

**State Commissions  
for the Study and Revision of  
Child-Welfare Laws**



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# STATE COMMISSIONS FOR THE STUDY AND REVISION OF CHILD-WELFARE LAWS.<sup>1</sup>

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## PRESENT STATUS OF THE MOVEMENT.

Study of laws affecting the welfare of children by officially appointed commissions began nine years ago. During the first six years official bodies were appointed for this purpose in five States and the District of Columbia. In the last three years the movement has grown so rapidly that 17 States are now included among those that have officially recognized the importance of unifying and improving legislation for the protection of children. In a large number of other States unofficial committees are engaged in studying child-welfare needs, or efforts are being made to secure the appointment of official commissions. Altogether, almost two-thirds of the States have been actively interested in the movement. The development of child-welfare commissions or children's code commissions or committees, as these official bodies are variously called, has been accompanied by an active campaign of education by national child-welfare organizations and local groups. The growth of this movement for the coordination and revision of child-welfare legislation, following upon a comprehensive study of the conditions surrounding children in a given State, is one of the most significant and hopeful developments in the child-welfare field.

In almost all the States the scope of work of these commissions has involved from one to two years' study of conditions and needs, preliminary to the coordination and amendment of child-welfare legislation. The subjects covered include the safeguarding of health, school attendance, regulation of employment, protection against exploitation or corruption of morals, special provision and training for the mentally defective and physically handicapped, care and training of dependent and neglected children, methods of dealing with delinquent children, and State supervision of agencies and institutions. The method employed substitutes for the spasmodic and often little considered proposals of amendments to State laws by individuals or organizations interested in special fields of child welfare, an organized and cooperative effort to secure legislation

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<sup>1</sup> This report was prepared by Emma O. Lundberg and Ruth H. Olmsted, of the Social Service Division, U. S. Children's Bureau.

based upon study of conditions in the State and remedies that have proved successful in other States. A fundamental feature of such a State program is a well-conducted educational campaign, directed especially toward explaining the child-welfare needs of the State and the purpose and scope of the legislation proposed.

The success or failure of the work in any State depends, in the first place, upon the composition and organization of the commission—the equipment of the members for their task and their organization into an efficient working group under competent leadership. Of almost equal importance are the reliance placed upon the members by those most intimately concerned with local child-welfare work and the ability of the commission to work in harmony with organizations representing various interests and theories. Moreover, not only is it essential for the success of the work of the commission to base legislation upon a thorough knowledge of conditions in the State and an analysis of existing legislation, but the plans of even the most enlightened commission are likely to be barren of results unless the people who are, or may become, interested in these matters, and especially their representatives in the legislature, have been prepared for the new proposals through well-directed publicity. If the officially appointed commission is composed of people well qualified to consider the interests of the children of the State, their activities will result not alone in the revision of laws, but they will have brought about an understanding of child-welfare needs and the purposes of the legislation that will go far toward securing the proper enforcement of the laws for the protection of the children of the State.

The principles that already have resulted in so widespread a movement for the better protection of children were included among the “minimum standards for child welfare” adopted by the conferences on child welfare held under the auspices of the United States Children’s Bureau in 1919.<sup>2</sup> The statement defines the purpose and method of revision of child-welfare legislation as follows:

The child-welfare legislation of every State requires careful reconsideration as a whole at reasonable intervals, in order that necessary revision and coordination may be made and that new provisions may be incorporated in harmony with the best experience of the day. In States where children’s laws have not had careful revision as a whole within recent years, a child-welfare committee or commission should be created for this purpose. Laws enacted by the several States should be in line with national ideals, and uniform so far as desirable, in view of diverse conditions in the several States.

Child-welfare legislation should be framed by those who are thoroughly familiar with the conditions and needs of children and with administrative difficulties. It should be drafted by a competent lawyer in such form as to accomplish the end desired by child-welfare experts and at the same time be consistent with existing laws.

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<sup>2</sup> U. S. Children’s Bureau: Minimum Standards for Child Welfare Adopted by the Washington and Regional Conferences on Child Welfare, 1919. Conference Series No. 2, Bureau Publication No. 62, p. 15. Washington, 1919.

The appointment in 1911 of the Commission to Codify and Revise the Laws of Ohio Relative to Children is usually credited with being the first official action of this kind. The so-called children's code of Ohio, passed in 1913, resulted from the recommendations of the two commissioners, following their studies of the laws of various States. In 1913 the Children's Commission of New Hampshire was created by law, reporting two years later on existing conditions and making recommendations to the legislature. In Oregon, also in 1913, the governor appointed a child-welfare commission which issued a report and was again appointed in 1915.<sup>3</sup> In 1914, the Attorney General of the United States appointed a committee to consider the laws pertaining to children in the District of Columbia and make recommendations. The committee report, January 15, 1915, dealt only with the need for new juvenile court legislation. The Missouri Children's Code Commission was appointed by the governor in 1915. After two years' study of child-welfare conditions in the State and of existing legislation, together with consideration of the laws of other States, this commission in 1917 submitted to the legislature a report embodying bills recommended.<sup>4</sup> The Minnesota Child-Welfare Commission was appointed by the governor in 1916, immediately organizing for study of child-welfare legislation and needs in the State, and making its report to the legislature in 1917.

During the legislative year 1919, five child-welfare or children's code commissions (Delaware, Michigan, Missouri, Oregon, Wisconsin), which had been created in 1917 or 1918, reported recommendations in regard to child-welfare legislation. These reports were, in most instances, the results of extended studies of existing laws and of consideration of further needs for the adequate protection of children. In one State (Montana) a similar commission, appointed by the governor in 1917, remained more or less active during 1919, but did not make a report.

In the year 1919, five new commissions (Connecticut, Indiana, Nebraska, Oklahoma, Oregon<sup>5</sup>) were created by law for the purpose of coordinating existing legislation and studying child-welfare conditions; they were directed to report, to the legislatures following, such changes in legislation as seemed desirable. In one State (South Carolina) a commission was appointed by the governor to work in conjunction with the State board of charities and corrections, which board is instructed to make recommendations to the general assembly. In two States (Delaware, Texas) commissions whose work covers a broader field have as a part of their program study of the need for

<sup>3</sup> Followed by new commissions in 1917 and 1919.

<sup>4</sup> New commission appointed in 1917.

<sup>5</sup> The fourth commission in Oregon.

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revision of child-welfare laws.<sup>6</sup> In two States (Pennsylvania,<sup>7</sup> Tennessee) bills for the establishment of such commissions, and in another State (Wisconsin) a bill for the creation of a commission to take the place of one whose authority had expired, failed of passage. In five other States (Florida, Kansas, Louisiana, Maryland, Utah) unofficial committees or organizations were, during 1919, engaged in more or less comprehensive studies of the child-welfare laws of their respective States and of the conditions surrounding children.

Early in 1920, commissions were officially appointed in two States (Kentucky and New York), and in at least 10 States (Arkansas, Colorado, Kansas, Maine, New Hampshire, New Jersey, Tennessee, Vermont, Virginia, Washington) there are now movements under way for securing by official action the appointment of official commissions.

Therefore, eliminating duplications, it will be seen that in at least 31 States and the District of Columbia there has been some definite action toward comprehensive study of legislation as related to child-welfare needs.

In a number of States not here enumerated there has been an organized effort to secure the passage of certain child-welfare measures, but these activities have not been broad enough in scope to be included among the state-wide movements for general child-welfare legislation. In several of the States not credited with such activity, or in which attempts to secure commissions for the study and revision of child-welfare legislation did not succeed, new departments, bureaus, or so-called commissions were created, charged with more or less comprehensive programs for child protection.

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<sup>6</sup>In one State (Iowa) a general code revision committee was created by law. This is not included among the commissions discussed.

<sup>7</sup>A bill was also introduced in 1917.

## SUMMARIES OF ORGANIZATION AND PLANS OF WORK.

### Connecticut.

*Child-Welfare Commission*, created by law, May 14, 1919. (Special acts, January, 1919, ch. 285, secs. 1 and 2.)

The duties of the commission were defined—"to study and investigate the laws, conditions, and practice of this and other States and countries relating to dependent, neglected, defective, and delinquent children and the entire question of child welfare." The commission was instructed to report the results of its investigation to the next session of the general assembly, including in its report "a proposed code of laws, which shall include a revision of the provisions of the general statutes relating to children, with such changes and additions as it may deem advisable."

An appropriation of \$12,000 was originally provided for the work of the commission by the State board of control, but upon later application an additional sum of \$10,000 was granted. The members serve without pay, but they may incur necessary expenses approved by the board of control.

In accordance with the terms of the law, the governor in 1919 appointed a commission of 15 members. The commission employed an executive secretary giving part time to the work, an assistant secretary, four field agents, and office assistance. The commission membership has been tentatively divided into committees on the following subjects:

1. Dependent and neglected children.
2. Defective children.
3. Delinquent children.
4. Legal and administrative.
5. Finance.
6. Publicity.

Studies are being made along the lines indicated, including special investigations of the work of public and private institutions caring for children, the child-placing work of both public and private agencies, provision made for defectives, juvenile courts, and probation.

### Delaware.

*Children's Code Commission*, appointed by the governor in July, 1918. The membership of the commission consisted of five men. No comprehensive study was made, and the only measure recommended to the legislature of 1919 was a bill creating a State board of charities. This measure became law.



