
POLICY

The Interstate Compact for Juveniles (ICJ) governs the transfer of supervision of juveniles on probation or parole from the sending state to the receiving state. Michigan state law implements the compact and requires compliance with the ICJ by-laws and rules found at www.juvenilecompact.org. ICJ cases must be registered in MiSACWIS and must be managed via the Juvenile Interstate Data System (JIDS). JIDS is a secure web-based application that provides all ICJ forms for case management including those for home evaluation, reporting, travel permitting, and returns.

The MDHHS interstate compact office is composed of staff that implement the Interstate Compact for Juveniles (ICJ) and the Interstate Compact on the Placement of Children (ICPC) in Michigan. For ICJ, the compact office works with other state compact offices as well as MDHHS county offices and courts in Michigan. The compact office provides oversight of case management, training and technical assistance as requested.

MDHHS caseworkers and supervisors must manage the ICJ case and are responsible for providing complete and timely reports in accordance with the ICJ rules.

For cases where a state requests supervision in Michigan, MDHHS caseworkers in the receiving county must perform supervision duties including home evaluation, monitoring of probation/parole conditions, and periodic and situational reporting.

For cases where a MDHHS county office or court seeks supervision in another state, the caseworker or probation officer must forward an ICJ referral to the Michigan compact office. The compact office then forwards the referral to the receiving state compact office via JIDS for further routing to the appropriate local office in the receiving state.

Under the compact, the sending state determines if the youth is a juvenile subject to the compact. Some states may classify a youth as a juvenile up to age 25.

The foster care or relative placement of a juvenile who has not been adjudicated as a delinquent is administered under the Interstate Compact on the Placement of Children (ICPC); see ICM 120, Interstate Adoption Procedures, or ICM 130, Interstate Foster Care Procedures. The institutional placement of a juvenile

(delinquent or non-delinquent or both) is administered under the ICPC; see ICM 140, Interstate Residential Care Procedures.

If a juvenile under ICJ supervision becomes involved with Michigan law enforcement or a Michigan court, the supervising caseworker must participate with the juvenile in all court processes, keep the compact office informed, and ensure all relevant court documents are scanned into JIDS. ICJ supervision must continue in parallel with the Michigan legal process. Michigan court involvement, including adjudication or conviction, does not necessarily result in ICJ case closure.

If deemed necessary, the MDHHS caseworker must make a report to Central Intake, take appropriate actions, and keep the compact office informed.

PURPOSE

To provide direction and procedures for supervision of a juvenile on probation or parole from one state placed with a parent, relative, legal guardian or person in another state. This policy also applies to compact placements for juveniles allowed to live independently or while attending an educational or vocational program in another state.

DEFINITIONS

Definitions are found in the 100 series ICJ rules.

PROCEDURE

Referral to Michigan

On receipt of a JIDS referral for supervision, the compact office must review the referral and route it to the applicable MDHHS county office via JIDS.

Caseworkers must follow the 400 and 500 series ICJ rules regarding referral, case supervision, approval or denial of home evaluation reports, reporting and case closure.

**Referral from
Michigan**

Caseworkers or probation officers must evaluate juveniles on their caseload to determine if use of the compact is a viable option for placement. This evaluation must be consistent with the juvenile's permanency goal and family situation. Caseworkers must contact the potential placement resource (in ICJ terms the provider) and explain to them their role and responsibilities regarding the juvenile.

Caseworkers and probation officers must ensure the court understands that an ICJ referral requires a youth to be on probation before ICJ supervision can start and that termination of the delinquency case ends ICJ supervision.

Caseworkers and probation officers must follow the 400 series ICJ rules regarding referrals. Referrals must be sent to the Michigan compact office. If placement is planned less than 45 calendar days from submittal, the caseworker or probation officer must include a completed ICJ Travel Permit (ICJ Form VII) in the referral.

The compact office must review the referral for completeness and relay the referral via JIDS to the receiving state.

**Travel to
Placement**

The provider of living arrangements for the juvenile in the receiving state is assumed to be the primary resource for funding travel for the juvenile. As an alternative, the sending MDHHS office or court may fund travel to the placement. The compact office cannot reimburse travel funds.

**Communication
between Local
Offices/States**

State compact offices are responsible for communications between states in accordance with the 200 series ICJ rules. If communications between local offices in two states are desired, the originating local office must contact their state compact office with a request for communication. Once permission is granted and communication complete, the caseworker or probation officer must summarize the results of the communication in a memorandum and scan that memorandum into JIDS.

