League of Women Voters of Texas

[redacted]

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SUMMARY REVIEW
for
Continuing Responsibility I

CR I. Support of legislation providing for state system of Family Courts.

This Program item has a long League history. There has been widespread interest in this topic for a long time and it has been an item on the Program of many local Leagues.

GENERAL BACKGROUND The historical changes that have aggravated the social disorganization ever present in a vigorous culture have, during the last century, also contributed to an unprecendented development of social responsibility. Whole areas of academic and professional specialization have developed, and to even begin to provide a comprehensive reading list would be a major undertaking. Some general background information on history and social theory is almost inescapable; the only suggestion feasible is that some effort be made to achieve a balanced reading of various approaches and philosophies. For our purposes, the value of the Family System is accepted as having already been established through previous League study.

Because the concepts of "Juvenile Court" and Family Court" are not always clearly differentiated, a comparison of two statements of purpose will help to clarify the similarities and the differences. It is true that a Family Court is merely a slight extention of a good Juvenile Court -- but we have few if any good Juvenile Courts in Texas and even those cannot be depended upon to make a permanent transition into good Family Courts until the law establishing and authorizing and describing a Family Court and its staff and its services is written.....and passed.

From the Juvenile Court Act of 1947 -- "The principle is hereby recognized that children under the jurisdiction of the court are wards of the State, subject to the dicipline and entitled to the protection of the State, which may intervene to safeguard them from neglect or injury and to enforce the legal obligations due to them and from them."

A quotation from the Comment on Section 1 of Standard Family Court Act (p. 10) suggests the nature, purpose, and reasons for such an act --

"The well-established fundamental purpose of courts dealing with children is to protect them and restore them to society as law-abiding future citizens."

A Family Court would implement this purpose by providing the facilities "in a single court, with one specially qualified staff under one leadership, with a common philosophy and purpose, working as a unit, with one set of family records, all in one place, under the direction of one or more specially qualified judges."

LEAGUE BACKGROUND Any detailed information on the history of Family Courts in Texas must include reference to the League of Women Voters of Texas, which has been actively interested in Juvenile and Family Courts since 1947 when "A Family Relations Court for Texas" was adopted as State Program for study. The following year (we had annual conventions until 1948) the item was adopted by the Convention for legislative action. At the invitation of the League, a statewide committee of experienced and interested lawyers, judges, probation officers, social

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caseworkers, etc., met to decide what kind of legislation should be proposed. The best legal advice was that it would take an amendment to the Constitution to create a Family Court -- so the committee agreed that the most that could be accomplished at that time was a bill to strengthen the Juvenile Court Act.

This bill, which was passed in 1949 by the 51st Legislature with the support of the League and the State Bar of Texas, amended the Juvenile Court Act of 1943 in several important ways -- e.g., it made mandatory a Juvenile Court in each of the 254 counties in Texas, and specified that this court should be in a District Court in all counties having two or more District Courts; it exhorted all counties to select as judge of the Juvenile Court a person with a sympathetic understanding of the problems of child welfare and to change judges of the Juvenile Court only when the best interests of the public required such change; it made it mandatory for all cases of child delinquency, dependency, neglect, support, custody, and adoption to be filed in the Juvenile Court when the Juvenile Court is a District Court; other District Courts were given authority to transfer to the Juvenile Court all cases of annulment or divorce which involved child custody or support. These provisions of the amended Juvenile Court Act form a legal framework within which many counties in Texas, by providing the staff and resources needed, might have a good Family Relations Court. But few counties, in 1949, were ready to take advantage of the possibilities which the law now provided.

In 1950, however, a State Supreme Court ruling defined the power of the Legislature to create new courts, as provided by the Constitution, as including the right to establish new kinds of courts, and since that time several counties have been authorized by the Legislature to establish specially designated courts in the field of domestic relations. Under this ruling it is now possible for the Legislature, when it chooses, to establish a statewide system of Family Courts for Texas.

Also in 1950, the League of Women Voters' delegates to State Convention voted to move the Family Courts item to our State Continuing Responsibilities, with the idea that a great deal of educational work must be done at the local level before the League's goal of a Family Relations Court for Texas could be realized. Many local Leagues have made studies of their Juvenile Courts, some have adopted local Program items designed to strengthen their Juvenile Courts. A few have worked for a special local Court of Domestic Relations, which should be viewed as a temporary measure pending achievement of a State Family Court system.

On the State level, the Leagues in Texas have worked for legislation which would codify all laws pertaining to children. The very muddled conditions of the statutes in this field has led to evasion, frustration, misunderstanding, or ignorance on the part of local officials charged with responsibility to youth of the State. Any recommendations for revisions of the statutes should be based on knowledge of present laws if the needs of both our children and society are to be more realistically served. Piecemeal solutions to problems in the field of juvenile law will inevitably produce more confusion than presently prevails. And from a practical as well as a theoretical point of view it is necessary to know the effect of a Family Court Act in relation to our present laws.

In 1951, 1953, and 1955 resolutions directing the Texas Legislative Council to prepare a codification failed to pass both houses of the Legislature. But in

1955 The Council undertook the project anyway. Their work organized and clarified laws relating to Juvenile Courts and local Domestic Relations Courts, probation departments, state training schools, delinquent, dependent and neglected children, adoption, custody, aid to dependent children program of the Department of Public Welfare, etc. without making any substantive changes. This proposed Juvenile Code was passed by the 55th Legislature (1957); but the Governor vetoed the bill on advice of the Attorney General, because it might conflict with a bill signed earlier which established the Texas Youth Council. The Governor described the legislation as worthwhile and gave full support to the codification of juvenile laws. However, the codification of juvenile laws was not brought up to date so that it could be submitted to the 56th Session of the Legislature for adoption. The Legislative Council had been given responsibility for writing bills for legislators; but with no appropriation for additional personnel, the Council staff was unable to complete the codification bill before the end of the session.

PRESENT SITUATION It must be remembered that the ultimate goal of the League of Women Voters of Texas is a statewide system of Family Courts, so that all children of Texas will receive the guidance and support of suitably qualified courts. Considerations of woman power, time and money preclude the League's attempting to write a bill to establish a Family Courts System for Texas, but the League will encourage and support such legislation introduced by others.

New impetus in this field has been developed by recommendations of the 1960 Governor's Conference on Children and Youth and the 1960 White House Conference on Children and Youth that a system of Family Courts should be established. This offers an opportunity and a challenge for the League to use its knowledge and its influence to see that this recommendation becomes in fact a legislative accomplishment. The present interest aroused by these recent conferences, as well as the many committees and studies of juvenile problems, offers a splendid opportunity to seek out and cooperate with other citizens interested in this goal.

We will further our long range goal by enlisting community cooperation to create citizen understanding and enthusiasm for a statewide system of Family Courts. With the publication in 1959 of the Standard Family Court Act by the National Council on Crime and Delinquency, formerly the National Probation and Parole Association, citizens now have a model act to provide the basis for informed discussion of the subject. Local Leagues working to strengthen their present Juvenile Courts will find many opportunities to point up the need for family courts and the resources required for their most effective operation.

The League will work again for legislative approval of the codification of juvenile laws which the Legislative Council is preparing. There is little drama and excitement in such a code of laws, but the League must arouse enough enthusiasm among its members and induce enough interest in others to get this bill passed, and so clear the way for more inspiring work leading to a Family Court System for Texas.

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STATE YOUTH DEVELOPMENT COUNCIL
TRIBUNE BUILDING
AUSTIN, TEXAS

CITIZENS HELP A JUVENILE COURT

Charles H. Boswell

IF THE needs of children coming before a juvenile court are to be met, the court needs the backing of the citizens of the community. We must not forget that courts, like other public agencies, exist to serve the community, and that paid staff members are the employees of those who pay the bills. But too often the doors of courts are closed to interested and well-qualified citizens who want to help us professional workers in our efforts to develop and refine our programs for children and young people.

Of course, it is not just any group of citizens that can be helpful; we need an enlightened and nonpartisan group. And it is necessary that each person asked to participate must himself have a feeling of personal responsibility. He must be moved to action by something within himself; he must have what Quakers call "a concern," or what the military describe as a "call to duty." However, we should remember that, as citizens participate, the feeling of responsibility grows.

Dr. Eduard C. Lindeman has said that: " . . . In a democracy, power must always be tempered, must never become absolute or too highly centralized. Experts and the experiences of the people need to be brought into working harmony; . . . the agencies and institutions which employ skilled personnel must also be brought within the pattern of democracy. This democratizing process can become effective only when technicians march forward to their tasks with citizens at their side. Some professions may be able to produce with a relatively high degree of acceptance without citizen participation, but social work is the one profession which cannot afford to go on alone." (National Conference of Social Work, 1948: Proceedings, p. 85.)

Dr. Lindeman would have us give up the false conception that citizens can help only in private or volunteer agencies. Instead, let us have citizens advise the policy-making branches of public services. I do not mean that citizens will decide cases for the judge or do the work of the probation officer. I do mean that citizens can help the judge and the probation officer to understand the community's needs and can interpret to the community the work of the court and its needs. This two-way action is one of the methods by which democracy keeps itself free from dominance by either officials or technicians.

Not an easy job

It is true that the task of developing strong community participation in court work, which involves all the major community interests and points of view, is one of the most difficult jobs in professional social work today. But the difficulties are no excuse for our not doing the job.

One juvenile court that has opened its doors to interested citizens is the Marion County Juvenile Court, in Indianapolis, Ind. It did this early in 1947, shortly after the present judge took office. The results have been breathtaking, as we have come to realize the citizens' great ability to help us.

Before the election over 600 citizens had formed a committee dedicated to seeing that each major political party nominated a qualified candidate for the juvenile-court judgeship. And the successful candidate, even before he took office, realized that his court would function more successfully if he could have the aid of enlightened citizens interested in the work of the court. He therefore selected 10 leaders from the bipartisan group to serve as the nucleus of a citizens' advisory council.

I want to suggest here that it is not wise to urge a judge to appoint an advisory council if he is opposed to such a plan. The idea of appointing an advisory committee on the ground that it would be theoretically desirable would not inspire anybody with enthusiasm. Better to wait until there is a definite problem that an advisory group might be able to help the court solve. You can easily see that better results will be achieved if the advisory council is organized after the judge feels sure that such a group has something to contribute. And there is no reason why the suggestion concerning an advisory group cannot be made to the judge by the chief probation officer or the person in charge of the social-work program.

Usually the appointment of such a group can be brought about when the judge sees that a certain problem can be solved, or a job done much more efficiently, through enlisting the aid of a citizens' group.

Our judge saw clearly the many problems that he faced in taking over the important post of juvenile-court judge in a large metropolitan district. He did not want to dominate the advisory council, and he worked to help it develop and work in a democratic way. He permitted the nucleus group that he had appointed to add additional members, and the membership has gradually increased from 10 to 50 during the past 3 years. Most of the important elements of our population are now represented, including organized labor; the press; business clubs, such as the chamber of commerce; minority racial and religious groups; women's organizations, such as the League of Women Voters and the Business and Profes-

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sional Women's Clubs; the American Legion; clubs, such as Kiwanis, Optimist, Exchange Club, Masons, and so forth; and the various professions. Certain public officials, such as the head of the juvenile-aid division of the police department and the head of the social-service department of the public schools also are members.

What the council does

If the capacities of the group are to be fully used, ingenuity, leadership, and initiative must be exercised by the court. Of course, the functions of the advisory council are defined by the judge who appoints it. Such functions might include advising on difficult cases; helping to formulate policies; and helping to interpret the program to the public, and the public's ideas to the court. In a sense, the collective opinion of such a group is a poll of public opinion.

In the beginning our advisory council usually expressed itself only about questions on which its opinion was sought. Later, after a period of successful operation, the council began to volunteer suggestions concerning policies, after studying and discussing them.

Our judge wisely delegated to the advisory council the responsibility for selecting personnel to fill the positions of probation officer and referee. No one is appointed to the professional staff whose qualifications have not been studied and approved by the personnel subcommittee of the advisory council. This procedure has relieved the judge from partisan pressures, and also it has rapidly increased the confidence of the public in the judge and the juvenile court.

A by-product of the work of the personnel subcommittee is a scholarship plan. The subcommittee, in its first few months of operation, learned that there was an acute shortage of trained social workers in the State. Therefore the chairman reported to the advisory council that if the members expected the juvenile court to employ trained, qualified social workers a scholarship program was an imperative need. By this time the advisory council had become convinced that probation officers needed to be trained in a graduate school of social work.

The present scholarship plan provides two scholarships annually for promising young college graduates who desire to enter Indiana University's Division of Social Service for 2 years of graduate training. One of the scholarships amounts to $1,200 a year; the other, $800 a year. The student agrees that upon completing his training he will accept employment at the juvenile court for a period equal to the training period financed by the advisory council. To finance the scholarship plan, the council raises funds from private sources; and another subcommittee, known as the scholarship committee, is responsible for the fund raising. As a result of this plan, each year two carefully selected students who have completed graduate social-work training are available to fill the vacancies that occur on the court staff.

Children coming before the Juvenile Court of Marion County, Ind., receive more effective services from the court as a result of the activities of its advisory council of citizens.

Since adequate financing is a question that confronts most courts, a budget subcommittee studied the budget for the court and the detention home (which we call the juvenile center) and found that the budgets were inadequate. After determining the needs of the court and the juvenile center, the budget committee sat down with the judge to draw up adequate budgets. This preparation was only the first step. Budget-committee members took the budgets to taxpayers' organizations, to managing editors of newspapers, and to other interested organizations, for the purpose of obtaining their approval of the new requests and backing for them. Their success is evidenced in this quotation from an editorial that appeared in Indianapolis' largest daily:

"Doubtless there are many governmental agencies whose budgets could be cut at a considerable saving to taxpayers, but the juvenile court is not one of them. The best argument for approval of the budget is the fact that it has been approved by the juvenile-court advisory council, a group of responsible Marion County citizens. As taxpayers, naturally none of them is eager to see a budget increase. But as citizens and parents they know that a few dollars spent now may save the future of a child, as well as preventing the incalculable cost of dealing with him, and many others, as adult offenders."

Another Indianapolis daily, the morning paper with the largest circulation in Indiana, said:

"How much is it worth to the people of Marion County to turn our problem children into mature and useful citizens? How much is it worth to keep our juvenile delinquents out of jail, to help them become adjusted to community life? The Marion County appropriating body is being asked this question through the request made by the juvenile court for an additional $3,200 to improve the probation services of the court. We can't afford to cut corners in the prevention and correction of juvenile crime. Delinquency has increased steadily during the past year. To meet the challenge and the responsibility that these misled and potentially dangerous youngsters present, we must have people of outstanding ability, character, and enthusiasm. It is no easy job to lead a young boy or girl back on the right path once they start on a career of crime or self-degradation.

"Sympathy, understanding, and patience are needed. Only devoted, contented, and trained probation officers can do this job for us. The Marion County Juvenile Court is not asking for the impossible. It is asking for the means to reclaim hundreds of our young people who might otherwise become menaces to society. Their budget request should be granted by the appropriating body."

Since the advisory council was formed, every budget submitted by the judge of the juvenile court has received editorial support from the large Indianapolis dailies and has met no opposition from the taxpayers' organizations.

From our experience in Indianapolis, I suggest this if you are having what appear to be insoluble budgetary problems, try working with a citizens' advisory council in solving them.

Did the subcommittee "pass a miracle"?

Another subcommittee has worked to improve the physical facilities at our juvenile center. No major repairs had been made for 5 years before the advisory council was formed. The roof was a sieve, the plumbing fixtures leaked, many of the floors had rotted away, the plastering had crumbled, the security screens had rusted and deteriorated so much that they were useless, and the heating system seemed to operate only during the warm months. The subcommittee proceeded to "build a fire" where it would do the most good—under the county officials responsible for this neglect of county property. Civic organizations were told the story, newspapers cried out in protest, and then action resulted. All urgent repairs were finally made, as a result of the interest stimulated by the council.