In April, 1919, the legislature passed a law creating the *Reconstruction Commission of the State of Delaware*. (Laws 1919, ch. 66.) Part of the prescribed duties of this commission are "to make recommendations to the appropriate official agencies for such legislative or executive action as it may believe to be desirable, in view of its investigations."

The reconstruction commission consists of seven members, appointed by the governor, with a paid secretary who is engaged in organizing infant and child welfare activities throughout the State. The commission plans to study the needs for new or revised child-welfare legislation in cooperation with the social agencies of the State dealing with various phases of the problem. A digest of existing laws has already been made. The commission will report to the legislature of 1921.

#### District of Columbia.

The Attorney General of the United States, March 6, 1914, appointed a committee of five to study the laws pertaining to children in the District of Columbia. The letter addressed to the members states the proposed scope of work of this committee:

Intending soon to take under consideration the question of the amendment, revision, and codification of the laws in force in the District of Columbia pertaining to children and to the jurisdiction, practice, and procedure of the juvenile court of the District, I have the honor to request you to serve on a committee \* \* \* to study the present laws and the needs of the District in this particular, and to advise me in the premises, accompanying your report, if you will, with a draft of such a code as the committee believes would give the District satisfactory laws upon these subjects.

The committee in its report, January 15, 1915, described the work it had undertaken as follows:

In pursuance of the work thus put before it, the committee made a compilation of all the existing laws relating to children in the District, so that it might be informed as to the development and operation of these laws, and as to how far any revision was needed.

It also secured a list of all children's institutions or agencies in the District, and, by means of a brief but comprehensive questionnaire calling for annual reports and for the facts as to the organization and connection, if any, of each of these with the Government, collected the data needed for taking a comprehensive view of the whole field, and of the relations of each of these institutions and agencies to the others and to the Government.

While this survey revealed certain obvious problems and needs, as, for example, that the District has no provision for feeble-minded and epileptic persons, and that institutional care for delinquent white girls and for the slighter offenses of delinquent boys is lacking, the most apparent and urgent need was a revision of the present juvenile court law, to which reference had been specially made in the letter of appointment. The reasons for this will appear in the discussion of this particular subject later.

It soon became apparent that a plan for providing adequately for all cases of neglected and defective children in the District would require not only careful study of the local situation, but also of the latest and best methods in use in other communities. In

the meantime the juvenile court is treating the cases of neglected and defective children and, owing to the defects in the law, is working injustice upon them. The committee, therefore, felt it a duty to submit a report on this phase of the problem in order to avoid the delay which further study of the whole question would necessitate. It regards a prompt revision of the juvenile court law as imperative.

Accompanying this report, and part hereof, are the drafts of two bills:

(a) A bill amending the present juvenile court law and in fact creating a new juvenile court.

(b) A bill intended to remove certain disabilities affecting children by reason of judgments of conviction of crime of record against them in the juvenile court of the District.

The committee presents these measures in the hope that they will be introduced in the Congress and passed as drawn. A discussion of their merits involves primarily a consideration of the existing law and the results obtained under it.

### Indiana.

*Commission on Child Welfare and Social Insurance*, created by law, March 15, 1919. (Acts 1919, ch. 197, p. 771.)

The governor was directed to appoint a commission of five persons, "at least two of whom shall be parents." The commission was instructed to "make a careful and systematic study of child welfare and social insurance." The work is to be done through visiting the various parts of the State, holding public hearings, and making careful inquiry into the problems of each locality, and the commission is authorized to visit other States in order to investigate the methods employed and the results achieved. A report of findings and recommendations is to be submitted to the governor on or before December 1, 1920. The law further states that "the commission shall also draft such bills as may be necessary to embrace and carry out its recommendations and submit them to the next general assembly for consideration."

A sum of \$5,000 was appropriated. The members are to serve without compensation, but are allowed necessary traveling expenses, and may employ a clerk and a stenographer. It is provided that the commission "may avail itself of the collections or facilities of any State department in obtaining the information and data necessary to the successful prosecution of its work."

When the commission met for organization, it divided its activities into two sections, as contemplated by the law—social insurance and child welfare—a chairman being selected for each section.

### Kentucky.

*Children's Code Commission*, created by law, March, 1920.

The governor was directed to appoint a commission of five members to prepare a report for the next regular meeting of the legislature, in 1922.

The duties imposed upon the commission are "to make a survey of the entire field of child welfare in the Commonwealth of Kentucky."

The commission was granted power to summon witnesses and "such other powers as may be necessary to such an investigation," but no appropriation was made for the expenses of the commission.

#### Michigan.

*Child-Welfare Commission*, created by law, May 10, 1917. (Laws 1917, No. 293.)

This is a continuing commission, the three members to be appointed by the governor every two years. The law provides that the members "shall be selected from the recognized, organized bodies formed for the study of child welfare, and the promotion of education, hygiene, health, good morals, and physical and mental welfare of children and their parents and guardians," preference being given to members of organizations whose work is State-wide in scope.

The duties of the commission are defined as follows: "To study and investigate the social and economic environment of children, with particular reference to their home and neighborhood surroundings; the influences to which children are subjected in and about their homes and schools; the conditions under which children are forced or permitted to perform labor in their homes or elsewhere, with or without remuneration; the relationships between children and parents and the fitness and ability of parents to care for children, supervise their education, control their morals and fit them to become useful and law-abiding citizens, and the remedies that should be applied by State and other public bodies for the amelioration and improvement of such conditions as may indicate the need for alteration and correction." The commission is to report to the governor at least 30 days prior to the assembling of each successive legislature "a résumé of the work of the commission together with recommendations for such legislation as the commission may consider necessary to advance the welfare and promote the education, good morals, and mental and physical well-being of children." The commission is given power to examine records of State institutions, boards, commissions, or officers of the State, and of local public agencies and institutions and incorporated private bodies.

In the fall of 1917 the National Child Labor Committee began studies of institutions, juvenile courts and mothers' pensions, child labor, and a general study of the laws of Michigan. The results of these four studies were submitted to the commission. The commission laid before the governor a brief (unpublished) report, which included recommendations relative to creation of a child-welfare department in the State board of corrections and charities; appointment and removal of county agents to be conferred upon the State board of corrections and charities, and the provision of five traveling supervisors; treatment of cripples at the State University Hospital,

and, pending treatment, provision in their homes; a more adequate system of care for dependent children; county health officers and trained nurses; an appropriation of \$1,000 for the child-welfare commission. No legislative action resulted.

Because of the fact that no appropriation was made by the legislature to enable the commission to carry out the broad program intrusted to it, no further action seems to have been taken by the commission. According to the law, the term of office of the members appointed in 1917 expired in 1919, and early in 1920 the governor made the necessary appointment for the continuance of the work of the commission.

### Minnesota.

*Child-Welfare Commission*, consisting of 12 members, was appointed by the governor, August, 1916, to revise and codify the laws of the State relating to children.

No appropriation was made by the State, but private funds were secured, and an executive secretary was employed. The personnel of the commission included nine men and three women, their interests being defined as follows:<sup>6</sup> "Of the men three were judges—two members of the district bench, assigned to the juvenile court, and the third a former justice of the supreme court; two were members of the legislature, one from each house; and the remaining four were an assistant secretary of a civic and commerce association of long professional training in philanthropic work, a member of the State board of control, which manages the institutions of the State, the superintendent of the State school for dependent children, and a Jewish rabbi who had taken an active interest in civic affairs. Of the women, one was active in the management of a social settlement in the largest city of the State, another was the director of the bureau of women and children of the State labor department, and the third was a woman of broad civic interests." The executive secretary was a lawyer.

The study undertaken by the commission was divided as follows:<sup>6</sup>

1. Defective children, with reference to the blind, the deaf, the crippled, and deformed, the feeble-minded and epileptic, and—as related matter—the protection of children from transmissible disease and the regulation of marriage.

2. Dependent and neglected children, touching upon courts, and procedure, illegitimacy, adoption, public relief at home, maternity hospitals, lying-in places, baby farms, placing-out agencies, institutional homes, abandonment, and desertion.

3. Delinquent children, including courts and procedure, correctional institutions, moral safeguards, and adults contributing to delinquency.

4. General child welfare, including birth registration, vital statistics, regulation of midwives, school attendance, regulation of employment, and crimes against children.

<sup>6</sup> U. S. Children's Bureau: *Standards of Child Welfare. A Report of the Children's Bureau Conferences, May and June, 1919.* "The Minnesota Child Welfare Commission," by W. W. Hodson, p. 420. Conference Series No. 1, Bureau Publication No. 60. Washington, 1919.

<sup>6</sup> *Ibid.*, p. 421.

Four committees were appointed to cover the subjects as outlined, and to report its findings to the whole commission. After six months of work the commission submitted its report to the governor, 43 bills being proposed. The secretary states:<sup>9</sup>

The findings of the commission were adopted in almost every instance by a unanimous vote of that body. Where there was a division, a substantial majority had approved.

The legislature passed a resolution (Laws 1917, p. 874, Resolution No. 1) authorizing the appointment of a special committee of seven members of the house and five of the senate to consider the bills to be recommended by the child-welfare commission and other bills introduced that concerned child welfare. This joint committee was authorized to hold public hearings and "introduce and recommend to the house and senate such bills as in its judgment will bring about the proper revision of the laws of this State relating to children." Of the 43 measures recommended to the legislature, 35 were enacted into law. These 35 measures repealed 114 sections and amended 60 sections of previously existing law.

