws pertaining to sex offender registration and requirements in the state they wish to visit or reside in using the [ICJ State Sex Offender Matrix](#). The matrix which provides an overview of registration requirements, DNA testing, public notification, residency restrictions and electronic monitoring requirements per state.

4. If a youth sex offender requires relocation prior to acceptance of supervision, the sending state determines if the circumstances of the youth's immediate relocation justifies the use of a travel permit. If a paroled youth or youth sex offender requires out-of-state supervision, prior to acceptance of supervision, a travel permit, **ICJ Form VII, ICJ Travel Permit and Agreement to Return** is sent to the ICJ Office. The form is sent to the receiving state and the referral packet must be received within ten **(10) business days**.

H. Transfer Cases: Quarterly reviews, violations, and absconders

The **ICJ Form IX**, refers to three separate forms:

- ♦ **ICJ Form IX, Quarterly Progress Report**
- ♦ **ICJ Form IX, Violation Report**
- ♦ **ICJ Form IX, Absconder Report**

Quarterly Progress Reviews (QPR)

1. When a new case is accepted, the ICJ Office sends the FSW/JSW/JPO date(s) quarterly progress reports are due, dates are calculated automatically by the national interstate data system. The system also generates reminders every 90 days. If the 90-day due date expires, the state could be cited for being out of compliance with ICJ rules.
2. **ICJ Form IX, Quarterly Progress Report**, is used to complete the quarterly report. The QPR includes the following information:
 - ♦ Summary of adjustment in the home;
 - ♦ Summary of school and/or employment performance;
 - ♦ The status of court-ordered conditions of supervision;
 - ♦ Action plan to remedy any delinquent court-ordered conditions;
 - ♦ Pending charges in Tennessee, if applicable;
 - ♦ A summary of any behavioral issues and efforts of graduated sanctions by TN to provide interventions to redirect behavior; and
 - ♦ A recommendation to continue supervision or to request discharge.
3. If the FSW/JSW/JPO wishes to request early case termination, the sending state must give permission to close the case early. Justification to close the case early is detailed in the quarterly report.
4. Additional quarterly reports are sent if there are concerns with the youth or with the person the youth lives with. If there is a change of residence or with who the youth reside, the sending state may request additional information regarding the new residence. If the sending state does not support this change, they will notify the receiving state and propose an alternative living arrangement or initiate the return of the youth.

Violations: Reporting Youth Non-compliance, Failed Supervision and Retaking

1. Guidelines are found in the [*ICJ Rules, 5-103, Reporting Juvenile Non-Compliance, Failed Supervision and Retaking.*](#)
2. If a youth is out of compliance with established rules notification is made to the sending state using ***ICJ Form IX, Violation Report***. The following information is included in the report:
 - a) Describe in detail the violation including specific information regarding what happened, include dates, technical violations and any current or pending charges. Send any related court documents such as arrest reports, petitions, court orders to support the violation, drug testing results, etc.
 - b) Include a summary of efforts made to provide interventions to redirect the behavior, include any sanctions, if applicable.
 - c) The supervising FSW/JSW/JPO makes a recommendation, to continue supervision, request discharge or to request revocation and includes the reason for the recommendation.
 - d) Once a violation report is received, a decision is needed within ten (10) business days whether supervision will continue or if the youth will be returned to the state of jurisdiction. If revocation is ordered a youth is required to be returned within five (5) business days.
 - e) Upon a request from the receiving state, the sending state's ICJ office shall return the youth within five (5) business days in accordance with the rules when:
 - ◆ The youth is no longer living in the approved residence due to documented instances of violation of conditions of supervision and an alternative residence is in the best interest of the youth but there is no viable option in the receiving state.
 - ◆ When an immediate, serious threat to the health and safety of the youth and/or others in the residence or community and there is documented efforts or interventions to redirect the behavior.
 - ◆ A youth who is a student resides independently in the receiving state whose transfer of supervision fails.

