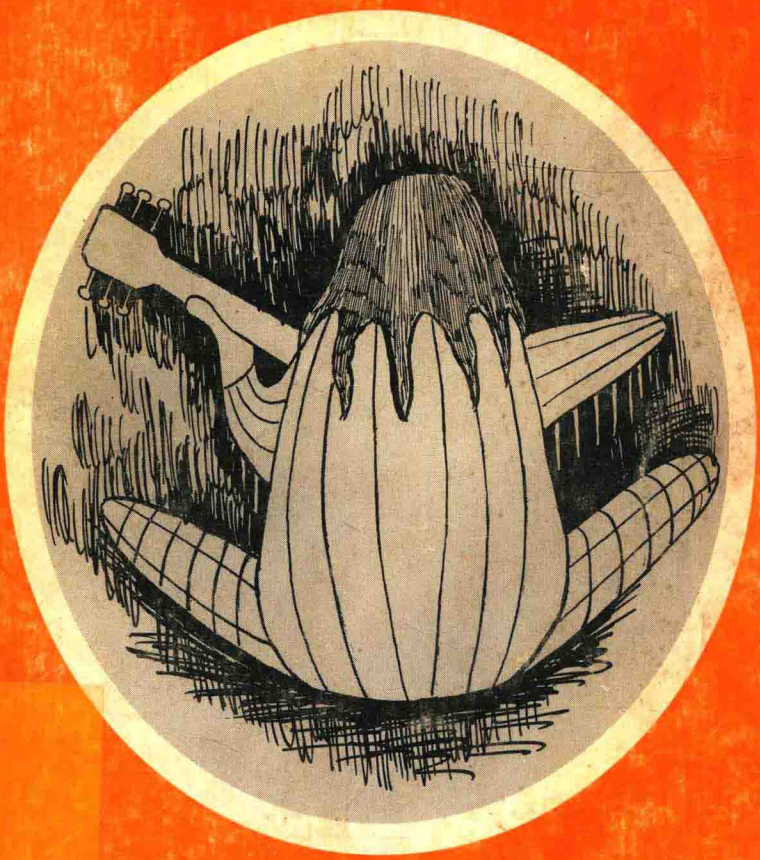
The Juvenile Justice Process

From "Criminal Justice Administration and Related Processes"



by MILLER, DAWSON, DIX and PARNAS

Foundation Press

THE JUVENILE JUSTICE PROCESS

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Art Work
By
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PREFACE

The publication of these materials reflects the editors' judgment that the juvenile justice process may profitably be studied by itself, as well as being studied in connection with the criminal justice and mental health processes. The materials are selected to illuminate important issues in the juvenile justice process. As in other portions of the casebook we have here attempted to create a balance of legal and empirical materials in the belief that that is the best way to facilitate understanding of the process.

Perhaps it is worth suggesting to users of *The Juvenile Justice Process* who are not law students that the cases and other legal materials should not be regarded as stating a comprehensive set of immutable rules; rather, they should be viewed as illustrations of how the legal system responds to those issues presented to it from among the many involved in the juvenile justice process.

F. W. M.
R. O. D.
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R. I. P.

June 1, 1971

TABLE OF CASES

The principal cases are in italic type. Cases cited or discussed are in roman. References are to Pages.

TABLE OF CONTENTS

PART 2. THE JUVENILE JUSTICE PROCESS

Part Two

THE JUVENILE JUSTICE PROCESS

The scope of materials in this Part differs from that normally denoted by "juvenile courts." To be sure, problems raised by practices of juvenile courts and their staffs are covered in detail. But, in one sense, the "juvenile justice process" is much broader than "juvenile courts" and the latter is simply one segment (although an important one) of the former. Numerous important decisions are made about juvenile law violators by police, schools and social agencies without referring the child to juvenile court. Nor does the juvenile justice process end when the court has adjudicated a child to be a delinquent: it must decide what to do with that child. It may decide to place him under the supervision of a worker attached to the court. It may decide to place the child in a foster home or in a private institution, or it may decide to commit the child to a public training school. Important decisions concerning the adjudicated child are also made after court contact has ended but before the child is discharged from control or treatment: probation supervision decisions, discipline and treatment decisions in the training school, discretionary release from training school, and juvenile parole supervision and revocation decisions. The focus of these materials is upon the major decisions made about the juvenile from initial contact by the police or other agency through termination of legal control over his conduct, whether the termination decision is made by the juvenile court or some other public or private authority.

