



INTERSTATE COMPACT

JUVENILE PROBATION



OPERATIONAL

MANUAL

113134

DEPARTMENT OF THE YOUTH AUTHORITY

STATE OF CALIFORNIA

113134

State of California

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FOREWORD

This operational manual has been prepared and issued by the Department of the Youth Authority to assist judges of the juvenile court and probation officers in processing cases through the Interstate Compact on Juveniles.

The Department provides the staff for processing cases through the Interstate Compact on Juveniles. We invite inquiries on any point not covered in the manual. Suggestions for improvement of the Juvenile Compact services will be welcomed.

C. A. Terhune, Director

Department of the Youth Authority
and Juvenile Compact Administrator
for the State of California

TABLE OF CONTENTS

	<u>PAGE</u>
Background and History of the Interstate Compact on Juveniles	1
Purposes of the Interstate Compact on Juveniles	1
Member States	2
Procedure for Processing Juvenile Probation Cases From Other States .	2
Procedure for Processing County Juvenile Probation Cases Going Out of State	3
Definitions, Interpretations, and Regulations Under the Juvenile Compact.	5
Liability of Supervising Officers.	5
Progress Reports	5
Confidentiality of Records	5
Printing of Forms.	5
Juvenile Parole Cases From Other States.	5
Restitution and Court Cost	6
Conditions of Parole and Probation	6
Discharge or Change in Status.	6
Juveniles Whose Families Have Left the Sending State	6
Surveillance of Wards at Airports.	7
Supervision of Dependent Children.	7
Return of Runaway Juveniles.	7
Out-of-Country Inquiry	7
Choice of Articles Relating to the Return of Runaways.	8
Pertinent Welfare and Institutions Code - Appendix I.	10
Court and Attorney General's Opinions - Appendix II	11
Glossary of Terms - Appendix III.	13
Interstate Compact on Juveniles Forms - Appendix IV	16

BACKGROUND AND HISTORY OF THE INTERSTATE COMPACT ON JUVENILES:

Early in the 1950's, widespread interest developed in formulating an interstate agreement designed to cope with the multiple problems involving supervision and control of juveniles and juvenile delinquents. Needs were evident for a procedure to permit the return of delinquent juveniles across state lines and to permit the supervision of delinquent juveniles who are sent to a state other than the one in which they were adjudicated. Many were convinced that there was a need for an agreement for juveniles, similar to the Interstate Compact for the Supervision of Parolees and Probationers which had proven very successful.

In 1954, the problem of transient youth was discussed at the meeting of the National Council of Juvenile Court Judges. A preliminary draft of the Interstate Compact on Juveniles was prepared by the Council of State Governments, with the assistance of such groups as the National Probation and Parole Association, American Public Welfare Association, the United States Senate Committee on Juveniles and a number of other concerned organizations. All these groups, together with the Commission on Interstate Cooperation, met in January of 1955 and took final action in approving the Interstate Compact on Juveniles.

The Interstate Compact on Juveniles was enacted in California and nine other states during 1955. The Governor designated the Director of the Youth Authority, as the Administrator for California and the Juvenile Compact Administrators, at their first organizational meeting in Los Angeles in 1956, elected the Director as the first Chairman of the Compact Administrators. The Youth Authority's Interstate Unit, under the Division of Parole and Community Services, was formed the following year.

The Interstate Compact on Juveniles has gained acceptance throughout the country as professional services to probationers and parolees have improved. An ever-increasing number of youths have been placed under probation and parole supervision as a result of this enactment and, in practically all instances, requests for supervision are handled quickly and thoroughly with obvious benefits to the juvenile and the community.

PURPOSES OF THE INTERSTATE COMPACT ON JUVENILES:

- (1) To arrange out-of-state investigation and supervision for a delinquent juvenile who is to be sent to a state other than the one in which he/she committed an offense or was adjudged delinquent.
- (2) To provide for the legal return of runaways who have not been previously adjudged delinquent.
- (3) To provide for the return of absconders and escapees to the state from which they absconded or escaped.

- (4) To authorize agreements for the cooperative institutionalization of special types of juveniles, such as psychotics and mentally ill delinquents.

The Compact consists of 15 articles (Welfare and Institutions Code, Sections 1300-1308), four of which set forth the detailed procedures necessary to carry out the functions listed above. The first article of the Compact sets forth findings and purpose which show the legislative intent and broad guiding principles. The second article assures that existing rights and remedies (including parental rights and responsibilities) will not be affected by the Compact. Another article on definitions makes clear as to just what the key phrases of the Compact mean. Article VI, on Voluntary Return Procedure, makes it possible to omit many of the formal procedural steps if the juvenile is willing to return voluntarily. Formal procedures are described in Article IV (nondelinquent) and Article V (delinquent) for the return of a juvenile from another state in accordance with the provisions of this Compact.