Funding Services

Treatment services and funding responsibility must be specified in the referral, normally in the sending court's conditions of supervision or probation rules. Absent clear written guidance, funding priorities are defined in the 500 series ICJ rules as follows:

- Receiving state agency.
- Provider (private pay or insurance).
- Medicaid (if juvenile is eligible and Medicaid will fund the service).
- Sending state agency or court.

For referrals to Michigan, MDHHS cannot fund ICJ treatment services for a juvenile from another state. If services are needed, the caseworker must contact the compact office to request service funding with a memorandum that includes the following:

- Service(s) needed.
- Reason/justification.
- Amount of services (number of tests, hours of service, etc.).
- Vendor(s).
- Cost.

**Making Initial
Contact**

In the majority of cases, time and location of the juvenile arrival in Michigan will be as described in case documentation. However, some arrival scenarios may involve changes in plans and fluid living conditions. In some cases, the juvenile may already be living in Michigan at the time of the referral.

Caseworkers must attempt to establish contact with the juvenile/provider within 10 calendar days of referral receipt. Contact methods include but are not limited to:

- Telephone.
- Certified letter.
- Personal visit.

The caseworker must make at least three contact attempts within the 10 first calendar days after referral receipt. Voicemail or lack of a telephone response during the period will count as an attempt. If no contact is made within 10 calendar days, the caseworker must

immediately inform the compact office and continue efforts to make contact.

The compact office, when notified of contact issues, must contact the sending state compact office to request assistance.

The caseworker must expand efforts using the following:

- Search of BRIDGES for family and possible address change.
- Check of local schools for possible enrollment.
- Check of social media.

When contact is made, the caseworker must schedule a home evaluation within 20 calendar days of the referral. If the home evaluation is not conducted within 20 calendar days of the referral, the caseworker must notify the compact office.

While preferred, presence of the juvenile during the home evaluation visit is not mandatory. The juvenile must be seen during the next visit to the home.

Home Evaluation Reports

The ICJ Home Evaluation Report (ICJ Form VIII) must be completed in JIDS no later than 30 calendar days after the referral is received.

In the event that the 30 calendar day limit is approached and contact efforts above have been unsuccessful, the caseworker and supervisor must complete the Form VIII recommending denial due to lack of communication. The Form VIII must include documentation of all attempts to establish communication including date of attempt, means of communication, and results.

In the event that the caseworker and supervisor recommend denial of the Home Evaluation Report for any reason, the caseworker and supervisor must submit the report and contact the compact office.

If the juvenile/provider moves, the caseworker must proceed as follows:

- Notify the compact office with the new address, phone and date of move (planned or completed).
- If the new address is in the same county, the caseworker must complete a new Home Evaluation Report Form VIII.

- If the new address is in a different county, the caseworker must coordinate with their supervisor and the new county to shift the case to the new county where a new Home Evaluation Report Form VIII must be completed. As an alternative, based on geography and mutual agreement with the new county, the original caseworker may retain the case and complete the new Home Evaluation Report Form VIII. No JIDS operations are required. In MiSACWIS, if the JIDS case is transferred to the new county, the case must be transferred to the new county.
- If the juvenile has left the state as part of a planned move, the caseworker must confirm the departure and complete an ICJ Progress Report Form IX documenting departure and providing the new address if known. The compact office must request case closure from the sending state.
- If the juvenile cannot be located and is believed to have left the state, the caseworker must notify the compact office and complete an ICJ Progress Report Form IX coded as an absconder report.

Home Evaluation Content

A home evaluation must include but is not limited to:

- Documentation of attempts to establish initial contact with the provider and juvenile. The provider is the adult or adults who provides daily routine supervision of the juvenile. Normally the provider is a parent, relative or legal guardian.
- A review of available case information prior to the home visit.
- An in-person visit and inspection of the residence.
- A meeting with the provider and juvenile (if in Michigan). The meeting must assess the ability and willingness of the provider and other family members to provide support to the juvenile.
- A criminal background check for all adults living in the home or expected to be in the home on a regular basis. See MDHHS policy JJ2 280, Law Enforcement Information Network. A statement that the criminal background check was conducted must be included in the legal section of the Home Evaluation Report.