In a different sense, the "juvenile justice process" is narrower than "juvenile courts." Juvenile courts handle a number of important problems in addition to juvenile delinquency. They normally have jurisdiction over children who may be dependent or neglected and over children who are in the process of being adopted. In some states, juvenile court jurisdiction extends to making custody decisions about children whose parents are separated or divorced. Important as these areas of juvenile court jurisdiction are, concern here is with its delinquency jurisdiction. There are several reasons for this selection. First, the child alleged to be delinquent occupies a far different legal position than the child who is alleged to be dependent or neglected, or the child about to be adopted. There are significant constitutional limitations on the powers of the process over the alleged delinquent as a result of recent Supreme Court decisions and the case law developments and statutory changes they have stimulated. Second, in terms of the number of children and families affected, delinquency is clearly the most important aspect of juvenile court jurisdiction. In many urban juvenile courts, there are several times as many alleged delinquents handled as all other categories combined. Third, the consequences of an adjudication of delinquency are often different from

those of an adjudication of dependency or neglect. In many states, only children adjudicated to be delinquent may be committed to public training schools. In those states, an adjudication of delinquency carries for the child a much more significant potential for deprivation of liberty than does a dependency or neglect adjudication.

DAWSON, LEGAL NORMS AND THE JUVENILE CORRECTIONAL PROCESS, IN F. COHEN, THE LEGAL CHALLENGE TO CORRECTIONS 88–90 (1969)

Juvenile justice is a system separate from, though parallel to, the criminal justice system. Separation is established by statutes which give juvenile courts exclusive jurisdiction over persons under a specified age who are alleged to have committed criminal offenses. Statutes substitute adjudication of delinquency for conviction of crime and provide that an adjudication does not create the civil disabilities that result from a criminal conviction. Upon adjudication, the juvenile court's statutory powers of disposition include commitment to a juvenile correctional institution until the juvenile becomes 21 years of age, without regard to the seriousness or pettiness of the offense as measured by the sentence authorized upon conviction in criminal court.

Even more important than the differences created by legal structure are those that occur in the actual operation of the system. Police investigation may be conducted by a special juvenile bureau of the police department rather than detective bureaus organized on the basis of offense categories, and the juvenile bureau may operate programs for the adjustment of cases without referral to juvenile court. Juveniles taken into police custody in some places are not photographed or fingerprinted. Juvenile police records may be kept separate from adult records with special restrictions on public access to them; furthermore, juvenile records in some places are not sent to state or national criminal identification centers.

Offenders referred to juvenile court may be detained before trial in a juvenile detention center rather than in a city or county jail. Although the juvenile offender may be denied an opportunity for release on bail, he may have greater opportunity than the adult offender for release without security. A preliminary determination as to whether the juvenile engaged in delinquent conduct may be made by a social worker in the juvenile court's intake department. Even when it is concluded that delinquency can be proved, the case may be informally adjusted without a juvenile court hearing.

In the criminal system, the prosecuting attorney's office may make a preliminary determination as to whether there is sufficient evidence of guilt to justify prosecution, and this decision may be reviewed in a brief judicial proceeding (preliminary examination or hearing) or by a grand jury, or both. Even if the prosecutor's office determines there is sufficient evidence of guilt to justify prosecution, it may conclude prosecution is not in the public interest and dismiss the case, conditionally or unconditionally.

* * * [T]he adjudication of criminal cases is accomplished most frequently by a plea of guilty entered by the defendant as a result of negotiations between his attorney and a prosecuting attorney. The comparatively small number of "not guilty" pleas leads to contested trials. In the juvenile system, bargaining for guilty pleas is much less likely to occur, although the percentage of cases that are not contested by the defendant may be even greater than in criminal court. Despite full implementation of the *Gault* requirements, the juvenile court hearing is likely to be more informal than the criminal trial, and a jury is far less likely to be present.

If the defendant is convicted in criminal court, he is sentenced (normally by the judge, but in some jurisdictions by the jury); sentencing may be postponed to permit a presentence investigation into the offense and the defendant's background. After adjudication of delinquency in juvenile court, the judge normally consults a social history report in making his disposition. Unlike the presentence report in adult cases, the juvenile social history investigation may have been conducted before the juvenile court hearing and adjudication of delinquency. A juvenile is more likely to receive probation than an adult.