Improvement of the physical facilities at the juvenile center has not been the only project of this subcommittee. It has arranged for assignment of a public-school teacher—a carefully selected woman—for the center. Volunteers skilled in the teaching of arts and crafts have been engaged to help the paid staff member who is responsible for this program. And hundreds of dollars worth of materials have been procured by this same subcommittee. The juvenile center has become almost the personal property of this subcommittee, and their concern for it is the same kind of concern they have for their own living quarters. Again I want to reiterate that there is no substitute for citizens' interest and participation if you want social action of the right kind.

I shall not attempt to describe in detail all the achievements of our advisory council during its first 3 years of operation. However, I want to mention briefly two other attainments. Through funds obtained from private sources the advisory council was able to employ for the first 6 months of the present judge's administration the services of an outstanding consultant, a professor on the staff of Indiana University. This man has had wide experience as a probation officer, as a classification officer in a correctional institution, and as a teacher in a graduate school of social work. His advice and counsel were extremely useful in helping the judge to organize his court.

The advisory council also appointed the inevitable publicity committee. Although the council was never told in so many words that one of its jobs was to interpret the program to the community, nevertheless the judge and the members of his staff hoped that the advisory council would be able to allay any unfair criticism that might arise in the community and would promote sympathetic understanding of the court's work. I do not want to imply that the members of the advisory council spend a large part of each day telling their fellow citizens about the juvenile court and the unmet needs they have discovered. However, they have been successful in telling our story where the telling is most effective. Furthermore, the members have come to be regarded as responsible sources of information about the program and about the needs, not only of the juvenile court, but also of closely allied agencies.

Council stimulates council members

As to interpretation, we have found it wise to follow the lead of one experienced executive who said, "I don't spend time trying to interpret to the board; I just try to put them to work." Keeping up the interest of the advisory council and keeping the members at work is no easy matter. Considerable thought, planning, and time are necessary to make the meetings of the citizens' group meaningful. Each meeting provides opportunities for the members to participate in some way, discussing a problem or a policy, or making a committee report, or asking questions about cases or the court's program. Nothing would dampen the enthusiasm of such a group so much as attending a meeting which appeared to them to serve no particular purpose. Active participation assures their continuing interest.

A successful advisory group deserves and should be given recognition for its contribution. Our judge takes particular care in giving credit wherever possible to the council. It is not undeserved praise that he gives, but a merited and grateful recognition of the faithful service the members have given the community in strengthening the program of the juvenile court.

In summary, these are the salient accomplishments of the advisory council to the Marion County Juvenile Court: Help in interpreting its program to the public; in formulating its policies; in engaging competent personnel; in raising the standards of service; in obtaining adequate office space and supplies; in developing special programs, such as arts and crafts, at the juvenile detention center; in improving the court's relations with other agencies; in securing adequate budgets for both the court and the juvenile center; in securing adequate salaries for employees.

A limited number of reprints available upon request

Rick C. Martin

JUVENILE COURT LAW

STATE YOUTH DEVELOPMENT COUNCIL

Prepared by
STATE DEPARTMENT OF PUBLIC WELFARE
Austin, Texas

(This material is solely for convenient reference purposes.)

JUVENILE COURT LAW

STATE YOUTH DEVELOPMENT COUNCIL

Foreword

This informational bulletin contains the Juvenile Court Act of 1943, as amended (Senate Bill 44, Acts of the 48th Legislature, Regular Session); a copy of the Law creating the Court of Domestic Relations in Potter County, as amended; the Law creating the Court of Domestic Relations in Lubbock County; and the Law creating the State Youth Development Council.

This bulletin was prepared solely for convenient reference purposes for employees of the Texas Department of Public Welfare and is not intended as an all inclusive compilation of laws relating to Juvenile Courts.

Copies may be made available to public officials, agencies, and individuals who are interested. Copies may be obtained from the State Department of Public Welfare, Austin, Texas.

John H. Winters
Executive Director
State Department of Public Welfare
Tribune Building
Austin, Texas

August 1, 1952

JUVENILE COURT LAW
STATE YOUTH DEVELOPMENT COUNCIL

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August 1, 1952

JUVENILE COURT LAW [1]

Art. 2338-1. Delinquent children; juvenile court established in each county; jurisdiction

Transfer of cases; custody - Purpose and basic principle

Section 1.[2] The purpose of this Act is to secure for each child under its jurisdiction such care, guidance and control, preferably in his own home, as will serve the child's welfare and the best interest of the state; and when such child is removed from his own family, to secure for him custody, care and discipline as nearly as possible equivalent to that which should have been given him by his parents.

The principle is hereby recognized that children under the jurisdiction of the court are wards of the state, subject to the discipline and entitled to the protection of the state, which may intervene to safeguard them from neglect or injury and to enforce the legal obligations due to them and from them.

Construction of the Act

Sec. 2. This Act shall be liberally construed to accomplish the purpose herein sought.

Definitions

Sec. 3. The word "court" means the "Juvenile Court". The word "Judge" means the Judge of the Juvenile Court. The term "delinquent child" means any female person over the age of ten (10) years and under the age of eighteen (18) years and any male person over the age of ten (10) years and under the age of seventeen (17) years:

(a) who violates any penal law of this state of the grade of felony;

(b) or who violates any penal law of this state of the grade of misdemeanor where the punishment prescribed for such offense may be by confinement in jail;

(c) or who habitually violates any penal law of this state of the grade of misdemeanor where the punishment prescribed for such offense is by pecuniary fine only;

(d) or who habitually violates any penal ordinance of a political subdivision of this state;

(e) or who habitually violates a compulsory school attendance law of this state;

1/ Senate Bill 44, Acts 48th Legislature, Regular Session, 1943, as amended.

2/ All articles refer to Vernon's Texas Civil Statutes unless otherwise indicated.

(f) or who habitually so deports himself as to injure or endanger the morals or health of himself or others;
(g) or who habitually associates with vicious and immoral persons.

Establishment of Juvenile Courts

Sec. 4.[3] There is hereby established as follows in each county of the State a court of record to be known as the juvenile court, having such jurisdictions as may be necessary to carry out the provisions of this Act.

In all counties having only one (1) district court and having a juvenile board, such board shall designate the county court or the district court to be the juvenile court for such county, and in all other counties having only one (1) district court, but no juvenile board, the county judge and the district judge of such county shall designate the county or district court of such county as the juvenile court. In counties having two (2) or more district courts or one (1) or more district courts and one (1) or more criminal district courts, and having a juvenile board, such board shall designate one (1) of such district courts or criminal district courts to be the juvenile court of such county, and in all other counties having two (2) or more district courts, or one (1) or more district courts and one (1) or more criminal district courts, the judges of such courts and the county judge of such counties shall designate one (1) of such district courts or criminal district courts as the juvenile court of such county. All such designations may be changed from time to time by such boards or such judges as are authorized herein to make the same, for the convenience of the people and the welfare of minors; provided, that there shall be at all times a juvenile court designated for each county. It is the intent of the Legislature that in selecting a court to be the juvenile court of each county, such selection be made as far as practicable so that the court designated as the juvenile court will be one which is presided over by a judge who has a sympathetic understanding of the problems of child welfare, and that changes in the designations of juvenile courts be made only when the best interests of the public require it.

Any criminal district court so designated as a juvenile court, and the judges thereof, shall have the same jurisdiction, powers, authority and duties as is now, or may be hereafter, conferred upon district courts in regard to such children.

In all counties having two (2) or more district courts, wherein a district court is designated as the juvenile court of said county, it shall give preference to cases of child delinquency, dependency, neglect, support, custody, and adoption, and to contempt proceedings growing out of or ancillary to such cases, and all other district courts in such counties may, from time to time, transfer to such district court as has been designated the juvenile court of such county, all such cases on their dockets, and may transfer to such district court as has been designated the juvenile court any or all cases of annulment or divorce which involve child custody or support, with the consent of the judge of the juvenile court.

Immediately after the designation of a juvenile court for each county, as herein provided for, the clerks of the courts of such counties shall transfer all cases of juvenile delinquency on their dockets to the docket of the juvenile court so designated, under the direction of the judges of said courts, and thereafter all cases of juvenile delinquency shall be filed in such juvenile courts.

3/ As amended Acts 1951, 52nd Leg., p. 270, ch. 156 § 1.

In all counties having two (2) or more district courts, or one (1) or more district courts and one (1) or more criminal district courts, in addition to cases of juvenile delinquency, all new cases of dependency, neglect, support, child custody, and adoption, shall henceforth be filed in the juvenile court of such counties; provided, however, that nothing herein contained shall prevent the transfer of such cases to other courts having jurisdiction thereof under existing laws. The above provisions shall not be construed as requiring any divorce cases to be filed in any particular court, but same may be transferred to the juvenile court under the provisions above set forth where it appears to the judge in whose court such divorce case is pending, and the judge of the juvenile court, to be desirable to do so.

The jurisdiction, powers, and duties thus conferred upon the established courts hereunder are superadded jurisdictions, powers, and duties; it being the intention of the Legislature not to create hereby any additional offices.

Appeals from judgments of criminal district courts rendered in juvenile cases shall be taken to the proper Court of Civil Appeals.

Jurisdiction

Sec. 5. The Juvenile Court shall have exclusive original jurisdiction in proceedings governing any delinquent child, and such court shall be deemed in session at all times.

Nothing contained herein shall deprive other courts of the right to determine the custody of children upon writs of habeas corpus, or when such custody is incidental to the determination of causes pending in such courts.

When jurisdiction shall have been obtained by the court in the case of any child, such child shall continue under the jurisdiction of the court until he becomes twenty-one (21) years of age, unless discharged prior thereto; such continued jurisdiction shall, however, in no manner prejudice or constitute a bar to subsequent or additional proceedings against such child under the provisions of this Act.

Transfer

Sec. 6. A transfer may be made of cases from one Juvenile Court to another Juvenile Court where a child under the jurisdiction of one Juvenile Court has moved from one county to another, and where it is to the best interest of such child so to do. The Juvenile Court having jurisdiction of a child may transfer the case to the Juvenile Court of the county in which the child is presently residing, and shall send transcripts of records to the Judge of the other court, which shall be filed in the office of the clerk of such court.

Information, investigation, petition

Sec. 7. Any person may, and any peace officer shall, give to the Judge, County Attorney, or to the Probation Officer of the county, information in his possession that a child is within the provisions of this Act. Thereupon the Judge, the County Attorney or the Probation

Officer shall make or have made, preliminary inquiry to determine whether the interests of the public or of the child require that further action be taken. If either the Judge or the County Attorney shall determine that formal jurisdiction should be acquired, the County Attorney shall prepare and file in the court, or any attorney may prepare and file in the court, a petition alleging briefly the facts which bring said child within the provisions of this Act, and stating: (1) the name, age and residence of the child; the names and residences, (2) of his parents, (3) of his legal guardian, if there be one; (4) of the person or persons having custody or control of the child; and (5) of the nearest known relative, if no parent or guardian can be found. If any of the facts herein required are not known by the petitioner, the petition shall so state. The proceedings shall be styled "In the matter of _____ a delinquent child".

Venue

Sec. 7-A. The petition referred to under Section 7 of this Act may be filed in the Juvenile Court of the county of residence of said child or of the county wherein the acts constituting said child a delinquent child were committed.

Summons, notice, custody of the child

Sec. 8. After a petition shall have been filed, and after such further investigation as the Judge may direct, unless the parties hereinafter named shall voluntarily appear, the court shall issue a summons reciting briefly the substance of the petition, and requiring the person or persons who have the custody or control of the child to appear personally and bring the child before the court at a time and place stated. If the person so summoned shall be other than the parent or guardian of the child, then the parent or guardian, or both, shall be notified of the pendency of the case and of the time and place appointed, by personal service before the hearing, if they reside within the jurisdiction of the court, except as hereinafter provided. Summons may be issued requiring the appearance of any other person whose presence, in the opinion of the Judge, is necessary.

If it appears that the child is in such condition or surroundings that his welfare requires that his custody be immediately assumed by the court, the Judge may cause to be endorsed upon the summons an order that the officer serving the same shall at once take the child into custody.

Service of summons

Sec. 9. Service of summons shall be made personally by a probation officer or peace officer by the delivery of attested copies thereof to the parent, guardian, or person having custody of the child who is summoned; provided, that jurisdiction may be obtained by the court if the court is satisfied that said officer has made diligent effort to locate such person or persons and has been unsuccessful in locating said persons. It shall be sufficient to confer jurisdiction if service is effected at least two (2) days before the time fixed in the summons for the return thereof.

Failure to obey summons, warrant

Sec. 10. If any person summoned as herein provided shall, without reasonable cause, fail to appear, he may be proceeded against for contempt of court. In case the summons cannot be served, or the parties served fail to obey the same, or in any case when it shall be made to appear to the Judge that the servicing will be ineffectual, or the welfare of the child requires that he shall be brought forthwith into the custody of the court, a warrant may be issued against the child himself.

Release of child taken into custody

Sec. 11. Whenever any officer takes a child into custody, he may release said child to a parent, guardian, or any other person upon receipt of a written or oral promise of said person to assume complete responsibility for said child and to have him before the probation officer or the court at any time then, or subsequently, specified by said officer. If not so released, such child shall be placed in the custody of a probation officer or other person designated by the court or be taken immediately to the probation department, the court, or to the place of detention designated by the court. The court may make a general order designating such places of detention which may include private foster or boarding homes for children, or such other places of detention which to the court seem desirable. The County Commissioners Court may pay for boarding or foster home care for such children to be detained, or all children coming within the meaning of this Act whether prior to, or after the child has been adjudged a "delinquent child".

Any peace officer or probation officer shall have the right to take into custody any child who is found violating any law or ordinance, or who is reasonably believed to be a fugitive from his parents or from justice, or whose surroundings are such as to endanger his health, welfare, or morals. The child shall forthwith be brought to the Judge, who shall order the child's release, or his temporary detention either in the compartment provided for the custody of juveniles, or by a suitable person or agency as in the judgment of the court may seem proper. If the child is ordered detained, the petition provided for herein shall be filed immediately. In every such case the said officer shall refer all such cases, together with information they have secured concerning the child, to the court or the probation department, and the case shall then be proceeded with as specified in this Act, provided that no child shall be taken before a Police Court or a Justice of Peace Court.

Transfer from other courts

Sec. 12. If during the pendency of a criminal charge or indictment against any person in any other court than a Juvenile Court, it shall be ascertained that said person is a female over the age of ten (10) years and under the age of eighteen (18) years, or is a male person over the age of ten (10) years and under the age of seventeen (17) years at the time of the trial for the alleged offense, it shall be the duty of such court to transfer such case immediately together with all papers, documents and

testimony connected therewith to the Juvenile Court of said county. The court making such transfer shall order the child to be taken forthwith to the place of detention designated by the Juvenile Court, or to that court itself, or to release such child to the custody of a probation officer or any suitable person to appear before the Juvenile Court, or the probation department of said county at a time designated. The Juvenile Court shall thereupon proceed to set said case for hearing and to dispose of such case in the same manner as if it had been instituted in that court in the first instance.

Hearing, judgment

Sec. 13. The Judge may conduct the hearing in an informal manner and may adjourn the hearing from time to time. In the hearing of any case the general public may be excluded. All cases involving children shall be heard separately and apart from the trial of cases against adults.

