

# MAINE STATE LEGISLATURE

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July 1, 1958

Peter W. Bowman, M. D., Superintendent

Pineland Hospital & Training Ct.

James Glynn Frost, Deputy

Attorney General

Commitment Papers - Robert J. Stacey

We have your memorandum of May 27, 1958, and the attached copies of commitment papers relating to the commitment to your institution of one Robert J. Stacey of Mexico.

It appears that Robert J. Stacey of Mexico was found guilty of juvenile delinquency in the Rumford Municipal Court on the charge that he stole an automobile and that he subsequently appealed the decision to the Superior Court, County of Oxford, which court adjudged him guilty of juvenile delinquency and upon certificate of two doctors committed the said Stacey to Pownal State School.

The commitment is apparently a novel one to you and you ask the following question:

"For statistical classification since this is not a voluntary case, nor is it a Probate nor literally, a Municipal Court Commitment, how are we to carry him on our books?"

We advise that you carry the case as a Superior Court commitment.

Under the provisions of Chapter 146, Section 6 of the Revised Statutes of 1954 a Municipal Court acting as a juvenile court has a choice of several modes of handling the case of hearing juveniles:

- (1) probation
- (2) commitment to the Department of Health & Welfare
- (3) placement in a suitable family home
- (4) commitment to the State School for Boys or Girls OR
- (5) such other disposition as may seem best for the child, including commitment to Pownal.

In any such case appeal may be taken and the

"Superior Court may either affirm such sentence or order of commitment or make such other disposition of the case as may be for the best interest of the child and the peace and welfare of the community." (Chapter 146, Section 6, Revised Statutes of 1954)

It appears clear from the above that the Superior Court upon

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hearing the appeal of such a case has the same authority as the Municipal Court with respect to manner of disposition of cases.

This being so, we advise that you carry the case as a Superior Court commitment.

James Glynn Frost  
Deputy Attorney General

Jgf/m