An adult sentenced to a correctional institution often must serve a specified length of time or percentage of his sentence before he becomes eligible for release on parole; a juvenile committed to a training school normally does not have statutory durational requirements to satisfy to become eligible for release. Furthermore, he is likely to be released earlier than his counterpart sentenced for a criminal offense.

A juvenile is likely to be confined in a minimum-security institution in which the daily routine consists of a mixture of academic education, vocational training, and maintenance of the institution. An adult offender is likely to be confined in a maximum- or medium-security institution with a daily routine of prison maintenance, prison industry work, and vocational training.

*

Chapter 11

LEGAL AND PHILOSOPHICAL BASES OF A SEPARATE JUVENILE JUSTICE PROCESS

A. PARENS PATRIAE AND CONSTITUTIONALISM: A BASIC CONFLICT?

IN RE GAULT

Supreme Court of the United States, 1967.
387 U.S. 1, 87 S.Ct. 1428, 18 L.Ed.2d 527.

MR. JUSTICE FORTAS delivered the opinion of the Court.

This is an appeal under 28 U.S.C. § 1257(2) from a judgment of the Supreme Court of Arizona affirming the dismissal of a petition for a writ of habeas corpus. 99 Ariz. 181, 407 P.2d 760 (1965). The petition sought the release of Gerald Francis Gault, appellants' 15-year-old son, who had been committed as a juvenile delinquent to the State Industrial School by the Juvenile Court of Gila County, Arizona. The Supreme Court of Arizona affirmed dismissal of the writ against various arguments which included an attack upon the constitutionality of the Arizona Juvenile Code because of its alleged denial of procedural due process rights to juveniles charged with being "delinquents." The court agreed that the constitutional guarantee of due process of law is applicable in such proceedings. It held that Arizona's Juvenile Code is to be read as "impliedly" implementing the "due process concept." It then proceeded to identify and describe "the particular elements which constitute due process in a juvenile hearing." It concluded that the proceedings ending in commitment of Gerald Gault did not offend those requirements. We do not agree, and we reverse. We begin with a statement of the facts.

I.

On Monday, June 8, 1964, at about 10 a. m., Gerald Francis Gault and a friend, Ronald Lewis, were taken into custody by the Sheriff of Gila County. Gerald was then still subject to a six months' probation order which had been entered on February 25, 1964, as a result of his having been in the company of another boy who had stolen a wallet from a lady's purse. The police action on June 8 was taken as the result of a verbal complaint by a neighbor of the boys, Mrs. Cook, about a telephone call made to her in which the caller or callers made lewd or indecent remarks. It will suffice for purposes of this opinion to say that the remarks or questions put to her were of the irritatingly offensive, adolescent, sex variety.

At the time Gerald was picked up, his mother and father were both at work. No notice that Gerald was being taken into custody was left at the home. No other steps were taken to advise them that their son had, in effect, been arrested. Gerald was taken to the Children's Detention Home. When his mother arrived home at about 6 o'clock, Gerald was not there. Gerald's older brother was sent to look for him at the trailer home of the Lewis family. He apparently learned then that Gerald was in custody. He so informed his mother. The two of them went to the Detention Home. The deputy probation officer, Flagg, who was also superintendent of the Detention Home, told Mrs. Gault "why Jerry was there" and said that a hearing would be held in Juvenile Court at 3 o'clock the following day, June 9.

Officer Flagg filed a petition with the court on the hearing day, June 9, 1964. It was not served on the Gaults. Indeed, none of them saw this petition until the habeas corpus hearing on August 17, 1964. The petition was entirely formal. It made no reference to any factual basis for the juducial action which it initiated. It recited only that "said minor is under the age of eighteen years, and is in need of the protection of this Honorable Court; [and that] said minor is a delinquent minor." It prayed for a hearing and an order regarding "the care and custody of said minor." Officer Flagg executed a formal affidavit in support of the petition.