Cooperative supervision of probationers and parolees is covered under Article VII, whereby arrangements can be made for the control and supervision of wards placed in a state other than the one in which the juvenile was adjudged delinquent. Article IX provides, ". . . no juvenile nor delinquent juvenile shall be placed or detained in any prison, jail"

Remaining Sections (1300.3-1308) include amendments relating to out-of-state confinement; enforcement of the compact by the courts, departments, agencies, and officers of the State, and a section which declares that any laws in conflict with the compact are inoperative.

MEMBERSHIP

All 50 states; the District of Columbia; and the Commonwealths of Puerto Rico, the U.S. Virgin Islands and Guam are signatories to the Interstate Compact on Juveniles.

PROCEDURE FOR PROCESSING JUVENILE PROBATION CASES FROM OTHER STATES:

The California Compact Administrator receives requests from various states for investigation and supervision of juvenile probationers being considered for placement in California. Such requests are directed to the administrator in duplicate. One copy is retained in the office of the Interstate Unit and the remaining copy is forwarded to the appropriate county probation department. The Probation Officer should conduct his investigation as requested and respond in triplicate to the office of the California Compact Administrator. The Probation Officer should describe the placement situation, provide a statement of acceptance of supervision, and include other information pertinent to the case. Rejections and reasons thereof should be routed in the same manner. The administrator will retain one copy and forward two copies to the sending state.

If a California probation department receives a request for supervision of juvenile probationers directly from another state, it is suggested that the department make the investigation but respond to the California Compact Administrator. In the response, the Probation Officer should indicate that this is a direct referral for identification purposes. In this way, the matter can be handled in accordance with Article VII of the Interstate Compact.

In the case of an intrastate transfer of an out-of-state juvenile probationer from one county to another, the probation department shall complete arrangements for such transfer directly with the receiving county. They should advise the California Juvenile Compact Administrator by letter when the transfer of supervision has actually been effected.

In cases where an out-of-state probationer moves to a third state, the compact office should be notified. The Probation Officer should then close his case and return case material to the compact office. The sending state will be notified and should initiate a request for supervision in the third state.

PROCEDURE FOR PROCESSING COUNTY JUVENILE PROBATION CASES GOING OUT OF STATE:

When a case is referred by a California probation department for processing in connection with a request for placement investigation and supervision in another state, the procedure shall be as follows:

- (1) Send three (3) copies of the following to the office of the California Compact Administrator for the Interstate Compact on Juveniles:
 - (a) Parole and Probation Form 1 Investigation Request, YA 3,528 (Rev. 8/86)
Form 1 to contain information as follows: The name, address, and relationship of the person(s) with whom the juvenile will reside, reason for declaration of wardship, and any specific conditions of the probation, along with any information which would aid the receiving state in establishing contact with the persons to be interviewed.
 - (b) Probation Officer's Report to the Court and/or Social History
 - (c) Form 1A-VI, Application for Compact Services, Memorandum of Understanding and Waiver, YA 5.303 (Rev. 11/86)
Form is to be completed and included. One copy of the Form 1A-VI is retained by the Juvenile Compact Administrator in California; the two remaining copies are forwarded to the receiving state.
 - (d) Court Order placing juvenile on probation.
 - (e) Conditions of Probation.
 - (f) Other information pertinent to the case, if available.

- (2) Upon acceptance of supervision, the Compact will notify the probation department originating the referral.
- (3) Progress/status reports and recommendations for termination should be directed to the Compact Administrator who will forward to county of jurisdiction.
- (4) Upon termination of jurisdiction, the Compact Administrator will notify the State to close interest and terminate supervision.

The Probation Officer should request supervision in all cases where wardship has been declared and it is the intention of the court to retain jurisdiction. If wardship is dismissed, then supervision cannot be provided under the Compact. The receiving state acts only as an agent of the sending state and, by virtue of dismissal, would have no jurisdiction. Transfer of jurisdiction is not possible from one state to another. If jurisdiction is to be assumed in the receiving state, then this can only be accomplished through a new court action in accordance with the laws as they exist in the receiving state. The "transfer" is merely responsibility of supervision, not jurisdiction.

Where possible, the sending state shall give the receiving state sufficient time to make the necessary investigation and accept or refuse supervision prior to the probationer's departure. It is recognized that situations occasionally arise which make this impossible. If possible, however, the Compact should be given the opportunity to assist in emergency placement of delinquent wards.

Should this out-of-state placement fail, California counties are obligated to return the ward to California unless the parents or legal guardians have also relocated in the receiving state.

DEFINITIONS

LIABILITY OF SUPERVISORY OFFICERS:

Article VII (b) of the Compact provides that a state supervising a juvenile under the Compact must be governed by ". . . the same standards of visitation and supervision that prevail for their own delinquent juveniles released on probation or parole." The Compact Rules and Regulations (Section 4, Chapter 3) also provide that, as far as practicable, the same standard of treatment shall be used.