If no jury is demanded, the Judge shall proceed with the hearing. When the proceeding is with a jury, the verdict shall state whether the juvenil is a "delinquent child" within the meaning of this Act, and if the Judge or jury finds that the child is delinquent, or otherwise within the provisions of this Act, the court may by order duly entered proceed as follow

(1) place the child on probation or under supervision in his own home or in the custody of a relative or other fit person, upon such terms as the court shall determine;

(2) commit the child to a suitable public institution or agency, or to a suitable private institution or agency authorized to care for children; or to place them in suitable family homes or parental homes for an indeterminate period of time, not extending beyond the time the child shall reach the age of twenty-one (21) years;

(3) make such further disposition as the court may deem to be for the best interest of the child, except as herein otherwise provided.

No adjudication upon the status of any child in the jurisdiction of the court shall operate to impose any of the civil disabilities ordinarily imposed by conviction, nor shall any child be deemed a criminal by reason of such adjudication, nor shall such adjudication be deemed a conviction, nor shall any child be charged with or convicted of a crime in any court. The disposition of a child or any evidence given in the court shall not be admissible as evidence against the child in any case or proceeding in any other court other than another Juvenile Court, nor shall such disposition or evidence operate to disqualify a child in any future civil service examination, appointment, or application.

Whenever the court shall commit a child to any institution or agency, it shall transmit with the order of commitment, a summary of its information concerning such child and give in the order of commitment the birth date of the child or attach thereto a certified copy of the birth certificate.

Judgments for support; enforcement

Sec. 13-A. It is further provided that the Juvenile Court in which the child has been adjudged delinquent, may, after giving the parent or other responsible person a reasonable opportunity to be heard, adjudge that such

parent or other responsible person shall pay in the manner directed by the court such sum as will in whole or in part support such child whether or not the child is committed to the custody of his own parent or guardian, or whether to any other person, agency or institution. The court shall have full power to enforce said judgments for support by civil contempt proceedings after ten (10) days notice to such parent, guardian, or other person responsible for the care and support of the child, of his or her, or of their failure or wilful refusal to carry out the terms of such an order for support. The court shall have power and authority to alter or change such judgments, or suspend the same, as the facts and circumstances and justice may require, upon notice to such parent as above provided for.

Any person interested in any such case may appear therein and may be represented by counsel, and may demand a jury as in other cases. If no jury is demanded, it shall be deemed waived. The Judge of the court, of his own motion, may order the jury to try such a case.

Modification of judgment, return of child to parents

Sec. 14. An order of commitment made by the court in the case of a child shall be subject to modification or revocation from time to time.

A petition may be filed with the committing court requesting the reopening of the case of a child who has been committed by the court to the custody of an institution, agency or person; if the court is of the opinion that the best interest of the child will be served, it may at its discretion proceed to hear and determine the question at issue. It may thereupon order that such child be restored to the custody of its parents or guardian or be retained in the custody of the institution, agency or person; and may direct such institution, agency or person to make such other arrangements for the child's care and welfare as the circumstances of the case may require; or the court may make a further order or commitment.

Records

Sec. 15. Juvenile Court records shall not be inspected by persons other than probation officers or other officers of the Juvenile Court unless otherwise directed by the court.

Physical and mental examination

Sec. 16. The Court may cause any person coming under its jurisdiction to be examined by a physician, psychiatrist, or psychologist, appointed by the court. If it is determined that the child is either feebleminded or mentally ill, it shall be the duty of the Judge of the Juvenile Court to proceed to have the necessary legal steps taken to have said child adjudged feeble-minded or insane.

Place of detention

Sec. 17. No female person over the age of ten (10) years and under the age of eighteen (18) years, or any male person over the age of ten (10) years and under the age of seventeen (17) years, shall be placed or committed to any compartment of any jail or lock-up in which persons

over juvenile age are incarcerated or detained; but shall be placed in a room or ward separate and apart from that occupied by adults. The proper authorities of all counties shall provide suitable place of detention for such juveniles separate and apart from any jail or lock-up in which adults are confined. Said detention place may be in the same building housing adults, or in a building separate and apart from that where adults are confined.

Court Sessions

Sec. 18. Sessions of the court shall be held as the Judge shall from time to time determine. Suitable quarters shall be provided by the Commissioners Court of each county for the hearing of cases and for the use of the judge, the probation officer and other employees of the court.

Cooperation

Sec. 19. It is hereby made the duty of every county, town or municipal official or department, to render all assistance and co-operation within his or its jurisdictional power which may further the objects of this Act. All institutions or agencies to which the court sends any child are hereby required to give to the court or to any officer appointed by it, such information concerning such child as said court or officer may requ The court is authorized to seek the co-operation of all societies or orga zations having for their objects the protection or aid of all children wh come within the meaning of this Act.

Contempt

Sec. 20. Any person who wilfully violates, neglects or refuses to obe or perform any order of the court may be proceeded against for contempt.

Appeals

Sec. 21. An appeal may be taken by any party aggrieved to the Court o Civil Appeals, and the case may be carried to the Supreme Court by writ o error or upon certificate, as in other civil cases. Written notice of appeal shall be filed with the Juvenile Court within five (5) days after the entering of the order. An appeal, in the case of a child, shall not suspend the order of the Juvenile Court, nor shall it discharge the child from the custody of that court or of the person, institution or agency to whose care such child shall have been committed, unless that court shall so order. However, the appellate court may provide for a recognizance bond. If the appellate court does not dismiss the proceedings and discharge the child, it shall affirm or modify the order of the Juvenile Court and remand the child to the jurisdiction of the Juvenile Court for supervision and care, and thereafter the child shall be and remain under the jurisdiction of the Juvenile Court in the same manner as if such court had made said order without an appeal having been taken.

Constitutionality

Sec. 23. If any section, sub-division or clause of this Act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Act.

Existing laws, effect on; original jurisdiction of district court

Sec. 24-A.[4] This Act shall in no wise alter or affect existing laws with reference to dependent or neglected children as that term is defined by Article 2330, Revised Civil Statutes, 1925, and the District Court only shall have original jurisdiction in all proceedings wherein it is sought to have a child adjudged to be a dependent or neglected child, and its findings in such cases shall be entered in a book kept for that purpose to be known as "Juvenile Record".

Art. 2338-2. Designation of district court as juvenile court in certain counties

Section 1. In counties having ten (10) or more District Courts, either temporary or permanent, and having a Juvenile Board composed of District Judges and the County Judge of said county, such Juvenile Board shall designate one (1) of the District Courts to be the Juvenile Court of such County and may change the designation of such Juvenile Court from time to time when in the opinion of the Juvenile Board the best interest of the people require it.

Sec. 2. Such Juvenile Courts shall give preference to child delinquency, dependency, neglect, support, change of custody and adoption, and to contempt proceedings growing out of or ancillary to such cases, and all other District Courts in such counties may from time to time transfer to such District Court as has been designated as the Juvenile Court of such county all such cases on their dockets.

Sec. 3. Immediately after the designation of a Juvenile Court for each County, as herein provided for, the Clerks of the Courts of such counties shall transfer all cases of juvenile delinquency on their dockets to the docket of the Juvenile Court so designated, under the direction of the Judges of said courts, and thereafter all cases of juvenile delinquency shall be filed in such Juvenile Courts.

In all counties having ten (10) or more district courts, in addition to cases of juvenile delinquency, all new cases of dependency, neglect, support,

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/ Acts 1943, 48th Leg., p. 313, ch. 204

change of custody and adoption may be transferred to the docket of the Juvenile Court so designated under the direction of the Judges of said courts.

The jurisdiction, powers, and duties thus conferred upon the established courts hereunder are superadded jurisdiction, powers, and duties; it being the intention of the Legislature not to create hereby any additional offices.

Sec. 4.[5] Pending the designation of Juvenile Courts under the provisions of this Act, all Juvenile Courts heretofore designated under the previous Law shall continue to function with all powers and jurisdiction heretofore vested in them; it being the intention of the Legislature, however, that the new designation shall be made in each county of the State within ninety (90) days after the effective date of this Act.

Art. 2338-3. Court of Domestic Relations; Potter county

Creation of court

Section 1. There is hereby created a Court of Domestic Relations in and for Potter County, Texas.

Qualifications of judge; salary; jurisdiction of court

Sec. 2.[6] The Judge of the Court of Domestic Relations hereby established shall have such qualifications as are fixed by the Juvenile Board herein provided for, and shall be paid by the Commissioners Court of Potter County, such salary as such Juvenile Board may fix, same to be paid out of the General Fund of the County in twelve (12) equal monthly installments.

Said Court of Domestic Relations shall have jurisdiction of all cases involving adoptions, removal of disability of minority and coverture, change of name of persons, delinquent, neglected or dependent child proceedings, and all jurisdiction, powers and authority now or hereafter placed in the district or county courts under the juvenile and child-welfare laws of this State; and of all divorce and marriage annulment cases, including the adjustment of property rights and custody and support of minor children involved therein, alimony pending final hearing, and any and every other matter incident to divorce or annulment proceedings, as well as independent actions involving child custody or support; and all other cases involving justiciable controversies and differences between spouses, or between parents, or between them, or one of them, and their minor children, which are now, or may hereafter be, within the jurisdiction of the district or county courts; and all cases in which children are

5/ Acts 1949, 51st Leg., p. 518, ch. 283

6/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.

alleged or charged to be dependent and neglected children or delinquent children as provided by law. All cases enumerated or included above may be instituted in or transferred to said Court.

Transfer of cases

Sec. 3.[7] The County Court of Potter County and the District Courts in Potter County may transfer to said Court of Domestic Relations any and all cases, in their respective courts in Potter County, Texas, of which cases said Court of Domestic Relations is hereby given jurisdiction, including all filed papers and certified copies of all orders theretofore entered in said cases.

All writs and process issued by or out of a District or County Court prior to the time any case is transferred by either of said courts to the Court of Domestic Relations shall be returned and filed in the Court of Domestic Relations and shall be as valid and binding upon the parties to such transferred cases as though such writ or process had been issued out of the Court of Domestic Relations, and all waivers of process, and other instruments executed prior to the transfer of any case shall also be as valid and binding as though executed after such transfer.

Court of record; holding court; dockets and minutes; clerk and deputies

Sec. 4.[8] The said Court of Domestic Relations shall be a court of record, shall sit and hold court at the county seat in Potter County, shall have a seal and maintain all necessary dockets, records and minutes therein. The Juvenile Board of Potter County, herein provided for, shall have the power, authority and duty of appointing the Clerk of said Court who shall be paid by the Commissioners Court of Potter County such salary as such Juvenile Board shall fix, but not exceeding the maximum salary fixed by law for the District Clerk of Potter County, the same to be paid in twelve (12) equal monthly installments. Such Clerk shall be appointed in the same manner and for the same term of office as is provided in Section 6 herein for the appointment of the Judge of said Court; and, said Clerk shall be subject to removal from office for the same reasons and in the same manner as is provided by the Constitution and laws of this State for the removal of county officers. The Clerk shall have power to administer oaths and affirmations required in the discharge of the duties of the office and to take depositions of witnesses. He shall keep a fair record of all acts done, and proceedings had, in said Court, and perform generally all such duties as are or may be imposed upon him by law and such duties as are performed and required generally of district and county clerks, in so far as the same may be applicable to said office. Such Clerk shall take the same oath, and shall give the same character of bond as district clerks, said bond to be approved in the same manner as bonds of district clerks except that the amount of said bond shall be fixed by said Juvenile Board. Such Clerk may appoint one (1) or more deputies in the same manner as that authorized for district clerks, and such deputies shall have the same authority and duties, and may do and perform all such official acts as may be lawfully done and performed by such Clerk in person. The seal of said Court shall have a star of five (5) points with the words

7/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.

8/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.

"Court of Domestic Relations, Potter County, Texas" engraved thereon.

Juvenile board

Sec. 5. There is hereby created a Board, to be known as the Juvenile Board, which shall be composed of the Judges of the District Courts above-mentioned, and the County Judge of Potter County, Texas. The members composing such Juvenile Board shall be allowed additional compensation of One Hundred Dollars ($100) per annum, which shall be paid annually.

Appointment and removal of judge; compensation; duties of board; special judge

Sec. 6.[9] The Juvenile Board shall have the power, authority and duty of appointing, by majority vote, the Judge of said Court of Domestic Relations, whose term of office shall be for a period of two (2) years from and after his appointment and qualification, and until his successor is appointed and has qualified. Said Judge shall be subject to removal from office for the same reasons and in the same manner as is provided by the Constitution and laws of this State for the removal of county officers. Said Judge shall receive as compensation for his services the same remuneration as is paid to the regular Judge of said Court. Said Juvenile Board and its members shall give counsel and advice to the Judge of the Court of Domestic Relations when deemed necessary or when sought by him, and cooperate with him in the administration of the affairs of said Court. In the event of the disqualification of the Judge to try a particular case, or because of the illness, inability, failure or refusal of said Judge to hold court at any time, said Juvenile Board shall select a special Judge who shall hold the court and proceed with the business thereof.

Boards and officers to furnish services

Sec. 7.[10] It shall be the duty of all officers, agents and employees of the Child Welfare Board, County Welfare Office, County Health Officer and Sheriff and Constables of Potter County to furnish to said Court such services in the line of their respective duties as shall be required by said Court, and all sheriffs and constables within the State of Texas shall render the same service and perform the same duties with reference to process and writs from said Court of Domestic Relations as is required of them by law with reference to process and writs from district courts.

Juvenile officers and investigators; reporter

Sec. 8.[11] The Judge of the Court of Domestic Relations shall have authority to appoint such juvenile officers, juvenile probation officers and investigators as might be deemed necessary to the proper administration of its jurisdiction in Potter County, provided such appointments are approved by the Commissioners Court of such county and shall also have authority to appoint a court reporter in such cases as he shall deem it necessary to record and preserve the testimony, utilizing the services of the regular district court reporters and their assistants when possible, the salaries and compensation of such juvenile officers and court reporters to be determined and paid by the Commissioners Court of Potter County.

In all suits for divorce where it appears from the petition or otherwise that the parties to such suit have a child or children under the age of sixteen (16) years, and in any other case involving the custody of any such child, the said Court or Judge thereof, in its or his discretion, may require any such juvenile officer or investigator to make a thorough and complete investigation as to the necessities, environment and surroundings of the child or children and of the disposition that should be made of such child or children, and to make report thereof to the Court and, if desired by the Court, to produce such evidence on any hearing in such case as may have been developed in connection with such examination.

Injunctions and writs; contempt

Sec. 9.[12] The said Court and the Judge thereof shall have the power to issue writs of habeas corpus and mandamus, injunctions, temporary injunctions, restraining orders, orders of sale, executions, writs of possession and restitution, and any and all other writs as now or hereafter may be issued under the laws of this State by district courts, when necessary or proper in cases or matters in which said Court of Domestic Relations has jurisdiction, and also shall have power to punish for contempt.

Sessions of court

Sec. 10. The first term of such Court of Domestic Relations shall begin when the Judge thereof is duly selected and qualified and remain in session until the first day of the following September and its terms shall thereafter begin on the first day of September of each year and remain in session continuously to and including the thirty-first day of August of the next year.

Appeals

Sec. 11. Appeals in all civil cases from judgments and orders of said Court shall be to the Court of Civil Appeals of the Seventh Supreme Judicial District as now or hereafter provided for appeals from district and county courts and in all criminal cases appeals shall be to the Court of Criminal Appeals.

9/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.
10/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.
11/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.
12/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.

Practice; number of jurors

Sec. 12.[13] The practice and procedure, rules of evidence, selection of juries, issuance of process and all other matters pertaining to the conduct of trials and hearings in said Court shall be governed by provisions of this Act and the laws and rules pertaining to district courts; provided that juries shall be composed of twelve (12) members.