On June 9, Gerald, his mother, his older brother, and Probation Officers Flagg and Henderson appeared before the Juvenile Judge in chambers. Gerald's father was not there. He was at work out of the city. Mrs. Cook, the complainant, was not there. No one was sworn at this hearing. No transcript or recording was made. No memorandum or record of the substance of the proceedings was prepared. Our information about the proceedings and the subsequent hearing on June 15, derives entirely from the testimony of the Juvenile Court Judge, Mr. and Mrs. Gault and Officer Flagg at the habeas corpus proceeding conducted two months later. From this, it appears that at the June 9 hearing Gerald was questioned by the judge about the telephone call. There was conflict as to what he said. His mother recalled that Gerald said he only dialed Mrs. Cook's number and handed the telephone to his friend, Ronald. Officer Flagg recalled that Gerald had admitted making the lewd remarks. Judge McGhee testified that Gerald "admitted making one of these [lewd] statements." At the conclusion of the hearing, the judge said he would "think about it." Gerald was taken back to the Detention Home. He was not sent to his own home with his parents. On June 11 or 12, after having been detained since June 8, Gerald was released and driven home. There is no explanation in the record as to why he was kept in the Detention Home or why he was released. At 5 p. m. on the day of Gerald's release, Mrs. Gault received a note signed by Officer Flagg. It was on plain paper, not letterhead. Its entire text was as follows:

"Mrs. Gault:

"Judge McGHEE has set Monday June 15, 1964 at 11:00 A.M. as the date and time for further Hearings on Gerald's delinquency

"/s/ Flagg"

At the appointed time on Monday, June 15, Gerald, his father and mother, Ronald Lewis and his father, and Officers Flagg and Henderson were present before Judge McGhee. Witnesses at the habeas corpus proceeding differed in their recollections of Gerald's testimony at the June 15 hearing. Mr. and Mrs. Gault recalled that Gerald again testified that he had only dialed the number and that the other boy had made the remarks. Officer Flagg agreed that at this hearing Gerald did not admit making the lewd remarks. But Judge McGhee recalled that "there was some admission again of some of the lewd statements. He—he didn't admit any of the more serious lewd statements." Again, the complainant, Mrs. Cook, was not present. Mrs. Gault asked that Mrs. Cook be present "so she could see which boy that done the talking, the dirty talking over the phone." The Juvenile Judge said "she didn't have to be present at that hearing." The judge did not speak to Mrs. Cook or communicate with her at any time. Probation Officer Flagg had talked to her once—over the telephone on June 9.

At this June 15 hearing a "referral report" made by the probation officers was filed with the court, although not disclosed to Gerald or his parents. This listed the charge as "Lewd Phone Calls." At the conclusion of the hearing, the judge committed Gerald as a juvenile delinquent to the State Industrial School "for the period of his minority [that is, until 21], unless sooner discharged by due process of law." An order to that effect was entered. It recites that "after a full hearing and due deliberation the Court finds that said minor is a delinquent child, and that said minor is of the age of 15 years."

No appeal is permitted by Arizona law in juvenile cases. On August 3, 1964, a petition for a writ of habeas corpus was filed with the Supreme Court of Arizona and referred by it to the Superior Court for hearing.

At the habeas corpus hearing on August 17, Judge McGhee was vigorously cross-examined as to the basis for his actions. He testified that he had taken into account the fact that Gerald was on probation. He was asked "under what section of * * * the code you found the boy delinquent?"

His answer is set forth in the margin.[1] In substance, he concluded that Gerald came within ARS § 8–201, subsec. 6(a), which specifies that a "delinquent child" includes one "who has violated a law of the state or an ordinance or regulation of a political subdivision thereof." The law which Gerald was found to have violated is ARS § 13–377. This section of the Arizona Criminal Code provides that a person who "in the presence or hearing of any woman or child * * * uses

[1] "Q. All right. Now, Judge, would you tell me under what section of the law or tell me under what section of—of the code you found the boy delinquent?

"A. Well, there is a—I think it amounts to disturbing the peace. I can't give you the section, but I can tell you the law, that when one person uses lewd language in the presence of another person, that it can amount to—and I consider that when a person makes it over the phone, that it is considered in the presence, I might be wrong, that is one section. The other section upon which I consider the boy delinquent is Section 8–201, Subsection (d), habitually involved in immoral matters."

vulgar, abusive or obscene language, is guilty of a misdemeanor * * *." The penalty specified in the Criminal Code, which would apply to an adult, is $5 to $50, or imprisonment for not more than two months. The judge also testified that he acted under ARS § 8–201, subsec. 6(d) which includes in the definition of a "delinquent child" one who, as the judge phrased it, is "habitually involved in immoral matters." [2]

Asked about the basis for his conclusion that Gerald was "habitually involved in immoral matters," the judge testified, somewhat vaguely, that two years earlier, on June 2, 1962, a "referral" was made concerning Gerald, "where the boy had stolen a baseball glove from another boy and lied to the Police Department about it." The judge said there was "no hearing," and "no accusation" relating to this incident, "because of lack of material foundation." But it seems to have remained in his mind as a relevant factor. The judge also testified that Gerald had admitted making other nuisance phone calls in the past which, as the judge recalled the boy's testimony, were "silly calls, or funny calls, or something like that."