PROGRESS REPORTS:

Under Section 3 of the Compact Rules and Regulations (Chapter 3) the receiving state should furnish such progress reports and other information as may be requested by the sending state.

CONFIDENTIALITY OF RECORDS:

Information which is required to be kept confidential under the laws of the sending state cannot be given any wider distribution to persons of other states than would be possible for similar officials of the sending state. Since the receiving state acts as an agent of the sending state, its officials become officers of the sending state for the purpose of conducting cooperative supervision. The release, however, of any juvenile record should be made only by the state or court of jurisdiction.

PRINTING OF FORMS:

The California Juvenile Compact Administrator supplies Compact forms used by California probation departments. Requests for such forms should be submitted to the office of the Deputy Administrator, Interstate Compact on Juveniles, Department of the Youth Authority, 4241 Williamsborough Drive, Sacramento, California 95823, (916) 427-4735.

JUVENILE PAROLE CASES FROM OTHER STATES:

Youth Authority parole staff supervise cases when individuals under the age of 21 are released from a state youth correctional institution or reformatory. If the parents or legal guardians also relocate in California, the county juvenile court would be expected to handle new offenses in those cases involving youths under 18.

RESTITUTION AND COURT COSTS:

Sometimes courts order juveniles to make restitution or pay court costs. While the Compact does not prevent this, each state has its own policy and it is unlikely that any large sums of money will be collected.

CONDITIONS OF PAROLE AND PROBATION:

The terms of probation and parole are set by the sending state. On the other hand, day-to-day operational matters must be left to the receiving state and determined by it in applying the same standards in Compact cases which is used in similar intrastate cases. Any special conditions included in the court's probation order, or set as conditions to the parole, are binding and should be enforced in the receiving state to the same extent that they would be in the sending state.

DISCHARGE OR CHANGE IN STATUS:

Section 7 of the Compact Rules and Regulations provides that the receiving state must be sent word forthwith of any change in status of juveniles under Compact supervision. Section 7 also provides that juveniles should not be discharged before the expiration of their supervisory maximum without the consent of the receiving state. A full explanation will be given for the proposed discharge.

To discharge a juvenile merely to avoid returning him/her is a violation of the spirit of the Compact.

Recommendations by the receiving state for discharge should be put in separate letters and not included in routine progress reports.

A receiving state cannot discharge an interstate supervisee. The sending state makes this decision. The receiving state's position is that of agent for the sending state. The agency relationship does not provide implied authority to discharge cases, since the laws of the sending state might forbid discharge before a certain time. The receiving state's action cannot defeat the sending state's jurisdiction over the juvenile.

JUVENILES WHOSE FAMILIES HAVE LEFT THE SENDING STATE:

The receiving state should try to assume responsibility for juveniles whose families (parent) have moved to the receiving state when new acts of delinquency occur.

When a family moves from the sending state to a state, other than the receiving state, consideration will be given to transferring supervision to the new state if this would be in the best interest of the juvenile.

SURVEILLANCE OF WARDS AT AIRPORTS:

The Interstate Services Unit of the California Youth Authority can arrange, through the facilities of the Interstate Compact, for surveillance at various airports of unescorted youths to ensure that these youths do not depart from the plane before reaching their destination. The Interstate Unit usually receives such requests by telephone. Information as to the schedule and the youth's physical and clothing description should be provided. Requests should be made as far in advance as possible, but a minimum of 24 hours prior to travel.

SUPERVISION OF DEPENDENT CHILDREN:

Dependent Children, as defined by Section 300 of the Welfare and Institutions Code, are not included in the supervisory provisions of the compact.

THE RETURN OF RUNAWAY JUVENILES:

More and more states are now able to meet their financial obligations under the Interstate Compact. It is usually possible to obtain funds from one source or another. Parents, private agencies, local governments, and states have been the chief sources of funds. Some county probation departments have funds, or arrangements with the welfare departments whereby monies are made available for the transportation of youth.

Other states are not obligated to pay for a runaway's return unless he is under some form of jurisdiction in that state. If they do have jurisdiction and question their obligation, the California Compact office may be able to clarify the matter.

If it is found that the runaway is not under any form of jurisdiction, and neither the parents nor any of the aforementioned resources are able to pay, the county will probably have to bear the expense of his return.

OUT-OF-COUNTRY INQUIRY:

The International Social Service, a voluntary, nonsectarian social welfare agency, has many branches and correspondents throughout the world, including the United States. In each country, International Social Service gives individualized service and works closely with existing social welfare and health agencies, courts, schools, and public and private institutions interested in the welfare of families and children. The International Social Service deals

primarily with making contact with a client on a casework basis (home evaluation, supervision) but are hesitant to take steps involving verification of documents or residence.