The bills recommended to the legislature, with synopses of changes from the existing law, were published in the report of the Minnesota Child-Welfare Commission, 1917. The changes that were made by the legislature pursuant to the recommendations of the commission are indicated in the *Compilation of the Laws of Minnesota Relating to Children*, published by the State board of control in 1917, and a later edition containing the laws through 1919. The results attained through the work of the commission have been summarized by the executive secretary in the article previously cited.<sup>10</sup> He states that "time did not permit the assembling of these measures in such a way as to make possible their passage as a code rather than as individual laws, but the existing statutes are now for the most part coherent, consistent, and interdependent. They seek to express the State's responsibility for its handicapped children as far as it seems possible to go at this time." One of the new laws centralized in the State board of control the administration of all laws for the care and protection of children, and authorized the creation of a special division of the board for this purpose and the organization of county child-welfare boards.

### Missouri.

*Children's Code Commission*, appointed by the governor, June, 1915:

No appropriation was made by the State; the commission raised funds from private sources, and an executive secretary was employed. The commission consisted of 23 members. The commission took

<sup>10</sup>U. S. Children's Bureau: Standards of Child Welfare. A Report of the Children's Bureau Conferences, May and June, 1919. "The Minnesota Child Welfare Commission," by W. W. Hodson, pp. 424-426. Conference Series No. 1, Bureau Publication No. 60. Washington, 1919.

the place of a committee of three senators authorized by the Missouri senate in 1915, which did not undertake any work because its appropriation was found to be invalid.

The commission was appointed to "revise the existing laws relating to children, to prepare such new legislation as might seem desirable, and to bring together in one code all the laws relating to children."

The following committees were formed:

1. General laws for the protection of children.
2. Public administration.
3. Delinquent and neglected children.
4. Defective children.
5. Destitute children.
6. Child labor and education.
7. Health and recreation.

As one of the first steps, an analysis was made of the Missouri laws relating to child welfare, and an index of this legislation was published.

In 1917 a report<sup>11</sup> was issued, containing the changes recommended, with the reasons for the same. The report stated: "All the members of the commission do not concur in all the recommendations. No minority reports, however, have been submitted, and all the chief measures have received the approval of a majority of the commission." Of the 42 bills recommended, 10 were enacted into law.

A second child-welfare commission was appointed by the governor in 1917. This was also financed through private contributions. The 28 members of the commission included "nine State and local officials, eight social workers in private organizations, four members of the legislature, five lawyers, and three officers of State associations of women."<sup>12</sup> The drafting of the code was mainly the work of the commission's attorney.<sup>13</sup> The executive secretary of the first commission acted in the same capacity for the second, and the plan of work was substantially the same as before.

The report published in 1918, for submission to the general assembly of 1919, contained explanations of 51 proposed bills.<sup>14</sup> Of these recommended bills, 25 passed the legislature, but 5 of these were vetoed by the governor.

### Montana.

*Committee to Standardize Children's Laws*, appointed by the governor in 1917 as a result of a special campaign for the creation of a

<sup>11</sup> Missouri Children's Code Commission; a complete revision of the laws for the welfare of Missouri children. Second edition, with additional bills, January, 1917. Jefferson City.

<sup>12</sup> Missouri—A New Children's Code Proposed. The Survey, volume 41 (December 23, 1918), pp. 406-407.

<sup>13</sup> One of the five lawyers mentioned above.

<sup>14</sup> Report of the Missouri Children's Code Commission; a complete revision of the laws for the welfare of Missouri children. 1918. Jefferson City.

commission to study child-welfare conditions in the State and revise legislation.

No report was made to the legislature of 1919. During that year correspondence with members of the committee indicated that it was hoped that a report could be made in time for the 1921 legislature.

### Nebraska.

*Children's Code Commission*, created by law, April 15, 1919. (Laws 1919, ch. 178.)

The governor was directed to appoint for a period to terminate May 11, 1921, "a special investigating committee to be known as 'The Children's Code Commission.'" This commission was designated as an "independent branch" of the State child-welfare bureau established under the same act in connection with the State department of public instruction.

An appropriation of not to exceed \$7,500 was made available for the work of the code commission. The members of the commission are to receive no salary, but they may receive actual traveling expenses within the State and may appoint a secretary at a salary not to exceed \$150 a month, and employ stenographic and other assistance.

The duties of the commission are thus defined in the law:

The Children's Code Commission of the Child-Welfare Bureau shall make a careful study of the subject of child welfare with special reference to the problems presented in Nebraska, and, as part of its duties, shall investigate social and other conditions affecting child welfare in Nebraska, shall make a study of comparative legislation relating thereto, to point out, and make recommendations for removal of inconsistent, obsolete, or otherwise undesirable laws, and recommend new legislation for promotion of child welfare in said State; and shall embody said recommendations and the results of said investigation in a written report to the governor on December 1, 1920, which report the governor shall transmit to the legislature next convening.

The commission is empowered to have access to all books and records of State, county, and municipal institutions and agencies, and of all private agencies having the custody of or the placing out of children, and is authorized to call upon the legislative reference bureau for assistance.

In accordance with this act the governor appointed a commission of 15 members, and a secretary was employed by them. The membership of the commission is made up of persons specially qualified to deal with the problems relating to child welfare in the State. The commission divided its work into the following groups, for each of which a committee was named:

1. Special classes of children.
2. Education and child labor.
3. Health and recreation.
4. General child welfare.
5. Administration and law enforcement.

**New Hampshire.**

*Children's Commission*, created by law, April 15, 1913. (Laws 1913, ch. 72.)

The members served without compensation, but the governor was authorized to draw his warrant for necessary expenses of the commission, \$1,350 being thus expended. Private contributions were secured in order to defray the expenses of a field worker.

The governor and council were given the authority to appoint "three suitable persons who shall investigate all matters relating to the welfare of the dependent, defective, and delinquent children of the State, especially the questions of orphanage, juvenile courts, detention homes, desertion, physical and mental degeneracy, infant mortality, accidents, and diseases." The commission was ordered to report to the legislature of 1915.

The commission organized into three committees:

1. Infant mortality.
2. Physical and mental degeneracy, orphanages, and desertion.
3. Juvenile courts and detention homes.

In addition to these subjects, child labor and conditions surrounding children in the public schools were also investigated. A field worker was employed to investigate the prevalence of feeble-mindedness. One public hearing was held for discussion of legislation to be recommended to the legislature.

As directed, the commission reported to the legislature of 1915 on existing conditions, and presented a digest of existing laws. The main recommendations made were for: (1) State board of children's guardians; (2) colony for feeble-minded girls; (3) probation-truant officers; (4) supervision of public schools.

**New York.**

*Children's Code Commission*, created by law, May, 1920. (Laws 1920, ch. 699.)

The act creating the commission specified that the membership of the commission is to consist of two members of the senate, three members of the assembly, five persons to represent the State departments of education, labor, health, State board of charities, and State probation commission. The governor is authorized to appoint five other persons to represent the public at large.

The commission is to serve without compensation for services, but an appropriation of \$5,000 was made for employment of assistants and other necessary expenses.

The duties of the commission as outlined in the act are: To "collate and study all laws relating to child welfare, investigate and study the operation and effect of such laws upon children, ascertain any overlapping and duplication of laws and of the activities of any public



office, department, or commission thereunder, and make recommendations to the legislature of remedial legislation which it may deem proper as the result of its investigations."

The commission is to have "all the powers of a legislative committee" in having access to records and taking testimony in order to carry on the investigation. A report of proceedings must be made to the legislature at its next session, "and also at such other times as may be required by the governor or by the president of the senate and speaker of the assembly."

### Ohio.

*Commission to Codify and Revise the Laws of Ohio Relative to Children*, created by law, May 18, 1911. (Laws 1911, p. 123.)

The act provided for the appointment of "a commission to revise, consolidate, and suggest amendments to the statute laws of the State of Ohio which pertain to children." The governor was authorized to appoint two competent commissioners to carry out this work, their duties to commence not later than July 1, 1911, a report to be made to the governor within a year after this date. The commissioners—two lawyers—served without compensation; but a sum not to exceed \$3,000 was appropriated to cover the expenses of the commission, including the services of clerks and experts.

The commissioners were specifically instructed to "unify the present laws pertaining to illegitimate, defective, neglected, dependent, and delinquent children, and to their treatment, care, maintenance, custody, control, protection, and reformation," and to "suggest such amendments and additions as, to them, may seem best calculated to bring the statute laws of this State into harmony with the best thought on this subject."

In regard to their work, the commissioners reported:<sup>15</sup>

We have visited the Eastern States; we have corresponded all over the United States and with some of the officials of European countries and have studied the laws of the various States; we have met with the theorist and the practical worker. In the State of Ohio we have consulted and corresponded with children's home officials, juvenile judges, probation officers, officials of the State boards and institutions, and with private charity workers.

