



STATE OF NEW JERSEY

INTRODUCED FEBRUARY 25, 1929

By Mr. WOLBER

Referred to Committee on Education

AN ACT to establish Juvenile and Domestic Relations Courts, defining their jurisdiction, powers and duties, and regulating procedure therein. (Revision of 1929.)

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1 1. This act shall be known as the "Juvenile and Domestic Relations Court  
2 Law." Its purpose is to secure for each child under its jurisdiction such care, guid-  
3 ance and control, preferably in his own home, as will conduce to the child's welfare  
4 and the best interests of the State; and when such child is removed from his own  
5 family, to secure for him custody, care and discipline as nearly as possible equivalent  
6 to that which should have been given by his parents. The principle is hereby  
7 recognized that children under the jurisdiction of the court are wards of the State,  
8 subject to the discipline and entitled to the protection of the State, which may inter-  
9 vene to safeguard them from neglect or injury and to enforce the legal obligations  
10 due to them and from them.

1 2. The Juvenile and Domestic Relations Court is hereby vested with exclusive  
2 jurisdiction to hear and determine all cases against a child under sixteen years who  
3 shall commit any of the hereinafter mentioned offences when under the age of sixteen  
4 years, (a) who violates any penal law or municipal ordinance, or (b) who commits  
5 any act or offence for which he could be prosecuted in a method partaking of the  
6 nature of a criminal action or proceeding, or (c) who is a disorderly person, or (d)  
7 habitually vagrant, or (e) incorrigible, or (f) immoral, or (g) who knowingly asso-  
8 ciates with thieves or vicious or immoral persons, or (h) is growing up in idleness or  
9 crime, or (i) knowingly visits gambling places, or patronizes other places or estab-

10 lishments, his admission to which constitutes a violation of law, or (j) idly roams  
11 the streets at night, or (k) who is an habitual truant from school, or (l) who so de-  
12 ports himself as to endanger the morals, health or general welfare of said child.  
13 The court shall also have jurisdiction to hear and determine disputes involving the  
14 domestic relation or the welfare of children, the jurisdiction over which is now or  
15 may hereafter be vested by law in any court of this State except the Court of Chan-  
16 cery or Orphans' Court. It shall have jurisdiction to hear and determine complaints  
17 for violation of the following acts, "An act concerning disorderly persons" (Revi-  
18 sion of 1898), "An act for the settlement and relief of the poor" (Revision of 1924),  
19 "An act concerning the welfare of children" (approved April the eighth, nineteen  
20 hundred and fifteen), "An act for the maintenance of bastards" (Revision of 1898),  
21 "An act to promote home life for dependent children," and the acts amendatory of  
22 and supplemental to the above entitled acts together with any future acts, revisions,  
23 re-enactment or new acts covering similar complaints or offences, where the grava-  
24 men of the complaint under such acts is the failure or neglect of one member of  
25 the family to satisfy or discharge his legal obligations to another of a family, and  
26 also jurisdiction to hear and determine complaints against any person who shall  
27 abuse, neglect, cruelly treat or abandon a child or children or who shall contribute  
28 to the delinquency of any child. It shall have jurisdiction to hear and determine in  
29 summary manner, disputes involving the domestic relation, where the gravamen of  
30 the complaint is the failure to provide support or adequate support and such failure  
31 or inadequacy results or may result in the delinquency of children.

1       3. In counties other than those of the first class, the judge of the Common Pleas  
2 Court shall be the judge of the "Juvenile and Domestic Relations Court" of said  
3 counties. In counties, not of the first class, having more than one Common Pleas  
4 judge, the Supreme Court Justice sitting in said county shall designate which of said  
5 Common Pleas judges shall preside over said Juvenile and Domestic Relations Court  
6 of said county, whenever the Common Pleas judges can not decide which judge shall  
7 preside over said court. In the event of the death, absence from the county, sick-  
8 ness or disability of the judge of the Juvenile and Domestic Relations Court, any  
9 other Common Pleas judge of said county or any other county of the State, may  
10 preside over the court.

1 4. Children who appear before the court in any capacity shall be deemed to be  
2 wards of the court, and protected accordingly.

1 5. Proceedings before the Juvenile and Domestic Relations Court shall be inati-  
2 tuted by a complaint or petition, and shall be verified by the oath or affirmation of  
3 the persons making same, which complaint or petition may be made upon information  
4 and belief. Upon the filing of a complaint or petition, the court or judge thereof  
5 may forthwith or after causing an investigation to be made by a probation officer,  
6 or other person, cause to be issued a capias, summons, warrant or subpoena, requir-  
7 ing the persons complained against, and in case it being a child, the parent or par-  
8 ents, guardian or guardians, person or persons, having control and supervision over  
9 such child, who shall be necessary parties, commanding them at a time and place to be  
10 set to appear and testify or show cause why the person or persons before the court  
11 shall not be dealt with according to law. Upon the return of the writ of process  
12 the court or a judge thereof shall proceed to hear and determine the case in a sum-  
13 mary manner. The hearing may be postponed at the discretion of the judge.

1 6. In all cases coming before the county juvenile court under or by virtue of  
2 the provisions of this act, said court shall be vested with all the powers, rights and  
3 privileges incident to the hearing, determination and final disposition of such cases as  
4 are or may be exercised or enjoyed by any other court having jurisdiction over such  
5 cases, and the process to secure the appearance of parties and witnesses shall be, as  
6 nearly as may be, such process as is required to secure the presence thereof in other  
7 courts of this State having jurisdiction of such matters, and process may be served  
8 in the same manner as provided for the service of process in other cases in which  
9 the juvenile court has jurisdiction.

1 7. No compensation shall be allowed to any public officer or official for any  
2 service performed under and by virtue of the provisions of this act, except as ex-  
3 pressly provided for by law.

1 8. In any case wherein the juvenile court shall have acquired jurisdiction of a  
2 child, such jurisdiction may be retained during the continuance of the term for which  
3 such child shall have been committed, or if released by the court before the expira-  
4 tion of such commitment and placed on probation, or if placed on probation in the

5 first instance, then such jurisdiction may be retained for the period of such proba-  
6 tion notwithstanding such child shall have attained the age of sixteen years during  
7 service of such commitment or the period of such probation.

1 9. In any case wherein the juvenile court shall have acquired jurisdiction of a  
2 child, such child may be committed to any institution to which he or she might have  
3 been committed by such court, notwithstanding such child shall have attained the  
4 age of sixteen years after such court shall have acquired jurisdiction over said child.

1 10. The court may, in cases affecting a child under the age of sixteen years,  
2 conduct the examination of witnesses without the assistance or counsel and may take  
3 testimony, or make inquiry, into the habits, mode of life, condition of the home and  
4 its surroundings, character and mode of life of parents or guardians of the child,  
5 the physical and mental condition of the child, and such other facts that may assist  
6 the court in reaching a conclusion as to the nature of the order or decision that  
7 shall best conserve the welfare of said child and carry out the objects of this act.  
8 The court shall admit to the hearing of children's cases only such persons as are di-  
9 rectly interested in the case being heard. An appeal may be taken in juvenile cases on  
10 questions of law from any final order or judgment of said court in the manner pro-  
11 vided for appeals from the Courts of Common Pleas of the respective counties.