In matters concerning wards of the courts, International Social Service can secure background information about the child (if the child is a foreign national) or can arrange for a personal interview with the relatives and submit a report as to the results of their investigation. Such information as to the relative's economic situation, their prospects in the community in which they live, and the home they can offer to the child can be obtained through the inquiry of a trained social worker assigned to one of these branch offices. Requests for such investigation or further information pertaining to the services possible under the International Social Service should be addressed as follows:

International Social Service, Inc.
American Branch
95 Madison Avenue
New York City, NY 10016

CHOICE OF ARTICLES RELATING TO RETURN OF RUNAWAYS:

Runaways may be returned under Articles IV, V and VI of the basic Compact. The material below discusses the relative merits of each of these articles and the procedures to be followed when using them to return a runaway.

Steps to be Taken in Article IV:

The "parent, guardian, person, or agency entitled to legal custody" of the juvenile who has run away without consent, petitions the Court of home state which has juvenile jurisdiction, for the juvenile's return. OPTIONAL FORM A, PETITION FOR REQUISITION TO RETURN A RUNAWAY (YA 3.516), is used for this purpose. The judge of the home court, on the basis of information presented to him, may then issue a written requisition for the return. FORM I, REQUISITION FOR RUNAWAY JUVENILE (YA 3.508), is used for this purpose. If the judge knows precisely where the juvenile is located, he forwards the requisition to the executive authority of that state. If there is a question as to whom the requisition should be directed in the asylum state, then the requisition may be submitted to the California Compact Administrator before forwarding.

Steps to be Taken in Article V:

Article V may only be used for delinquents who have escaped from institutional custody or have absconded from parole or probation supervision. The procedural steps for the return of delinquents under Article V are similar to those described for the return of nondelinquents under Article IV. The main difference lies in the fact that the authority in the demanding state, from whom the juvenile has escaped or absconded, may issue the requisition. FORM II REQUISITION FOR ESCAPEE OR ABSCONDER (YA 3.500B) is used for Article V by the home state.

The requisition shall be verified by affidavit and shall be accompanied by two certified copies of the judgment, formal adjudication, or order of commitment which subjects such juvenile delinquent to probation or parole or to the custody of the institution or agency concerned.

Steps to be Taken Under Article VI:

Article VI may be used for delinquent runaways who are willing to return home. Use of Article VI eliminates the need for requisitions.

APPENDIX I

PERTINENT WELFARE AND INSTITUTIONS CODE SECTIONS

SECTION 1009 - RETURN OF NONRESIDENTS:

The Youthful Offender Parole Board may order the return of nonresident persons committed to the Department of the Youth Authority or confined in institutions or facilities subject to the jurisdiction of the department to the states in which they have legal residence.

SECTIONS 1300-1308 - INTERSTATE COMPACT ON JUVENILES:

The 15 articles setting forth the detailed procedure necessary to carry out the functions of the Compact.

SECTION 1300.3 - OUT-OF-STATE CONFINEMENT AMENDMENT:

In 1965, the Legislature enacted the Out-of-State Confinement Amendment to the Interstate Compact on Juveniles whereby the Court or Executive Authority may direct the confinement of a delinquent juvenile in an institution within the receiving state.

SECTION 1300, Article VII (d) - RESPONSIBILITY FOR THE TRANSPORTATION OF DELINQUENTS JUVENILES:

This section provides, ". . . that the sending state (duly constituted judicial or administrative authority) shall be responsible under this Article for paying the cost of transporting any delinquent juvenile to the receiving state, or of returning any delinquent juvenile to the sending state."

SECTION 1300, Article X - CONTRACTURAL AGREEMENT FOR INSTITUTIONALIZATION OF DELINQUENTS:

The Interstate Compact on Juveniles has made it possible for other states to place delinquents in California Youth Authority institutions.

SECTION 1306 - ENFORCEMENT:

The courts, departments, agencies, and officers of this State and its subdivisions shall enforce this Compact and shall do all things appropriate to the effectuation of its purposes and intent which may be within their respective jurisdictions.

SECTION 1308 - CONSTRUCTION:

All provisions of law in conflict with this chapter shall be inoperative so long as the Compact or agreement executed under the provisions of this chapter is operative.

APPENDIX II

COURT AND ATTORNEY GENERAL'S OPINIONS

Chin v. Wyman et. al., (Supreme Court Westchester County, December 31, 1963.
246 N.Y.S. 2d. 306)

This case involved two girls who ran away from their parents' home in Massachusetts to live with a married sister in New York. The parents filed a requisition under the Compact, seeking to have the girls returned. The girls obtained counsel in New York who opposed their return on the grounds that the Compact was unconstitutional. The constitutionality of the Compact was challenged on the grounds that it has not received the consent of Congress and that it violated the equal protection privileges and immunities and due process clauses of the Fourteenth Amendment.

In its opinion (cited as 246 N.Y.S. 2d 306), the New York Court held the first three claims to be without merit. With respect to the matter of due process, the Court said that it was necessary to hold the hearing in the state to which the girls had fled on the question of whether they should be returned to their home state. Such a hearing, the court said, was necessary in order to satisfy due process requirements. The Court, therefore, ordered such a hearing be held in the Family Court in New York.