An article<sup>16</sup> on the children's code of Ohio, by H. H. Shirer, secretary of the board of State charities, gives further information in regard to the methods of work:

Conferences were held in the large cities of the State, at which time there were held informal discussions of the matters under consideration. Meetings were held in connection with the children's home section of the State conference of charities and correction, at which time criticisms were solicited in respect to many of the proposals under consideration. Because of this public way of treating the problem, the work of the commission soon commanded the respect of all persons liable to be affected by the recommendations to be made in their final report. \* \* \* The Ohio commission took under consideration all the laws of the State which in any way pertain to children.

<sup>15</sup> Report of the Commission to Codify and Revise the Laws of Ohio Relative to Children, p. 1.

<sup>16</sup> Shirer, H. H.: "The Children's Code of Ohio." The Ohio Bulletin of Charities and Correction, volume 20 (January, 1914), pp. 16-23.

This included the management of public and private children's homes, the compulsory education law, the child-labor law, compensation to mothers under certain social conditions, the juvenile court, truancy, the State institutions that care for children, and all other related subjects.

In 1912 the report was made to the governor, who transmitted it to the legislature of 1913. The recommendations of the commissioners resulted in the passage of the so-called Children's Code of 1913.<sup>17</sup>

#### Oklahoma.

*Children's Code Commission*, created by law, March 22, 1919. (Laws 1919, ch. 58.)

The governor was authorized and required to appoint three competent persons as commissioners, to enter upon their duties not later than July 1, 1919, and report to the governor not later than July 1, 1920, their report to be transmitted by the governor to the next session of the legislature.

The commission was empowered to "revise, consolidate, and suggest amendments and additions to the statute laws of the State of Oklahoma which pertain to children." The commissioners are instructed to "unify the present laws pertaining to illegitimate, defective, neglected, dependent, and delinquent children, and to their treatment, care, maintenance, custody, control, protection, and reformation," and to suggest "such amendments and additions as to them may seem best calculated to bring the statute laws of this State into harmony with the best thought on this subject."

The commissioners are given access to the records of the departments of the State, county, and municipal governments. With the consent of the governor they are authorized to employ stenographers and clerks and to secure such expert advice and assistance as may seem advisable.

#### Oregon.

The first *Child-Welfare Commission* was appointed by the governor, January 7, 1913. The membership was composed of three women and two men. No appropriation was provided by the State. The commission was created "to study conditions affecting childhood, to ascertain the best way to remedy existing evils, and to endeavor, through legislation and education, to throw necessary and proper safeguards about the children of the State."

This commission in 1915 made a report<sup>18</sup> on existing conditions and submitted 39 recommendations. Two of these were adopted and resulted in passage of laws to prevent blindness and to provide for birth and death registration.

<sup>17</sup> "Children's Code, 1913." Laws 1913 (act of Apr. 28), pp. 864-914.

<sup>18</sup> First Biennial Report of the Oregon Child-Welfare Commission to the Governor and the Legislative Assembly, 1915. Salem, Oreg., 1915.

In 1915 the governor reappointed the commission; funds were raised from private sources. The commission was authorized to study and report on "the care and treatment of indigent, crippled children," and "modern methods on the care of dependent and neglected children." They also studied "the value of health education in preventive work, and kept in touch with the activities of the State schools." A "child-legislation exhibit," giving information regarding child welfare and the need of preventive work, was sent through the State for the purpose of arousing public sentiment in favor of improved legislation.<sup>19</sup>

In 1917 the commission reported,<sup>20</sup> making a number of recommendations for the State schools and urging the passage of legislation covering seven specific child-welfare needs. Six of the commission's recommendations were embodied in laws passed by the 1917 session of the legislature.

In February, 1917, the legislature, through a resolution (Laws 1917, Senate resolution No. 21, p. 941), authorized the appointment by the State board of control of a committee of five members. This committee was instructed to "visit all private and public institutions of this State having charge and control of minors and dependent, delinquent, incorrigible, and subnormal children," to the end that ameliorative measures might be taken by the next legislature.

The extension division of the University of Oregon undertook to finance the work of the committee. The assistance of the department of child-helping of the Russell Sage Foundation was secured and a study was made along the following lines: Public institutions, private institutions, child-placing in families, child care in institutions, supervision of child-welfare work, preventive measures and agencies, and State action past and prospective. A proposed child-welfare bill was included in the report of the study which was published for the child-welfare committee by the extension division. This report was presented to the State board of control in 1918.<sup>21</sup>

One of the results of the recommendations of the commission was the law creating a permanent supervisory "Child-Welfare Commission," whose duties include the inspection and supervision of all child-caring and child-placing agencies.

*The Oregon Child-Welfare Revision Committee* was created by law, March 4, 1919. (Laws 1919, ch. 299.)

The act provided for a commission of three members experienced in legislative work, to be appointed by the governor for a term of two years from the date of the approval of this act.

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<sup>19</sup> Second Biennial Report of the Child-Welfare Commission, 1917, p. 3, "Oregon's Duty to the Children." Salem, Oreg., 1917.

<sup>20</sup> Second Biennial Report of the Child-Welfare Commission, 1917. "Oregon's Duty to the Children." Salem, Oreg., 1917.

<sup>21</sup> Slingerland, W. H.: Child-Welfare Work in Oregon. A study of public and private agencies and institutions for the care of dependent, delinquent, and defective children. July Bulletin, Extension Division, University of Oregon, 1918.

The committee, also referred to in the act as a commission, was directed to "codify, classify, and index all the laws of the State of Oregon defining child dependency and delinquency, providing for court commitments and guardianships of the persons of dependent, delinquent, and feeble-minded children, authorizing private agencies and institutions for the care of dependent and delinquent children and the commitment and care of feeble-minded and defective children, arranging consent to the adoption of children, regulating child placing in families, and providing for the supervision, records, and reports for such child-welfare work, the code of the committee to be reported directly to the legislature for approval."

The committee was to serve without compensation, but the sum of \$500 was appropriated to cover "the expenses of actual traveling and clerical work necessarily incurred in complying with the foregoing provisions and rendering said report, together with the expense of printing the same."

#### South Carolina.

*Child-Welfare Commission*, appointed by the governor, May 15, 1919.

The commission consists of 10 members, as follows: One judge of a juvenile court, 2 members of the legislature, 3 persons connected with State boards, 2 representatives of private child-caring agencies, 1 teacher, 1 labor representative. It was arranged that the commission should work in conjunction with the State board of charities and corrections.

In the act creating the board of charities and corrections (Acts 1915, No. 100, sec. 13, pp. 132-138), the board is instructed to make a report to the governor, which shall include "such recommendations as may be deemed proper to be submitted to the general assembly." The work of the commission was planned with the view to facilitate the work of the board in making such a report.

The commission planned to make a general survey of the State along specified lines and, at the completion of the survey and consideration and acceptance of the report resulting from it, to draw up a code of laws for children. The studies were planned according to the following classification:

1. General protection (including such subjects as parentage, property, marriage, etc.).
2. General social welfare. (State, county, and city agencies for social welfare.)
3. Public health.
4. Dependent children.
5. Delinquent children.
6. Defective children.
7. Child labor.
8. Administration.
9. Formulating code.
10. Facilitating legislation.

**Texas.**

In June, 1919, the governor appointed the *Texas Child-Welfare Commission*. This commission, which has a membership of 50, was designed to be "a clearing house of all child-welfare problems." No appropriation has as yet been made for the work of the commission. The commission is divided into the following committees: Legislative, survey of child-welfare organizations, finance, publicity, child hygiene, working child, public education, rural child, dependent children, erring children, child welfare in the church.

The secretary states that the work planned by the commission is "to make a study of all State, county, and municipal laws relating to children, also of the State, local, and private institutions and agencies dealing with children, and of general conditions surrounding childhood in Texas, and to prepare a report of its findings, together with recommendations of legislation and other measures looking to to the betterment of the condition of childhood in Texas."

**Wisconsin.**

*Child-Welfare Committee*, appointed by the governor, December 12, 1918.

The committee of 13, of which the State reviser of statutes was chairman, was composed of judges, legislators, members of State boards, and social workers.

The duty imposed upon the committee was to codify and examine laws relating to child welfare, to eliminate dead-letter laws, to study the needs for revision, and to formulate proposals for new laws.

The committee reported to the legislature of 1919. The report included a number of recommendations which were enacted into law. At the request of the commission the laws of the State relating to child welfare were compiled by the Juvenile Protective Association of Milwaukee.<sup>22</sup>

In 1919 a bill was introduced in the legislature providing for the appointment of "a committee to codify and suggest new legislation concerning children, their welfare and employment." This bill failed of passage.

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<sup>22</sup> Statutes Relating to the Protection, Reformation, and Welfare of Children. Compilation by Miss Edith Foster, Juvenile Protective Association, Milwaukee. Printed by the legislature of 1919, Madison.

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## OUTLINE FOR INDEX OF EXISTING LEGISLATION AFFECTING CHILD WELFARE.<sup>23</sup>

The Children's Bureau is directed by law to investigate legislation affecting children in the several States and Territories. Accordingly, the bureau has been preparing a reference index, by States, of existing legislation on the subjects covered by the outline here presented. The index specifies the topics covered by the outline upon which each State has legislation, together with references to the acts and sections where such legislation is to be found.<sup>24</sup>

This outline is merely a list of topics which have been found to be actually covered by the existing laws of a number of States. In certain cases two distinct though related subjects are connected in the laws as they now stand upon the statute books, as, for example, in the case of laws relating to dependent and to delinquent children (see "H"), and this connection has been preserved in the index outline wherever necessary to avoid a large amount of duplication in the references. The outline is not based upon any logical or ideal analysis of child-welfare laws, nor does it contain a model list of topics which should be covered by legislation.