1 11. Whenever any officer takes a child under sixteen years of age into custody,  
2 he shall, unless it is deemed impracticable or has been otherwise ordered by the court,  
3 accept the written promise of the parent, guardian or custodian to be responsible for  
4 the presence of such child in the court at the time fixed. Thereupon such child may  
5 be released in the custody of the parent, guardian or custodian, or in the custody of  
6 a probation officer or other person designated by the court. If not so released, such  
7 child shall be taken immediately to the place of detention designated by the court, and  
8 the officer taking him shall immediately notify the court and shall file a petition  
9 when directed to do so by the court. In the case of any child whose custody has  
10 been assumed by the court and pending the final disposition of the case, the child  
11 may be released in the custody of a parent, guardian or custodian, or of a pro-  
12 bation officer or other person appointed by the court, to be brought before the court  
13 at the time designated. When not released as herein provided, such child, pending

14 the hearing of the case, shall be detained in such place of detention as shall be desig-  
15 nated by the court subject to further order.

1     12. If during the pendency of a criminal or quasi-criminal charge against any  
2 person in any other court, it shall be ascertained that said person was under the age  
3 of sixteen years at the time of committing the alleged offence, it shall be the duty  
4 of such court to immediately transfer such case together with all the papers, docu-  
5 ments and testimony connected therewith to the Juvenile and Domestic Relations  
6 Court having jurisdiction. The court making such transfer shall order the child to  
7 be taken forthwith to the place of detention designated by the Juvenile and Domestic  
8 Relations Court or to that court itself, unless the court making such transfer shall  
9 release such child in the custody of some suitable person to appear before the Juve-  
10 nile and Domestic Relations Court at a time designated in said order. The Juvenile  
11 and Domestic Relations Court shall thereupon proceed to hear and dispose of such  
12 case in the same manner as if it had been instituted in that court in the first  
13 instance.

1     13. Any and all writs, prosecutions, notices and process issuing out of said court  
2 may be served by the sheriff of the county, constable or any police officer, or by any  
3 person designated by the court. The county clerk shall be the clerk of the court and  
4 the court shall have a right to use a seal.

1     14. In case any person or persons shall be adjudged to be guilty as charged in  
2 the complaint, the said court may impose the penalty now provided by law, or may  
3 suspend sentence, and place such person upon probation to the probation officer of  
4 the county in which such person resides; such probation shall be on terms to be fixed  
5 by the court. The court or a judge thereof may compel any person who shall be ad-  
6 judged guilty to give bond with good and sufficient surety, in such sum as the court  
7 shall order, to secure the payment of a sum or sums awarded by the court. Any  
8 person who fails to comply with the order of the court relative to the terms of pro-  
9 bation, condition of bond or surety, or any order or decree of the court, may be  
10 adjudged guilty of contempt, or the court may impose the penalty provided by law  
11 for the offence.

1     15. The court or a judge thereof on proper cause shown, may commit any child  
2 to any public institution established for the care, custody, instruction and reform

3 of juvenile offenders which is maintained by the State or the county or a city in  
4 which said child has a settlement, or may commit said child to any like institution  
5 maintained by any city, county, township, borough or other municipality in said  
6 county in which such child shall reside or have a settlement, or to any other like in-  
7 stitution, commitment to which is now or may hereafter be provided by law, or may  
8 commit said child to the care, custody and control of the State Board of Guardians  
9 as now or hereafter may be provided by law.

1     16. No adjudication upon the status of any child in the jurisdiction of the court  
2 shall operate to impose any of the civil disabilities ordinarily imposed by conviction,  
3 nor shall any child be deemed a criminal by reason of such adjudication, nor shall  
4 such adjudication be deemed a conviction, nor shall any child be charged with or  
5 convicted of a crime in any court, except with the consent of the judge of the Juve-  
6 nile and Domestic Relations Court. The disposition of a child or any evidence given  
7 in the court shall not be admissible as evidence against the child in any case or pro-  
8 ceeding in any other court, nor shall such disposition or evidence be held against  
9 the child's record in any future civil service examination, appointment or applica-  
10 tion.

1     17. Said court shall have power to make such decree or order or render such  
2 judgment as will protect the interests and welfare of the child or children, in any par-  
3 ticular case, in lieu of the penalties now provided by law for violation of any laws  
4 affecting a minor child, and shall have full power to enforce such decree or order by  
5 proceeding for contempt of court.

1     18. In each county of the first class there shall be appointed by the Governor by  
2 and with the consent of the Senate a judge of the Juvenile and Domestic Relations  
3 Court of such county who shall be a counsellor-at-law. Such judge shall serve for a  
4 term of five years and until his successor is appointed and confirmed, and shall  
5 receive such salary, payable by the board of chosen freeholders as such board shall  
6 determine; *provided*, that judges now serving in the juvenile courts of said first-  
7 class counties shall continue in office for the remainder of their unexpired terms, as  
8 judges of the Juvenile and Domestic Relations Courts established in their respective  
9 counties under this act and shall continue to receive the salary now fixed for said  
10 judge. Court attendants now serving in the juvenile courts of first class counties

11 and who are assigned to the investigation or supervision of children or persons tried  
12 on charges involving domestic relations are hereby transferred to the office of the  
13 chief probation officer. All other court attendants in said courts shall retain their  
14 respective positions in the courts hereby created; *provided, however*, that the court  
15 shall have power in reorganizing of the court to fix their respective duties.

1 19. All cases pending before the juvenile courts of first class counties and juve-  
2 nile courts in other counties shall be continued and determined by the judge ap-  
3 pointed pursuant to the provisions of this act and the records, papers and files of said  
4 court shall be taken and kept as part of the records, papers and files of the courts  
5 created pursuant to the provisions of this act.

1 20. In counties for which there shall have been appointed a special judge of the  
2 Juvenile and Domestic Relations Court the event of the death, sickness, disability,  
3 absence or disqualification of such judge, a judge of the Court of Common Pleas  
4 in such county may hold the Juvenile and Domestic Relations Court as provided in  
5 this act.

1 21. The judge may appoint such clerks and other necessary employees as the  
2 county board of chosen freeholders may authorize, and may fix their salaries. Such  
3 salaries shall be in lieu of all fees or other allowances; except necessary expenses  
4 actually incurred in the performance of their duties. In counties where no special  
5 clerk is appointed the county clerk shall act as clerk of the court.

1 22. The county chief probation officer and probation officers shall have charge  
2 of the probation work of the court.

1 23. The judge may appoint a probation officer or other suitable person without  
2 compensation for such service to act as referee to hear cases coming within the  
3 provisions of this act. The hearing of any case may be referred to such referee by  
4 order of the court, or the judge may direct that all cases of a certain class or within  
5 a certain district to be designated by him shall be initiated before and heard in the  
6 first instance by such referee in the manner provided for the initiation and hearing of  
7 cases by the court. In all cases coming before him, the referee shall comply with the  
and conform to the procedure provided for the hearing of such cases

1 24. The court may cause any person coming under its jurisdiction to be ex-  
2 amined by a physician, psychiatrist or psychologist, designated by the court, in order  
3 that the condition, special needs and personality of such person may be given due  
4 consideration in the disposition of the case.

1 25. It shall be unlawful to place any child coming within the provisions of this  
2 act in any prison, jail, lock-up, police station, vehicle or other place where such child  
3 can come in contact with any adult convicted of crime or under arrest and charged  
4 with crime.

1 26. Suitable quarters shall be provided by the board of chosen freeholders for  
2 the hearing of cases and for the use of the judge, and other employees of the court.  
3 All cases involving children shall be heard separately and apart from the trial of  
4 cases against adults.

1 27. The court shall maintain complete records of all petitions and hearings in  
2 cases brought before it. Such records shall be withheld from indiscriminate public  
3 inspection but shall be opened to inspection by the parent or other authorized repre-  
4 sentative of the person concerned and, in the discretion of the court, by other per-  
5 sons having a legitimate interest. The court shall devise and cause to be printed such  
6 forms for court records and such other papers as may be required in dealing with  
7 cases coming within this act. All expenses incurred in complying with the provisions  
8 of this act shall be a county charge.