Absconders

1. If a youth has absconded from supervision, ***ICJ Form IX, Absconder Report*** is completed and sent to the sending state to report the youth is missing.
2. Provide the date the JPO/JSW last had face to face contact with the youth and the date of the last attempted home visit, contact with school/employer and contact with known family members or collateral contacts.

3. Include in the report how it was determined the youth has absconded. If the youth was reported missing include the name of the law enforcement agency and the police report number.
4. Include the youth's last known address and telephone number and any pending charges in the receiving state.
5. If a warrant has been issued for a youth who has absconded, or the youth is missing for ten (10) business days the case may be closed; however, if the youth is located the sending state may elect to re-open the case and request courtesy supervision.

I. Warrants and detention

1. All warrants issued for youth subject to the compact are entered into the NCIC with a nationwide pickup radius and **are not** eligible for bond.
2. The holding state honors all lawful warrants as entered into the NCIC by other states.
3. When a youth is placed in custody pursuant to a warrant issued by a juvenile court, the holding state notifies the ICJ Office in the demanding state no later than the next business day.
4. If a youth is detained the type of secure facility is determined by the laws regarding the age of majority in the holding state.

Note: Contact the ICJ office regarding any warrants for out of state youth to ensure all ICJ requirements are met.

J. Case Closure

1. If an out-of-state youth has complied with all the terms of supervision, the supervising worker can recommend that the case be closed using **ICJ Form IX, Quarterly Progress Report**. Include comprehensive information to support case closure along with documentation if applicable.
2. Cases cannot be closed without approval from the court of jurisdiction in the sending state.
3. States can close a case without permission if the maximum supervision expiration date is reached in the interstate data system or the court order has expired.
4. If a youth is convicted of a crime and sentenced under the jurisdiction of the adult court in the state of residence, a case closure request can be submitted, if the adult sentence is longer than the juvenile sentence. A copy of the adult court order is sent to the ICJ Office using **ICJ Form IX, Violation**. Once the ICJ Office receives a response for case closure from the sending or receiving state it is forwarded to the

assigned worker. The ICJ Office sends the FSW/JSW/JPO **ICJ Form X, Case Closure Notification**.

K. Runaway Youth

1. Guidelines on Runaway cases are found in the [*ICJ Rules, Section 600 Voluntary and Non-Voluntary Return of Juvenile/Runaways*](#).
2. The ICJ defines a runaway as persons, within the juvenile jurisdictional age limit established by the home state, [*ICJ Age Matrix*](#) who have:
 - ◆ Voluntarily left the residence of their parent/legal custodian or custodial agency without permission; or
 - ◆ Refuse to return to their residence as directed by the parent/legal custodian or custodial agency, but who may or may not have been adjudicated.
3. If an out-of-state youth, confirmed to be a runaway, has been detained:
 - ◆ First determine the youth's legal status.
 - ◆ If a youth ran away from home, and the holding state confirms there are no pending charges or the youth is not wanted, the legal custodian can pick up the youth, showing proof of custody, within twenty-four (24) hours, excluding weekends and holidays. After twenty-four (24) hours, the procedure below is followed to ensure due process.
 - If a youth is wanted by another state or law enforcement agency contact the TN ICJ Office for assistance with ensuring the proper procedures are followed when returning a youth to a demanding state for instructions on next steps depending on the type of case and the youth's legal status. To expedite the youth's return DCS Form, **CS-1094, Runaway Intake-Tennessee Interstate Compact for Juveniles**, is used and sent to the ICJ Office at ICJ@tn.gov
 - If a runaway youth has new or pending charges in the state they are located in, those charges are resolved or disposed of before the youth returns to the demanding state, unless permission is given by **both** states' ICJ Offices to waive the rule.

Note: For any return situation, if a youth alleges abuse or neglect is occurring, a referral is made to the Child Protective Services Hotline 877-237-0004. The TN ICJ Office contacts the applicable state's ICJ Office to initiate a dual investigation.