Smallwood v. Hindle, District Court of Iowa, Black Hawk County,
October 11, 1964.

Juvenile absconders who are being held pending return under the Compact are not entitled to bail.

Opinion of the Attorney General of California, January 4, 1960.
(Informal Opinion)

The responsibility of both the Youth Authority and County Probation Officers for the apprehension, detention, and transportation of juveniles placed in California under the terms of the Interstate Compact on Juveniles is substantially the same as that for the apprehension, detention, and transportation of juveniles of this State.

Opinion of the Attorney General of California, APO #54-189, April 14, 1955.

". . . as to the final point raised, it is our opinion that a ward who had been committed to the care of a person outside California and who subsequently failed to adjust could be returned to the committing court at county expense. As discussed in our analysis of questions 1 and 2, Section 640 would authorize the court to order the probation officer to take charge of the person of the ward and bring him before the court. Section 131.6 of the Code of Civil Procedure would allow expenses so

incurred to be proper county charges. We also point out that if the minor had previously committed a crime and the failure to adjust to the out-of-state surroundings was of such a nature as to result in the juvenile court directing the district attorney to prosecute for the criminal violation pursuant to Section 734, it would be proper to extradite and expenses incurred would then be chargeable to the State pursuant to Section 1557 of the Penal Code."

APPENDIX III

GLOSSARY OF TERMS

Absconder - For purposes of the Compact, a juvenile on probation or parole who has absented himself or run away from the placement mandated by the supervising agency or court.

Adjudged Delinquent - A minor who has been classified as such through court proceedings (same as Delinquent Juvenile).

Adjudicate - To pronounce, decree, or settle in the exercise of judicial authority in a properly constituted court of law.

Child/Juvenile - Any minor within the jurisdictional age limit of any court in the home state.

Commitment - An order by the court of appropriate jurisdiction ordering the care, custody and treatment of a juvenile to an agency or private or State institution maintained for such purpose.

Compact Administrator - A person designated by statute or appointed by the Governor who is responsible for coordinating his state's Compact operations.

Confidentiality - The acceptance and divulgence of information relating to Compact material on a need and right to know basis.

Court (for Compact purposes) - Any court having jurisdiction over delinquent, dependent, or neglected children.

Courtesy Supervision - The delivery of services given by a receiving state and in turn reported on periodically or as needed to the sending state.

Court Order - A command or direction authoritatively given by a court of competent jurisdiction.

Delinquent Child/Juvenile - Any juvenile who has been adjudged delinquent and who, at the time the provisions of this Compact are invoked, is still subject to the jurisdiction of the court that has made such adjudication or to the jurisdiction or supervision of an agency or institution pursuant to an order of such court.

Detention Order - An order written by the court to detain a specified juvenile pending further orders or action by the court.

Due Process - A court of legal proceedings(s) according to those rules and principles which have been established in our systems of jurisprudence for the enforcement and protection of private and public rights.

Escapee - A juvenile who has made an unauthorized flight from a facility to which he has been committed by the court.

Guardian - One who legally has the care and management of the person, or the estate, or both, of a child during its minority or for the purpose and duration expressed in the order-of-guardianship.

Guardian ad litem - An attorney appointed to prosecute or defend a suit on behalf of a party incapacitated by infancy or otherwise.

Interstate Compact - The enactment of legislation by all member states in substantially the same language on legal due processes pertaining to a juvenile.

Investigation - A legal social evaluation to determine if placement in a proposed and specified resource home/place is in the best interest of the child/juvenile and the community.

Legal Custody - The agency and/or person(s) who has been ordered or given authority by the appropriate court to render care, custody and treatment to a juvenile.

Legal Jurisdiction - Appropriate court having legal authority or control over the proceeding pertaining to one or more specified offenses in which a juvenile has been charged.

Out-of-State Confinement Amendment - Permits states to make agreements for out-of-state confinement of juveniles who are already out of state, such as parole and probation violators, escapees and absconders.

Petition - An application in writing for an Order of the Court stating the circumstances upon which it is founded.

Probation - A sentence disposition available to the courts which allows the offender to remain in the community under the supervision of a court directed person or agency. This is an alternative to commitment to a correctional facility.

Receiving State - A state to which a juvenile is sent for supervision under provision of the Interstate Compact on Juveniles.

Requisition - A demand in writing, or formal request under Article IV or V sent to the Compact Administrator or Executive Authority for the return of a nondelinquent runaway, probation or parole absconder, or escapee. (See Compact Forms I and II.)

Residence - A place at which a home or regular place of abode is maintained. A juvenile's state of residence is that of the parent, guardian, or agency entitled to this legal supervision. The state where the parent, guardian, person or agency having legal custody of the juvenile is residing or undertakes to reside.

Runaway - A child under the juvenile jurisdictional age limit established by the state, who has run away from his home within home state or out of state, without the consent of the parent, guardian, person or agency entitled to his legal custody or supervision.