1 28. The court shall have power to frame and publish rules of procedure and  
2 practice and for the conduct of officers and employees of the court.

1 29. The court may punish as for contempt any person who contemns the court,  
2 who wilfully violates, neglects or refuses to obey or perform any order of the court.

1 30. The court shall hear and determine all cases of children arising under the  
2 provisions of this act without a jury. If an adult is charged with an offence for  
3 which he is entitled to a jury trial, and if he shall so demand, a jury shall be se-  
4 lected in accordance with the provisions of the law regulating the selection of juries  
5 in the Court of Quarter Sessions.

1 31. Any and all writs, prosecutions and notices arising out of said court shall  
2 be served by the sheriff of the county, constable or police officer, or by any person  
3 designated by the court.

1 32. If any section, subdivision or clause in this act should be held to be uncon-  
2 stitutional or invalid, such decision shall not affect the validity of the remaining por-  
3 tions of the act.

1 33. This act shall be liberally construed to accomplish the purpose herein sought.

1 34. He and she, as used in this act shall be synonymous; all references to the  
2 court or judge shall be construed to refer to the Juvenile and Domestic Relations  
3 Court hereby created and the judges thereof; the singular shall be construed to in-  
4 clude the plural and the plural the singular when consistent with the intent of the  
5 act.

1 35. If any county not of the first class, the board of chosen freeholders shall  
2 upon a petition of five percentum (5%) of the registered voters of the county re-  
3 questing the appointment of a separate judge of the Juvenile and Domestic Rela-  
4 tions Court, being filed with it, or may upon a resolution duly passed at a regular  
5 meeting of said board, cause to be submitted to the voters of said county, the ques-  
6 tion which shall be placed on the ballots at the next annual election, "Shall a sepa-  
7 rate Juvenile and Domestic Relations Court be established in this county?" by having  
8 placed on all ballots to be used at the next general election the following:

	Yes.	Shall a separate judge be appointed to preside over the Juvenile and Domestic Re- lations Court in county of (here enter the name of county).
	No.	

9 Place a cross or X opposite "Yes" or "No" as you desire to vote. If the majority  
10 of votes are "Yes," the result of the election shall be certified by the proper county  
11 officer, to the Governor who shall appoint by and with the consent of the Senate, a  
12 judge for said court who shall serve in the same manner as provided above for the  
13 judges in first class counties.

1 36. In any two or more counties of the State not of the first class, the boards  
2 of chosen freeholders shall upon a petition of five percentum (5%) of the voters  
3 of the said counties requesting the appointment of a separate judge of the Juvenile and  
4 Domestic Relations Court, being filed with said boards of freeholders, requesting  
5 the appointment of a separate judge of the Juvenile and Domestic Relations Court  
6 for the said two or more counties, or the boards of chosen freeholders of two or  
7 more counties may upon a resolution duly passed at the regular meeting of said

8 boards of chosen freeholders cause to be submitted to the voters of said counties, the  
 9 question which shall be placed on the ballots at the next annual election, "Shall a  
 10 separate Juvenile and Domestic Relations Court judge be established in the counties  
 11 of (here enter the names of counties)?" by having placed on all ballots to be used in  
 12 said counties at the next general election, the following:

	Yes.	Shall a separate judge be appointed to preside over the Juvenile and Domestic Relations Court in the counties of (here enter the names of counties).
	No.	

13 Place a cross or X opposite "Yes" or "No" as you desire to vote. If the majority  
 14 of the votes are "Yes" the result of the election shall be certified by the proper  
 15 county officer to the Governor who shall appoint by and with the consent of the Sen-  
 16 ate, a judge for said court who shall serve in said counties in the same manner as  
 17 provided for judges in first class counties. The salary and necessary expenses in-  
 18 curred in the performance of his duties shall be paid by the counties which the said  
 19 judge serves and shall be according to the population of the counties served as de-  
 20 termined by last Federal census. The salary of such judge shall be fixed by the  
 21 boards of chosen freeholders of the counties served.

---

STATEMENT

The purpose of this act is to give the State a more uniform and efficient juvenile court practice. In nineteen of the counties of the State the juvenile court functions pursuant to the act passed in nineteen hundred and three. In nineteen hundred and twelve the juvenile courts of first class counties and the domestic relations court laws were enacted. This proposed act will make the practice uniform throughout the State (except that in all counties except those of the first class, the Common Pleas judge will preside over the courts, the first class counties having a special Juvenile Court judge.

It did not seem feasible at the present time to change the present method of having judges of the Court of Common Pleas preside over the court except in first class counties; the act however, provides for a referendum election in counties desiring a sepa

rate judge. The freeholders will fix the judges' salary and also the budgets to cover the expenses of the court. The bill also empowers the court to appoint non-salaried referees to hear cases. This should relieve the judges whose calendars are overcrowded, assure a speedier hearing of juvenile cases and at the same time make possible the maintenance of a uniform policy in the treatment of such cases.

The adoption of this act will create no additional positions, cause no further expenditure of funds nor add directly to the burden of public taxation.

# STATE OF NEW JERSEY

INTRODUCED FEBRUARY 25, 1929

By Mr. WOLBER

Referred to Committee on Education

AN ACT to establish Juvenile and Domestic Relations Courts, defining their jurisdiction, powers and duties, and regulating procedure therein. (Revision of 1929.)

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1 1. This act shall be known as the "Juvenile and Domestic Relations Court  
2 Law." Its purpose is to secure for each child under its jurisdiction such care, guid-  
3 ance and control, preferably in his own home, as will conduce to the child's welfare  
4 and the best interests of the State; and when such child is removed from his own  
5 family, to secure for him custody, care and discipline as nearly as possible equivalent  
6 to that which should have been given by his parents. The principle is hereby  
7 recognized that children under the jurisdiction of the court are wards of the State,  
8 subject to the discipline and entitled to the protection of the State, which may inter-  
9 vene to safeguard them from neglect or injury and to enforce the legal obligations  
10 due to them and from them.

1 2. A Juvenile and Domestic Relations Court is hereby established in each county  
2 of the State and is vested with exclusive jurisdiction to hear and determine all cases  
3 against a child under sixteen years who shall commit any of the hereinafter men-  
4 tioned offences when under the age of sixteen years, (a) who violates any penal law  
5 or municipal ordinance, or (b) who commits any act or offence for which he could be  
6 prosecuted in a method partaking of the nature of a criminal action or proceeding, or  
7 (c) who is a disorderly person, or (d) habitually vagrant, or (e) incorrigible, or (f)  
8 immoral, or (g) who knowingly associates with thieves or vicious or immoral persons,  
9 or (h) is growing up in idleness or crime, or (i) knowingly visits gambling places, or

10 patronizes other places or establishments, his admission to which constitutes a viola-  
11 tion of law, or (j) idly roams the streets at night, or (k) who is an habitual truant  
12 from school, or (l) who so deports himself as to endanger the morals, health or  
13 general welfare of said child. The court shall also have jurisdiction to hear and de-  
14 termine disputes involving the domestic relation or the welfare of children, the juris-  
15 diction over which is now or may hereafter be vested by law in any court of this  
16 State except the Court of Chancery or Orphans' Court. It shall have jurisdiction to  
17 hear and determine complaints for violation of the following acts, "An act concern-  
18 ing disorderly persons" (Revision of 1898), "An act for the settlement and relief of  
19 the poor" (Revision of 1924), "An act concerning the welfare of children" (ap-  
20 proved April the eighth, nineteen hundred and fifteen), "An act for the maintenance  
21 of bastards" (Revision of 1898), "An act to promote home life for dependent chil-  
22 dren," and the acts amendatory of and supplemental to the above entitled acts to-  
23 gether with any future acts revisions, re-enactment or new acts covering similar  
24 complaints or offenses, where the gravamen of the complaint under such acts is the  
25 failure or neglect of one member of the family to satisfy or discharge his legal obli-  
26 gations to another of a family, and also jurisdiction to hear and determine com-  
27 plaints against any person who shall abuse, neglect, cruelly treat or abandon a child or  
28 children or who shall contribute to the delinquency of any child. It shall have juris-  
29 diction to hear and determine in summary manner, disputes involving the domestic  
30 relation, where the gravamen of the complaint is the failure to provide support or  
31 adequate support.