Prosecution and defense of cases

Sec. 13.[14] The County Attorney of Potter County shall prosecute or defend all cases involving children alleged to be dependent, neglected or delinquent, or in which the Child Welfare Board, County Welfare Office, County Health Officer or any other welfare agency is interested.

Institution or transfer of cases

Sec. 14.[15] All cases, complaints and other matters over which the Court of Domestic Relations is herein given jurisdiction may be transferred to or instituted in said Court, but said Court, and the Judge thereof, may transfer any such cases or matters to the county or district court having jurisdiction thereof under the laws of the State, with the consent of the Judge of said Court, to be tried in such court to which such transfer is made.

Partial invalidity

Sec. 15.[16] If any Section, clause or part of this Act shall be held invalid, it is hereby declared to be the intention of the Legislature that the remainder thereof not held invalid shall remain in effect, and the validity of the remainder of this Act shall not be affected thereby.

13/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.
14/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.
15/ As amended Acts 1951, 52nd Leg., p. 410, ch. 258, § 1.
16/ Acts 1949, 51st Leg., p. 792, ch. 426.

Art. 2338-4. Court of Domestic Relations for Lubbock County

Creation of court; adoption of act

Section 1. There is hereby created a Court of Domestic Relations in and for Lubbock County, Texas. It is expressly provided that the provisions of this Act shall not become effective until the Commissioners Court of Lubbock County enters an order adopting same.

Jurisdiction

Sec. 2. Said Court of Domestic Relations shall have jurisdiction of all cases involving adoptions, removal of disability of minority, change of name of persons, delinquent, neglected or dependent child proceedings, and all jurisdiction, powers and authority now or hereafter placed in the district or county courts under the juvenile and child welfare laws of this State; and all of divorce and marriage annulment cases, including the adjustment of property rights involved therein, as well as cases of child support, alimony pending final hearing and adjustment of property rights, as well as any and all other matter incident to divorce or annulment proceedings; and all other cases of domestic relations involving justiciable controversies and differences between parents or between them and their minor children which are now, or may hereafter be, within the jurisdiction of the district or county courts in the manner provided by Articles 2337, 2338-1, Revised Civil Statutes of Texas, 1925, Acts of the Regular Session of the Forty-eighth Legislature, 1943, Chapter 240, Page 313, and Acts of the Regular Session of the Forty-ninth Legislature, 1945, Chapter 35, Page 52, and any other Article of the Civil Statutes of this State.

Eligibility of judge; term of office

Sec. 3. The Judge of the Court of Domestic Relations hereby established shall be a legally licensed attorney at law in the State. No person shall be elected or appointed judge of said court who has not been a practicing attorney of the State of Texas for at least five (5) years immediately prior to his appointment or election. The person elected such judge shall hold the office for two (2) years, and until a successor shall have been duly elected and qualified.

Appointment of judge; quarters for court

Sec. 4. As soon as this Act becomes effective, the Commissioners Court of Lubbock County shall appoint a Judge of the Domestic Relations Court in and for Lubbock County, who shall hold the office until the next General Election and until his successor shall have been duly elected and qualified, and the Commissioners Court of Lubbock County shall provide suitable quarters for the holding of said court.

Salary of judge

Sec. 5. The Judge of the Domestic Relations Court of Lubbock County shall be paid by the Commissioners Court of Lubbock County out of the general fund of Lubbock County, an annual salary which shall be fixed by the Commissioners Court of Lubbock County at not less than Seven Thousand Dollars ($7,000) nor more than Twelve Thousand Dollars ($12,000), to be paid in twelve (12) monthly installments.

Bond and oath of office

Sec. 6. The Judge of the Court of Domestic Relations of Lubbock County shall execute a bond and take an oath of office as required by law relating to county judges.

Transfer of cases from other courts

Sec. 7. When the Court of Domestic Relations is organized and the judge thereof shall qualify, the County Judge of Lubbock County, the Judge of the County Court at Law, and Judges of the 99th Judicial District and of the 72nd Judicial District may transfer to said Court of Domestic Relations all cases which may then be pending in their respective courts in Lubbock County, of which said Court of Domestic Relations is hereby given jurisdiction, including all filed papers and certified copies of all orders entered by them.

Transfers to other court

Sec. 8. All cases and other matters over which the Court of Domestic Relations is herein given jurisdiction may be transferred to or instituted in said court, but the judge of said court may transfer any such cases or matters to the County or District Court having jurisdiction thereof under the law of the State, to be tried in such court in which such transfer is made, with the permission and consent of the judge thereof.

Place of sitting; dockets and minutes

Sec. 9. The said Court of Domestic Relations shall sit and hold court in Lubbock County, and shall maintain all necessary dockets and minutes therein.

Officers and boards to furnish suggestions

Sec. 10. It shall be the duty of all officers, agents and employees of the Child Welfare Board, County Welfare Office, County Health Officer, Sheriff and Constables within Lubbock County, to furnish to said court such suggestions in the line of their respective duties as shall be required by said court.

Officers and investigators; clerk; reporter

Sec. 11. The Judge of the Court of Domestic Relations shall have authority to appoint such officers and investigators as might be necessary to the proper administration of its jurisdiction in Lubbock County, and shall also have authority to appoint a clerk of said court, and when he deems it necessary to the proper administration of such court, he may appoint a court reporter, provided such appointments are approved by the Commissioners Court of said county; the salary and compensation of such officers, clerk and court reporter to be determined and paid by the Commissioners Court of Lubbock County for the services rendered therein.

Injunctions and writs

Sec. 12. The Judge of the Court of Domestic Relations herein created shall have power to issue injunctions, temporary injunctions and restraining orders and such other writs as are now or hereafter may be issued under the laws of this State by county and district courts when necessary in cases or matters in which said court has jurisdiction, and also power to punish for contempt.

Terms of court

Sec. 13. The first term of such Court of Domestic Relations shall begin when the judge thereof is duly selected and qualified and remain in session until the first day of the following September and its terms shall hereafter begin on the first day of September of each year and remain in session continuously to and including the thirty-first day of August of the next year.

Special judge

Sec. 14. A Special Judge of the Court of Domestic Relations of Lubbock County may be appointed or elected as provided by law relating to county courts and to the judge thereof, who shall receive the sum of Twenty Dollars ($20) per day for each day he shall actually serve, to be paid out of the general fund of the county by the Commissioners Court.

Special judge in case of disqualification

Sec. 15. In the case of disqualification of the Judge of the Court of Domestic Relations of Lubbock County to try any case pending in his court, the parties or their attorneys may agree on the selection of a special judge to try such case or cases where the Judge of the Court of Domestic Relations of Lubbock County is disqualified. In case of the selection of such special judge by agreement of the parties or their attorneys, such special judge shall draw the same compensation as that provided in Section 13 of this Act.

Vacancies

Sec. 16. Any vacancy in the office of the Judge of the Court of Domestic Relations of Lubbock County shall be filled by the Commissioners Court of Lubbock County and when so filled, the judge shall hold office until the next General Election and until his successor is elected and qualified.

Appeals

Sec. 17. Appeals in all civil cases from judgments and orders of said court shall be to the Court of Civil Appeals of the Seventh Supreme Judicial District as now or hereafter provided for appeals from district and county courts.

Practice and procedure

Sec. 18. The practice and procedure, rules of evidence, selection of juries, issuance of process, and all other matters pertaining to the conduct of trials and hearings in said court shall be governed by the laws and rules pertaining to district and county courts; provided that juries shall be composed of twelve (12) members.

Partial invalidity

Sec. 19.[17] If any section, clause, or part of this Act shall be held invalid, it is hereby declared to be the intention of the Legislature that the remainder thereof not held invalid shall remain in effect and the validity of the remainder of this Act shall not be affected thereby.

17/ Acts 1951, 52nd Leg., p. 678, ch. 393.

Purpose

Section 1. The purpose of this Act is to develop our State's most precious resource, its children and youth, by creating a Youth Development Council, first, to co-ordinate the State's departments and facilities in helping all communities develop and strengthen all child services, preventing delinquency and other types of social maladjustment by developing in all children the spiritual, mental, and physical resources necessary for complete citizenship responsibility and participation; and, secondly to administer the State's correctional facilities by providing a program of constructive training aimed at the rehabilitation and successful re-establishment in society of delinquent children.

Construction of the Act

Sec. 2. This Act shall be liberally construed to accomplish the purpose herein sought.

Definitions

Sec. 3. As used in this Act:

(a) "Council" means the State Youth Development Council.

(b) "Chairman" means the Chairman of the State Youth Development Council.

(c) "Executive Committee" means the Executive Secretary of the Youth Development Council and two (2) members of the Council; one (1) of such members shall be appointed by the Council and the other shall be appointed by the Governor.

(d) "Secretary" means the Executive Secretary of the State Youth Development Council.

(e) "Child" or "Youth" means any resident of this State under twenty-one (21) years of age.

(f) "Delinquent Child" means any male or female so adjudged under provisions of Sections 3 and 13, of Chapter 204 of the General Laws of the Regular Session of the Forty-eighth Legislature, 1943, (Sections 3 and 13, Article 2338-1, of Vernon's 1948 Statutes).

(g) "Court" means the Juvenile Court.

Council Established

Sec. 4. (a) There is hereby created a State Youth Development Council to consist of fourteen (14) members selected as follows: six (6) members, who are influential citizens in their respective communities and recognized for their interest in the welfare of youth, shall be appointed

18/ House Bill 705, Acts 51st Leg., Regular Session, 1949, Chapter 538, p. 988.

by the Governor with the consent of the Senate, provided that citizens of Texas now serving as members of Boards or Commissions of the State may be eligible for appointment to this Council, service on said Council to be considered as an extension of their other official duties; and eight (8) State officers - the Chairman of the State Board of Control, the Executive Director of the State Department of Public Welfare, the Commissioner of Education, the Executive Director of State Hospitals and Special Schools, the State Health Officer, the Director of the Texas Department of Public Safety, the Executive Secretary of the State Parks Board, and the Chairman of the Texas Employment Commission, shall serve ex officio, the service by such State officials on the Council to be considered as additional duties of their present offices, and not as a separate office or employment.

(b) The duties of the six (6) appointed members first mentioned, in addition to serving as regular members of the Council, will be to provide the essential liaison with the public to enlist its support and participation, to channel the public's suggestions to the Council, and to keep the Council's sights trained on the major needs and problems of Texas youth. The term of office of the six (6) appointed members shall be six (6) years except that initially two (2) members shall be appointed for a six-year term, two (2) members for a four-year term, and two (2) members for a two-year term. Said members shall be eligible for reappointment. A vacancy for an unexpired term shall be filled by the Governor with the consent of the Senate. The lay members shall each receive a per diem of Ten Dollars ($10) for not exceeding sixty (60) days for any fiscal year.

(c) Two (2) persons shall be employed by the Executive Committee subject to the approval of the Council to serve at the pleasure of the Council, and shall perform such duties as shall be designated by the Council. Said employees shall devote full time to the work of the Council. Said employees shall receive an annual salary not to exceed Seven Thousand Dollars ($7000).

(d) All members of the Council shall receive as expenses that sum provided by Statute for other State employees.

(e) The Council shall hold meetings at the call of its Chairman or Secretary or at the request of any three (3) members at such times and places as its Chairman may determine, but it shall hold not less than six (6) meetings annually.

(f) The State Youth Development Council shall have its office wherever the Council chooses, in such building as shall be designated and approved by the State Board of Control.

Organization of the Council

Sec. 5. (a) A member of the Council shall be designated by the Governor as its Chairman and he shall preside over all meetings of said Council. The Executive Director of the State Department of Public Welfare shall be Executive Secretary of the Council and shall be the executive and administrative officer of the Council. The Executive Secretary and two (2) other members of the Council appointed by that body shall constitute the Executive Committee of the Council, one (1) of which shall be a member of the Council appointed by the Governor.

(b) The Council shall be responsible for the adoption of all policies and may make all rules appropriate to the proper accomplishment of its functions.

(c) The powers and duties of the Council in respect to placement for training and treatment, transfer, release under supervision, and discharge of delinquent children committed to the Council shall be exercised and performed by the Executive Committee and may be delegated to the Executive Secretary. The Executive Secretary may delegate the powers and duties vested in him by this Subsection to any member or employee of the Council, or State employee designated by the Council.

(d) All powers, duties and functions, other than those specified in Subsection (c), granted to or imposed on the Council by any provision of law may be exercised and performed by the Secretary or by any member or employee designated or assigned by the Council or by the Secretary.

(e) For the exercise of other functions than those specified in Subsection (c), eight (8) members of the Council shall constitute a quorum.

Major Duties and Functions of the Council

Sec. 6. The Council shall:

(a) Carry on a continuing study of the needs of all children in this State and seek to focus public attention on such major needs.

(b) Make studies and provide programs and information to strengthen the family in meeting its responsibility as the fundamental school for integrity and for democratic life.

(c) Inquire into and make recommendations to the appropriate agencies, public or private, on any matter affecting the care, welfare, or behavior of children or youth.

(d) Develop constructive programs to provide, strengthen, and coordinate all essential services to all children throughout the State; and to that end co-operate with existing agencies and encourage the establishment of new agencies, both local and Statewide, having as their object service to youth.

(e) Assist local authorities of any county or municipality, when so requested by the governing body thereof, in surveying the needs of their youth and the extent to which these are not being met, and in developing strengthening, and co-ordinating educational, welfare, health, recreational, and law enforcement programs which have as their object service to youth.

(f) Administer the diagnostic treatment and training, and supervisory facilities and services of the State for delinquent children committed to the State. Manage and direct State Training School facilities and provide for the co-ordination and combination of such facilities, if deemed advisable by the Council, and for the creation of new facilities within the total appropriations provided by the Legislature.

(g) Before each convening date of the Regular Session of the Legislature, make a report to the Governor and Legislature of its activities and accomplishments and of its findings as to the major needs of youth in this State. The report shall include specific recommendations for legislation, planned and drafted as part of an integrated, unified, and

consistent program to serve the best interests of youth; and recommendations for the repeal of any conflicting, obsolete, or otherwise undesirable legislation affecting youth.

Co-operation by Other Departments

Sec. 7. To effectuate the purpose of this Act and to make maximum use of existing facilities and personnel, it shall be the duty of all departments and agencies of the State government and of all officers and employees of the State, when requested by the Council, to co-operate with it in all activities consistent with their proper function.

Transfer of Training Schools and Other Facilities

Sec. 8. The Council shall succeed to and be vested with all rights, powers, duties, facilities, personnel, records, and appropriations for the care and custody of delinquent children now held by the Board of Control, including the Gatesville State School for Boys, the Gainesville State School for Girls, and the Brady State School for Negro Girls.

Employees

Sec. 9. In addition to those employees transferred to the Council by Section 8 of this Act, the Council may employ at compensation provided by the Legislature and within the limits of the amounts appropriated therefor, such medical, psychiatric, and other expert personnel, field representatives, supervisory, institutional, clerical and other employees as are necessary to discharge its duties. The Council shall have the power to remove any official or employee for cause, and the decision of the Council in such removals shall be final. The superintendents of the training schools shall have the right to dismiss training school employees with the approval of the Executive Committee. Any unexpended balance remaining in any item of appropriation made by the Legislature for the activity of the Council may, with the approval of the Legislative Audit Committee, be transferred and used for the purpose mentioned in any other item in this measure or in the appropriations made for this Council.

Power to Accept Gifts

Sec. 10. The Council may accept gifts, grants, or donations of money or of property from private sources to effectuate the purpose of this Act. Any and all funds so donated shall be placed in the State Treasury in a special fund called the Youth Development Fund and expended in the same manner as other State moneys are expended, upon warrants drawn by the Comptroller upon the order of the Council. Any of said moneys are hereby appropriated for the purpose of carrying out this Act.