Sending State - A state which has sent a juvenile to another state for supervision under the provisions of the Interstate Compact on Juveniles.

State - Any state, territory, possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

Status Offense - Conduct which is illegal for children but not illegal for adults, such a breaking curfew, running away, disobeying parents, truancy, etc.

Status Offender - One who has been adjudged guilty of status offense. A term used to designate a child adjudicated by the juvenile court and placed under court supervision, but legally remaining nondelinquent. [(AKA) child in need of supervision (CINS) (CHINS), person in need of supervision (PINS), deprived child, undisciplined child, etc.]

Termination - The relinquishment of wardship of a juvenile probationer or parolee by the proper authority in the sending state following receipt of recommendations from the receiving state with proper notice to, or communication with, the receiving state.

Voluntary Return - This relates to the return of the juvenile runaway, escapee, or absconder (under Article VI) to his home state and denotes that he consents to return there voluntarily. (See Compact Form III.)

Ward of Court - A person placed by authority of law under the care and supervision of the court.

APPENDIX IV
INTERSTATE COMPACT ON JUVENILES FORMS

YA 3.516, Form A

Petition For Requisition To Return A Runaway Juvenile (Rev. 3/78)

This form is used when it becomes necessary to petition the court to have a nondelinquent juvenile returned to the home state.

YA 3.508, Form I

Requisition For Runaway Juvenile (Rev. 11/77)

This form is used under Article IV when it becomes necessary for the court in the home state to take action in having a nondelinquent runaway juvenile returned. It is used only in cases where the youth refuses to return home or where there is some question of legality concerning the youth's return to his home state.

YA 3.500 B, Form II

Requisition For Escapee Or Absconder (Rev. 10/78)

This form is used under Article V for the requisition of delinquent escapees and/or absconders from institutions, detention centers, reception and diagnostic centers, community treatment facilities, or from probation or parole placement. (Form II is used when exercising the Rendition Amendment.)

YA 3.500 A, Form III

Consent For Voluntary Return By Runaway, Escapee, Or Absconder (Rev. 2/78)

This form is used under Article VI in cases where a state is returning a juvenile to his home state, and it must be executed in the presence of a judge or authorized court master, referee, or hearing officer. Signing by the juvenile denotes that he consents to return home voluntarily.

YA 3.503, Form IA-VI

Application for Compact Services, Memorandum of Understanding and Waiver (Rev. 11/86)

Form IA is an application for Interstate Compact services which is filed by the juvenile who is requesting to be placed on parole or probation under the supervision of another state.

Form VI, is used to determine that the youth, parent, guardian or agency understands the terms of his probation and parole and that he is to return to the sending state if he is recalled due to violation of probation or some other reason.

YA 3.528, Form 1

Parole and Probation Investigation Request
(Rev. 8/86)

This form is used in cases in which the home state requests an investigation for possible placement of a parolee or probationer in a home in another state. It should be accompanied with pertinent court orders; social summary; evaluation results; and court, school, and medical records.

PETITION FOR REQUISITION TO RETURN A RUNAWAY JUVENILE

YA 3.516 (3/78)

- Original - Receiving Court
- 1 Copy - Receiving State Compact
- 1 Copy - Sending State Compact
- 1 Copy - Court File

I, _____, being the _____ (Parent, guardian or other authority with
_____ of _____ (Name of juvenile)
legal control) _____
do hereby petition _____ (Name of court) for the issuance of a requisition for the
return of said juvenile from _____ (Location, if known)
or from any other place in which he/she may be found. By reason of said juvenile's age, such return is essential. (Attach
additional information, if necessary).

In support of this petition, and in order that the court may have necessary information pursuant to Article IV of the
Interstate Compact on Juveniles, be it known that said juvenile was born on _____ (Date), and that said
juvenile should legally be in my custody and control for the reasons set forth on the attached page. To the best of my knowledge,
said juvenile has not been adjudged delinquent, but has run away under the following circumstances and for the following reasons:

Attached are two certified copies of the document or documents verifying petitioner's entitlement to juvenile's custody.

(Signature)

(Address)

(Date)

Petition will be "Verified by Affidavit".

(Affidavit on Reverse Side)

VERIFICATION

I, the undersigned, say:

I am the requisitioner in the entitled Requisition for Escapee or Absconder on the reverse page. I have read the foregoing requisition and know the contents thereof, and the same is true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct:

(Name)

(Title)

(Agency)

(County of)

(State of) } SS

Subscribed and sworn to before me this _____ day of

_____, 19 _____

REQUISITION FOR RUNAWAY JUVENILE

Distribution:
Original - Receiving Court
1 Copy - Receiving State Compact
1 Copy - Sending State Compact
1 Copy - Court File

YA 3.508 (11/77)

TO		DATE
FROM	RE:	

This court requisitions the return of _____
(Name of Juvenile)
in accordance to the Interstate Compact on Juveniles, Article IV, Return of Runaway. Said juvenile is believed to be in your jurisdiction. (Additional information attached, if available).