### (A) PARENT AND CHILD:

#### 1. DUTIES AND LIABILITIES OF PARENTS—

Abandonment—Neglect—Nonsupport.

Abuse and cruelty.

Acts committed by child, parental liability for (liability for torts of child, etc.).

Care and support, duty to provide—

Duty of father to provide; when duty of mother.

(In cases of divorce or separation, see "A-3, Divorce.")

(For illegitimate children, see "A-5.")

Maintenance, allowance for, out of child's estate.

Protection (of child from injury; justifiable homicide, etc.).

Miscellaneous.

#### 2. RIGHTS OF PARENT AND CHILD—

Actions (for injury to person of child, etc.).

Custody and control of child's person and property. (See also "A-3, Divorce.")

Legal settlement of children. (See also "H-6, Poor relief.")

Parental rights, termination of—Emancipation, etc.

Services and earnings.

Support of parent by child. (See also "H-6, Poor relief.")

Miscellaneous.

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<sup>23</sup> This outline was planned by Emma O. Lundberg, with the assistance of other members of the Children's Bureau staff. Reprinted, with revisions, from "Summary of Child-Welfare Laws Passed in 1916," pp. 63-74. Miscellaneous Series No. 7, U. S. Children's Bureau Publication No. 21. Washington, 1917.

<sup>24</sup> Copies of the index for individual States may, when available, be secured upon request.



**(A) PARENT AND CHILD—Continued.****3. MARRIAGE AND DIVORCE—**

## Divorce—

Grounds for, etc.

Custody and support of children.

Effect on legitimacy of children, etc.

## Marriage—

Age of consent to marriage, consent of parents, guardians, etc.

Marriage of feeble-minded, epileptic, insane, etc.

Void and voidable marriages, what constitutes; effect of on legitimacy of children. (For annulment of marriage, see "A-3, Divorce.")

Miscellaneous (licenses, etc.).

**4. ADOPTION—**

Who may adopt; who may be adopted.

Consent of parent, guardian, etc.

Court jurisdiction, procedure, records, etc.

Effect of adoption—

Change of name of child.

Liabilities of adopting person.

Inheritance and property rights of adopted child and others.

Abrogation of adoption.

Advertising, etc., for adoption; penalty.

State control over adoption.

(For adoption through and from institutions, see "H-4"; from boarding homes for infants, see "D-3"; and see also "H-3," "H-5," and "G.")

**5. ILLEGITIMACY—**

Illegitimate children, who are. (See also "A-3.")

Responsibility of father; of mother.

Illegitimacy proceedings—

Disclosure of father.

Complaint, warrant, arrest.

Bond for support, etc.

Methods of legitimation—

Acknowledgment by father.

Subsequent intermarriage of parents, etc.

Inheritance and property rights and disabilities of parent and child.

**6. MISCELLANEOUS.****(B) GUARDIAN AND WARD:**

Appointment and kind of guardian—

"Joint guardianship."

Testamentary guardianship, right of father, and of mother to appoint.

Miscellaneous.

Duties, powers, and responsibilities of guardian.

Rights and liabilities of the ward.

Termination of guardianship, etc.

State guardianship; guardianship of institutions and agencies, etc. (For this subject, see "G," "H-3," "H-4," and "I-1.")

**(C) OFFENSES AGAINST THE CHILD:****1. SPECIFIC OFFENSES—**

- Abandonment and neglect. (For same by parents, *see* "A-1.")
- Abduction—Kidnapping—Child stealing.
- Abortion and prevention of conception.
- Abuse and cruelty. (For same by parents, *see* "A-1.")
- Admittance to dance halls, saloons, etc.
- Age of consent. (For this subject, *see* "Sexual crimes," hereunder.)
- Begging.
- Contributing to dependency and delinquency of child. (*See also* "H-1, Adult responsibility for delinquency and dependency," and "H-3.")
- Corrupting and depraving morals. (For this subject, *see* "Endangering life, morals, etc.," hereunder.)
- Cruelty, societies for prevention of. (For this subject, *see* "Abuse and cruelty," hereunder, and also "C-2.")
- Disposing of child for unlawful purposes. (For this subject, *see* "Endangering life, morals, etc.," hereunder.)
- Endangering life, morals, health, or limb. (*See also* "F-1, Child labor laws.")
- Foeticide. (For this subject, *see* "Abortion, etc.," hereunder.)
- Gaming.
- Indecencies with children.
- Infanticide.
- Medicines and poisons, distribution of.
- Misdemeanor (definition and general penalty for).
- Obscenity (literature, plays, pictures, etc.) (For this subject, *see* "Endangering life, morals, etc.," hereunder.)
- Prostitution, procuring girls for, etc.
- Receiving goods from minor unlawfully.
- Sales, gifts, etc., unlawful (cigarettes, weapons, liquor, etc.)
- Sexual crimes (age of consent, etc.)
- Substitution of children.
- Trials, indecent, etc. (exclusion of child, and of public when child testifies.)
- Miscellaneous—
  - Pregnant woman, suspension of execution.
  - Blindness of infants, failure to report. (For this subject, *see* "D-2.")
  - Concealment of birth. (*See also* "A-5," and "D-5, Births, concealment of.")
  - Unlawful employment of child. (For this subject, *see* "F-1.")

**2. ENFORCEMENT AND ENFORCING AGENCIES.****(D) HEALTH AND SANITATION:****1. ADMINISTRATIVE AND ENFORCING AGENCIES.**

(Boards of health—Health officers—Miscellaneous.)

**2. BLINDNESS OF INFANTS, PREVENTION OF—OPHTHALMIA NEONATORUM.****3. HOSPITALS FOR CHILDREN (for defectives, *see* "I-1")—**

Boarding homes for infants.

Children's hospitals.

County and municipal hospitals (provisions for children in, and also where indigents are specified.)

**(D) HEALTH AND SANITATION—Continued.****(3.) HOSPITALS FOR CHILDREN—Continued.**

Maternity hospitals.

Tuberculosis hospitals. (Provisions for children are specified. For schools for tubercular children, *see* "I-1, Diseased, general provisions for.")

Other hospitals, provisions for children in.

Miscellaneous.

**4. MIDWIVES—**

Registration of.

Regulations for practice of profession; licensing, etc.

Duty to report cases of infected eyes. (For this subject, *see* "D-2.")

Duties relative to reporting births. (For this subject, *see* "D-5, Births and deaths, registration of.")

**5. VITAL STATISTICS (birth registration, etc.)—**

Births and deaths, registration of—

State and local authorities (registrars, etc.) charged with collecting and recording vital statistics; enforcement.

Duty of midwives, physicians, householders, etc., to report births.

Certificate of birth, contents; illegitimacy, stillbirths, infantile blindness, etc., reportable. (*See also* "D-2" and "D-4.")

Births, concealment of. (*See also* "A-5" and "C-1, Miscellaneous.")

Miscellaneous.

**6. MISCELLANEOUS HEALTH LAWS—**

Adulteration of candy. (Provisions are given where children are specified.)

Antitoxins, etc., free to indigent.

Communicable diseases, where children are specified.

Divisions of child hygiene, establishment of. (*See also* "D-1.")

Milk regulations.

Public health or visiting nurses.

Vaccination of pupils, etc.

Venereal diseases.

(For alcoholics and narcotics, teaching effect of, *see* "E-3"; medical and dental examination of pupils, *see* "E-3"; health and sanitation in schoolhouses, etc., *see* "E-3"; health and sanitation in institutions, *see* "H-4" and "I-1.")

**7. RECREATION—**

Civic and social centers (use of schoolhouses, public buildings, etc., for.)

Dance halls, theaters, etc., regulation of. (For admittance to, of minors, *see also* "C-1.")

Playgrounds and recreation centers.

Public baths.

Miscellaneous.

**(E) EDUCATION LAWS:****1. ADMINISTRATIVE SUPERVISION AND CONTROL (indexed briefly)—**

Boards of education, school officers, etc.

School meetings.

Administrative units: Districts, consolidation of districts, etc.

**(E) EDUCATION LAWS—Continued.****2. FINANCES AND SUPPORT—GROUNDS AND BUILDINGS.**

(These laws are not included. For sanitation of schoolhouses, etc., see "E-3.")

**3. MISCELLANEOUS PROVISIONS AND REGULATIONS—**

Age of children entitled to educational facilities; other requirements.

Arbor day and other holiday provisions.

Alcoholics and narcotics, teaching effect of.

Colored children, separate provisions for.

Exclusion and expulsion of pupils.

Fire drills; fire escapes.

Health provisions and sanitation in schoolhouses.

Liquor traffic; sale of intoxicants within certain distance from schools.

Medical and dental examination of pupils.

School discipline.

Subjects taught.

Subnormal children, special provisions for.

Teachers, special qualifications of; attendance at institutes.

Textbooks, free.

Term, length of.

Transportation of pupils.

(For compulsory school attendance, school census, and truant and parental schools, see "F-2"; civic and social centers and playgrounds, see "D-7"; school children, special aid to, see "H-6"; schools for tubercular children, see "I-1, Diseased, general provisions for"; vaccination of pupils, see "D-6.")

