

BILL

No. 74 of 1935.

An Act to amend and consolidate The Juvenile Courts Act.

(Assented to _____, 1935.)

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

1. This Act may be cited as "*The Juvenile Courts Act, 1935*".

2. There shall be a Juvenile Court for the Province, and such Court shall be styled "The Juvenile Court of the Province of Alberta".

3.—(1) Every judge of the Supreme Court of the Province and every judge of a District Court in the Province shall be *ex officio* a judge of the Juvenile Court, but shall not be required to act in such capacity unless willing to do so.

(2) The Lieutenant Governor in Council may appoint a judge or judges of such Court, and the persons so appointed shall hold office during pleasure.

(3) Any Police Magistrate or any Justice of the Peace may on the written request of the Attorney General or of the Superintendent of Child Welfare, act as a judge of the Juvenile Court for the trial of any case specified in the said request, and shall while so acting have all the powers of the Juvenile Court.

4. The Juvenile Court shall be a Juvenile Court within the meaning and for the purposes of *The Juvenile Delinquents Act, 1929*, being an Act of the Parliament of the Dominion of Canada, and shall have all the powers vested in a Juvenile Court under that Act, and shall also have the jurisdiction to hear and determine any charge for any offence against any Statute of the Province preferred against any child who comes within the definition of "Child" in *The Juvenile Delinquents Act, 1929*, and any charge under *The School Attendance Act* preferred against any adult person.

5.—(1) Every agent of a Children's Aid Society shall be a Clerk of the Juvenile Court held at the place where he resides.

(2) The Superintendent of Child Welfare and every inspector appointed under *The Child Welfare Act* may act as Clerk of the Juvenile Court.

(3) Any city, town, village, municipal district, improvement district, or portion of the Province agreeing to pay for the services of a Clerk may, with the approval of the Superintendent of Child Welfare, appoint such clerk.

6. It shall be the duty of every Clerk of the Juvenile Court to see that all cases to be heard before the Court at which he attends are properly prepared, to have before the Court all papers and documents in such cases, to arrange for the sittings of the Court and to preserve order during such sittings.

7.—(1) Every Clerk shall, at the close of each sitting of the Court or at the end of each week, as required by the Superintendent of Child Welfare, forward to him on forms supplied for the purpose, a full report of the cases brought before the Court of which he is Clerk or at which he acted as Clerk, the disposition or order made in each case, the parentage and religion of each delinquent and such other information as may be required.

(2) No Clerk shall disclose or make public the contents of any report or any information therein contained and any Clerk disclosing or making public the contents of such report or any portion thereof shall be guilty of an offence and liable on summary conviction to pay a penalty not exceeding twenty dollars.

8. A book or books, the form of which shall be approved by the Attorney General, shall be kept by the Superintendent of Child Welfare, in which shall be entered the particulars of each case heard before the Juvenile Court, as shown by the reports received from Clerks of the said Court.

9. Every agent of a Children's Aid Society shall be a probation officer for juvenile delinquents within the city, town, village, municipal district, improvement district or portion of the Province in which such society is situate, and every inspector under *The Child Welfare Act* shall be a probation officer, with power to act at any point within the Province.

10. Every city or town of five thousand population or over shall appoint and pay one or more persons to be probation officers for juvenile delinquents within the city or town, and notice of such appointment shall be forthwith given to the Superintendent of Child Welfare.

11. Upon the consent of the Superintendent of Child Welfare and the consent of the person to be appointed, a judge of the Juvenile Court may, in writing, appoint any person a probation officer for the time mentioned in the appointment, and the person so appointed shall be a voluntary probation officer and act without remuneration, unless remuneration has been provided by municipal authority or otherwise.

12. Every probation officer shall be under the direction of the judge who appointed him and shall perform such duties as shall be assigned to him by the said judge.

13. Every probation officer, duly appointed as hereinbefore provided, shall, while acting in the discharge of his duties as such probation officer, have all the powers of a peace officer.

14. Every probation officer shall have all the powers of a truant officer under the provisions of *The School Attendance Act*.

15. Subject to the provisions of *The Juvenile Delinquents Act, 1929*, when there is no Children's Aid Society in a city, town, village, municipal district, improvement district, or portion of the Province the Superintendent of Child Welfare may, with the approval of the Attorney General, appoint at such place a committee of citizens to be known as the Juvenile Court Committee.

16.—(1) Any orphan or children's home, with the consent of the trustees or governing body thereof, and every temporary home or shelter under *The Child Welfare Act*, shall be a detention home within the meaning of *The Juvenile Delinquents Act, 1929*, in which any child may be held in confinement at the expense of the city, town, village, municipal district, improvement district or portion of the Province within which the offence, with which the child is charged, was committed.

(2) Subject to the provisions of *The Juvenile Delinquents Act, 1929*, the Attorney General may declare any place, house, home or institution a detention home within the meaning of that Act and may make regulations for the government and management of such homes in so far as they are used for that purpose.

17. *The Juvenile Courts Act*, being chapter 77 of the Revised Statutes of Alberta, 1922, is hereby repealed.

18. This Act shall come into force upon a date to be fixed by Proclamation of the Lieutenant Governor in Council.

No. 74.

FIFTH SESSION
SEVENTH LEGISLATURE
25 GEORGE V
1935

B I L L

An Act to amend and consolidate The
Juvenile Courts Act.

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. LYMBURN

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1935