

MAINE STATE LEGISLATURE

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NEW DRAFT

EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 1031

H. P. 1425 House of Representatives, March 27, 1931.

Reported by Mr. Snow from Committee on Judiciary and laid on table to be printed under joint rules.

CLYDE R. CHAPMAN, Clerk.

New Draft H. P. 720, L. D. 236.

STATE OF MAINE

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

AN ACT to Extend the Jurisdiction of Municipal Courts in
Certain Cases.

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

Section 1. Jurisdiction. Except as hereinafter provided, judges of municipal courts within their respective jurisdictions shall have exclusive original jurisdiction over all offenses committed by children under the age of fifteen years. No adjudication or judgment under the provisions of this act shall be deemed to constitute a conviction for crime, but the foregoing shall not apply to sentences under paragraph two of section four hereof. Provided, however, that for the purpose of determining the guilt of any person charged as an accessory to any offense committed by a child under the age of fifteen years, such offense shall be deemed to be the same as if committed by a person over fifteen years of age.

Sec. 2. Hearings. Sessions of said courts held under the provisions of this act shall be at such times and at such places within their jurisdiction as the court may determine and hearings may be adjourned from time to time as justice may require. In the hearing of any such case the general public shall be excluded and only such persons admitted as have a

direct interest in the case. Records of such cases shall not be open to inspection by the public except by permission of the court.

Sec. 3. Special probation officers. The judge of any such court may appoint special probation officers whenever it shall appear to him that such action will best promote the interests of all concerned. Such special probation officers shall be reimbursed by the county for actual expenses incurred in the performance of their duties.

Sec. 4. Powers of the court. The court may place children under the supervision, care and control of a probation officer or an agent of the State Board of Children's Guardians or may order the child to be placed in a suitable family home subject to the supervisions of a probation officer or the State Board of Children's Guardians or may commit such child to the State Board of Children's Guardians or make such other disposition as may seem best for the interests of the child and for the protection of the community including commitment of such child to the State School for Boys or State School for Girls.

Unless the offense is aggravated or the child is of a vicious or unruly disposition no court shall sentence or commit a child to jail, reformatory, or prison, or hold such child for the Grand Jury.

Sec. 5. Support of child committed to custodial agency. Whenever a child is committed by the court to custody other than that of its parent and no provision is otherwise made by law for the support of such child, compensation for the care of such child, when approved by order of the court, shall be paid by the state. But the court may, after giving a parent a reasonable opportunity to be heard, adjudge that such parent shall pay in such manner as the court may direct such sum as will cover in whole or in part the support of such child, and if such parent shall wilfully fail or refuse to pay such sum he may be proceeded against as provided by law for cases of desertion or failure to provide subsistence.