1 3. In counties other than those of the first class, the judge of the Common Pleas  
2 Court shall be the judge of the "Juvenile and Domestic Relations Court" of said  
3 counties. In counties, not of the first class, having more than one Common Pleas  
4 judge, the Supreme Court Justice sitting in said county shall designate which of said  
5 Common Pleas judges shall preside over said Juvenile and Domestic Relations Court  
6 of said county, whenever the Common Pleas judges can not decide which judge shall  
7 preside over said court. In the event of the death, absence from the county, sick-  
8 ness or disability of the judge of the Juvenile and Domestic Relations Court, any  
9 other Common Pleas judge of said county or any other county of the State, may  
10 preside over the court.

1 4. Children who appear before the court in any capacity shall be deemed to be  
2 wards of the court, and protected accordingly.

1 5. Proceedings before the court shall be instituted by a complaint or petition, and  
2 shall be verified by the oath or affirmation of the persons making same, which com-  
3 plaint or petition may be made upon information and belief. Upon the filing of a  
4 complaint or petition, the court or judge thereof may forthwith or after causing an  
5 investigation to be made by a probation officer, or other person, cause to be issued a  
6 capias, summons, warrant or subpoena, requiring the persons complained against, and  
7 in case it being a child, the parent or parents, guardian or guardians, person or per-  
8 sons, having control and supervision over such child, who shall be necessary parties,  
9 commanding them at a time and place to be set to appear and testify or show cause  
10 why the person or persons before the court shall not be dealt with according to law.  
11 Upon the return of the writ or process the court or a judge thereof shall proceed to  
12 hear and determine the case in a summary manner. The hearing may be postponed  
13 at the discretion of the judge.

1 6. In all cases coming before the court under or by virtue of the  
2 provisions of this act, said court shall be vested with all the powers, rights and  
3 privileges incident to the hearing, determination and final disposition of such cases as  
4 are or may be exercised or enjoyed by any other court having jurisdiction over such  
5 cases, and the process to secure the appearance of parties and witnesses shall be, as  
6 nearly as may be, such process as is required to secure the presence thereof in other  
7 courts of this State having jurisdiction of such matters, and process may be served  
8 in the same manner as provided for the service of process in other cases in which  
9 the court has jurisdiction.

1 7. No compensation shall be allowed to any public officer or official for any  
2 service performed under and by virtue of the provisions of this act, except as ex-  
3 pressly provided for by law.

1 8. In any case wherein the court shall have acquired jurisdiction of a  
2 child, such jurisdiction may be retained during the continuance of the term for which  
3 such child shall have been committed, or if released by the court before the expira-  
4 tion of such commitment and placed on probation, or if placed on probation in the

5 first instance, then such jurisdiction may be retained for the period of such proba-  
6 tion notwithstanding such child shall have attained the age of sixteen years during  
7 service of such commitment or the period of such probation.

1 9. In any case wherein the court shall have acquired jurisdiction of a  
2 child, such child may be committed to any institution to which he or she might have  
3 been committed by such court, notwithstanding such child shall have attained the  
4 age of sixteen years after such court shall have acquired jurisdiction over said child.

1 10. The court may, in cases affecting a child under the age of sixteen years,  
2 conduct the examination of witnesses without the assistance of counsel and may take  
3 testimony, or make inquiry, into the habits, mode of life, condition of the home and  
4 its surroundings, character and mode of life of parents or guardians of the child,  
5 the physical and mental condition of the child, and such other facts that may assist  
6 the court in reaching a conclusion as to the nature of the order or decision that  
7 shall best conserve the welfare of said child and carry out the objects of this act.  
8 The court shall admit to the hearing of children's cases only such persons as are di-  
9 rectly interested in the case being heard. An appeal may be taken in juvenile cases  
10 from any final order or judgment of said court in the manner provided for appeals  
11 from the Courts of Common Pleas of the respective counties.

1 11. Whenever any officer takes a child under sixteen years of age into custody,  
2 he shall, unless it is deemed impracticable or has been otherwise ordered by the court,  
3 accept the written promise of the parent, guardian or custodian to be responsible for  
4 the presence of such child in the court at the time fixed. Thereupon such child may  
5 be released in the custody of the parent, guardian or custodian, or in the custody of  
6 a probation officer or other person designated by the court. If not so released, such  
7 child shall be taken immediately to the place of detention designated by the court, and  
8 the officer taking him shall immediately notify the court and shall file a petition  
9 when directed to do so by the court. In the case of any child whose custody has  
10 been assumed by the court and pending the final disposition of the case, the child  
11 may be released in the custody of a parent, guardian or custodian, or of a pro-  
12 bation officer or other person appointed by the court, to be brought before the court  
13 at the time designated. When not released as herein provided, such child, pending

14 the hearing of the case, shall be detained in such place of detention as shall be desig-  
15 nated by the court subject to further order.

1     12. If during the pendency of a criminal or quasi-criminal charge against any  
2 person in any other court, it shall be ascertained that said person was under the age  
3 of sixteen years at the time of committing the alleged offence, it shall be the duty  
4 of such court to immediately transfer such case together with all the papers, docu-  
5 ments and testimony connected therewith to the Juvenile and Domestic Relations  
6 Court having jurisdiction. The court making such transfer shall order the child to  
7 be taken forthwith to the place of detention designated by the Juvenile and Domestic  
8 Relations Court or to that court itself, unless the court making such transfer shall  
9 release such child in the custody of some suitable person to appear before the Juve-  
10 nile and Domestic Relations Court at a time designated in said order. The Juvenile  
11 and Domestic Relations Court shall thereupon proceed to hear and dispose of such  
12 case in the same manner as if it had been instituted in that court in the first  
13 instance.

1     13. Any and all writs, prosecutions, notices and process issuing out of said court  
2 may be served by the sheriff of the county, constable or any police officer, or by any  
3 person designated by the court. The county clerk shall be the clerk of the court and  
4 the court shall have a right to use a seal.

1     14. In case any person or persons shall be adjudged to be guilty as charged in  
2 the complaint, the said court may impose the penalty now provided by law, or may  
3 suspend sentence, and place such person upon probation to the probation officer of  
4 the county in which such person resides; such probation shall be on terms to be fixed  
5 by the court. The court or a judge thereof may compel any person who shall be ad-  
6 judged guilty to give bond with good and sufficient surety, in such sum as the court  
7 shall order, to secure the payment of a sum or sums awarded by the court. Any  
8 person who fails to comply with the order of the court relative to the terms of pro-  
9 bation, condition of bond or surety, or any order or decree of the court, may be  
10 adjudged guilty of contempt, or the court may impose the penalty provided by law  
11 for the offence.

1     15. The court or a judge thereof on proper cause shown, may place the child  
2 on probation to the chief probation officer of the county upon such terms as the court

3 may deem to be to the best interest of the child, may commit any child to any public  
3½ institution established for the care, custody, instruction and reform of juve-  
3¾ nile offenders which is maintained by the State or the county or a city in  
4 which said child has a settlement, or may commit said child to any like institution  
5 maintained by any city, county, township, borough or other municipality in said  
6 county in which such child shall reside or have a settlement, or to any other like in-  
7 stitution, commitment to which is now or may hereafter be provided by law, or may  
8 commit said child to the care, custody and control of the State Board of Guardians  
9 as now or hereafter may be provided by law.