**4. SPECIAL SCHOOLS—**

Agricultural schools.

Continuation schools.

Domestic science. (*See also* "Vocational, trade, and industrial schools," hereunder.)

Evening schools.

Kindergartens.

Manual training. (*See also* "Vocational, trade, and industrial schools," hereunder.)

Trade and industrial schools. (*See also* "Vocational, trade, and industrial schools," hereunder.)

Vocational, trade, and industrial schools.

Miscellaneous.

**(F) CHILD-LABOR LEGISLATION (indexed briefly):****1. CHILD LABOR LAWS—**

Minimum age (specifying occupations).

Employment certificates and records.

Hours of labor (specifying occupations).

Street trades.

Public exhibitions.

Enforcement.

Violations and penalties.

**(F) CHILD-LABOR LEGISLATION—Continued.****2. COMPULSORY SCHOOL ATTENDANCE—**

- Ages between which attendance is compulsory.
- Attendance required.
- Attendance of working children (day, evening, and continuation schools included).
- Enforcement; attendance and truant officers, etc.
- School census.
- Violations and penalties.
- Truant and parental schools. (*See also* "H-4.")
- (For employment during school hours, etc., *see* "F-1.")
- (For compulsory school attendance of defectives, *see* "I-1.")

**3. APPRENTICESHIP—**

- Who may bind children as apprentices.
- Terms of indenture (including schooling while employed, etc.).
- Duties of parent, guardian, master, and apprentice.
- Penalties for violation; master, apprentice.
- Apprenticing by institutions; by overseers of the poor. (For this subject, *see* "H-4"; "H-6, Almshouses, children in"; and "H-6, Poor relief.")

**4. WORKMEN'S COMPENSATION—EMPLOYER'S LIABILITY.**

- (All provisions in which minors are specified; minor employed, illegally employed, etc.)

**5. MISCELLANEOUS.**

- (In indexing preference is given to title "F-1.")

**6. EMPLOYMENT AGENCIES.**

- (Provisions for children are specified.)

**7. EMPLOYMENT OF WOMEN (*see also* "F-1")—**

- Before and after childbirth.
- Hours of labor.
- Minimum wage.
- Seats, etc., provisions for.

**(G) STATE, COUNTY, AND MUNICIPAL CARE OF CHILDREN; GENERAL PROVISIONS FOR ADMINISTRATION, SUPERVISION, AND MAINTENANCE:****1. STATE BOARDS OR DEPARTMENTS (names of boards, etc., specified, and each treated separately)—**

- Creation and organization.
- Jurisdiction, powers, and duties—
  - Children under direct control of. (*See also* "H-5.")
  - State and other institutions and agencies under control and jurisdiction of.

**Miscellaneous—**

- Charitable institutions, exemption of, from taxation.
- Constitutional provisions.
- Provisions for creating, etc.; funds for maintenance.

**2. COUNTY AND MUNICIPAL BOARDS OR AGENCIES.**

**(H) DELINQUENT, DEPENDENT, AND NEGLECTED CHILDREN** (*see also "G"*):

**1. GENERAL—**

Acts which render child delinquent (certain specific acts, smoking cigarettes, carrying weapons, etc.). (*See also "H-2."*)

Adult responsibility for delinquency and dependency. (*See also "H-3."*)

Capacity to commit crime.

Delinquent and dependent, bringing into State.

Dependent and neglected, commitment and care of—

Court having jurisdiction, etc.

Certain provisions apart from juvenile court and institutional laws, which do not properly fall under subjects given below.

Miscellaneous.

**2. TREATMENT OF DELINQUENT MINORS APART FROM JUVENILE COURT AND INSTITUTIONAL LAWS** (*see also "H-1"*)—

Court having jurisdiction.

Provisions for treatment of minors—

Above juvenile-court age (generally between 16 and 21).

In States having no juvenile-court law.

**3. JUVENILE COURTS—**

Creation, designation, and organization of court; appointment, term, and qualifications of judge, etc.

Jurisdiction—

Children of certain ages; delinquent and dependent as defined.

Of parents, guardians, etc.; of contributory delinquency and dependency, etc.

Extent of jurisdiction in general.

Probation officers—

Appointment, duties and powers, compensation, etc.

Referees, etc., appointment and duties of.

Procedure—

Petition; summons; trial, how conducted, etc.; appeal, etc.

Release pending hearing; recognizance, detention homes, etc.

Final disposition of child—

Placing under probation—leaving child in own home, placing in a family home, etc., or committing to detention home, etc.

Commitment to an institution; powers and duties of institution to which committed.

Advisory board, appointment, organization, and duties of, etc.

Disqualification of child.

Contributory delinquency and dependency.

Miscellaneous—

Civil liability of child; medical care of child during proceedings, etc.

**4. INSTITUTIONS FOR DELINQUENTS AND DEPENDENTS—**

(*Name and kind of institution—State, county, municipal, semipublic, or private—is specified, and each is treated separately.*)

Institutions for delinquents (State)—

Establishment, organization, management, and maintenance.

Supervision and inspection by State board, etc. (*See also "G."*)

Health and sanitation—regulations and inspection.

**(H) DELINQUENT, DEPENDENT, AND NEGLECTED CHILDREN—Continued.****4. INSTITUTIONS FOR DELINQUENTS AND DEPENDENTS—Contd.****Institutions for delinquents (State)—Continued.****Object and jurisdiction of institution—**

Age limitations.

Classes of children committed and received.

**Courts or judges committing—**

Procedure.

Term of commitment.

Jurisdiction and supervision after commitment.

Examination on entering institution; provisions for treatment.

Expenses and support, liability for (parent, county).

**Treatment of inmates—**

Exceptional offenders, special provisions for.

Defective children, transfer and removal of.

Correctional methods.

Education and training.

Employment in institutions.

Placing out and apprenticing of children.

Parole—Transfer—Discharge.

Miscellaneous.

*(County, municipal, semipublic, and private institutions are treated similarly; provisions for financing, State aid, etc., and for licensing of private institutions are specified.)*

**Institutions for dependents (State)—**

Establishment, organization, management, and maintenance.

Supervision and inspection by State board, etc. (*See also "G."*)

Health and sanitation—regulations and inspection.

**Admission—Commitment—**

Procedure.

Classes of children received.

Age limitations; how long retained, etc.

Physical and mental examinations upon entrance.

Delinquent children, transfer and removal of.

Expenses and support of child; payment by county, by parent.

Education and training; employment in institution.

Placing out—Apprenticing—Adoption.

Miscellaneous.

*(County, municipal, semipublic, and private institutions and agencies are treated similarly; provisions for financing, State aid, etc., and for licensing of private institutions and agencies are specified.)*

**Institutions for delinquents and dependents.**

(In indexing preference is given to the two preceding titles, unless the law clearly indicates that both classes are received in an institution. For subjects covered, *see* "Institutions for delinquents" and "Institutions for dependents," hereunder.)

**Institutions in general.**

(Certain constitutional and other provisions applying to institutions in general are specified.)

(H) DELINQUENT, DEPENDENT, AND NEGLECTED CHILDREN—Continued.

5. PLACING OR BOARDING OUT OF CHILDREN (by State, county, or municipal boards)—

Classes of children received.  
Age limitations.  
Authority of board over various classes.  
Method of placing.  
Placement agents, investigation, supervision, etc.  
Provisions for temporary care.

6. STATE, COUNTY, AND MUNICIPAL RELIEF, PENSIONS, ETC.—

Almshouses, children in.  
Children born in institutions, disposition of.  
Legal settlement of child. (For this subject, see "Poor relief," here under.)  
Mothers' pensions.  
Pensions, miscellaneous.  
Poor relief.  
School children, special aid to.  
Soldiers' and sailors' dependents.  
Support of family of inmate of penal or other institution.  
Miscellaneous.

(I) DEFECTIVE CHILDREN (see also "G"):

1. GENERAL PROVISIONS FOR DEFECTIVES—INSTITUTIONS FOR DEFECTIVES—

(Name and kind of institution—State, county, municipal, semipublic, or private—is specified, and each is treated separately.)

Blind, general provisions for—

State commission for.  
State aid to, within their homes.  
Education of, in public schools.  
Compulsory school attendance.  
Books and readers for the blind, provisions for, by State.  
Enumeration of, etc.

Blind, institutions for (State)—

Establishment, organization, management, and maintenance.  
Supervision and inspection by State board, etc. (See also "G.")  
Health and sanitation—regulations and inspection.  
Admission or commitment—

Procedure.  
Age limitations.  
Classes of children received.  
Compulsory commitment, etc.

Custodial powers.

Expenses and support of child; payment by county, by parent.  
Education and training; employment in institution.  
Expulsion—Transfer—Parole—Discharge.  
Supervision or aid after leaving institution.  
Miscellaneous.



**(I) DEFECTIVE CHILDREN—Continued.****1. GENERAL PROVISIONS FOR DEFECTIVES—INSTITUTIONS FOR DEFECTIVES—Continued.**

*(County, municipal, semipublic, and private institutions are treated similarly; provisions for financing, State aid, etc., and for licensing of private institutions are specified.)*

Crippled and deformed, general provisions for—  
Education in public schools; State aid to, etc.  
Compulsory school attendance.