Referrals from Federal Court

Sec. 11. The Council shall have the power to enter into agreements with the Federal government to accept children from the Federal Court for compensation upon which they agree.

Commitments by Juvenile Courts

Sec. 12. When any child is adjudged delinquent under provision of Section 13 of Chapter 204 of the General Laws of the Regular Session of the Forty-eighth Legislature, 1943, (Sec. 13, Article 2338-1, of Vernon's 1948 Statutes), and the Court does not release such child unconditionally, or place him on probation or in a suitable public or private institution or agency other than a State Training School, the Court shall commit him to the Council, but may suspend the execution of the order of such commitment.

Preliminary Disposition by Court

Sec. 13. (a) When the Court commits a child to the Council, it may order him conveyed forthwith to some place of detention approved, or established, or designated by the Council, or may direct that he be left at liberty until otherwise ordered by the Council under such conditions as will insure his submission to any orders of the Council.

(b) The Court shall assign an officer or other suitable person to convey a child to any facility designated by the Council, provided that the person assigned to convey a girl must be a woman. The cost of conveying any child committed to the Council shall be paid by the county from which said child is committed, provided that no compensation shall be allowed beyond the actual and necessary expenses of the party conveying and the child conveyed.

Effect of Appeal from Adjudication or Commitment

Sec. 14. The right of a child who has been adjudged delinquent to appeal from the adjudication or from the order of commitment shall not be affected by anything in this Act.

Notification and Duty to Furnish Information

Sec. 15. When a Court commits a child to the Council, such Court shall at once forward to the Council a certified copy of the order of commitment, and the Court, the probation officer, the prosecuting and police authorities, the school authorities and other public officials shall make available to the Council all pertinent information in their possession in respect to the case. The reports required by this Section shall, if the Council so requests, be made upon forms furnished by the Council or according to an outline furnished by it.

Probation Service to Juvenile Courts

Sec. 16. The Juvenile Court of any county not having a probation officer may request the Council, with its consent, to make an investigation and report to the Court respecting any child against whom an information or petition has been filed charging delinquency; and such Court may also, with the consent of the Council, place any child whom it has adjudged delinquent on probation under the supervision of the Council on such terms and conditions as the Court may prescribe.

Diagnosis of Committed Children

Sec. 17. (a) When a child has been committed to the Council, it shall, under rules established by it, forthwith examine and study him and investigate all pertinent circumstances of his life and behavior.

(b) The Council shall make periodic re-examination of all children within its control, except those on release under supervision or in foster homes. These examinations may be made as frequently as the Council considers desirable, and shall be made with respect to every child at intervals not exceeding one (1) year.

(c) The Council shall keep written records of all examinations and of the conclusions based thereon, and of all orders concerning the disposition or treatment of every child subject to its control. All records maintained by such Council shall not be public records; but shall only be available upon the order of a District Court.

(d) Failure of the Council to examine a child committed to it, or to re-examine him within one (1) year of a previous examination, shall not of itself entitle the child to discharge from the control of the Council, but shall entitle him to petition the committing Court for an order of discharge, and the Court shall discharge him unless the Council upon due notice satisfies the Court of the necessity for further control.

Determination of Treatment

Sec. 18. When a child has been committed to the Council, it may:

(a) Permit him his liberty under supervision and upon such conditions as it believes conducive to acceptable behavior; or

(b) Order his confinement under such conditions as it believes best designed for his welfare and the interests of the public; or

(c) Order reconfinement or renewed release as often as conditions indicate to be desirable; or

(d) Revoke or modify any order of the Council affecting a child, except an order of final discharge, as often as conditions indicate to be desirable; or

(e) Discharge him from control when it is satisfied that such discharge will best serve his welfare and the protection of the public.

Type of Treatment Permitted

Sec. 19. As a means of correcting the socially harmful tendencies of a child committed to it, the Council may:

(a) Require participation by him in moral, academic, vocational, physical, and correctional training activities;

(b) Require such modes of life and conduct as seem best adapted to fit him for return to full liberty without danger to the public;

(c) Provide such medical or psychiatric treatment as is necessary;

(d) Place boys who are physically fit in parks-maintenance camps or forestry camps or boys' ranches owned by the State or by the United States and require boys so housed to perform suitable conservation and maintenance work, provided that the boys shall not be exploited and that the dominant purpose of such activities shall be to benefit and rehabilitate the boys rather than to make the camps self-sustaining.

State Schools and Other Facilities

Sec. 20. The Council shall have the management, government and care of the Gatesville State School for Boys, the Gainesville State School for Girls, the Brady State School for Negro Girls, and of all other facilities hereafter established by the State for the custody, diagnosis, care and training of delinquent children committed to the State.

Appointment of Superintendents and Employees

Sec. 21. The Council shall, from time to time, appoint a superintendent for each of said schools and institutions, and upon the recommendation of the superintendent, shall appoint all other officials, chaplains, teachers, and employees required at said schools and institutions and shall prescribe their duties. The superintendent of any school or other facility for the care of girls exclusively shall be a woman. The superintendent, with the consent of the Executive Committee, may discharge any employee for cause.

The salaries, compensation, and emoluments of the superintendents and subordinate officials, teachers, and employees shall be fixed as provided by the Legislature.

Rules and Purposes of Schools and Other Facilities

Sec. 22. The Council shall establish rules and regulations for the government of each school and other facilities and shall see that its affairs are conducted according to law and to such rules and regulations; but the purpose thereof and of all education, work, training, discipline, recreation, and other activities carried on in the schools and other facilities shall be to restore and build up the self-respect and self-reliance of the children and youth lodged therein and to qualify them for good citizenship and honorable employment.

The Superintendent

Sec. 23. The superintendent shall be a person of high moral character, education and training, and shall have the ability to develop and recommend an aggressive program for youth rehabilitation. He shall take the official oath and shall give a sufficient bond in the sum of Ten Thousand Dollars ($10,000) payable to the Governor or his successors in office, conditioned for the faithful performance of the duties of his office. Such bond shall be approved by the Secretary of State.

Powers and Duties of the Superintendent

Sec. 24. The superintendent of each school or other facility shall:

(a) Have general charge of and be responsible for the welfare and custody of the children lodged therein, and for carrying out the rehabilitative program prescribed by the Council. He shall be a constant resident at the school or facility, and, under the direction of the Council, shall seek to establish relationships and to organize a way of life that will meet the spiritual, moral, physical, emotional, intellectual and social

needs of the children under his care as those needs would be met in an adequate home;

(b) See that the buildings and premises are kept in good sanitary order;

(c) Cause to be kept the books of the school or facility fully exhibiting all moneys received and disbursed, the source from which received and purposes for which same is expended. All supplies for the school or facility shall be purchased in the same manner as for other similar institutions. Said books shall give a full record of all products produced, whether sold or consumed, and shall at all times be open for the inspection of the Council, State Auditor, or the Governor.

Religious Training

Sec. 25. The Council shall make provision for the religious and spiritual training of children in its custody and shall require all children in its diagnostic treatment or training facilities who are physically able to attend at least one (1) religious service of his own choice on each Sunday.

Power to Make Use of Existing Institutions and Agencies

Sec. 26. (a) For the purpose of carrying out its duties, the Council is authorized to make use of law enforcement, detention, supervisory, medical, educational, correctional, segregative, and other facilities, institutions and agencies, within the State. The Council may enter into agreements with the appropriate private or public officials for separate care and special treatment in existing institutions of persons subject to the control of the Council.

(b) Nothing herein shall be construed as giving the Council control over existing facilities, institutions or agencies other than those listed in Section 8, or as requiring such facilities, institutions or agencies to serve the Council inconsistently with their functions, or with the authority of their offices, or with the laws and regulations governing their activities; or as giving the Council power to make use of any private institution or agency without its consent; or to pay a private institution or agency for services which a public institution or agency is willing and able to perform.

(c) Public institutions and agencies are hereby required to accept and care for delinquent children sent to them by the Council in the same manner as they would be required to do had such children been committed thereto by a Juvenile Court.

(d) The Council is hereby given the right and shall be required periodically to inspect all public and all private institutions and agencies whose facilities it is using. Every institution and agency, whether public or private, is required to afford the Council reasonable opportunity to examine or consult with children committed to the Council who are for the time being in the custody of the institution or agency.

(e) Placement of a child by the Council in any institution or agency not operated by the Council, or the release of such child from such an institution or agency, shall not terminate the control of the Council over such child. No child placed in such institution or under such an agency may be released by the institution or agency without the approval of the Council.

Power to Establish Additional Facilities

Sec. 27. When funds are available for the purpose, the Council may:

(a) Establish and operate places for detention and diagnosis of all children committed to it;

(b) Establish and operate additional treatment and training facilities, including forestry or parks-maintenance camps and boys' ranches, necessary to classify and segregate and handle juvenile delinquents of different ages, habits and mental and physical condition according to their needs;

(c) Establish facilities to aid children given conditional release or discharged by the Council to find homes and employment and to lead socially acceptable lives.

Establishment of Camps and Payment of Wages

Sec. 28. The Council may establish forestry or parks-maintenance camps independently or in co-operation with the State Parks Board or with Federal departments and officials in charge of national forests and parks within this State. To this end, the Council may enter into contracts with Federal and State departments and officials. The Council may, in co-operation with such Federal and State departments or otherwise, provide for the payment of wages to the boys for the work they do while housed in such forestry or parks-maintenance camps, the sums earned to be paid in reparation, or to the parents or dependents of the boy, or to the boy in such manner and in such proportions as the Council directs.

Release under Supervision

Sec. 29. The Council may release under supervision at any time, and may place children in its custody in their usual homes or in any situation or family that it has approved. The Council may, subject to appropriation, employ agents for investigating places and for visiting and supervising children on placement and may provide for the maintenance, in whole or in part, of any child so placed in charge of any person. The Council may, at any time until the expiration of the period of commitment, resume the care and custody of any child released under supervision.

Clothing, Money and Transportation furnished on release

Sec. 30. (a) The Council shall insure that each child it releases under supervision has suitable clothing, transportation to his home, or to the county in which a suitable home or employment has been found for him, and such an amount of money as the rules of the Council authorize.

(b) The expenditures for clothing and for transportation and the payment of money may be made from funds for support and maintenance appropriated to the Council or to the institution from which such child was released, or from local funds, or from any appropriation specifically made for such purposes by the Legislature of the State of Texas.

Escape and Apprehension

Sec. 31. A boy or girl committed to the Council and placed by it in any institution or facility, who has escaped therefrom, or who has been released under supervision and broken the conditions thereof, may be arrested without a warrant by a sheriff, deputy sheriff, constable, police officer, or field officer employed or designated by the Council, and may be kept in custody in a suitable place and there detained until such boy or girl may be returned to the custody of the Council.

Transfer of Mentally Ill, Feeble-Minded and Epileptics

Sec. 32. Whenever the Council finds that any child committed to it is mentally ill, feeble-minded or an epileptic, the Executive Committee shall have the power to transfer children to any State institution for ninety (90) days observation or emergency treatment, and may make application to the proper court for a new commitment to the appropriate agency in accordance with law.

Termination of Control

Sec. 33. Every child committed to the Council as a delinquent, if not already discharged, shall be discharged or referred back to the court when he reaches his twenty-first birthday.

Civil Rights

Sec. 34. Commitment of a delinquent child to the custody of the Council shall not operate to disqualify such child in any future examination, appointment or application for public service under the government either of the State or of any political subdivision thereof.

Use of Records

Sec. 35. The Records of commitment to the Council shall be withheld from public inspection except with the consent of the Council, but such records concerning any child shall be open at all reasonable times to the inspection of the child, his or her parent or parents, guardian or attorney, or any of them. A commitment to the Council shall not be received in evidence or used in any way in any proceedings in any

court except in subsequent proceedings for delinquency against the same child, and except in imposing sentence in any criminal proceedings against the same person.

Evaluation and Improvement of Treatment Methods

Sec. 36. The Council shall conduct continuing inquiry into the effectiveness of the treatment methods it employs in seeking the reformation of delinquent children. To this end the Council shall maintain a record of arrests and commitments of its wards subsequent to their discharge from the jurisdiction of the Council and shall tabulate, analyze and publish biennially these data so that they may be used to evaluate the relative merits of methods of treatment. The Council shall co-operate with the Department of Public Welfare in the collection of statistics and information regarding juvenile delinquency, arrests made, complaints, informations, and petitions filed, and the disposition made thereof, and other information useful in determining the amount and causes of juvenile delinquency in this State.

Assisting Escape

Sec. 37. Whoever shall knowingly aid or assist any child in the custody of the Council to escape or to attempt to escape shall be fined not less than One Hundred Dollars ($100) nor more than Five Hundred Dollars ($500), or be imprisoned in jail not less than thirty (30) nor more than sixty (60) days, or both.

Biennial Budget

Sec. 38. The Secretary shall prepare and submit to the Council, for its approval, a biennial budget of all funds necessary to be appropriated by the Legislature for the Council for the purposes of this Act. The budget so prepared shall be submitted to and filed with the Board of Control by the Council in the form and manner and within the time prescribed by law.

Constitutionality [19]

Sec. 41. If any Section, subdivision or clause of this Act shall be held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Act.

19/ Acts 1949, 51st Leg., p. 988, ch. 538.

Sections 39, 39a, and 39b of the Act of 1949 made appropriations, section 39c related to the expenditure thereof, section 40 transferred existing appropriations, section 40a regulated the expenditure thereof.

Sec. 42. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed to the extent of such conflict only.

Section 43 provided that for the purpose of the appointment of the six (6) lay members of the Council and of the organization of the Council this Act shall take effect on its passage; for the purpose of the transfer of the State Training Schools to the Council, and all other purposes, this Act shall take effect within one hundred and twenty (120) days of passage; provided that the Council shall have until May first, 1950, to assemble the technical staff and provide facilities necessary to make the diagnosis of each child committed to it as required by Section 16.

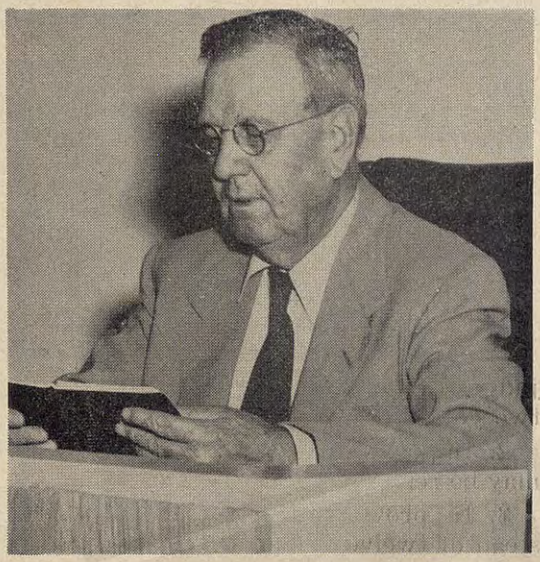
Domestic Relations Court

On the whole, the advantages of a Domestic Court outweigh its disadvantages, although important improvements are needed

by F. H. McGregor *of Amarillo, Judge*
Court of Domestic Relations for Potter County

A good many people refer to the Court of Domestic Relations for Potter County as being unique; it is unique in the sense that it is the only court of its kind in the state.

This Court was established by an act of the Legislature which went into effect June 16, 1949. This Act provides that the Court shall have jurisdiction of adoptions, removal of disabilities of minority, change of name, delinquent, dependent and neglected child proceedings; all matters placed in the District and County Courts under the juvenile and child welfare laws of the state; all divorce and marriage annulment cases, including the adjustment of property rights involved therein; temporary alimony; and every other matter incident to divorce or annulment proceedings.



With a well-organized probation department, the Domestic Court can decidedly minimize juvenile delinquency, in Judge McGregor's opinion.

