

<p>Milwaukee County Department of Health and Human Services Division of Youth and Family Services</p> <p><b>POLICY &amp; PROCEDURE</b></p>	<p>Original Date Issued: <b>11/01/2019</b></p> <hr/> <p>Last Revision Date: <b>N/A</b></p>	<p>Current Review Date: <b>05/06/2019</b></p> <p>Current Review By: <b>DP/DB</b></p>	<p>Section: <b>ONGOING</b></p>	<p>Policy No: <b>059</b></p>	<p>Pages: <b>Page 1 of 4</b></p>
<p><input checked="" type="checkbox"/> <b>Division of Youth and Family Services (DYFS)</b></p> <p><input type="checkbox"/> <b>Detention Center</b></p> <p><input type="checkbox"/> <b>DYFS Services Network</b></p> <p><input type="checkbox"/> <b>Purchase of Service Agencies</b></p>	<p>Current Effective Date: <b>07/01/2020</b></p>	<p>Subject: <b>Interstate and Intra-County Supervision Transfer Process Policy</b></p>			

## I. Policy

It is the policy of the Division of Youth and Family Services (DYFS) that a consistent and effective transfer process be employed to support staff supervising youth on a dispositional order (formal or informal) whom are transferring to or from another county or state.

This policy speaks to the criteria, processes and documentation required to move youth across jurisdictions. For additional details regarding providing supervision to youth moving across jurisdictions, please seek supervisory consultation and reference applicable DYFS policies that govern the supervision process, i.e. Youth Assessment and Screening Instruments, Case Planning, Contact Standards, etc.

## II. Definitions

### a. Color Photos

A current color photo of the youth is now required as a part of a transfer packet. The process for obtaining, using and disposal of this color photo is as follows:

- A color photo should be taken with the HSW's work-issued cellular phone.
- The photo should then be uploaded/included as a part of the electronic transfer packet.
- The electronic transfer packet, including the picture, should be printed and placed in the youth's paper file.
- Upon completion of all steps, the youth's photo **MUST BE DELETED** from the HSW's work-issued cellular phone. There should be no storage of a youth's photo after the proper documentation has been completed/submitted.

### b. Change of Venue (County to County)

Change of Venue refers to the process of requesting a transfer of a case to another county based on where the youth formally resides or where the incident took place. Change of Venue can occur pre or post-disposition.

### c. Courtesy Supervision (County to County)

Courtesy Supervision refers to the agreement between jurisdictions to provide, or continue to provide, services to youth whom are on a dispositional order and their families. Courtesy Supervision can only occur post-disposition.

### d. Interstate Commission for Juveniles Administrator

The current Administrator for interstate needs in the state of Wisconsin can be found using the search function at this website location: <https://www.juvenilecompact.org/directory-search>

**e. Interstate Compact for Juveniles (State to State)**

The Interstate Compact for Juveniles (ICJ) is an agreement between states that has the force of federal law and provides for the cooperative supervision of youth on probation (supervision) and parole whom move across state lines. The ICJ also assists states in returning youth who have run away, escaped, or abscond across state lines.

The cooperative supervision portions of the ICJ apply to the Division of Juvenile Corrections (DJC), the county human/social services departments, and the juvenile courts and detention centers. Affected youth are those on informal and formal county supervision (probation), state and county aftercare, Juveniles in Need of Protection or Supervision (JIPS) and those who are alleged delinquent by the Department of Corrections (DOC) or the courts (for example, those under the Serious Juvenile Offender Program or Corrective Sanctions). Affected youth cannot be transferred from Wisconsin to another state under the ICJ until the DOC or the court has removed the youth's Type 2 status from their court order.

**f. Interstate Compact on Placement of Children**

The Interstate Compact on Placement of Children (ICPC) is a law that ensures children moving from state to state under court jurisdiction have the same rights and protections as children in the originating state. The ICPC establishes uniform legal and administrative procedures that govern the interstate placement of children. ICPC applies to Child(ren) in Need of Protection and Services (CHIPS) orders.

**g. Type 2 Status**

Type 2 status refers to a youth who is placed by the county in a Type 2 secure correctional facility and is under the supervision and control of the department subject to the rules and discipline of the department. A youth in Type 2 status is considered to be in custody even if they are placed in a less restrictive placement (i.e. RTC, Group Home, etc.).

**III. Procedure – Courtesy Supervision (County to County)**

**a. Criteria**

- All youth on informal or formal post-dispositional order are eligible for courtesy supervision.
- Youth must reside in the State of Wisconsin.

