

Wyoming Law Journal

Volume 8
Number 3 *Legal Problems Relating to Wyoming
Youth*

Article 5

December 2019

The Juvenile Court in Albany County

Gordon W. Davis

Follow this and additional works at: <https://scholarship.law.uwyo.edu/wlj>

Recommended Citation

Gordon W. Davis, *The Juvenile Court in Albany County*, 8 Wyo. L.J. 202 (1954)
Available at: <https://scholarship.law.uwyo.edu/wlj/vol8/iss3/5>

This Special Section is brought to you for free and open access by Law Archive of Wyoming Scholarship. It has been accepted for inclusion in Wyoming Law Journal by an authorized editor of Law Archive of Wyoming Scholarship.

THE JUVENILE COURT IN ALBANY COUNTY

The passage of the Juvenile Court Act of 1951 afforded to the several judicial districts of this state the opportunity to adopt the provisions of the act. To date, it has not been widely used. It is hoped that information concerning the use and operation of the act may encourage its establishment in those portions of the state where it is not presently in use.

As indicated in the comments of Judge Glenn Parker, a plan had been worked out and followed in Albany County, based on the prior law which treated the handling of juvenile cases. We were comparatively satisfied with our method of procedure under that law and at first could see little advantage to the new act. Largely through the efforts of Brooke Wunnicke, Executive Secretary of the Wyoming Youth Council, it was agreed that the 1951 act would be provisionally adopted.

As a county and prosecuting attorney, I am well satisfied with the results. Without a doubt, the use of the act has materially increased the number of cases to be handled by reason of its enlarged scope; the increase was to be expected as this law enabled public officials to handle cases involving conditions of juveniles which previously had been either extremely difficult or impossible. From the procedural viewpoint, the act is much more specific than prior laws, which has enabled us to reduce that phase of each case to a routine matter; further, it has almost eliminated dissension to the state's method of procedure.

Perhaps the best advantage of the 1951 act is that it gives the opportunity for the court to use the facilities of the local county welfare department in several ways. Upon the commencement of each case the court orders a social investigation; during this investigation, in addition to determining the social background of the child and its family, the welfare department has been able to obtain examinations relative to the child's physical condition and mental ability. All of this information has been extremely helpful in making final disposition of the cases. In the cases which involve deferment, probation, or foster placement, the local welfare department has been designated as the supervisory agency; this has given the advantage of much closer supervision of cases than had theretofore been possible. The results in cases supervised in this manner have been excellent, with the incidence of successful rehabilitation high.

Although the act may have some imperfections, as has any other law yet devised by man, it is a most progressive piece of legislation, and we endorse it as being a long step forward in a field where there is increasingly more to be done.

Gordon W. Davis
County and Prosecuting Attorney
Albany County, Wyoming

THE RELATIONSHIP BETWEEN THE JUVENILE COURT AND COUNTY WELFARE DEPARTMENTS

Since the passage of the Juvenile Court Act in 1951, all cases involving minors have been handled by the Judge of the Second Judicial District and the Albany County Attorney in accordance with this Juvenile Court Act. The procedure has been very satisfactory and the results gratifying. We feel that the work that has been done in the Second Judicial District points out the need for strengthening and expanding some areas of the adoption laws and the juvenile laws of the state.

One such area is in determining parental responsibility and terminating parental rights. The need for such strengthening of the adoption laws is indicated by the foster home case load of the Albany County Welfare Department. Foster care is intended as a temporary program and should be used as a substitute for the care of natural parents only when the natural parents cannot provide such care. Since it is a temporary measure, the situation is continuously fluid and the children placed for foster care are unable to gain the security needed for them to develop healthy personalities and minds as well as healthy bodies. When both the foster parents and the children recognize that their stay in the foster home is only temporary, neither can fully accept the rights, privileges, and responsibilities of sharing their homes and families. Of the twenty-three children who are now being provided foster care by the Albany County Department of Public Welfare, it is probable that only one will be returned to the parents; and, five *may* be returned or reach an age where their education will be completed or where they no longer need the care and supervision of parental figure-heads. The remaining seventeen present a problem, as it is doubtful that they can ever be returned to their natural parents. Of these seventeen children, three were placed with the Welfare Department on a voluntary basis, as the parents could not provide a suitable home and the children were placed temporarily in order to allow the parents the opportunity to rehabilitate themselves and to re-establish their homes. These parents have given no indication that they wish to or intend to improve their conditions and have made no contributions toward the care of their children. Three others of the seventeen have been relinquished for adoption and will be placed in homes at an early date. The other eleven were placed in foster homes by Order of the Court with the stipulation that the parents were to contribute toward their care.

These parents, although contacted many times, have evidenced little or no interest in the children and have not reimbursed the Welfare Department for the care of the children nor have they provided any of the necessities for the welfare and health of their families. These parents readily sidestep the responsibilities of parenthood because of their need to be possessive. In view of these figures, it would seem that the laws should

be strengthened or changed to set a time limit on how long children should remain in foster homes without the benefit and security that can come only from the love, attention, and sympathetic understanding of natural parents and from a permanent, warm, wholesome home life.

During the past year in particular, it has been very apparent, from the viewpoint of the Welfare Department, that our juvenile court laws and services in delinquency cases need to be revised and expanded. It might be of interest to the readers to note that during the period of July, 1952, through July, 1953, there were forty-three juvenile court referrals to the Welfare Department for social studies. Of this number, seven were committed to state institutions: four to the Wyoming Children's Home in Casper, two to the Industrial School in Worland, and one was placed in a private institution with all arrangements being made with the child's relatives. Nine of the forty-three children were placed in foster care and twenty-seven were returned to the parents or relatives with supervision and consultation by the Children's Services Worker.

We have observed from our relationship with these forty-three cases that in order to function properly, the laws should be uniform and mandatory throughout the state due to the inter-relationship between county departments and due to the fact that many inter-county placements of children were made.

In working with these cases, we have also grown to feel the need for a detention home whereby the youngsters can receive proper care during the interim of the social investigation. Because of the lack of such a home, many of the youngsters are returned to the same environment which gave rise to their delinquency problems. If such a home were available, it would facilitate the social study of the youngster and his family, as it would allow the welfare department the opportunity to observe the youngster under a protected situation whereby pressures are not being applied by the family and community. It would also assure that the youngster would not be subjected to further pressures that might get him into additional trouble before completion of the social study. Such a home would also be beneficial in providing care for runaway youngsters who are held by our court only until such time as they can be returned to their own communities.

Again, we should like to stress the apparent need of uniform and mandatory use of the Juvenile Court Act throughout the state. Also, that some thought be given to the termination of parental rights after a specified time, when the parents have made no attempt to rehabilitate themselves and have evidenced no interest in the welfare, health and care of their children.

E. BERNIECE BROWN,
DIRECTOR,
ALBANY COUNTY WELFARE DEPARTMENT