Jurisdiction

The act further gave the Court jurisdiction of all criminal cases involving crimes against children, the maximum punishment for which does not exceed two years in the penitentiary or in which a fine or jail sentence may be imposed, including wife and child desertion, contributing to the delinquency of a minor, or enticing a minor from legal custody as provided in the penal code. It provided that all cases above enumerated may be instituted in or transferred to said Court.

When the Commissioner's Court of Potter County undertook to put the Court in operation, and incur expenses therefor, the County Auditor refused to approve the warrants on the ground that the act creating the Court was unconstitutional.

Test case

In order to test the constitutionality of the statute, a mandamus case was filed in the District Court of Potter County. An outside judge was called in and after rather elaborate arguments, he held that the act creating this Court was unconstitutional.

The case was appealed and transferred to the Court of Civil Appeals at Fort Worth. The Court of Appeals held, in effect, that the Texas Constitution provided a certain pattern for the courts of Texas and that this Domestic Court did not come within that pattern. The Court of Civil Appeals held that there were a good many objections to the act creating the Court. Among these were the following:

1. The judge was appointed instead of elected. This appointment to be made by a board, called a Juvenile Board and composed of the two District Judges and the County Judge.

2. The act did not require that the Court be held at the county seat of the county.

3. The act did not require the judge to be a citizen of the United States or of the State of Texas, or a resident of Potter County.

4. The act authorized the trial of felony cases by petit juries of six instead of twelve members.

5. That under the Constitution, a judge authorized to try cases within the jurisdiction of the District Court should have the qualifications of a District Judge.

(Texas Bar Journal)

6. The Juvenile Board was authorized to remove the judge from office, which was contrary to the Constitution.

Writ of error

A writ of error was granted by the Supreme Court. Its decision is reported in the case of Jordon v. Crudgington, 231 S.W. 2d 641. In brief, that Court held that the constitutional provision authorizing the Legislature to establish "other" courts, as it deems necessary, should be given a liberal construction; that such "other," or new courts, need not conform to the pattern of district or county courts; and that this Domestic Court was neither a district nor a county court.

The Court further held that the act creating the Domestic Court was unconstitutional in the following particulars:

1. In fixing the term of office of the judge and clerk at four years instead of two years.

2. In providing that the judge and clerk may be removed by the Juvenile Board.

3. In providing for a jury of six instead of twelve members.

Under the severance clause contained in the act, the Supreme Court struck these provisions from the bill and read the constitutional provisions into the bill.

Valid power

By reading the constitutional provisions into the act, the Supreme Court held that it was a valid exercise of legislative power and that none of the objections urged against the act were valid. Both lower courts were reversed and the cause remanded with instructions to issue a writ of mandamus as prayed for.

After the decision of the Supreme Court became final, a judge and clerk were appointed and qualified on August 21, 1950. After the Court had been in operation for five or six months, it was thought that the original act creating the Court should be amended and elaborated. It was believed that there were too many things left to inference and intendment.

Act amended

Accordingly, a bill amending ten sections of the act creating the Domestic Court was drafted and introduced into the 52nd Regular Session of the Legislature. This bill was passed April 26, 1951, approved May 18, 1951, and became effective on that date.

Section 2 of that bill, as originally drafted, provided that the judge of the Court should have the same qualifications as a district judge; but some local people, who are interested in the Court, objected to that feature of the Amendment. They seemed to be thinking of this Court solely as a juvenile court, whereas, by far, the largest number of cases are divorce suits. In order to get the bill passed, it was thought necessary to waive that amendment. So, the qualifications of the Judge are still to be fixed by the so-called Juvenile Board.

Criminal jurisdiction

The Amendment leaves the Court with the same jurisdiction it had, except as to criminal cases. All criminal jurisdiction was eliminated and repealed. This was thought advisable for a good many reasons, not now considered necessary to be stated.

In addition to the jurisdiction already possessed by the Court, there was added the jurisdiction to remove disabilities of coverture, independent actions involving child custody, and a general provision giving the Court jurisdiction of justiciable controversies, and differences between spouses, which are now or may hereafter be, within the jurisdiction of the District or County Courts.

Amendments listed

Among other amendments are the following:

A provision saving writs and process issued out of but not returned to the District or County Court before the case has been transferred to the Domestic Court. The Amended Act provides that the Court shall be a court of record; that the Court shall be held at the county seat, shall have a seal and maintain all necessary dockets, records and minutes; and that juries shall consist of twelve members.

It provides that the duties of the clerk shall be practically the same as those of a district clerk. It limits the terms of office of the judge and clerk to two years, and provides that they may be removed from office for the same reasons and in the same manner as other county officers. The Amendment gives statutory authority for the investigation of children involved in cases in the Domestic Court.

I found the statutory precedent for this

(Continued on Page 128)

that this preference for settlement out of court prevailed almost as strongly among those who had once hired a lawyer as among those who had not.

Strongest criticism

Other questions clearly revealed that the strongest criticism of the Iowa legal system was on the subject of delay.

The Iowa public showed an almost complete ignorance as to where free or low-cost legal services could be obtained. 76% did not know of any place; 15% named the county attorney; 4% named bankers, Veterans Administration, and others, and 5% gave vague answers.

5. Author's Comments

The Iowa Survey is an interesting pioneer venture, seeking for the first time a comprehensive study of lay opinion as to the good and bad aspects of the legal profession and the courts in that state.

Now, having learned in considerable detail the public attitude toward the Iowa legal system, the Bar itself can more intelligently plan its program to improve the climate of public opinion.

To an outsider, this Survey suggests a corrective program along these lines:

1. Using all the tools of public relations to make the general public more familiar with what the legal profession does—how it works—what types of practice it undertakes —what function it fills in society.

2. Education, study, and self-correction within the legal profession on the subjects of excessive fees, ethics, and delays.

3. Patient education of the general public as to why they should not patronize the unauthorized practioner.

4. More active attention to the free or low-cost legal aid problem, and definite steps to familiarize the public with such facilities as are available.

Are the findings of the Iowa Survey applicable to Texas?

To hazard a guess, they are generally applicable. Any major differences in public opinion between the populations of the two states would probably stem from the fact that Texas has a large Latin-American and Negro population while Iowa does not.

The State Bar of Texas has recognized the desirability of a well-organized, effective public relations program through the establishment and financing of its Public Information Committee. In mapping such a program, the first task is to determine the prevailing climate of public opinion toward the legal profession.

To accomplish that purpose the State Bar of Texas has hired Joe Belden and Associates to conduct a survey in Texas similar to the Iowa poll.

Certified Questions

Judge Norvell cites case on mandamus-certified question procedure

An addendum to his article on Mandamus-Certified Question Procedure, published in the February 1952 TEXAS BAR JOURNAL, has been given by Judge James R. Norvell, San Antonio.

Judge Norvell has called attention to a decision of the Supreme Court published after the preparation of his article, Atlas Roofing Company v. Hall, Chief Justice et al., S. W. 2d , 21 Sup. Ct. Rep. 133, wherein Mr. Justice Sharp discusses Rule 475, particularly the provision thereof which allows the Supreme Court to "direct the Court of Civil Appeals to conform its ruling and decision to those of the Supreme Court without the necessity of certifying the question to the Supreme Court."

This case is likewise helpful, Judge Norvell explains, in that it outlines in some detail the actual procedure followed to bring the case before the Supreme Court.

State Bar Building

(Continued from Page 94)

16th District: Eugene R. Smith, co-chairman; Wm. L. Kerr, Ben H. Howell, Hunter Metcalfe and Martelle McDonald.

17th District: R. C. Grisham, co-chairman; Jay Jameson, J. G. Harrell, George M. Ritchie, P. Edward Ponder, and Virgil Seaberry.

18th District: Wm. Q. Boyce, co-chairman; A. J. Folley, W. W. Gibson, Wm. Jarrell Smith, Max Boyer, James W. Witherspoon and C. A. Williams.

19th District: Thos. B. Duggan Jr., co-chairman; Durwood H. Bradley, W. W. Campbell, G. W. Dupree, E. L. Klett, Durwood D. Mahon, Owen W. McWhorter, James H. Milam, E. G. Pharr, J. Orville Smith and J. E. Vickers.

20th District: Chas. W. Duke, co-chairman; Robert Lee Bobbitt, Leo Brewer, Raymond Weber, Henry P. Burney, L. M. Bickett, R. N. Gresham, Grady Barrett, Theo. F. Weiss, Gilbert M. Denman, Jesse I. Edwards, Josh H. Groce and W. B. Jack Ball.

21st District: Louis D. Gayer, co-chairman; Harry Logan, Robert T. Neill, Sam McCollum Jr., Claude Gilmer, Brian Montague and T. C. Wilkinson.

Domestic Relations Court--McGregor

(Continued from Page 102)

amendment, with reference to the investigator, in juvenile statutes applying to the Counties of Dallas and Harris, but I was quite surprised to find that those statutes made it the duty of the probation department of those counties to not only investigate the surroundings of children involved in divorce cases, but also, to investigate and report on the claim for divorce. It was felt that these statutes came very near to appointing divorce referees or divorce commissioners, in divorce cases involving children. It was thought that it would not be proper legislation to include such a provision in a statute relating to only one court in the state.

Court has power

The amendment gives the Court the power to issue writs of habeas corpus, mandamus, orders of sale, executions, writs of possession and restitution, and any and all other writs that may now or hereafter be issued by District Courts when necessary or proper in cases or matters in which the Domestic Court has jurisdiction.

It will be seen that, among other things, these amendments correct the original act, creating this Court, in the particulars in which it was held unconstitutional by the Texas Supreme Court.

During the first calendar year the Domestic Court was in operation, 1,318 cases were filed in the Court, not counting juvenile delinquency cases. Of these 1,318 cases, 903 were disposed of by final orders and judgments. These included dismissals for lack of prosecution, dismissal on account of resumption of marital relations, and cases disposed of on their merits after trial. Up to and including November 6, 1951, 1,553 cases have been filed in the Court.

During the fourteen months since the organization of the Court, we have had only three jury trials. One of these was a child custody case; one dependent and neglected child case, and the other one a divorce case. Juries have been in session only eleven days.

Many surprises

As judge of the Court, I have had a great many surprises, one of which is the great number of people who want to consult with the judge of the Court.

Owing to the length of the name of the Court, the local newspapers have frequently referred to the Court as the "Family Court." When the Court was first organized, it received a great deal of publicity and the public generally got the idea that the Court had been established for the purpose of solving all family controversies.

Misunderstanding

One woman asked the Judge if it was true that since the Court had been established, it was not necessary to get a lawyer in order to obtain a divorce. She had been told that the only thing necessary was to come to the judge and he would give her a divorce. Another young woman came to the counter in the clerk's office, took out her billfold, and asked the clerk to give her a divorce.

There are both advantages and disadvantages in this Court, as presently organized. The principal disadvantage, as I see it, is that the total expense of the Court must be borne by the county. The local Commissioner's Court has so many calls on it for money, it is difficult for it to find the money to furnish an adequate staff for the Court. In order to function properly and do good service, especially with reference to the children coming before the Court, a rather extensive staff of well-trained people is necessary.

MISSING HEIRS, LEGATEES OR OWNERS

Our international organization, established almost 40 years, specializes in searches for missing or unknown heirs or legatees; owners of real estate, leaseholds, stocks or dormant bank accounts; and beneficiaries of insurance or trust funds.

Searches are made at our own cost, without expense to forwarders, and our compensation is fixed by contingent fee agreement with the persons located by us. **We cooperate with attorneys on an ethical basis.**

W. C. COX AND COMPANY

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It is my opinion that this Domestic Court is not rendering the full service to children and juvenile delinquents, which it was intended that the Court should render. This, because of the lack of an adequate staff of trained personnel.

Main reason

One of the main reasons for the creation of this Domestic Court was, that in handling a juvenile, the District or County Court would be through with the case after it entered judgment therein. Juvenile statutes have been passed in this state which have for their principal purpose, the rehabilitation of delinquent juveniles, rather than sentencing them to a state school as punishment for the infraction of the law. It was intended that this Court should place many juvenile delinquents on probation under the supervision of well-trained probation officers, rather than sending them to a state school to be confined for several months.

These probation officers should be so trained that they can go into the homes and environments of juvenile delinquents, ascertain the cause of the delinquency, and in many cases, correct it. This kind of rehabilitation can be done much better by this new type of court than by the old type of district and county courts.

It is very hard to convince the average Commissioner's Court that it is getting a sufficient return for its money, or for the people's money, spent in this kind of work. Commissioner's Courts are accustomed, generally, to get something tangible for the money they appropriate.

Trained staff

However, this matter of a trained staff to aid the Court is being slowly but gradually worked out. We have recently been authorized by the Commissioner's Court to employ a trained chief probation officer.

We feel that one of the main objects and reasons for the establishment of this Domestic Court was to prevent as many juveniles as possible from becoming delinquent and later developing into criminals. We feel that this Court should take the lead in this project or movement in Potter County. With that idea in view, the City of Amarillo was requested to assign and train two police officers to work exclusively with juveniles. The City Commission acted favorably and at once. During the ten months these two juvenile police officers have been on duty, they have handled some 200 juvenile cases with very few of them having to be brought before the Juvenile Court.

At our suggestion, the Amarillo School District has now employed two men, who are well educated and trained along these lines, to work with the juveniles who give evidence of becoming delinquents.

Delinquency minimized

When we get the probation department of this Domestic Court well organized, we think that we will have a set-up in Amarillo and Potter County which will have a decided effect in minimizing juvenile delinquency.

Some of the advantages of a court of this type are as follows:

Divorce cases and child custody cases, dependency and delinquency cases can get earlier hearings. This is because they are taken out of the courts that have a great number of jury cases. We tried a dependent child case within five days after the child was born.

Convenience

This Court is a convenience to the Bar, as cases may be set for trial at specific hours, on certain days, several days in advance.

This Court is more informal than the usual District Court.

In a good many cases in which one spouse has shown a desire for reconciliation, the cases have been referred to the Family Service, which is a Community Chest Agency with well-trained personnel, and several families have been saved from separation and divorce.

Many controversies, especially controversies over the division of property, are

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settled by pre-trial hearings or by conferences between the parties, their attorneys and the judge. A good many cases are not settled and determined by one formal trial, several conferences being necessary.

Agreed settlements

Some cases have involved such commingling of separate and community property, that to decide them under the strict rules of the law, would have resulted in inequitable divisions of property. Agreed settlements by the parties and their attorneys have been procured in many of these cases.

The same judge is continuously hearing these domestic relations cases. This is thought to be advantageous, especially in cases involving children.

Restraining orders

A much greater use is being made of this Court to protect wives in their property rights than was heretofore made of the District Courts. The Domestic Court issues a large number of restraining orders to protect wives in their persons and property rights.

The Supreme Court of Texas took a decided forward step in protecting the personal and property rights of wives in divorce cases when it adopted the rule allowing trial courts to waive the giving of a bond as a condition to the issuance of temporary restraining orders in divorce cases. As a usual thing, wives, especially young women, are unable to give such a bond. All the property possessed by the community usually stands in the name of the husband and is possessed by the husband. Therefore, the young wife is generally unable to give a bond as a condition to the issuance of a restraining order.

Advantages greater

I believe, on the whole, that the advantages of a Domestic Court outweigh its disadvantages, especially in large centers of population.

I would like to suggest that before any more of these courts are established, the possible service that these Courts can render, especially in cases involving children, should be carefully considered, and, if possible, an adequate staff for these Courts should be decided upon and fixed. The amount of salaries to be paid should be fixed.

The statutes creating the Courts should require that the Commissioner's Court of the county should provide the funds to pay this staff. It is probably impossible to get the state to bear any part of the costs of these Courts, although this Domestic Court tries cases, all of which are within the jurisdiction of the District Courts.

