



# INTERSTATE COMMISSION FOR JUVENILES

*Serving Juveniles While Protecting Communities*

## Best Practice

*Please note, this document is not a policy or procedure, but simply a reference to assist states when dealing with this type of case.*

### Topic: Returning Runaways with Dependents

Youth who runaway may have dependent children in their custody at the time of their return. If the youth fulfills the Commission's definition of a "runaway" in the home/demanding state and has been detained for more than 24 hours, the ICJ Rules may still apply and require the youth be returned, even if they have their child in their custody.

Returning a dependent child with its legal guardian as part of the ICJ return process is consistent with a wide range of legal principles that preserve the parent-child relationship between minors who are parents and their children. In fact, the Compact/ICJ Statute embodies an underlying assumption that the parent-child relationship between the non-delinquent juvenile and their child should not be interfered with by ICJ Offices confronted with this situation, absent concerns regarding abuse or neglect.

#### How is such a return effected?

ICJ Rule 7-102 provides, "The home/demanding/sending state's ICJ Office shall determine appropriate measures and arrangements to ensure the safety of the public and of juveniles being transported."

This requires careful coordination with the holding state and differs depending on the mode of transportation used. If the youth is flying with an infant to the home/demanding state, an "infant in arms" airline ticket could be provided, which does not require an additional fee. However, the Federal Aviation Administration (FAA) recommends purchasing a separate ticket and securing the child in an approved Child Restraint System. See the FAA website for more information: <https://www.faa.gov/travelers/kids-corner>

The Commission supports preserving the parent-child relationship during the return process in the safest manner possible and encourages mutual cooperation and collaboration to ensure that no disruption in the relationship occurs.

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