Crippled and deformed, institutions and hospitals for (State hospital; State university hospital, etc.)—

Duties of hospital official.

Assignment of competent surgeon to case.

Who may receive treatment—indigent and other children.

Expenses and support of child; payment by city, county, parent.

Miscellaneous.

(For provisions for treatment and separate departments in institutions for dependents, see "H-4, Institutions for dependents.")

Deaf and dumb, general provisions for—

Education in public schools; State aid to, etc.

Compulsory school attendance.

Deaf and dumb, institutions for—

(For subjects covered, see "Blind, institutions for," hereunder.)

Diseased, general provisions for—

Education of tubercular children in open-air schools; State aid to, etc.

Miscellaneous.

Diseased, institutions for.

(For this subject, see "D-3.")

Feeble-minded and epileptic, general provisions for—

Commissions for studying treatment, needs, and care of.

Statistics relating to, etc.

Miscellaneous.

Feeble-minded and epileptic, institutions for.

(For subjects covered, see "Blind, institutions for," hereunder.)

Insane, hospitals for—

General provisions for admittance.

Provisions for children.

Miscellaneous.

Institutions in general.

(Certain constitutional and other provisions applying to all institutions for defectives are specified; in indexing preference is given to "Institutions in general," under Title "H-4.")

Miscellaneous.

**2. PREVENTION OF TRANSMISSION OF DEFECT—**

Asexualization.

Miscellaneous.

(For marriage and divorce of feeble-minded, epileptic, etc., see "A-3"; for sexual crimes committed with defectives, see "C-1, Sexual crimes.")

(J) MINOR'S CAPACITY OR INCAPACITY TO ACQUIRE RIGHTS AND TO INCUR LIABILITIES:

1. RIGHTS AND DISABILITIES IN GENERAL (MINOR'S CIVIL STATUS, ETC.)—

Age of majority.  
Capacity in which minor may act.  
Capacity to appoint others to act.  
Capacity to make a will.  
Legal disability, what constitutes.  
Legal disability, removal of.  
Witnesses, minors as.  
Miscellaneous.

2. MISCELLANEOUS RIGHTS AND LIABILITIES—

Actions. (For real actions, *see* "Real property," hereunder )  
    Right of action, who has.  
    Capacity to sue and be sued; guardian ad litem, necessity and purpose of appointment, etc.  
    Procedure: Summons, how served, etc.  
    Effect of attaining majority during action.  
    Judgment; review of action, appeal, etc.  
    Limitation of actions.  
Citizenship of minor.  
Contracts.  
Inheritance and testamentary rights. (For adopted and illegitimate children, *see* "A-4" and "A-5.")  
Personal property.  
Real property. (For care of property by guardian, *see* "B.")  
Torts: Wrongs, liability for.  
Miscellaneous.

## SOCIAL LEGISLATION AFFECTING CHILD WELFARE.

### COMPILATIONS AND SUMMARIES OF STATE LAWS.

#### California.

A Guide to California Laws Pertaining to Charities and Corrections. The State Board of Charities and Corrections, May, 1916. San Francisco, 1916.

California Laws and Rules of the State Board of Control-Relating to State Aid for Orphans, Half Orphans, Abandoned Children, and Foundlings. Board of Control, July, 1919. Sacramento, 1919.

California Laws of Interest to Women and Children. 1917. The California State Library. Sacramento, 1918.

~~Eight~~ Biennial Report of the State Board of Charities and Corrections of the State of California, from July 1, 1916, to June 30, 1918. Sacramento, 1918.

Laws affecting the work of the board, pp. 143-152, index of laws, pp. 153-155.

Laws Relating to Orphans and Their Support. Compiled by the State library, 1914.

#### Colorado.

Seventh and Eighth Biennial Reports of the Colorado State Bureau of Child and Animal Protection, December 1, 1912, to November 30, 1916. Denver, 1917.

Contains references to laws of Colorado for the prevention of wrongs to children and animals.

The State Board of Charities and Corrections. Bulletin No. 1. Denver, Colo. [1920].

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#### Connecticut.

Statutes and Public Acts Relating to the Connecticut School for Boys, the Connecticut Industrial School for Girls, County Temporary Homes for Dependent and Neglected Children; Other Measures Concerning Delinquent, Defective, and Dependent Children, State and Town Poor, the State Board of Charities. State of Connecticut, Public Document No. 28, Special No. 2. October, 1914.

#### Illinois.

General Information and Laws Effective July 1, 1917. Compiled by Edward J. Brundage. Illinois Department of Public Welfare. Springfield, 1918.

Revised Manual of Juvenile Laws. Compiled and revised by Harry E. Smoot. Juvenile Protective Association of Chicago, 1916.

The Charity, Penal, Correctional, and Social Statutes of Illinois. Compiled by the State Charities Commission to January 1, 1917. Springfield, 1917.

#### Indiana.

Digest of the Laws of Indiana of Special Application to Women and Children. Legislative Reference Department. Indiana State Library Bulletin No. 5. Indianapolis, Ind. April, 1912.

State of Indiana Laws Concerning Children. Compiled by the Board of State Charities, March 1, 1914.

The Indiana Bulletin of Charities and Correction, No. 116 (March, 1919). "Social Legislation in 1919."

#### Iowa.

Briggs, J. E.: Social Legislation in Iowa. The State Historical Society of Iowa. Iowa City, 1914.

**Kentucky.**

Laws and Decisions of the Commonwealth of Kentucky Pertaining to Insanity and the Charitable Institutions. 1911. Compiled under the direction of the Kentucky State Board of Control for Charitable Institutions, by Judge A. J. G. Wells. Murray, Ky.

**Maryland.**

Manual of the Baltimore Society for the Protection of Children, Containing the Laws Relating to Minors. Compiled by Lewis Hochheimer. Printed by William T. Robinson, Baltimore, 1900.

**Massachusetts.**

Legislation for the Insane in Massachusetts with Particular Reference to the Voluntary and Temporary Care Laws, by Frankwood E. Williams, M. D. Massachusetts Society for Mental Hygiene. Publication No. 5.

A Manual of Laws Relating to the State Board of Charity of Massachusetts, Boston, 1915. Laws affecting the board passed by legislature each year included in annual reports of State board of charity—1916, 1917, 1918.

*See also* An act to organize in departments the executive and administrative functions of the Commonwealth. General Acts, 1919, ch. 350.

Probation Manual. The Commission on Probation. Boston, July, 1916.

Contains laws relating to probation, and Massachusetts decisions.

Report of the Commission on Probation under Chapter 34 of the Resolves of 1915, Relative to the Juvenile Law. Senate No. 330. Boston, 1916.

**Michigan.**

Laws of Michigan Relating to Women. Michigan State Library. Legislative Reference Department, Lansing, 1916.

Laws Relating to Board of Corrections and Charities; Juvenile Courts and County Agents, with annotations from opinions rendered by the Attorney General's department. Lansing, Mich., 1911.

Michigan State Board of Corrections and Charities, Twenty-fourth Biennial Report, 1917-18.

Contains: Acts relating to maternity hospitals, child caring and placing, boarding homes, uniform probation, juvenile courts, the State board of corrections and charities, medical treatment for children of indigent parents, adoption and change of name of minors; citation to laws relating to juveniles.

State of Michigan Laws Relating to Juveniles. Compiled under the supervision of Coleman C. Vaughan, secretary of state. Lansing, 1916.

**Minnesota.**

A Compilation of the Laws of Minnesota Relating to Children, 1919. Compiled by William Hodson, director, children's bureau, State board of control, St. Paul, Minn., 1919.

Supplemented by chs. 50-52, Sp. Sess., 1919.

**Missouri.**

(See references under Reports of Children's Code Commissions.)

**Nebraska.**

State of Nebraska. Department of Public Welfare. Titles I and VI—Article 2, Divisions X and XI, chapter 190, 1919 Session Laws. (Laws creating Department of Public Welfare, State Child-Welfare Bureau, and Children's Code Commission.) Provisions relating to maternity homes, placing dependent and delinquent children. Department of Public Welfare, Lincoln, 1919.

**New Hampshire.**

Laws Relating to the State Board of Charities and Correction. Twelfth Biennial Report of the New Hampshire State Board of Charities and Correction, for the Biennial Period Ending August 31, 1918. Vol. IV, Part III, pp. 9-37.

**New Jersey.**

A Guide to the Laws of New Jersey Relating to Children. The New Jersey Child Labor and Welfare Committee, 50 Munn Avenue, South, East Orange, N. J. [1917?].  
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The Child-Welfare Law. 1918. "Law of 1915 as amended in 1918."

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Manual for Probation Officers in New York State. Second edition, revised, 1918. The State Probation Commission, Albany, 1918.

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**North Carolina.**

The Bulletin of the North Carolina State Board of Charities and Public Welfare. Vol. 3 (January-March, 1920). "Laws governing public-welfare work."

Laws and Facts Relating to the Work of the North Carolina State Board of Charities and Public Welfare. Raleigh, 1917.

**Ohio.**

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Laws of Ohio Relating to Benevolent and Correctional Institutions, Boards and Officers, and to Kindred Subjects. The Ohio Bulletin of Charities and Correction, vol. 22 (January, 1916).

Social Legislation Enacted by the Eighty-Second General Assembly of Ohio. Ohio Institute for Public Efficiency, Columbus, April, 1917.

