

# MAINE STATE LEGISLATURE

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NEW DRAFT

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EIGHTY-FIFTH LEGISLATURE

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Legislative Document

No. 950

S. P. 581

In Senate, March 23, 1931.

Reported by Senator Aldrich of Sagadahoc from Committee on Judiciary and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

New Draft of S. P. 395, L. D. 469.

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STATE OF MAINE

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IN THE YEAR OF OUR LORD ONE THOUSAND NINE  
HUNDRED AND THIRTY-ONE

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AN ACT Relating to the Protection of Children.

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Be it enacted by the People of the State of Maine, as follows:

Section 53 of chapter 72 of the revised statutes is hereby amended by striking out all of said section and substituting in place thereof the following, to be known as section 53. Orders of court to divest parent of legal rights, but not to relieve of responsibility for support; appeal; condition of child may be investigated and decree altered; guardianship. R. S. c. 64, sec. 54. 1917, c. 297. 1919, c. 171. Orders and decrees provided for in the preceding sections shall have the same effect to divest the parent or parents of all legal rights in respect to said child as specified in section thirty-eight of chapter eighty, but shall not relieve the parent or parents of liability for the support of such child or from the penalties for failure to support which are provided in sections forty-four, forty-five, forty-six, forty-seven and forty-eight of chapter one hundred twenty-nine. Such original orders shall not extend beyond the time when the child shall reach the age of eighteen years; but upon application by the state board of children's guardians the court may for sufficient cause, extend such orders to the time when the child shall reach the age of twenty-one years. The children's institution or organization or suitable person

or state board to which said child is committed shall have full custody and control over said child thereafter for said time and, if no other guardian is appointed, the state board of children's guardians shall have all the powers as to the person, property, earnings and education of every child committed to its custody, during the term of commitment, which a guardian has as to a ward, and shall have authority to give the consent required in section thirty-six of chapter eighty. An appeal may be taken from the order or decree of any probate, municipal or police court determining the custody of the child under the provisions of this chapter to the next term of the superior court to be holden within the county not earlier than fourteen days after the date of said order or decree. The proceedings under such appeal from the Probate Court shall follow the form prescribed for appeal from probate courts and under such appeal from a municipal or police court shall follow the provisions of any special charter of the municipal or police court concerned, but pending action upon any such appeal the court may order the custody of the child to be retained by said suitable person, children's institution or child welfare organization or state board. Upon application by the state board, by a municipal board, by the parent or parents or guardian of any such child, or by the children's institution or child welfare organization or suitable person to which such child may have been committed, to the court making the commitment said court shall examine into the conditions and welfare of the said child and may at any time make such further order in relation to his care, custody, support and education as justice may demand and may discharge any child from custody or restore its custody to its parents, or either of them, if satisfied that the objects of commitment have been accomplished.