1 16. No adjudication upon the status of any child in the jurisdiction of the court  
2 shall operate to impose any of the civil disabilities ordinarily imposed by conviction,  
3 nor shall any child be deemed a criminal by reason of such adjudication, nor shall  
4 such adjudication be deemed a conviction, nor shall any child be charged with or  
5 convicted of a crime in any court, except with the consent of the judge of the Juve-  
6 nile and Domestic Relations Court. The disposition of a child or any evidence given  
7 in the court shall not be admissible as evidence against the child in any case or pro-  
8 ceeding in any other court, nor shall such disposition or evidence be held against  
9 the child's record in any future civil service examination, appointment or applica-  
10 tion.

1 17. Said court shall have power to make such decree or order or render such  
2 judgment as will protect the interests and welfare of the child or children, in any par-  
3 ticular case, in lieu of the penalties now provided by law for violation of any laws  
4 affecting a minor child, and shall have full power to enforce such decree or order by  
5 proceeding for contempt of court.

1 18. In each county of the first class there shall be appointed by the Governor by  
2 and with the consent of the Senate a judge of the Juvenile and Domestic Relations  
3 Court of such county who shall be a counsellor-at-law. Such judge shall serve for a  
4 term of five years and until his successor is appointed and confirmed, and shall  
5 receive such salary, payable by the board of chosen freeholders as such board shall  
6 determine; *provided*, that judges now serving in the juvenile courts of said first-  
7 class counties shall continue in office for the remainder of their unexpired terms, as  
8 judges of the Juvenile and Domestic Relations Courts established in their respective

9 counties under this act and shall continue to receive the salary now fixed for said  
10 judge. Court attendants now serving in the juvenile courts of first class counties  
11 and who are assigned to the investigation or supervision of children or persons tried  
12 on charges involving domestic relations are hereby transferred to the office of the  
13 chief probation officer. All other court attendants in said courts shall retain their  
14 respective positions in the courts hereby created; *provided, however*, that the court  
15 shall have power in reorganizing of the court to fix their respective duties.

1 19. All cases pending before the juvenile courts of first class counties and juve-  
2 nile courts in other counties shall be continued and determined by the judge ap-  
3 pointed pursuant to the provisions of this act and the records, papers and files of said  
4 court shall be taken and kept as part of the records, papers and files of the courts  
5 created pursuant to the provisions of this act.

1 20. In counties for which there shall have been appointed a special judge of the  
2 Juvenile and Domestic Relations Court the event of the death, sickness, disability,  
3 absence or disqualification of such judge, a judge of the Court of Common Pleas  
4 in such county may hold the Juvenile and Domestic Relations Court as provided in  
5 this act.

1 21. The judge may appoint such clerks and other necessary employees as the  
2 county board of chosen freeholders may authorize, and may fix their salaries. Such  
3 salaries shall be in lieu of all fees or other allowances; except necessary expenses  
4 actually incurred in the performance of their duties. In counties where no special  
5 clerk is appointed the county clerk shall act as clerk of the court.

1 22. The county chief probation officer and probation officers shall have charge  
2 of the probation work of the court.

1 23. The judge may appoint a probation officer or other suitable person without  
2 compensation for such service to act as referee to hear cases coming within the  
3 provisions of this act. The hearing of any case may be referred to such referee by  
4 order of the court, or the judge may direct that all cases of a certain class or within  
5 a certain district to be designated by him shall be initiated before and heard in the  
6 first instance by such referee in the manner provided for the initiation and hearing of  
7 cases by the court. In all cases coming before him, the referee shall comply with the

8 requirements of and conform to the procedure provided for the hearing of such cases  
9 by the court.

1 24. The court may cause any person coming under its jurisdiction to be ex-  
2 amined by a physician, psychiatrist or psychologist, designated by the court, in order  
3 that the condition, special needs and personality of such person may be given due  
4 consideration in the disposition of the case.

1 25. It shall be unlawful to place any child coming within the provisions of this  
2 act in any prison, jail, lock-up, police station, vehicle or other place where such child  
3 can come in contact with any adult convicted of crime or under arrest and charged  
4 with crime.

1 26. Suitable quarters shall be provided by the board of chosen freeholders for  
2 the hearing of cases and for the use of the judge, and other employees of the court.  
3 All cases involving children shall be heard separately and apart from the trial of  
4 cases against adults.

1 27. The court shall maintain complete records of all petitions and hearings in  
2 cases brought before it. Such records shall be withheld from indiscriminate public  
3 inspection but shall be open to inspection by the parent or other authorized repre-  
4 sentative of the person concerned and, in the discretion of the court, by other per-  
5 sons having a legitimate interest. The court shall devise and cause to be printed such  
6 forms for court records and such other papers as may be required in dealing with  
7 cases coming within this act. All expenses incurred in complying with the provisions  
8 of this act shall be a county charge.

1 28. The court shall have power to frame and publish rules of procedure and  
2 practice and for the conduct of officers and employees of the court.

1 29. The court may punish as for contempt any person who contemns the court,  
2 who wilfully violates, neglects or refuses to obey or perform any order of the court.

1 30. The court shall hear and determine all cases of children arising under the  
2 provisions of this act without a jury. If an adult is charged with an offence for  
3 which he is entitled to a jury trial, and if he shall so demand, a jury shall be se-  
4 lected in accordance with the provisions of the law regulating the selection of juries  
5 in the Court of Quarter Sessions.

1 31. Any and all writs, prosecutions and notices arising out of said court shall  
2 be served by the sheriff of the county, constable or police officer, or by any person  
3 designated by the court.

1 32. If any section, subdivision or clause in this act should be held to be uncon-  
2 stitutional or invalid, such decision shall not affect the validity of the remaining por-  
3 tions of the act.

1 33. This act shall be liberally construed to accomplish the purpose herein sought.

1 34. He and she, as used in this act shall be synonymous; all references to the  
2 court or judge shall be construed to refer to the Juvenile and Domestic Relations  
3 Court hereby created and the judge thereof; the singular shall be construed to in-  
4 clude the plural and the plural the singular when consistent with the intent of the  
5 act.

1 35. In any county not of the first class, the board of chosen freeholders shall  
2 upon a petition of five percentum (5%) of the registered voters of the county re-  
3 questing the appointment of a separate judge of the Juvenile and Domestic Rela-  
4 tions Court, being filed with it, or may upon a resolution duly passed at a regular  
5 meeting of said board, cause to be submitted to the voters of said county, the ques-  
6 tion which shall be placed on the ballots at the next annual election, "Shall a special  
7 judge be appointed to preside over the Juvenile and Domestic Relations Court of this  
8 county?" by having placed on all ballots to be used at the next general election the  
9 following:

	Yes.	Shall a special judge be appointed to pre- side over the Juvenile and Domestic Relations Court in the county of (here enter the name of the county).
	No.	

9½ Place a cross or an X opposite "Yes" or "No" as you desire to vote.

10 If the majority of votes are "Yes," the result of the election shall be certified by  
11 the proper county officer, to the Governor who shall appoint by and with the consent  
12 of the Senate, a judge for said court who shall serve in the same manner as provided  
13 above for the judges in first class counties.

