

By Mr. John I. Fitzgerald of Boston, petition of John I. Fitzgerald for an amendment of the law relative to appeals in certain juvenile cases. The Judiciary (Joint). Jan. 21.

The Commonwealth of Massachusetts

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

An Act Relative to Appeals in Certain Juvenile Cases.

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
3 amended by inserting after the word " may "
4 in the third line the words: — , at the time of
5 such adjudication or at the time any order of
6 commitment to an institution is made, — and
7 by inserting after the word " adjudication "
8 in the fourth line the words: — or order of com-
9 mitment, — so as to read as follows: — *Section*
10 *56.* Hearings upon cases arising under sec-
11 tions fifty-two to sixty-three, inclusive, may be
12 adjourned from time to time. A child ad-
13 judged a wayward child or delinquent child
14 may, at the time of such adjudication or at the
15 time any order of commitment to an institution
16 is made, appeal to the superior court, and such

17 child shall, at the time of such adjudication
18 or order of commitment, be notified of his right
19 of appeal. The appeal, if taken, shall be en-
20 tered, tried and determined in like manner as
21 appeals in criminal cases, except that the trial
22 of the said appeals in the superior court shall
23 not be in conjunction with the other business
24 of that court, but shall be held in a session
25 set apart and devoted for the time being ex-
26 clusively to the trial of juvenile cases. This
27 shall be known as the juvenile session of the
28 superior court, and shall have a separate
29 trial list and docket. All juvenile appeal cases
30 in the superior court shall be transferred to
31 this list, and shall be tried, unless otherwise
32 disposed of by direct order of the court. In
33 any appeal case the superior court, before pass-
34 ing sentence or before ordering other disposi-
35 tion, shall be supplied with a report of any in-
36 vestigation thereon made by the probation
37 officer of the court from which the appeal was
38 taken. Section thirty-five of chapter two hun-
39 dred and seventy-six and section eighteen of
40 chapter two hundred and seventy-eight, rela-
41 tive to recognizances in cases continued or ap-
42 pealed, shall apply to cases arising under sec-
43 tions fifty-two to sixty-three, inclusive.