L. Runaways: Voluntary & Involuntary returns

Voluntary Returns

1. The following procedure applies to youth who are willing to voluntarily return home or to the wanted state due to being a runaway, probation/aftercare (parole) absconder, escapee, accused delinquent or accused status offender.
2. Once a youth is detained a due process court hearing is held as soon as possible for the Court to explain, review and sign the forms below.
3. **ICJ Form III, Consent for Voluntary Return of Out of State Juvenile;** and
4. **Juvenile Rights Form for Consent for Voluntary Return of Out of State Juvenile** for the court to explain the youth's due process rights.
5. The court has the option to appoint counsel or guardian ad litem to represent the youth. The signed forms are sent to the ICJ Office who forwards the forms to the home/demanding state so travel arrangements can be made to return the youth. Once forms are received by the home/demanding state they have five (5) business days to return the youth. This time period may be extended up to an additional five (5) business days with approval from both ICJ Offices.

Involuntary Returns

1. A requisition applies to all youth in custody who refuse to voluntarily return to their home/demanding state or to request a youth, whose whereabouts are known, but not in custody be picked up and detained pending return.
2. A requisition is also used to request a juvenile be picked up and detained pending return when they have left the state with the permission of their parent/legal custodian but failed to return as directed.
3. Different forms are used to return youth based on their legal status as noted below:
Return of a Runaway or Accused Status Offender
 - a) The home/demanding state files a petition in the court of jurisdiction. **ICJ Form A, Petition for Requisition to Return a Runaway Juvenile** may be used and submitted to the court. The petition requests the issuance of a requisition to return the youth.
 - b) If the youth is already being detained, a petition is filed within sixty (60) calendar days of the notice that the youth will not return voluntarily. When received the petition is sent to the holding court and a hearing is requested. The hearing is held as soon as possible but cannot exceed thirty (30) days.
 - c) The purpose of the hearing is to determine proof of entitlement for the return of the youth. Prior to the hearing the court notifies the youth of the demand made for return and may elect to appoint counsel or guardian ad litem.
 - d) If the court determines that the youth should return and entitlement is established, the court signs **ICJ Form 1, Requisition for Runaway Juvenile**. The signed form, petition and supporting documentation is sent to the TN ICJ Office who submits the information to the demanding state.

- e) The youth is required to return to the requesting state within five (5) business days but may be extended an additional five (5) business days with approval from both ICJ Offices.

Escapee, Absconder or Accused Delinquent

- a) **ICJ Form II, Requisition for Escapee or Absconder** is used to return a youth who has escaped, absconded, or is an accused delinquent. If a youth refused to return voluntarily, the holding state may mandate the youth's return using this form.
 - b) Upon receipt of the requisition in the holding state, the court issues an order to take the youth into custody. A court hearing is held where the court reviews the requisition, determines if the requisition is in order, and if proof of entitlement is not established, the court issues written findings detailing the reason(s) for the denial.
 - c) If requisition is found in order, the youth is returned to the home/demanding state within five (5) business days. This time may be extended up to an additional five (5) days with approval from both ICJ Offices.
- 4. Travel arrangements for youth that voluntarily or involuntary return are processed by the ICJ Offices of each state. Tennessee is financially responsible to pay for the return of youth who legally belong in Tennessee.
 - 5. The holding state is financially responsible for the secure detainment of a youth. If the county cannot pay for the youth's detainment, the court may apply for financial reimbursement. A request for reimbursement is sent to the TN ICJ Office. A letter on court letterhead is sent to the ICJ Office that includes specific information regarding the reason for the request and also includes an invoice from the detention center. Requests for reimbursement is not guaranteed and is on a first come, first served basis.