**b. Process**

The requesting venue is required to reach out to the designated contact person for courtesy supervision in the receiving venue.

**c. Required Forms/Documents**

- Cover Letter for Venue Change (via email or formal letter)
- Police Report (if available)
- Petition
- Court Report
- Dispositional Order
- Case Plan
- Picture of Youth (high quality color photo)

**d. Returning Youth**

The rationale for requesting that a youth on Courtesy Supervision return to Milwaukee County is based on the needs of the youth being serviced. The primary factor considered is where the youth will receive the most appropriate support/services.

Requesting that a youth on Courtesy Supervision return to Milwaukee County requires a different process than the one stated above, depending on whether the current county has requested a formal Change of Venue.

- Prior to the Change of Venue request, the Human Service Worker (HSW) must work in collaboration with the social worker in the current county to return the youth to the county of origin (Milwaukee).
- After the Change of Venue request has been granted, the sending county will make the request through their Clerk of Courts. The HSW (or designated DYFS staff) will be notified by the Milwaukee County Clerk of Courts of the status of the request.

#### **IV. Procedure – Change of Venue (County to County)**

##### **a. Criteria**

- All youth pre or post-dispositional are eligible for change of venue.
- Youth must reside in the State of Wisconsin.

##### **b. Process**

The requesting venue is required to reach out to the Clerk of Courts in their county for change of venue in the receiving venue. Pre-dispositional, the District Attorney requests the change and post-dispositional, DYFS makes the request.

##### **c. Required Forms/Documents**

- Cover Letter for Venue Change (via email or formal letter)
- Police Report (if available)
- Petition
- Court Report
- Dispositional Order
- Case Plan
- Picture of Youth (high quality color photo)

#### **V. Procedure – ICPC**

The procedure for ICPC is governed by Chapter 48 and is the sole responsibility of the assigned case manager from the Division of Milwaukee Child Protective Services (DMCPS). In cases where DYFS has youth on dual orders (delinquency and CHIPS/TPC), the HSW is to file an ICJ in conjunction with the DMCPS worker filing the ICPC. The ICJ and the ICPC are exclusive of one another, but both are required if the youth is on a dual order.

##### Exception:

- If a youth is ordered under a delinquency petition to go out of state to a RTC, the HSW is required to complete the ICPC documentation.

##### ICPC Resources:

- General ICPC Information: <https://dcf.wisconsin.gov/icpc>

- Overview of the Referral Submission Process: <https://dcf.wisconsin.gov/files/cwportal/icpc/icpc-submitting.pdf>
- Worker Information and Forms: <https://dcf.wisconsin.gov/cwportal/icpc>

## VI. Procedure – ICJ (State to State)

### a. Criteria

- The youth must have more than ninety (90) days remaining on the court order at the time the ICJ is processed.
- The youth must reside with a legal guardian, relative, non-relative or independently (*excluding residential facilities or group homes*) in the receiving venue.
- If the youth is on a dual order (delinquency and CHIPS/TPC), the HSW must indicate that the youth is also on a CHIPS/TPC order and requires an ICPC.

### b. Process

Transfer Packet Requirements can be found at the following website location:

<https://doc.wi.gov/Documents/AboutDOC/JuvenileCorrections/ICJ%20Referral%20Packet%20Guide.pdf>

- ✚ Note: Effective 1/21/2020, ICJ now requires a high quality, color photograph be submitted with each ICJ request. If a color photograph is not submitted, the packet will be rejected.

### c. Required Forms/Documents

The required forms and documents can be found at the following website location:

<https://www.juvenilecompact.org/forms>

- ✚ Note: Effective 1/21/2020, forms were updated. Those previously used will no longer be accepted.

### d. Returning Youth

The rationale for requesting that a youth on an ICJ return to Milwaukee County is based on the state supervising the youth. A violation report will be completed and sent to the ICJ Administrator, who will then make a decision about the youth returning.

Requesting that a youth on an ICJ in another state return to Wisconsin requires contacting the Wisconsin Deputy Compact Administrator. <https://www.juvenilecompact.org/directory-search>

- ✚ Note: Please be advised: Effective 3/1/2020, ICJ Rules were updated. To review the complete set of ICJ rules, please visit [https://www.juvenilecompact.org/sites/default/files/ICJ%20Rules\\_Final.pdf](https://www.juvenilecompact.org/sites/default/files/ICJ%20Rules_Final.pdf)

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