1 36. In any two or more counties of the State not of the first class, the boards  
2 of chosen freeholders shall upon a petition of five percentum (5%) of the voters

3 of the said counties requesting the appointment of a separate judge of the Juvenile and  
 4 Domestic Relations Court, being filed with said boards of freeholders, requesting  
 5 the appointment of a separate judge of the Juvenile and Domestic Relations Court  
 6 for the said two or more counties, or the boards of chosen freeholders of two or  
 7 more counties may upon a resolution duly passed at the regular meeting of said  
 8 boards of chosen freeholders cause to be submitted to the voters of said counties, the  
 9 question which shall be placed on the ballots at the next annual election, "Shall a  
 10 special judge be appointed to preside over the Juvenile and Domestic Relations Court  
 11 of the counties of (here enter the names of counties)?" by having placed on all bal-  
 12 lots to be used in said counties at the next general election, the following:

	Yes.	Shall a special judge be appointed to preside over the Juvenile and Domestic Relations Court in the counties of (here enter the names of counties).
	No.	

13 Place a cross or an X opposite "Yes" or "No" as you desire to vote.

14 If the majority of the votes are "Yes" the result of the election shall be certified  
 15 by the proper county officer to the Governor who shall appoint by and with the con-  
 16 sent of the Senate, a judge for said court who shall serve in said counties in the  
 17 same manner as provided for judges in first class counties. The salary and necessary  
 18 expenses incurred in the performance of his duties shall be paid by the counties which  
 19 the said judge serves and shall be according to the population of the counties served  
 20 as determined by last Federal census. The salary of such judge shall be fixed by the  
 21 boards of chosen freeholders of the counties served.

SENATE, No. 165

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 25, 1929

By Mr. WOLBER

• Referred to Committee on Education

AN ACT to establish Juvenile and Domestic Relations Courts, defining their jurisdiction, powers and duties, and regulating procedure therein. (Revision of 1929.)

1 BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1 1. This act shall be known as the "Juvenile and Domestic Relations Court  
2 Law." Its purpose is to secure for each child under its jurisdiction such care, guid-  
3 ance and control, preferably in his own home, as will conduce to the child's welfare  
4 and the best interests of the State; and when such child is removed from his own  
5 family, to secure for him custody, care and discipline as nearly as possible equivalent  
6 to that which should have been given by his parents. The principle is hereby  
7 recognized that children under the jurisdiction of the court are wards of the State,  
8 subject to the discipline and entitled to the protection of the State, which may inter-  
9 vene to safeguard them from neglect or injury and to enforce the legal obligations  
10 due to them and from them.

1 2. A Juvenile and Domestic Relations Court is hereby established in each county  
2 of the State and is vested with exclusive jurisdiction to hear and determine all cases  
3 against a child under sixteen years who shall commit any of the hereinafter men-  
4 tioned offences when under the age of sixteen years, (a) who violates any penal law  
5 or municipal ordinance, or (b) who commits any act or offence for which he could be  
6 prosecuted in a method partaking of the nature of a criminal action or proceeding, or  
7 (c) who is a disorderly person, or (d) habitually vagrant, or (e) incorrigible, or (f)  
8 immoral, or (g) who knowingly associates with thieves or vicious or immoral persons,  
9 or (h) is growing up in idleness or crime, or (i) knowingly visits gambling places, or

10 patronizes other places or establishments, his admission to which constitutes a viola-  
11 tion of law, or (j) idly roams the streets at night, or (k) who is an habitual truant  
12 from school, or (l) who so reports himself as to endanger the morals, health or  
13 general welfare of said child. The court shall also have jurisdiction to hear and de-  
14 termine disputes involving the domestic relation or the welfare of children, the juris-  
15 diction over which is now or may hereafter be vested by law in any court of this  
16 State except the Court of Chancery or Orphans' Court. It shall have jurisdiction to  
17 hear and determine complaints for violation of the following acts, "An act concern-  
18 ing disorderly persons" (Revision of 1898), "An act for the settlement and relief of  
19 the poor" (Revision of 1924), "An act concerning the welfare of children" (ap-  
20 proved April the eighth, nineteen hundred and fifteen), "An act for the maintenance  
21 of bastards" (Revision of 1898), "An act to promote home life for dependent chil-  
22 dren," and the acts amendatory of and supplemental to the above entitled acts to-  
23 gether with any future acts revisions, re-enactment or new acts covering similar  
24 complaints or offenses, where the gravamen of the complaint under such acts is the  
25 failure or neglect of one member of the family to satisfy or discharge his legal obli-  
26 gations to another of a family, and also jurisdiction to hear and determine com-  
27 plaints against any person who shall abuse, neglect, cruelly treat or abandon a child or  
28 children or who shall contribute to the delinquency of any child. It shall have juris-  
29 diction to hear and determine in summary manner, disputes involving the domestic  
30 relation, where the gravamen of the complaint is the failure to provide support or  
31 adequate support.

1       3. In counties other than those of the first class, the judge of the Common Pleas  
2 Court shall be the judge of the "Juvenile and Domestic Relations Court" of said  
3 counties. In counties, not of the first class, having more than one Common Pleas  
4 judge, the Supreme Court Justice sitting in said county shall designate which of said  
5 Common Pleas judges shall preside over said Juvenile and Domestic Relations Court  
6 of said county, whenever the Common Pleas judges can not decide which judge shall  
7 preside over said court. In the event of the death, absence from the county, sick-  
8 ness or disability of the judge of the Juvenile and Domestic Relations Court, any  
9 other Common Pleas judge of said county or any other county of the State, may  
10 preside over the court.

1 4. Children who appear before the court in any capacity shall be deemed to be  
2 wards of the court, and protected accordingly.

1 5. Proceedings before the court shall be instituted by a complaint or petition, and  
2 shall be verified by the oath or affirmation of the persons making same, which com-  
3 plaint or petition may be made upon information and belief. Upon the filing of a  
4 complaint or petition, the court or judge thereof may forthwith or after causing an  
5 investigation to be made by a probation officer, or other person, cause to be issued a  
6 capias, summons, warrant or subpoena, requiring the persons complained against, and  
7 in case it being a child, the parent or parents, guardian or guardians, person or per-  
8 sons, having control and supervision over such child, who shall be necessary parties,  
9 commanding them at a time and place to be set to appear and testify or show cause  
10 why the person or persons before the court shall not be dealt with according to law.  
11 Upon the return of the writ or process the court or a judge thereof shall proceed to  
12 hear and determine the case in a summary manner. The hearing may be postponed  
13 at the discretion of the judge.

1 6. In all cases coming before the court under or by virtue of the  
2 provisions of this act, said court shall be vested with all the powers, rights and  
3 privileges incident to the hearing, determination and final disposition of such cases as  
4 are or may be exercised or enjoyed by any other court having jurisdiction over such  
5 cases, and the process to secure the appearance of parties and witnesses shall be, as  
6 nearly as may be, such process as is required to secure the presence thereof in other  
7 courts of this State having jurisdiction of such matters, and process may be served  
8 in the same manner as provided for the service of process in other cases in which  
9 the court has jurisdiction.

1 7. No compensation shall be allowed to any public officer or official for any  
2 service performed under and by virtue of the provisions of this act, except as ex-  
3 pressly provided for by law.

1 8. In any case wherein the court shall have acquired jurisdiction of a  
2 child, such jurisdiction may be retained during the continuance of the term for which  
3 such child shall have been committed, or if released by the court before the expira-  
4 tion of such commitment and placed on probation, or if placed on probation in the

4

5 first instance, then such jurisdiction may be retained for the period of such proba-  
6 tion notwithstanding such child shall have attained the age of sixteen years during  
7 service of such commitment or the period of such probation.