On the basis of the evidence before it, this court finds said juvenile was born on _____
(Birthdate)

Juvenile's physical description:

Height	Weight	Eyes	Hair	Identifying Marks or Scars

This court further finds that said juvenile should legally be in the custody of _____
_____, who is the _____
(Relationship to Juvenile)
and who is located at _____
(Address)

within the territorial jurisdiction of this court; that said juvenile has run away without permission; and that said juvenile's continued absence from legal custody and control is detrimental to the best interests of said juvenile and the public.

If requisition is honored, please notify by collect telephone call or wire when minor will be available for release to our agent.

Name	Title
Address	Telephone Number

Attached are: Petition for Requisition to Return a Runaway Juvenile verified by affidavit, and certified documents verifying petitioner's entitlement to the juvenile's custody.

Judge	Date
-------	------

DISTRIBUTION:

- Original - Receiving Court
- 1 Copy - Receiving State Compact
- 1 Copy - Sending State
- 1 Copy - Your File

REQUISITION FOR ESCAPEE OR ABSCONDER

YA 3.500 B (10/75)

TO: (Appropriate court or executive authority)	DATE
--	------

FROM: (Name of person or agency) _____

I, _____, requisition the return of _____

born on _____, in accordance to the Interstate Compact on Juveniles, Article V, Return of
Escapee and Absconder.

Said juvenile was: (Check appropriate item)

Paroled to the custody of the undersigned Placed on probation subject to supervision by the undersigned.

Committed to _____
(Name of Institution or Agency)

And despite applicable provisions of law, said juvenile has:

Escaped Absconded

And is now believed to be in your jurisdiction at: _____

Juvenile's Physical Description:

Height	Weight	Eyes	Hair	Identifying Marks or Scars:

Attached are two copies of the Judgment, formal adjudication or Order of Commitment verifying juvenile's legal status.

As required by the Interstate Compact on Juveniles, the undersigned hereby presents the following information. (Attach further details if needed).

1. Particulars of adjudication as a delinquent juvenile _____

2. Circumstances of breach of the terms of probation or parole or escape from an institution or agency.

Accordingly, the undersigned hereby prays for the return of said juvenile as authorized by the Interstate Compact on Juveniles.

If Requisition is honored, please notify _____, _____
(Name) (Title)

_____ by collect telephone call or
(Address) (Phone)

wire when minor will be available for release to our agent.

(Signed)

(Official Position)

(Requisition must be verified by affidavit. See Article V of the Compact for further details on materials to be included or attached to the form). (Affidavit on reverse side)

VERIFICATION

I, the undersigned, say:

I am the requisitioner in the entitled Requisition for Escapee or Absconder on the reverse page. I have read the foregoing requisition and know the contents thereof, and the same is true of my own knowledge, except as to the matters which are therein stated on information and belief, and as to those matters I believe it to be true.

I declare under penalty of perjury that the foregoing is true and correct:

(Name)

(Title)

(Agency)

(County of)

(State of) } SS

Subscribed and sworn to before me this _____ day of

_____, 19 _____

**CONSENT FOR VOLUNTARY RETURN BY RUNAWAY
ESCAPEE OR ABSCONDER**

DISTRIBUTION:
Original - Court File
1 copy - Juvenile
1 copy - Receiving State Compact Admin.
1 copy - Sending State Compact Admin.

YA 3.500(A) (2/78)

I, _____, recognize that I legally belong with _____
(Legal Custodian)
_____ in _____
(Location)

and I voluntarily consent to return there without further formality, either by myself or in the company of such person as the appropriate authority may appoint for the purpose.

SIGNATURE (Juvenile)	Date
----------------------	------

I, _____, being the (check one) Counsel Guardian ad litem of
_____ (Juvenile) recognize and agree that said juvenile should
return to _____ in _____ either
(Legal Custodian) (City, State)
unaccompanied or in the company of such person as the appropriate authority may appoint. I hereby consent to such return.

SIGNATURE (Counsel or Guardian ad litem)	Date
--	------

I, _____, Judge of _____ (Court)
having informed the juvenile named above of his/her rights under the Interstate Compact on Juveniles prior to the execution of the foregoing
Consent, do hereby find that the voluntary return of said juvenile to _____ (Legal Custodian)
in _____ (Location) is appropriate and in the best interest of said juvenile, and do so order such
return as provided below:

Accompanied by	Unaccompanied
Type of transportation	
Scheduled departure date and time	Scheduled arrival date and time
Signature (Judge)	Date

(Form will be certified or authenticated in accordance with practice of the court. See Article VI of the Compact for further details.)