M. Warrants

- 1. If an FSW/JSW/JPO is notified that a youth has been located out of state, contact the TN ICJ Office as soon as possible.
- 2. If a custodial youth in Tennessee runs away, see DCS Policy [31.2, Responsibilities Regarding Runaways, Absconders and Escapees](#) and [Protocol for Reporting Runaways, Absconders and Escapees](#). In addition, the FSW/JSW/JPO ensures the youth is entered into the National Crime Information Center's (NCIC) database and classified with a **nationwide pickup radius** and **not eligible for bond**, if the youth is held if picked up outside of Tennessee.
- 3. Holding states honor all lawful warrants entered by other states; and shall no later than the next business day, notify the ICJ in the home/demanding/sending state that

the juvenile has been detained pursuant to the warrant. Once notified the, home/demanding/sending state issues a detainer or provides a copy of the warrant to the holding state.

4. Within **two (2)** business days of notification, the home/demanding/sending state informs the holding state of their intent to act upon and return the juvenile or notify in writing the intent to withdraw the warrant. The absence of a warrant does not negate the home/demanding/sending state's responsibility to return the youth.

N. ICJ Compliance and Sanctioning

1. The Interstate Commission has established procedures to deal with states who commit substantial or persistent violation of the Compact, its rules and bylaws.
2. The Commission attempts to assist an alleged violating state to come into compliance by using training or technical assistance; however, if violations continue there are financial penalties assessed and/or possible sanctions up to and including suspension or termination of membership in the compact.
3. Factors in determining sanctions can be found in [ICJ Policy 02-2017, ICJ Compliance Policy, Sanctioning Guidelines](#). Violations are divided into four types: administrative, minor, moderate and major violations.
4. Financial penalties can be assessed and range from \$10,000 to \$75,000 based on the type of violation.

O. Training

1. Tennessee DCS staff receive training on the ICJ during Pre-service training.
2. In-service training sessions are offered by the ICJ Office:
 - a) Quarterly for DCS Staff and Juvenile Court staff or as requested;
 - b) There is on-demand WebEx training on the ICJ website. The DCS Training Division alerts staff when these trainings are scheduled.
 - c) Face to face training can be requested for your region or juvenile court, contact the TN ICJ Office to schedule.
3. Judges and Court Personnel can access ICJ Court procedures using the [ICJ Bench Book for Judges & Court Personnel](#) as well as the Toolkit for Judges via the links below or via the compact website at <https://juvenilecompact.org/>

Forms:

[ICJ Form VII, Out of State Travel Permit and Agreement to Return](#)

[Victim Notification Supplement Form](#)

[ICJ Form VI, Application for Services and Waiver](#)

[ICJ Form IV Parole or Probation Investigation Request](#)

ICJ Form V, Notification from Sending State of Parolee or Probationer Report of Sending State Upon Parolee or Probationer Proceeding to the Receiving State

ICJ Form VIII, Home Evaluation Report

ICJ Form IX, Quarterly Progress Report

ICJ Form IX, Violation Report

ICJ Form IX, Absconder Report

ICJ Form III, Consent for Voluntary Return of Out of State Juvenile Form 1, Requisition for Runaway Juvenile

ICJ Form II, Requisition for Escapee or Absconder or Accused Delinquent

Juvenile Rights Form for Consent for Voluntary Return of Out of State Juvenile

[CS-0043, Rules of Probation/Aftercare](#)

[CS-0130, Juvenile Justice Trial Home Placement](#)

Collateral Documents:

[ICJ Rules, Interstate Commission for Juveniles](#)

ICJ Bench Book for Judges & Court Personnel

ICPC Regulation #4

ICJ Policy 02-2017, ICJ Compliance Policy, Sanctioning Guidelines

[13.12, Probation Requirements for Delinquent Youth](#)

[13.11, Trial Home Visit and Aftercare Requirements for Delinquent Youth](#)

[21.18, Notification to School Principals of Certain Delinquent Adjudication](#)

[31.2, Responsibilities Regarding Runaways, Absconders and Escapees Protocol for Reporting Runaways, Absconders and Escapees](#)