The Superior Court dismissed the writ, and appellants sought review in the Arizona Supreme Court. That court stated that it considered appellants' assignments of error as urging (1) that the Juvenile Code, ARS § 8–201 to § 8–239, is unconstitutional because it does not require that parents and children be apprised of the specific charges, does not require proper notice of a hearing, and does not provide for an appeal; and (2) that the proceedings and order relating to Gerald constituted a denial of due process of law because of the absence of adequate notice of the charge and the hearing; failure to notify appellants of certain constitutional rights including the rights to counsel and to confrontation, and the privilege against self-incrimination; the use of unsworn hearsay testimony; and the failure to make a record of the proceedings. Appellants further asserted that it was error for the Juvenile Court to remove Gerald from the custody of his parents without a showing and finding of their unsuitability, and alleged a miscellany of other errors under state law.

The Supreme Court handed down an elaborate and wide-ranging opinion affirming dismissal of the writ and stating the court's conclusions as to the issues raised by appellants and other aspects of the juvenile process. In their jurisdictional statement and brief in this Court, appellants do not urge upon us all of the points passed upon by the Supreme Court of Arizona. They urge that we hold the Juvenile Code of Arizona invalid on its face or as applied in this case because, contrary to the Due Process Clause of the Fourteenth Amendment, the juvenile is taken from the custody of his parents and committed

[2] ARS § 8–201, subsec. 6, the section of the Arizona Juvenile Code which defines a delinquent child, reads:

" 'Delinquent child' includes:

"(a) A child who has violated a law of the state or an ordinance or regulation of a political subdivision thereof.

"(b) A child who, by reason of being incorrigible, wayward or habitually disobedient, is uncontrolled by his parent, guardian or custodian.

"(c) A child who is habitually truant from school or home.

"(d) A child who habitually so deports himself as to injure or endanger the morals or health of himself or others."

to a state institution pursuant to proceedings in which the Juvenile Court has virtually unlimited discretion, and in which the following basic rights are denied:

1. Notice of the charges;
2. Right to counsel;
3. Right to confrontation and cross-examination;
4. Privilege against self-incrimination;
5. Right to a transcript of the proceedings; and
6. Right to appellate review.

We shall not consider other issues which were passed upon by the Supreme Court of Arizona. We emphasize that we indicate no opinion as to whether the decision of that court with respect to such other issues does or does not conflict with requirements of the Federal Constitution.

II.

The Supreme Court of Arizona held that due process of law is requisite to the constitutional validity of proceedings in which a court reaches the conclusion that a juvenile has been at fault, has engaged in conduct prohibited by law, or has otherwise misbehaved with the consequence that he is committed to an institution in which his freedom is curtailed. This conclusion is in accord with the decisions of a number of courts under both federal and state constitutions.

This Court has not heretofore decided the precise question. In Kent v. United States, 383 U.S. 541, 86 S.Ct. 1045, 16 L.Ed.2d 84 (1966), we considered the requirements for a valid waiver of the "exclusive" jurisdiction of the Juvenile Court of the District of Columbia so that a juvenile could be tried in the adult criminal court of the District. Although our decision turned upon the language of the statute, we emphasized the necessity that "the basic requirements of due process and fairness" be satisfied in such proceedings. Haley v. State of Ohio, 332 U.S. 596, 68 S.Ct. 302, 92 L.Ed. 224 (1948), involved the admissibility, in a state criminal court of general jurisdiction, of a confession by a 15-year-old boy. The Court held that the Fourteenth Amendment applied to prohibit the use of the coerced confession. Mr. Justice Douglas said, "Neither man nor child can be allowed to stand condemned by methods which flout constitutional requirements of due process of law." To the same effect is Gallegos v. State of Colorado, 370 U.S. 49, 82 S.Ct. 1209, 8 L.Ed.2d 325 (1962). Accordingly, while these cases relate only to restricted aspects of the subject, they unmistakably indicate that, whatever may be their precise impact, neither the Fourteenth Amendment nor the Bill of Rights is for adults alone.