JUVENILE COMPACT FORMS

Form 1A: APPLICATION FOR COMPACT SERVICES

SENDING STATE (Parole or Probation Authority) California	RECEIVING STATE
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RE: _____ ID#: _____

I, _____, hereby apply for supervision as a parolee or probationer pursuant to the Interstate Compact on Juveniles. I understand that the very fact that supervision will be in another state makes it likely that there will be certain differences between the supervision I would receive in this state and supervision which I will receive in any state to which I am asking to go. However, I urge the authorities to whom this application is made, and all other judicial and administrative authorities, to recognize that supervision in another state, if granted as requested in this application, will be a benefit to me and will improve my opportunities to make a good adjustment. In order to get the advantages of supervision under the Interstate Compact on Juveniles, I do hereby accept such differences in the course and character of supervision as may be provided, and I do state that I consider the benefits of supervision under the Compact to be worth any adjustments in my situation which may be occasioned.

In view of the above, I do hereby apply for permission to be supervised on (parole) (probation) in _____, for the following reasons (Receiving State)

Form VI: MEMORANDUM OF UNDERSTANDING AND WAIVER

I, _____, realize that the grant of (parole) (probation) and especially the privilege to leave the State of California to go to the State of _____, is of benefit to me. In return for these advantages, I promise:

1. That I will make my home with _____ until a change of residence is duly authorized by the proper authorities of the receiving state. (Name, Relationship, and Address)
2. That I will obey and live up to the terms and conditions of (parole)(probation) as fixed by both the sending and receiving states.
3. That I will return at any time to the sending state if asked to do so by the (parole)(probation) authorities in that state. I further understand that if I do not obey or live up to these promises, I may be returned to the sending state.

I have read the above or have had the above read and explained to me, and I understand its meaning and agree thereto.

Date: _____ Signed: _____ (Juvenile)
Witnessed by: _____

I, in my capacity of (parent)(guardian) of _____, do approve of and subscribe to the above Memorandum of Understanding and hereby waive any right which I may have to contest the return of the juvenile referred to herein to the sending state from any state or jurisdiction within or without the United States, in which (he) (she) may be found. I also undertake to cooperate with the supervising authorities and to assist them in securing the return of the juvenile referred to herein to the sending state whenever, in their judgement, such return may be necessary or desirable.

Date _____ Signed: _____ (Parent or guardian)
Witnessed by: _____

On the _____ day of _____, 19____, permission was granted to the above named juvenile and parent or guardian to allow the said juvenile to reside in and be supervised by the State of _____

Signed _____
Probation: Judge Parole: Compact Official

STATE OF CALIFORNIA
 DEPARTMENT OF THE YOUTH AUTHORITY
PAROLE AND PROBATION FORM 1
 YA 3 528 (8/86)

INVESTIGATION REQUEST						FILE NUMBER
SUBJECT: (LAST NAME, FIRST, MIDDLE)				DOB	DATE REQUESTED	
HT	WT	HAIR	EYES	RACE	SEX	DATE CONVICTED
CHECK ONE: <input type="checkbox"/> JUVENILE <input type="checkbox"/> ADULT		CHECK ONE: <input type="checkbox"/> PAROLE <input type="checkbox"/> PROBATION		COMMITTING OFFENSE		
COUNTY	PAROLE OR PROBATION PERIOD			MAXIMUM SENTENCE EXPIRES	EXPIRATION DATE	

The State of California through the Interstate Parole/Probation Compact requests transfer of subject to your state for the following reason(s).

AS A RESIDENT SUBJECT HAS EMPLOYMENT
 FAMILY RESIDES IN YOUR STATE WITH YOUR CONSENT

HOME OFFER		
NAME	RELATIONSHIP	TELEPHONE
STREET ADDRESS	STATE	ZIP CODE

EMPLOYMENT OFFER			
EMPLOYER	ADDRESS		TELEPHONE #
CITY	STATE	ZIP CODE	NATURE OF EMPLOYMENT

- In your reply, please discuss the following:
- A. Suitability of prospective residence, employment, family environment.
 - B. Ability of receiving state to provide for compliance of special conditions of parole/probation, if applicable.
 - C. Receiving state's attitude regarding proposed placement.

NOTE: REPLY WILL BE SHARED WITH SUBJECT

Attachments Provided:

<input type="checkbox"/> CASE SUMMARY	<input type="checkbox"/> COMPACT FORMS (3.502 or 3.503)	<input type="checkbox"/> COURT ORDER	<input type="checkbox"/> PROBATION REPORT
<input type="checkbox"/> PHOTOS	<input type="checkbox"/> PAROLE/PROBATION CONDITIONS	<input type="checkbox"/> CLINIC SUMMARY	<input type="checkbox"/> OTHER _____

COMMENTS:

SUBMITTED BY: (NAME)	COUNTY/YA LOCATION
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Please direct your reply to:
CALIFORNIA INTERSTATE UNIT, DEPUTY COMPACT ADMINISTRATOR, YOUTH AUTHORITY
 4241 Williamsburgh Drive, Sacramento, California 95823