**Pennsylvania.**

A Compilation of the Laws Relating to Juvenile Courts and Dependent, Neglected, Incurable and Delinquent Children. Prepared by John H. Fertig and S. Edward Hannestad under the direction of James N. Moore, director. Legislative Reference Bureau. Harrisburg, Pa., 1916.

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Handbook of Social Laws of Pennsylvania. Compiled and edited by Ward Bonsall. The Associated Charities of Pittsburgh and the Philadelphia Society for Organizing Charity. November, 1914.

**South Carolina.**

The Laws of South Carolina Relating to: (I) The Delinquent Classes; (II) the Dependent Classes, based upon the State Constitution, 1895, the Code of 1912, Volumes I and II, the Acts of 1912-1916, inclusive. Compiled and summarized by Albert S. Johnstone. The State Board of Charities and Corrections, Columbia, S. C., 1916. The Quarterly Bulletin, Vol. II (June, 1916).

**Utah.**

Laws of Utah Relating to Juvenile Courts and Laws Governing the Care, Management, Detention, and Disposition of Dependent, Incurrible, and Unruly Children, etc. Published by authority of Juvenile Court Commission, 1913. Salt Lake City.

**Vermont.**

Charities and Probation Laws of the State of Vermont. (Chs. 318, 319, and 165.) Published by authority. 1918.

**Virginia.**

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Summary and Analysis of the Juvenile Laws in Virginia, by Hon. James Hoge Ricks. Revised and issued under the direction of the State Board of Charities and Corrections, Richmond, 1918.

**West Virginia.**

A Guide to the Laws of West Virginia Affecting Child Welfare. West Virginia State Conference of Charities and Correction. L. M. Bristol, chairman of committee. Morgantown. (Through legislation of 1917.)

**Wisconsin.**

Statutes Relating to the Protection, Reformation, and Welfare of Children. Compilation by Miss Edith Foster, Juvenile Protective Association, Milwaukee. Printed by the legislature of 1919, Madison.

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Wyoming Laws for the Protection of Children and Animals, 1911. The Wyoming Humane Society and State Board of Child and Animal Protection. State capitol, Cheyenne, Wyo.

"Wyoming's Humane Legislation." Biennial Report of the Wyoming Humane Society and State Board of Child and Animal Protection, for Two Years Ending November 30, 1916, pp. 20-22.

**COMPARATIVE COMPILATIONS OF LAWS OF THE VARIOUS STATES.**

A Summary of the Laws of the Several States Governing: (I) Marriage and Divorce of the Feeble-Minded, the Epileptic, and the Insane; (II) Asexualization; (III) Institutional Commitment and Discharge of the Feeble-Minded and the Epileptic, by Stevenson Smith, Madge W. Wilkinson, and Lovisa C. Wagoner. The Bailey and Babette Gatzert Foundation for Child Welfare. May, 1914. The Bulletin of the University of Washington, No. 82.

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Citations of all statutes in effect relating to probation, juvenile courts, adult contributory delinquency, and juvenile detention homes, enacted up to January 1, 1915. (By States.) pp. 419-426.

— Annual reports for the years 1915, 1916, 1917.

Citations of laws enacted by all States, 1915, 1916, 1917.

Porritt, Annie G.: *Laws Affecting Women and Children in the Suffrage and Non-Suffrage States.* National Woman Suffrage Publishing Co. (Inc.), New York City, 1916.

*Summaries of State Laws Relating Largely to Centralized State Authority or Supervision over Public and Private Benevolent, Penal, and Correctional Institutions.* Compiled by the Civic Federation of Dallas. Texas Conference of Social Welfare, Dallas, Tex., 1918.

### RECOMMENDATIONS FOR UNIFORM LAWS.

#### Conference of Commissioners on Uniform State Laws.

*Child labor.*—An act to regulate the employment of children and to make uniform the laws relating thereto. Adopted, approved and recommended for adoption in the various States by the Conference of Commissioners on Uniform State Laws. Report of the Thirty-third Annual Meeting of the American Bar Association (1910), p. 1157.

*Divorce.*—Draft of an act to make uniform the law regulating annulment of marriage and divorce. Adopted, approved and recommended for adoption in the various States by the Conference of Commissioners on Uniform State Laws. Report of the Thirtieth Annual Meeting of the American Bar Association (1907), p. 1243.

*Extradition of persons of unsound mind.*—An act to provide for the extradition of persons of unsound mind, and to make uniform the laws of the States which enact the same (n. p., 1916). Adopted, approved and recommended to the various legislatures for enactment into law by the National Conference of Commissioners. Proceedings of the Twenty-fifth Annual Meeting of the National Conference of Commissioners on Uniform State Laws (1915), p. 382.

*Family desertion.*—An act relating to desertion and nonsupport of wife by husband, or of children by either father or mother, and providing punishment therefor; and to promote uniformity between the States in reference thereto. Adopted, approved and recommended for adoption in the various States by the Conference of Commissioners on Uniform State Laws. Report of the Thirty-third Annual Meeting of the American Bar Association (1910), p. 1179.

*Marriage and marriage license.*—An act relating to and regulating marriage and marriage licenses. Adopted, approved and recommended for adoption in the various States by the Conference of Commissioners on Uniform State Laws. Report of the Thirty-third Annual Meeting of the American Bar Association (1910), p. 1130.

**Conference of Commissioners on Uniform State Laws—Continued.**

*Marriage evasion.*—An act on the subject of marriages in another State or country in evasion or violation of the laws of the State of domicile. Adopted, approved and recommended for adoption in the various States by the Conference of Commissioners on Uniform State Laws. Proceedings of the Twenty-fourth Annual Conference of Commissioners on Uniform State Laws, held at Washington, D. C., October, 1914, p. 201.

*Workmen's compensation.*—Uniform workmen's compensation act. Adopted, approved and recommended for adoption in the various States by the Conference of Commissioners on Uniform State Laws. Proceedings of the Twenty-fourth Annual Conference of Commissioners on Uniform State Laws, held at Washington, D. C., October, 1914, p. 307.

"Proposed Model Juvenile Court Law," and "Suggested Act for Contributing to Delinquency or Neglect," in *Juvenile Courts and Probation*, pp. 256-278, by Bernard Flexner and Roger N. Baldwin. The Century Co., New York, 1916.

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**COMPILATIONS PUBLISHED BY GOVERNMENT BUREAUS.****Bureau of the Census, U. S. Department of Commerce.**

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Legal Importance of Registration of Births and Deaths. Report of Special Committee on Vital Statistics to the Conference of Commissioners on Uniform State Laws. Pamphlet No. 108. Washington, 1908.

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Summary of State Laws Relating to the Dependent Classes, 1913. Washington, 1914.

**Bureau of Education, U. S. Department of the Interior.**

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**Bureau of Education, U. S. Department of the Interior—Continued.**

State Laws Relating to Education Enacted in 1915, 1916, and 1917. Compiled by William R. Hood. Bulletin, 1918, No. 23. Washington, 1919.

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**Bureau of Labor Statistics, U. S. Department of Labor.**

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**Bureau of War Risk Insurance, U. S. Treasury Department.**

Digest of the Law Relating to Common-Law Marriage in the States, Territories, and Dependencies of the United States. Prepared for publication under the direction of the Director of the Bureau of War Risk Insurance, Treasury Department, Washington, 1919.

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**Children's Bureau, U. S. Department of Labor.**

(See also complete list of publications of the Children's Bureau, recently issued.)

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**Children's Bureau, U. S. Department of Labor—Continued.**

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- State Provisions Regulating the Importation and Exportation of Dependent Children, prepared by the Social Service Division, May 6, 1918. Mimeograph 185. Washington, 1918.
- Summary of Juvenile-Court Legislation in the United States, A. Edited by S. P. Breckinridge. Legal Series No. 5, Bureau Publication No. 70. Washington, 1920.
- Summary of State Laws and Rulings Relating to the Prevention of Blindness from Babies' Sore Eyes. *Included in* A Tabular Statement of Infant-Welfare Work by Public and Private Agencies in the United States, pp. 106-111. Infant Mortality Series No. 5, Bureau Publication No. 16.
- The States and Child Labor. Lists of States with certain restrictions as to ages and hours. Children's Year Leaflet No. 13, Bureau Publication No. 58. Washington, 1919.
- Conferences on legislation for the protection of children born out of wedlock, proceedings of. Regional conferences held in Chicago and New York, under auspices of United States Children's Bureau, February, 1920. (In manuscript.)

**Commissioner of Internal Revenue, U. S. Treasury Department.**

- Provisional Regulations 46, Relating to Tax on Employment of Child Labor. Provisional regulations covering the administration of Title XII of the revenue act of 1918, tax on employment of child labor. Washington, 1919.
- Rulings of the Commissioner of Internal Revenue Relating to Tax on Child Labor under the Revenue Act of 1918. Washington, 1919.

**Public Health Service, U. S. Treasury Department.**

- Ophthalmia Neonatorum. An analysis of the laws and regulations relating thereto in force in the United States, by J. W. Kerr. October, 1911. Bulletin No. 49.
- Organization, Powers, and Duties of Health Authorities. An analysis of the laws and regulations relating thereto in force in the United States, by J. W. Kerr and A. A. Moll. August, 1912. Bulletin No. 54.
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