1     9. In any case wherein the court shall have acquired jurisdiction of a  
2 child, such child may be committed to any institution to which he or she might have  
3 been committed by such court, notwithstanding such child shall have attained the  
4 age of sixteen years after such court shall have acquired jurisdiction over said child.

1     10. The court may, in cases affecting a child under the age of sixteen years,  
2 conduct the examination of witnesses without the assistance of counsel and may take  
3 testimony, or make inquiry, into the habits, mode of life, condition of the home and  
4 its surroundings, character and mode of life of parents or guardians of the child,  
5 the physical and mental condition of the child, and such other facts that may assist  
6 the court in reaching a conclusion as to the nature of the order or decision that  
7 shall best conserve the welfare of said child and carry out the objects of this act.  
8 The court shall admit to the hearing of children's cases only such persons as are di-  
9 rectly interested in the case being heard. An appeal may be taken in juvenile cases  
10 from any final order or judgment of said court in the manner provided for appeals  
11 from the Courts of Common Pleas of the respective counties.

1     11. Whenever any officer takes a child under sixteen years of age into custody,  
2 he shall, unless it is deemed impracticable or has been otherwise ordered by the court,  
3 accept the written promise of the parent, guardian or custodian to be responsible for  
4 the presence of such child in the court at the time fixed. Thereupon such child may  
5 be released in the custody of the parent, guardian or custodian, or in the custody of  
6 a probation officer or other person designated by the court. If not so released, such  
7 child shall be taken immediately to the place of detention designated by the court, and  
8 the officer taking him shall immediately notify the court and shall file a petition  
9 when directed to do so by the court. In the case of any child whose custody has  
10 been assumed by the court and pending the final disposition of the case, the child  
11 may be released in the custody of a parent, guardian or custodian, or of a pro-  
12 bation officer or other person appointed by the court, to be brought before the court  
13 at the time designated. When not released as herein provided, such child, pending

14 the hearing of the case, shall be detained in such place of detention as shall be design-  
15 nated by the court subject to further order.

1 12. If during the pendency of a criminal or quasi-criminal charge against any  
2 person in any other court, it shall be ascertained that said person was under the age  
3 of sixteen years at the time of committing the alleged offence, it shall be the duty  
4 of such court to immediately transfer such case together with all the papers, docu-  
5 ments and testimony connected therewith to the Juvenile and Domestic Relations  
6 Court having jurisdiction. The court making such transfer shall order the child to  
7 be taken forthwith to the place of detention designated by the Juvenile and Domestic  
8 Relations Court or to that court itself, unless the court making such transfer shall  
9 release such child in the custody of some suitable person to appear before the Juve-  
10 nile and Domestic Relations Court at a time designated in said order. The Juvenile  
11 and Domestic Relations Court shall thereupon proceed to hear and dispose of such  
12 case in the same manner as if it had been instituted in that court in the first  
13 instance.

1 13. Any and all writs, prosecutions, notices and process issuing out of said court  
2 may be served by the sheriff of the county, constable or any police officer, or by any  
3 person designated by the court. The county clerk shall be the clerk of the court and  
4 the court shall have a right to use a seal.

1 14. In case any person or persons shall be adjudged to be guilty as charged in  
2 the complaint, the said court may impose the penalty now provided by law, or may  
3 suspend sentence, and place such person upon probation to the probation officer of  
4 the county in which such person resides; such probation shall be on terms to be fixed  
5 by the court. The court or a judge thereof may compel any person who shall be ad-  
6 judged guilty to give bond with good and sufficient surety, in such sum as the court  
7 shall order, to secure the payment of a sum or sums awarded by the court. Any  
8 person who fails to comply with the order of the court relative to the terms of pro-  
9 bation, condition of bond or surety, or any order or decree of the court, may be  
10 adjudged guilty of contempt, or the court may impose the penalty provided by law  
11 for the offence.

1 15. The court or a judge thereof on proper cause shown, may place the child  
2 on probation to the chief probation officer of the county upon such terms as the court

3 may deem to be to the best interest of the child, may commit any child to any public  
3½ institution established for the care, custody, instruction and reform of juve-  
3¾ nile offenders which is maintained by the State or the county or a city in  
4 which said child has a settlement, or may commit said child to any like institution  
5 maintained by any city, county, township, borough or other municipality in said  
6 county in which such child shall reside or have a settlement, or to any other like in-  
7 stitution, commitment to which is now or may hereafter be provided by law, or may  
8 commit said child to the care, custody and control of the State Board of Guardians  
9 as now or hereafter may be provided by law.

1 16. No adjudication upon the status of any child in the jurisdiction of the court  
2 shall operate to impose any of the civil disabilities ordinarily imposed by conviction,  
3 nor shall any child be deemed a criminal by reason of such adjudication, nor shall  
4 such adjudication be deemed a conviction, nor shall any child be charged with or  
5 convicted of a crime in any court, except with the consent of the judge of the Juve-  
6 nile and Domestic Relations Court. The disposition of a child or any evidence given  
7 in the court shall not be admissible as evidence against the child in any case or pro-  
8 ceeding in any other court, nor shall such disposition or evidence be held against  
9 the child's record in any future civil service examination, appointment or applica-  
10 tion.

1 17. Said court shall have power to make such decree or order or render such  
2 judgment as will protect the interests and welfare of the child or children, in any par-  
3 ticular case, in lieu of the penalties now provided by law for violation of any laws  
4 affecting a minor child, and shall have full power to enforce such decree or order by  
5 proceeding for contempt of court.

1 18. In each county of the first class there shall be appointed by the Governor by  
2 and with the consent of the Senate a judge of the Juvenile and Domestic Relations  
3 Court of such county who shall be a counsellor-at-law. Such judge shall serve for a  
4 term of five years and until his successor is appointed and confirmed, and shall  
5 receive such salary, payable by the board of chosen freeholders as such board shall  
6 determine; *provided*, that judges now serving in the juvenile courts of said first-  
7 class counties shall continue in office for the remainder of their unexpired terms, as  
8 judges of the Juvenile and Domestic Relations Courts established in their respective

9 counties under this act and shall continue to receive the salary now fixed for said  
10 judge. Court attendants now serving in the juvenile courts of first class counties  
11 and who are assigned to the investigation or supervision of children or persons tried  
12 on charges involving domestic relations are hereby transferred to the office of the  
13 chief probation officer and shall assume the duties and powers of probation officers.  
14 All other court attendants in said courts shall retain their respective positions in the  
15 courts hereby created; *provided, however,* that the court shall have power in reorgan-  
16 izing of the court to fix their respective duties.

1 19. All cases pending before the juvenile courts of first class counties and juve-  
2 nile courts in other counties shall be continued and determined by the judge ap-  
3 pointed pursuant to the provisions of this act and the records, papers and files of said  
4 court shall be taken and kept as part of the records, papers and files of the courts  
5 created pursuant to the provisions of this act.

1 20. In counties for which there shall have been appointed a special judge of the  
2 Juvenile and Domestic Relations Court the event of the death, sickness, disability,  
3 absence or disqualification of such judge, a judge of the Court of Common Pleas  
4 in such county may hold the Juvenile and Domestic Relations Court as provided in  
5 this act.

1 21. The judge may appoint such clerks and other necessary employees as the  
2 county board of chosen freeholders may authorize, and said board shall fix their  
3 salaries. Such salaries shall be in lieu of all fees or other allowances; except necessary  
4 expenses actually incurred in the performance of their duties. In counties where no  
5 special clerk is appointed the county clerk shall act as clerk of the court.

1 22. The county chief probation officer and probation officers shall have charge  
2 of the probation work of the court.