- A Central Registry check for all adults living in the home. A statement that the check was conducted must be included in the legal section of the Home Evaluation Report.
- For sex offenders, an assessment that the provider/family is aware of the juvenile's history and there is a written family safety plan. A safety plan, if provided in the referral and judged workable by the caseworker, may be used if the family is aware of its contents.
- Completion of the signatures on the ICJ Application for Services and Waiver (ICJ Form IA/VI), if the form is not already completed. The completed form must be scanned into JIDS.
- Completion of the ICJ Form VIII in JIDS including electronic signatures by the case worker and supervisor.

Home evaluations must not be delayed and may be conducted without the physical presence of the juvenile.

The home/provider is not required to be licensed unless the youth is concurrently referred under both the ICJ and the ICPC.

An ICPC home evaluation may provide relevant information, but may not be used in place of an ICJ Home Evaluation Report. The caseworker must contact the compact office if the situation involves both the ICJ and ICPC.

Acceptance or recommendation for denial of the home evaluation must be based on observations and facts documented in the report and consistent with the 500 series ICJ rules regarding denial of home evaluations. In cases where denial is blocked by ICJ rule (for example, placement is with a parent/legal guardian and no parent/legal guardian lives in the sending state), the caseworker must recommend denial even though the compact office may override the caseworker recommendation for denial based on ICJ rule.

If the caseworker recommends denial, but believes the provider/juvenile can pursue remedial actions/improvements for the home, the caseworker must:

- Communicate factually with the provider/juvenile including conditions and improvement recommendations.
- Complete the Home Evaluation Report recommending denial and document corrective action recommendations in the report.

- Set up a return visit at an appropriate date.
- Return and evaluate remedial actions taken by the provider.
- If actions taken are adequate, amend the report to reflect approval, and notify the compact office of amendment.

On approval of a Home Evaluation Report, the caseworker must begin supervision of the case.

Supervision in Michigan

The caseworker and supervisor are responsible for supervision to include:

- Visits with the juvenile/provider on at least a monthly basis; see JJ2 270, Visit Requirements.
- Monitoring of the juvenile for compliance with the sending state terms of parole/probation (for example, school attendance). Monitoring includes initial and recurring reviews of the parole/probation rules and working with the juvenile and provider to encourage completion of court-ordered community services and payment of court-ordered restitution and fees. Caseworkers must never handle juvenile's money.
- Submission of required reports in accordance with the 500 series rules including:
 - ICJ Progress Report (Form IX) due at least every 85 calendar days.
 - ICJ Violation Report (Form IX) due when the youth is not compliant with terms of parole/probation or when the youth violates state law.
 - ICJ Absconder Report (Form IX) when the juvenile cannot be located or juvenile location is not known by the provider or caseworker.
- Participation in Michigan legal processes if the juvenile becomes involved with Michigan law enforcement or a Michigan court.

- Encouragement of the juvenile/provider to contact the Michigan State Police regarding registration as a sex offender as required under state law.
- Submission of ICJ travel permits (ICJ Form VII) for travel outside Michigan in accordance with ICJ rule 801-1. While ICJ juveniles are not normally wards of a Michigan court, any youth from another state supervised by Michigan requires a travel permit for travel outside Michigan more than 24 hours in duration, regardless of offense, reason for travel or the person(s) accompanying the juvenile; see ICM 170, Interstate Compact for Juveniles Travel Permits.

Closure of an ICJ Case

The caseworker must follow the 500 series ICJ rules for case closure. When received, the compact office must pass any case closure information to the caseworker or probation officer.

Should the caseworker receive court orders or other information relative to possible closure, they must contact the compact office and provide the information/documentation. The case must remain open and supervised pending resolution by the compact office. The compact office must seek confirmation of status from the sending state compact office and advise the caseworker accordingly.

TRAINING AND TECHNICAL ASSISTANCE

Caseworkers and probation officers with questions about the ICJ or JIDS may contact the Michigan compact office for assistance at <http://www.juvenilecompact.org/Portals/5/Library/contacts.pdf>

MDHHS county offices must maintain at least one staff and supervisor trained in ICJ and JIDS. These staff may be shared in courtesy arrangements with adjacent counties.

Training in ICJ and JIDS is available from the Michigan compact office. Training materials are also available from the ICJ website (www.juvenilecompact.org). Some website training may require additional security access; workers desiring this training may contact the compact office for assistance.

LEGAL BASIS

Interstate Compact for Juveniles Act, 2003 PA 56, as amended,
MCL 3.691 et seq.

Social Welfare Act, 1939 PA 280, as amended, MCL 400.115a(a)(I)

