

To accompany the petition of James J. Mulvey for legislation relative to appeals in proceedings against wayward and delinquent children. Joint Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Seven.

An Act relative to Appeals in Proceedings against Wayward and Delinquent Children.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section fifty-six of chapter one hundred and
2 nineteen of the General Laws is hereby amended
3 by inserting after the word "may" in the third
4 line the words: — , before or after sentence, —
5 and by inserting after the word "adjudication"
6 in the fourth line the words: — and also upon
7 sentence, — so as to read as follows: — *Sec-*
8 *tion 56.* Hearings upon cases arising under sec-
9 tions fifty-two to sixty-three, inclusive, may be
10 adjourned from time to time. A child adjudged
11 a wayward child or delinquent child may, before
12 or after sentence, appeal to the superior court,
13 and such child shall, at the time of such adjudica-
14 tion and also upon sentence, be notified of his
15 right of appeal. The appeal, if taken, shall be
16 entered, tried and determined in like manner as
17 appeals in criminal cases, except that the trial
18 of the said appeals in the superior court shall

19 not be in conjunction with the other business of
20 that court, but shall be held in a session set apart
21 and devoted for the time being exclusively to the
22 trial of juvenile cases. This shall be known as
23 the juvenile session of the superior court, and
24 shall have a separate trial list and docket. All
25 juvenile appeal cases in the superior court shall
26 be transferred to this list, and shall be tried,
27 unless otherwise disposed of, by direct order of
28 the court. In any appeal case the superior court,
29 before passing sentence or before ordering other
30 disposition, shall be supplied with a report of
31 any investigation thereon made by the probation
32 officer of the court from which the appeal was
33 taken. Section thirty-five of chapter two hun-
34 dred and seventy-six and section eighteen of
35 chapter two hundred and seventy-eight, relative
36 to recognizances in cases continued or appealed,
37 shall apply to cases arising under sections fifty-
38 two to sixty-three, inclusive.