Changes suggested

In concluding, I would like to take this occasion to suggest that some changes should be made in the divorce laws of Texas:

1. It is my opinion that the Legislature should enact a statute giving a right of action in behalf of children against either or both parents to compel periodic payments for the support of the children, without the necessity of a divorce suit.

We have seen the necessity of this in several cases. The old procedure of indicting the father for child desertion is practically useless. It will be noted that I am not suggesting a cause of action on behalf of the wife for separate maintenance.

2. The portion of the statute on divorce prohibiting the Court from divesting either party of title to real estate should be repealed.

It frequently happens that the parties to a divorce suit own only one piece of real estate which cannot be divided in kind, and they also own some personal property. The Trial Court should be given the authority to value the real estate or the equity therein, decree it to one party and compensate the other party out of the personal property.

3. The divorce statute limiting the right to a divorce for conviction of a felony to cases in which the imprisonment is in the penitenitary of the State of Texas should be amended so that the conviction of a felony and imprisonment in any state or federal prison would be sufficient ground.

The effect upon the other spouse is the same, regardless of where the convicted spouse may be imprisoned.

4. We can see no reason why the innocent spouse should wait a year after final judgment of conviction of a felony before having the right to sue for a divorce.

Judge McGregor delivered this address before the annual Judges Conference in Austin Nov. 9, 1951.

December 11, 1951

In order that the Juvenile Department of the Court of Domestic Relations of Potter County, Texas, be efficiently and professionally operated so as to serve the child's welfare and the best interest of the state as charged by law, the following salaries for the year 1952 is respectfully submitted to the Commissioners' Court of Potter County.

Chief Probation Officer----------	$4200
Assistant Probation Officer------	3000
Secretary----------	2400
Total----	$9600

Respectfully submitted,

T. H. McGREGOR
Judge, Domestic Relations Court

T. S. LITTLE
Chief Probation Officer

Duties of the Chief Probation Officer

1. Administrative duties

A. Supervision of the Juvenile Department

1. Establish a system of records which would involve going back through the Departmental records over a period of years, eliminate duplication, make a master card on all children handled, and set up a record system by family and number rather than by the individual child and the year in which the offense occurred.

2. Reestablish the practice of registering all cases with the Social Service Exchange, a standard procedure in all other similar agencies in the city.

3. Establish standard, routine intake procedure for the handling of each case. This would involve the taking of face sheet information, formulation of a probation program, and the dictation of an intake interview.

4. Establish standard routine procedure for the handling of each case. This would involve interviews with the child, his parents, home visitation, agency visitation after obtaining an SSE clearance, school visitation, and the writing of a case history.

5. Prepare the annual budget for submission to the Commissioners' Court.

6. Prepare an annual report to the Judge of the Court, the Commissioners' Court, and the community on the conduct of the Department during the preceeding year. This would involve the collecting and publishing of those statistics which would be of value in interpreting the work of the Court and the Department to the public.

B. Supervision of the Detention Home

1. Provide for the health and well-being of each child placed in detention.

2. Conduct the Detention Home on the basis that it is for the immediate short-term custodial care of children whose conduct necessitates their detention. It shall be the policy of the Juvenile Department to make their stay in detention as short as is consistent with the public interest.

3. Establish a system of records which would insure the economic management of the Detention Home.

II. Casework duties

A. Handle all cases involving delinquent boys. This would involve the same procedure as outlined under the duties of the Assistant Probation Officer.

B. Handle all intake and accept complaints in regard to delinquent children, custody investigation, child support and truancy cases.

C. Represent the Juvenile Department in Court as required by law.

III. Interpret the work of the Court and the Juvenile Department to the community.

A. Represent the Department at those functions when representation is warranted.

B. Utilize any and all existing media; such as, the press, radio, and speeches to get the Court and the Juvenile Department before the public and effectively interpret its work and responsibilities to the community.

C. Adopt a policy of inter-agency cooperation in order that the needs of our children and their families might best be met.

IV. Assume all other duties of the Chief Probation Officer as prescribed by law but not stated herein.

Duties of the Assistant Probation Officer

I. Handles all cases involving delinquent girls. This would involve:

A. Conducting initial interview upon the girl's arrest.

B. Contacting the parents and arranging for the girl's release and the formulation of a probation plan.

C. Supervision of the child while on probation

1. Make periodic visits to the home of each child.

2. Prepare the case history and other necessary records.

3. Conduct collateral visitation in order to effectively carry out the probation plan.

4. In those cases where such action is necessary, the officer must bring the child before the Court.

5. Transport committed girls to the Youth Development Council's institution at Gainesville.

D. Perform the necessary work in the community which pertains to girls committed to the YDC and prepare for their return to the community.

E. Prepare a monthly report for statistical purposes.

F. Perform all other duties as provided by law and not stated herein.

II. Act as an investigator for the Court as provided by law.

A. Investigate all contested cases involving minor children.

B. Investigate all other divorce cases where minor children are involved when so ordered by the Court.

C. Conduct adoption investigations when so ordered by the Court.

Duties of the Secretary

I. Types and files all records necessary to the efficient conduct of the Department.

A. In new cases to the Department, the secretary will

1. Make a folder and type the master index card.

2. Types the face sheet.

3. Types the chronological entry.

4. Fills out the Social Service Exchange slips.

B. In old cases to the Department, the secreatry

1. Types the case history

2. Keeps the chronological as dictated by the individual officer.

C. Prepares all petitions, judgments, motions, etc., in Departmental cases

D. Carries on all correspondence for the Department as well as for the Court and its Judge.

E. Assists the Clerk of the Court on those occasions when such assistance is needed.

II. Handles the payment of child support.

III. Keeps the office in the absence of the two officers.

Dues - Little meeting / Legis Council working on Codification & Juvenile laws. & Family Courts supported by County / State Legis must approve -

Working on Statewide law so La. County can set up a Court, if desired

League of Women Voters of Texas
March 1954

REPORT ON FAMILY COURTS

No action has been taken on this item during the past two years, with the exception of the re-issuance of the League Memo "A Better Court for Children." Several local Leagues are in the process of study or action on their local Juvenile Courts.

Outlook for Possible Effective Action on this Item

It has been the postion of your State Board that the League should not attempt to write a bill to establish Family Courts for Texas but should, rather, be prepared to support legislation introduced by others---presumably the State Bar of Texas.

Various sub-committees of the State Bar have had this Court under consideration for several years, but their studies have never reached the bill-writing stage. Now, however, a big step is being taken in that direction. The Law School of the University of Texas is co-sponsoring with the State Bar an institute on the subject of Family Courts, which is scheduled to be held April 9 and 10. Even though invitations are going to a very small number of people in Texas, the League of Women Voters has been invited to attend the Institute, because the previous work of the League is recognized as having had a vital effect on the development of our Juvenile Courts.

At the same time, the Legislative Council is now engaged in codifying all State statutes pertaining to children. This is the proposal that failed of final passage in the Senate at the last session of the Legislature, but was adopted anyway by the Legislative Council as one of the projects for presentation to the next Legislature. The State Bar is now being asked to endorse, at its State Convention. this codification of laws relating to juveniles, which will have to have the approval of both houses of the Legislature to become effective as law.

It seems optimistic to expect that the State Bar will have a bill ready for the next Legislature in the field of Family Courts, and ready in time for League study of it to be certain that we could support it.

We can be fairly sure that League legislative action will be needed to get the bill passed which would adopt the new Juvenile Code, on which the Legislative Council is now working.

1954

A BETTER COURT FOR CHILDREN

LEAGUE OF WOMEN VOTERS OF TEXAS

ABC's

Foreword

The League of Women Voters of Texas has been actively interested in Juvenile and Family Courts since June 1947. At that time, the League, meeting in State Convention, put this item on its Current Agenda for study; the following year it was placed on the League Current Agenda for legislative action.

With the very fine assistance of a statewide group of lawyers, judges, social workers, psychologists, business men, probation officers, welfare agency personnel, district and county attorneys, police officers, sheriffs, county commissioners and lay people---a committee of five able and qualified men wrote the bill amending the Juvenile Court Act of Texas, and this was the bill which the League of Women Voters of Texas caused to be introduced in the 51st Legislature and which was passed with the active support of the League.

The League's immediate purpose was the enactment of laws which would enable proper local authorities intelligently (1) to aid all wards of the court, dependent, neglected and delinquent juveniles, and (2) to rehabilitate delinquents where possible. Thus would be accomplished the ultimate purpose--- to make it possible for all children to become independent, substantial citizens able to support themselves without public aid, and to be sufficiently responsible to discharge effectively their personal and citizenship responsibilities.

Because effectiveness of the Juvenile Court depends on <u>local</u> use and interpretation of the law,

this booklet has been written. It is entirely too brief, but the hope is that many will be stimulated by it to search further for answers to their community's problems. The information under "Comments" contains the opinions of the author and some of it, doubtless, will be subject to question in some communities. Much credit for the booklet's contents must go to the League's former Family Courts Chairman, Mrs. David Trammell, without whose efforts there would not even be a need for this information. Phrases and paragraphs have been "lifted" from other publications, without due credit. But here is a simple story of your Juvenile Court....will you use it?

Mrs. Horton Wayne Smith
Family Courts Chairman
League of Women Voters of Texas

September 1952

A B C ' s

DEFINITIONS

Juvenile Court

A court of human relations, civil and not criminal, with a philosophy of diagnosis and treatment rather than guilt and punishment. A court having jurisdiction in all legal matters relating to the welfare of youth, for the protection of both the child and society.

Family Court or Donestic Relations Court

An extension of the juvenile court principles and procedures to include problems of marital or family relationships.

Note: Throughout this booklet, the term "Juvenile Court" is used because this is the name of the court which, by law, must be established in each county. The provisions of this Juvenile Court Act, however, are such that this same "Juvenile Court" may become, in fact, a "Family Court". The section on OPERATION OF THE COURT covers only the functions of a juvenile court as it may and should operate in Texas today.

OUR PRESENT TEXAS LAWS

Foreword of the Texas Juvenile Court Act passed by the 43rd Legislature in 1943.

"A new legal philosophy is established by the Act, wherein the mandate is imposed upon the courts, police, probation officers, welfare agencies, and the entire public, to recognize that society is expected to ascertain causes, insofar as possible, and from them determine and meet the needs of the individual child."

Juvenile Court Act amended by the 51st Legislature in 1949.

Pertinent excerpts: "There is hereby established in each county of the State a court of record to be known as the Juvenile Court"...a district court in all counties having two or more district courts and either the district or county court in all counties having only one district court. "It is the intent of the Legislature that in selecting a court to be the Juvenile Court of each county, such selections be made as far as practicable so that the court designated will be presided over by a judge who has a sympathetic understanding of the problems of child welfare, and that changes in the designation of Juvenile Courts be made only when the best interests of the public[1] require it."

"...it shall[2] give preference[3] to cases of child delinquency, dependency, neglect, support, custody and adoption...and all other district courts in such counties may...transfer to such district court as has been designated the Juvenile Court any or all cases of annulment or divorce which involve child custody or support, with the consent of the Juvenile Court."

Texas law sets the age limits for original jurisdiction at 17 for boys and 18 for girls.

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1) The same judge should preside over the Juvenile Court as long as possible, and changes made "only when the best interests of the public require it."
2) The word "shall" is most important---it makes a Juvenile Court in every county mandatory.
3) "Preference"---all such cases must be filed in the court designated Juvenile Court.

"The purpose of this Act is to secure for each child under its jurisdiction such care, guidance and control, preferably in his own home, as will serve the child's welfare and the best interest of the state; and when such child is removed from his own family, to secure for him custody, care and discipline as nearly as possible equivalent to that which should have been given by his parents."

"The principle is hereby recognized that children under the jurisdiction of the court are wards of the State, subject to the discipline and entitled to the protection of the State, which may intervene to safeguard them from neglect or injury and to enforce the legal obligations due to them and from them."

"This Act shall be liberally construed to accomplish the purpose herein sought."

Court of Domestic Relations for Potter County

A local court, the first in Texas, created by the 51st Legislature and, in a precedent-breaking decision, held to be constitutional by the Supreme Court of Texas. This opens the door to any county to ask for its own court with conditions best suited to its own needs (and Lubbock County became the second county to get a Domestic Relations Court, in the 52nd Legislature).

This court of domestic relations has jurisdiction in all child and family matters, not including criminal cases, in Potter County; the judge and clerk are appointed by the Juvenile Board[4]; all expenses of the court are borne by the county, including the salary of the judge.

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4) A Juvenile Board is composed of all District Judges and the County Judge.

Comments...

It has been said that our laws providing for juvenile courts are ahead of their development. Nowhere in Texas is this legal framework being used to the very best ability of the community.

The jurisdiction of the juvenile court has been expanded until it has taken on most of the aspects of a family or domestic relations court. (Compare Definitions with provisions in amended Juvenile Court Act.) But the effectiveness of the juvenile court is a local matter, determined largely by the man who sits as judge and the ability of his staff.

"The tools of the juvenile judge are not the gavel and the pen." A juvenile judge must have an adequate and well-trained staff and the cooperation of all other public and private agencies in the community whose work is with children.

A committee of the Texas Probation and Parole Association has proposed further amendments to the Juvenile Court Act. Two sub-committees of the State Bar Association are at work on proposals for Family Courts legislation. A great and growing interest is being evidenced throughout the state in this court of human relations. When the majority of citizens have been made aware of the purpose and value of such a court, we should have little trouble getting the proper legislation passed for real family or Domestic Relations Courts. This little booklet is presented as one tool for a better-informed citizenry.

Note: While no law has yet been proposed to establish regional juvenile courts in Texas, this idea might be more thoroughly explored. Now in operation in several states, these courts would provide the highest type of services and facilities to counties which have neither the finances nor the population to support a good local court.

OPERATION OF THE COURT

The Judge

The judge should be chosen for his qualifications including his interest in children and his understanding of their problems; should continue in his position for at least one year and preferably for his entire term.

Comments...

Because law schools throughout the country are just now beginning to offer specialized training for juvenile court work, and because the program is so relatively new in Texas, judges trained in juvenile court work are not available. So it becomes necessary to select as judges of these juvenile courts men capable of learning and ready to accept advice and cooperative efforts of professional and citizen groups. Ideally, they should be able and ready to accept active leadership in the community program of juvenile court development.

Without tenure or salary commensurate with the responsibility of this office, it will be extremely difficult to find the right persons to preside over our juvenile courts. Only if we can offer them total, well-organized community support can we hope to induce qualified men and women to serve as juvenile judges.

The Hearing

Private, friendly hearings are held in the judge's chambers or in a small, cheerful room set aside for this purpose. The formality of a courtroom trial is dispensed with; the judge and other participants sit around a table or desk. Respect for the court must be maintained, but the judge gains much in the way of prestige when he puts the child and his parents at ease, so that their trust and cooperation

may be more quickly gained. No spectators are allowed; usually only the judge, probation officer who has made the investigation, and the child and his parents or guardian are present. Of course, no publicity is given the hearing; the name of the child is never made public.

Attorneys for defense may be hired; a trial by jury is permitted; but these procedures are almost never demanded. The best interests of the child can be served by an understanding judge, with a staff competent to investigate and evaluate the child's history, so that decisions of the court affecting the child's future may be explained fully to the child and his parents.

Comments...
The law gives the juvenile judge great latitude in making disposition of a case before him. Here, again, a community geared to whole-hearted support of the juvenile program will offer many possibilities to the judge for the wisest action in each case. A community with no resources often forces the judge to send the child back to his harmful environment or to commit him to a state institution.

Probation
Probation is a process of social investigation and supervisory treatment used by the courts for certain, selected individuals.