1 23. The judge may appoint a probation officer or other suitable person without  
2 compensation for such service to act as referee to hear cases coming within the  
3 provisions of this act; whenever a referee is appointed to hear the case of a girl, such  
4 referee shall be, whenever practicable, a woman. The hearing of any case may be  
5 referred to such referee by order of the court, or the judge may direct that all cases  
6 of a certain class or within a certain district to be designated by him shall be initiated  
7 before and heard in the first instance by such referee in the manner provided for the

8 initiation and hearing of cases by the court. In all cases coming before him, the  
9 referee shall comply with the requirements of and conform to the procedure provided  
10 for the hearing of such cases by the court and shall make return of his or her findings  
11 and recommendations to the court which shall proceed to enter such order or decree  
12 as it may deem proper.

1 24. The court may cause any person coming under its jurisdiction to be ex-  
2 amined by a physician, psychiatrist or psychologist, designated by the court, in order  
3 that the condition, special needs and personality of such person may be given due  
4 consideration in the disposition of the case.

1 25. It shall be unlawful to place any child coming within the provisions of this  
2 act in any prison, jail, lock-up, police station, vehicle or other place where such child  
3 can come in contact with any adult convicted of crime or under arrest and charged  
4 with crime.

1 26. Suitable quarters shall be provided by the board of chosen freeholders for  
2 the hearing of cases and for the use of the judge, and other employees of the court.  
3 All cases involving children shall be heard separately and apart from the trial of  
4 cases against adults.

1 27. The court shall maintain complete records of all petitions and hearings in  
2 cases brought before it. Such records shall be withheld from indiscriminate public  
3 inspection but shall be open to inspection by the parent or other authorized repre-  
4 sentative of the person concerned and, in the discretion of the court, by other per-  
5 sons having a legitimate interest. The court shall devise and cause to be printed such  
6 forms for court records and such other papers as may be required in dealing with  
7 cases coming within this act. All expenses incurred in complying with the provisions  
8 of this act shall be a county charge.

1 28. The court shall have power to frame and publish rules of procedure and  
2 practice and for the conduct of officers and employees of the court.

1 29. The court may punish as for contempt any person who contemns the court,  
2 who wilfully violates, neglects or refuses to obey or perform any order of the court.

1 30. The court shall hear and determine all cases of children arising under the  
2 provisions of this act without a jury. If an adult is charged with an offence for  
3 which he is entitled to a jury trial, and if he shall so demand, a jury shall be se-

4 lected in accordance with the provisions of the law regulating the selection of juries  
5 in the Court of Quarter Sessions.

1 31. Any and all writs, prosecutions and notices arising out of said court shall  
2 be served by the sheriff of the county, constable or police officer, or by any person  
3 designated by the court.

1 32. If any section, subdivision or clause in this act should be held to be uncon-  
2 stitutional or invalid, such decision shall not affect the validity of the remaining por-  
3 tions of the act.

1 33. This act shall be liberally construed to accomplish the purpose herein sought.

1 34. He and she, as used in this act shall be synonymous; all references to the  
2 court or judge shall be construed to refer to the Juvenile and Domestic Relations  
3 Court hereby created and the judge thereof; the singular shall be construed to in-  
4 clude the plural and the plural the singular when consistent with the intent of the  
5 act.

1 35. In any county not of the first class, the board of chosen freeholders shall  
2 upon a petition of five percentum (5%) of the registered voters of the county re-  
3 questing the appointment of a separate judge of the Juvenile and Domestic Rela-  
4 tions Court, being filed with it, or may upon a resolution duly passed at a regular  
5 meeting of said board, cause to be submitted to the voters of said county, the ques-  
6 tion which shall be placed on the ballots at the next annual election, "Shall a special  
7 judge be appointed to preside over the Juvenile and Domestic Relations Court of this  
8 county?" by having placed on all ballots to be used at the next general election the  
9 following:

	Yes.	Shall a special judge be appointed to pre- side over the Juvenile and Domestic Relations Court in the county of (here enter the name of the county).
	No.	

9½ Place a cross or an X opposite "Yes" or "No" as you desire to vote.

10 If the majority of votes are "Yes," the result of the election shall be certified by  
11 the proper county officer, to the Governor who shall appoint by and with the consent  
12 of the Senate, a judge for said court who shall serve in the same manner as provided  
13 above for the judges in first class counties.

1 36. In any two or more counties of the State not of the first class, the boards

2 of chosen freeholders shall upon a petition of five percentum (5%) of the voters  
 3 of the said counties requesting the appointment of a separate judge of the Juvenile and  
 4 Domestic Relations Court, being filed with said boards of freeholders, requesting  
 5 the appointment of a separate judge of the Juvenile and Domestic Relations Court  
 6 for the said two or more counties, or the boards of chosen freeholders of two or  
 7 more counties may upon a resolution duly passed at the regular meeting of said  
 8 boards of chosen freeholders cause to be submitted to the voters of said counties, the  
 9 question which shall be placed on the ballots at the next annual election, "Shall a  
 10 special judge be appointed to preside over the Juvenile and Domestic Relations Court  
 11 of the counties of (here enter the names of counties)?" by having placed on all bal-  
 12 lots to be used in said counties at the next general election, the following:

	Yes.	Shall a special judge be appointed to preside over the Juvenile and Domestic Relations Court in the counties of (here enter the names of counties).
	No.	

13 Place a cross or an X opposite "Yes" or "No" as you desire to vote.  
 14 If the majority of the votes are "Yes" the result of the election shall be certified  
 15 by the proper county officer to the Governor who shall appoint by and with the con-  
 16 sent of the Senate, a judge for said court who shall serve in said counties in the  
 17 same manner as provided for judges in first class counties. The salary and necessary  
 18 expenses incurred in the performance of his duties shall be paid by the counties which  
 19 the said judge serves and shall be according to the population of the counties served  
 20 as determined by last Federal census. The salary of such judge shall be fixed by the  
 21 boards of chosen freeholders of the counties served.

1 37. The board of chosen freeholders of any county may establish, equip and main-  
 2 tain a home for the temporary detention of children, separated entirely from any other  
 3 place of confinement of adults, to be known as "The Children's Shelter of .....  
 4 County," which shall be conducted as an agency for the purposes of caring for the  
 5 children of the county whose cases are pending before the juvenile and domestic  
 6 relation court of the county or who are homeless or abandoned, abused, neglected or  
 7 cruelly treated, or who, being under sixteen years of age, are witnesses before said

8 court or some other court. The board of chosen freeholders may appropriate suffi-  
9 cient funds for the purchase of property and the building of buildings and the fur-  
10 nishing and supplies and equipment therefor from the annual appropriations, or if  
11 they consider the amount too great to add to the annual appropriation, the board of  
12 chosen freeholders shall raise said funds by issuing bonds for said purpose. The  
13 building may be built on property owned by the county or the board of chosen free-  
14 holders may acquire the same by gift, purchase or condemnation.

15 The board of chosen freeholders may appoint a committee of seven citizens of  
16 the county, at least two of whom shall be women, who together with the judge of the  
17 juvenile and domestic relations court of the county and the director of the board of  
18 chosen freeholders as ex-officio members to manage the children's shelter of said coun-  
19 ty. The board of trustees shall make the rules and regulations for the management  
20 of the children's shelter and the groupings of the children therein. Said shelter shall  
21 be in charge of a superintendent and matron who shall reside therein and the board of  
22 trustees of said shelter shall have authority to appoint the superintendent, matron and  
23 other employees in like manner as the other court employees are appointed; the said  
24 board of chosen freeholders shall provide the funds for carrying on said home in the  
25 annual appropriations of the county, and for any betterments, improvements and re-  
26 placements that may be required; *provided, however,* that the money for new build-  
27 ings and the equipment thereof and other permanent improvements may be raised by  
28 a bond issue.