A. Personnel. As the field of probation has developed, the demands upon the intelligence and ability of the probation officer have increased. Because a juvenile court judge is so dependent upon a probation officer to carry out the instructions of the court, to secure information about children, to handle many phases of juvenile work not called to the attention of the

court, it is most important that probation officers be capable individuals. They should be selected on the basis of education, experience, personality and sincere interest in boys and girls.

Qualifications for a probation officer might include:
1. College degree with at least one year of graduate work in a school of social work.
2. At least one year's experience as a case worker under the supervision of an acceptable social or welfare agency or department.
3. Pleasing personality and good character; tact, resourcefulness and sympathy.

In addition, a chief probation officer must have administrative ability and a sense of public relations.

But the field of qualified men and women is decidedly limited and probation departments today must institute in-service training programs to raise the level of competence of their staffs.

Comments...
Once again, community support is of utmost importance in developing and maintaining this "right arm" of the court. Funds for the probation department are usually the first asked for by a juvenile court, and county commissioners must be shown the value to be derived from hiring only well-qualified people. In some communities, civic organizations have supplemented the salary of a good probation officer for a period of time, so that he might have an opportunity to prove his worth to the taxpayers of the county.

The State Youth Development Council is ready to help any community in setting up a merit system for selection of staff for the court, or will give other assistance when asked.

B. Services. Generally speaking, the probation department provides the following services:

1. Preliminary hearings on cases brought to the attention of the court to determine if the court should accept jurisdiction.
2. All pre-court work with children referred as delinquent, including studies and investigations of background, home, school, neighborhood, etc., and physical, psychological or psychiatric examinations if possible; interpretation of these facts to present to the court, along with a plan for treatment.
3. Preparation of necessary papers for the court and records of work with each child. Case records should tell everything about the child and his family, their attitudes, feelings, interests, capacities and relationships, as well as specific factual data; they should also include the worker's plan and purpose, and the activity to carry out this plan. The law clearly states that this information is confidential and available only to workers of the court.
4. Supervision and case work services for child placed on probation by the court.
5. Handling of certain types of cases of children who may not be brought to the attention of the court.
6. Cooperation with law enforcement officers and other local agencies in the proper handling of juvenile offenders and "pre-delinquents".
7. Cooperation with Youth Development Council in proper handling of children committed to state or those released from a state institution under supervision.
8. Performance of duties related to the detention of children.
9. Preparation of monthly and annual reports.

10. Efforts toward improvement of methods of handling delinquent youth, securing the sympathetic understanding of the public toward children who get in trouble, and work toward prevention of delinquency.

Comments...

The average citizen has little opportunity, of course, to observe intimately his probation department. But information to be found in scores of books, booklets and papers written on the subject will give the lay citizen a background for judging his probation department. Both the National Probation and Parole Association and the State Youth Development Council can furnish information helpful to the citizen.

Detention

"The temporary care of children with behavior problems who require secure custody while awaiting investigation and disposition by the court."

A recent survey by the Youth Development Council revealed that in only six counties in Texas are there detention facilities other than the jail for the child who is delinquent or neglected or a runaway.

Texas' Juvenile Court law specifically says that no girl under eighteen and no boy under seventeen shall be placed in jail where persons over juvenile age are detained; but shall be placed in a room or ward separate or apart. In our state the "separate" place is often the women's quarters or a room of the jail so close to adult prisoners that conversation is possible.

Detention is not just custody; it is one of the most important facets of good juvenile court procedure, and is of vital concern to all who understand the philosophy and terms of the Juvenile Court Act.

The National Probation and Parole Association sets up the following standards for good detention:

1. Building. A specially designed fireproof dwelling used only for detention, with modern non-threatening security features and ample indoor and outdoor activity space.
2. Use. Used only for children who need secure custody. Less than 15% of the court's delinquency cases require detention. Admissions carefully controlled by the court with police cooperation to aviod overnight and weekend detention. Length of stay shortest necessary to make a thorough social investigation except where short term clinical observation and study are part of the detention program. Not used as punishment or a training school.
3. Staff. Personnel selected for skill with disturbed children; given reasonable working hours and adequate compensation. Sufficient staff to provide individualized supervision in small groups, with additional staff for program, clinical and case-work services.
4. Services. Good food and physical care. Full school and recreation program geared to meet individual needs and to discover the child's problems and potentialities. Casework service to replace punishment, to help child understand himself, and to provide diagnostic material for the court. Clinical services for the study of disturbed children and for staff training.

Comments...

Good detention care helps prevent delinquency by changing the child's concept of authority.

Detention is temporary care; any community working for or having achieved a detention home must constantly remind itself that the home is not a "dumping ground". Too often, acquiring a detention

home acts as an anesthetic to a community, when it is really only one important tool in an enlightened program.

The number of children detained must be kept to a minimum, which requires a well-trained intake worker, and a trained and cooperative police department.

The child's stay in detention must be as short as possible, always depending on what services are required by the juvenile court and those which are offered by a good court staff.

The child coming into detention can be expected to be in a highly emotional state, and great skill is required of the police, the intake officer and the detention supervisor if the experience is to be helpful to the child. "The biggest destructive force is not the rare actual cruelty of a matron or supervisor, but the common disrespect, even contempt, for neglected and difficult children...these are the forces which make children see enmity in the courts, in all adults, in all authority..." So Sherwood and Helen Norman write in their booklet, "Detention for the Juvenile Court".

Good detention facilities can be achieved through concerted community action. Many small counties are giving consideration to regional facilities. The State Youth Development Council and the National Probation and Parole Association will provide to any county the professional assistance necessary in deciding what the community needs are and how they may be realized.

No town needs to continue the shame of placing its children in jail.

COOPERATION WITH THE COURT

Community Resources

The juvenile court must depend on and work with many agencies and organizations in the community, both public and private. Without the court, most of these agencies would be helpless in much of their work with children. But in many communities these agencies have still to learn this new legal philosophy, for, unless they know what the role of the court is in the community, they cannot give the cooperation which the court needs. Some of the more important agencies, most frequently used by the court, are:

1. Law enforcement agencies. The police department and the sheriff's office require the closest working relationships with the probation department, since the majority of all referrals come from them. It is the police officer who usually has the first contact with the child and has the opportunity to create the attitude and impression desired by the court. In large cities, Crime Prevention Divisions or Juvenile Bureaus handle all child matters coming before the police; in smaller communities a Juvenile Officer should be trained for this work. In most cities and towns in Texas, police departments have already or are beginning to adopt progressive attitudes and services for children.

2. Welfare agencies. Either public or private agencies are, in most communities, the arm of the court which handles neglected and dependent children and foster home placement, as well as preventive work, delinquent children under ten years, and many other services. The type of service and the calibre of service rendered depends again on community interest and support. But this phase of juvenile court work must be provided for and the use of already established welfare agencies is generally accepted as most feasible in getting a court program started.

3. Schools. A source of vital information to the court investigator. It is in the schools, too, that a great deal of preventive work can be done. Teachers are in a position to spot behavior problems early and either help the child themselves or refer the matter to someone trained in counseling. All big city schools, most smaller ones, and many county school systems have inaugurated a visiting teacher department and/or a counseling service. The teacher is best able to recognize a neglected child, for instance, or one living under conditions so harmful that the juvenile court can intervene for the protection of the child. Also, many schools have psychological testing and clinic services which the small or beginning probation department will need to use.

4. Recreation. A close relation between recreation workers and the probation department is mutually helpful. Like the teacher, the recreation worker may detect early signs of maladjustment in a child and is certainly in a position to recognize bad influences in the community which are in conflict with his own program. The probation officer will need the cooperation of recreation facilities in his work with children on probation.

5. Health. Both physical and mental health examinations are especially important in the work of the court. The judge cannot possibly make the wisest decision concerning a child until he knows how much of his maladjustment comes from illness. Unless there are city or county facilities for these examinations, working relationships must be made with private physicians, dentists, psychiatrists. This is often done on a volunteer basis until the volume of cases warrants a fee arrangement. But such examinations are so vital to the whole concept of treatment of children as to warrant their use even if it means a considerable cost to the county.

Comments...

Each community will have to decide what it should properly provide in services to the juvenile court, and then take concerted action to achieve those goals. It will not be an easy task, nor a brief one. Advice and assistance is available from many, many sources: e.g., Texas Education Agency, U. S. Children's Bureau, National Recreation Association, National Probation and Parole Association, State Youth Development Council, League of Women Voters of Texas.

Agencies whose work touches the court should be kept informed of plans and developments, or, better, should be called in for consultation when problems arise or plans for extension of services are being considered. If the total resources of the community are to be used, the responsibility for the program must rest in many hands.

Some enlightened judges, wishing to make their courts Family Courts as far as possible, have set up a volunteer counseling staff for adults coming before the court on family matters. Mr. Robert I. Wilson, attorney in Kerrville, Texas, has proposed a "Socio-Legal Clinic" for "adjustment of domestic differences and stabilization of homes, and preventive measures in child delinquency". Applicable especially in smaller communities where there are no family counseling agencies, this Clinic would include religious, legal, medical and business people, as well as the juvenile judge and probation officer.

In communities large or small, this principle of using every available resource is important to the success of the juvenile or family court. Learning how best to use these resources can be the job of every interested citizen.

Other Services of the Court

The matter of using already established welfare agencies for court work has already been discussed. The larger cities will provide the court with its own staff for many of these functions, especially for investigations for the court in matters of adoption, custody, neglected and dependent children who are wards of the court, case work of a preventive nature, and investigation in annulment and divorce cases which are filed in this court (see Texas law). It is when the county is ready to provide the finances for this staff, and the proper personnel is found, that a community may truly begin to feel it has a Family Court.

Comments...

No private agency should be long expected to provide these services to the court. This is a legal court and its services to the community should be tax-supported. The economic and human worth of such services is not always apparent to all citizens and public officials, and a community must use whatever resources are available until intangible values become tangible ones in the mind of the community.

The fact that all monies to operate a juvenile or family court must come from the county treasury puts the responsibility for the services of the court in the hands of every citizen. (Only exception: if the juvenile judge is a district judge, his salary is paid by the state.)

Only in the case of children placed by the court in foster homes or in state institutions should the court use other than its own funds. In this case, the parents are still responsible for the support of their child and must pay to the county or state as much as they are able toward his maintenance.

Citizens' Advisory Committee

A citizen committee appointed by the juvenile judge or juvenile board to work closely with the judge or board on matters of policy, procedures and community education will provide an exchange of ideas between officials and the public for their mutual benefit.

Comments...

This citizen group has proved an invaluable aid to the whole juvenile court program in those communities where it has been honestly tried.

The committee should be composed of interested and qualified citizens---enlightened and non-political in their feeling of responsibility toward the program---and representative of all segments of society.

"The task of developing strong community participation in court work is one of the most difficult jobs in professional social work today," writes Charles H. Boswell, chief probation officer of Marion County Juvenile Court, Indianapolis, Indiana, in a worth-reading paper entitled "Citizens Help a Juvenile Court". "Usually the appointment of such a group can be brought about when the judge sees that a certain problem can be solved, or a job done more efficiently, through enlisting the aid of a citizen group."

Several such citizen advisory committees are now working in Texas. In one community this committee has been in existence for three and a half years, with the most gratifying and successful results for both the court and the community.

Here is the liaison group bringing the citizens' views to the court---interpreting the court's views and actions to the citizens.

JUVENILE BOARD

JUVENILE COURT

PROBATION DEPARTMENT

Citizens' Advisory Committee

CHILD WELFARE DEPARTMENT

Delinquent Children

Temporary Custody

a. Child's or relative's home
b. Detention home

Investigation

Disposition

a. Release to parents under supervision of Probation Department
b. Placement with relatives under supervision of Probation Department
c. Placement in foster home under supervision of Probation Department
d. Commitment to State Youth Development Council for placement in state school

Neglected and Dependent Children

Temporary Custody

a. Child's or relative's home
b. Receiving home

Investigation

Disposition

a. Return to parents under supervision of Child Welfare Department
b. Placement with relatives under supervision of Child Welfare Department
c. Placement in foster home under supervision of Child Welfare Department
d. Placement in other Childrens' Home available in state

In addition, the court must have staff to make the investigations necessary for cases of adoption, custody, support, etc. to comply with the minimum requirements for a Juvenile Court in Texas.

Here are some reading references for the citizen---useful information about your juvenile court.

* Youth Development Council---The Community, the State and the Delinquent Child

* Youth Development Council---The Key, monthly publication, Special Issues on Juvenile Probation, August 1952, and Detention, February 1952

* State Department of Public Welfare---Juvenile Court and Youth Development Council Laws

* Boswell, Charles H.---Citizens Help a Juvenile Court, reprint from The Child, March 1951 (Federal Security Agency, Social Security Administration, Children's Bureau)

The Texas Outlook for September 1952---A Tragedy of Our Times

Federal Security Agency---Children's Bureau Pub. #300, Understanding Juvenile Delinquency, revised 1949

Strang, Ruth---Facts About Juvenile Delinquency, Science Research Associates, Inc. Chicago 10, Ill.

* Starred items may be obtained free of charge by writing Youth Development Council, 808 Tribune Bldg. Austin, Texas

If you are interested in making a thorough study of juvenile and family courts, a much more complete bibliography will be sent upon your request.

For the names of those ready to and capable of giving professional assistance to a community wanting to improve its court services, write to the State League.

League of Women Voters of Texas
2509 Washington
Waco, Texas

Discussion Questions

First Unit Meeting

1. In discussing the definitions of the juvenile, family and domestic relations courts, can you make clear the differences and likenesses between these three names?

2. What reasons can you think of for stressing the value of one judge handling juvenile matters for a long period of time?

3. Considering the enormous importance of the probation officer, what do you think his salary should be, in relation to other county employees? What is the salary of the chief probation officer in your county? How many employees does he supervise?

4. What do you believe are some of the principal reasons for not placing a child in jail? Are children ever put in jail in your county?

5. How can citizens be responsible for policies in their police department, schools, health department?

6. Can you suggest citizens in your own community who might make useful members of a Citizens' Advisory Committee? Have they proved their interest in children---their objectivity in civic affairs?

7. Our belief that children are entitled to the protection of the law comes down to us from old English common law. Can you suggest several other reasons for a juvenile court---reasons which might appeal to people having widely divergent positions, education, economic status?

Discussion Questions

Second Unit Meeting

1. In view of all the qualifications for juvenile judge, is such a person available in your county?

2. Where are your juvenile court hearings held?

3. Do your newspapers and radios carry accounts of the meetings of your commissioners court? Do you feel your editors and reporters are interested in and informed about your juvenile court?

4. What qualifications do your probation officers have--what kind of personality? Do they, or anyone connected with the court, ever speak about their work to luncheon and civic clubs?

5. Did the words "probation" and "detention" have a new meaning for you after reading this Memo? What do you think these words mean to most people in your town?

6. What is "detention" in your town? Why?

7. Does your police department have a specially trained juvenile officer or bureau?

8. Because each county has its own problems, do you think a survey of your court and community resources would be valuable? Do you know which of your civic organizations might be ready to join in a "total look" at your juvenile court? Which organizations would be most effective in taking action to improve your juvenile court?

ADDENDUM

The League of Women Voters is re-issuing this Memo because of greatly increased interest throughout the State in Juvenile and Family Courts. Though many important developments in these Texas courts have occurred since the date of the original issue September 1952, none of the basic information concerning Texas law or the operation of these courts is out of date.

References to the State Youth Development Council as a source of assistance to local communities are no longer applicable; the Community Services section of the Council was abolished when funds were withdrawn and only one consultant remains. Requests for professional counsel should now be addressed to National Probation and Parole Association, Littlefield Building, Austin, Texas.

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League of Women Voters of Texas

[redacted]

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