We do not in this opinion consider the impact of these constitutional provisions upon the totality of the relationship of the juvenile and the state. We do not even consider the entire process relating to juvenile "delinquents." For example, we are not here concerned with the procedures or constitutional rights applicable to the pre-judicial stages of the juvenile process, nor do we direct our attention to the

post-adjudicative or dispositional process. We consider only the problems presented to us by this case. These relate to the proceedings by which a determination is made as to whether a juvenile is a "delinquent" as a result of alleged misconduct on his part, with the consequence that he may be committed to a state institution. As to these proceedings, there appears to be little current dissent from the proposition that the Due Process Clause has a role to play. The problem is to ascertain the precise impact of the due process requirement upon such proceedings.

From the inception of the juvenile court system, wide differences have been tolerated—indeed insisted upon—between the procedural rights accorded to adults and those of juveniles. In practically all jurisdictions, there are rights granted to adults which are withheld from juveniles. In addition to the specific problems involved in the present case, for example, it has been held that the juvenile is not entitled to bail, to indictment by grand jury, to a public trial or to trial by jury. It is frequent practice that rules governing the arrest and interrogation of adults by the police are not observed in the case of juveniles.

The history and theory underlying this development are well-known, but a recapitulation is necessary for purposes of this opinion. The Juvenile Court movement began in this country at the end of the last century. From the juvenile court statute adopted in Illinois in 1899, the system has spread to every State in the Union, the District of Columbia, and Puerto Rico.[3] The constitutionality of juvenile court laws has been sustained in over 40 jurisdictions against a variety of attacks.

The early reformers were appalled by adult procedures and penalties, and by the fact that children could be given long prison sentences and mixed in jails with hardened criminals. They were profoundly convinced that society's duty to the child could not be confined by the concept of justice alone. They believed that society's role was not to ascertain whether the child was "guilty" or "innocent," but "What is he, how has he become what he is, and what had best be done in his interest and in the interest of the state to save him from

[3] See National Council of Juvenile Court Judges, Directory and Manual (1964), p. 1. The number of Juvenile Judges as of 1964 is listed as 2,987, of whom 213 are full-time Juvenile Court Judges. Id., at 305. The Nat'l Crime Comm'n Report indicates that half of these judges have no undergraduate degree, a fifth have no college education at all, a fifth are not members of the bar, and three-quarters devote less than one-quarter of their time to juvenile matters. See also McCune, Profile of the Nation's Juvenile Court Judges (monograph, George Washington University, Center for the Behavioral Sciences, 1965), which is a detailed statistical study of Juvenile Court Judges, and indicates additionally that about a quarter of these judges have no law school training at all. About one-third of all judges have no probation and social work staff available to them; between eighty and ninety percent have no available psychologist or psychiatrist. Ibid. It has been observed that while "good will, compassion, and similar virtues are * * * admirably prevalent throughout the system * * * expertise, the keystone of the whole venture, is lacking." Harvard Law Review Note, p. 809. In 1965, over 697,000 delinquency cases (excluding traffic) were disposed of in these courts, involving some 601,000 children, or 2% of all children between 10 and 17. Juvenile Court Statistics—1965, Children's Bureau Statistical Series No. 85 (1966), p. 2.

a downward career." [4] The child—essentially good, as they saw it—was to be made "to feel that he is the object of [the state's] care and solicitude," not that he was under arrest or on trial. The rules of criminal procedure were therefore altogether inapplicable. The apparent rigidities, technicalities, and harshness which they observed in both substantive and procedural criminal law were therefore to be discarded. The idea of crime and punishment was to be abandoned. The child was to be "treated" and "rehabilitated" and the procedures, from apprehension through institutionalization, were to be "clinical" rather than punitive.

These results were to be achieved, without coming to conceptual and constitutional grief, by insisting that the proceedings were not adversary, but that the state was proceeding as *parens patriae*. The Latin phrase proved to be a great help to those who sought to rationalize the exclusion of juveniles from the constitutional scheme; but its meaning is murky and its historic credentials are of dubious relevance. The phrase was taken from chancery practice, where, however, it was used to describe the power of the state to act *in loco parentis* for the purpose of protecting the property interests and the person of the child. But there is no trace of the doctrine in the history of criminal jurisprudence. At common law, children under seven were considered incapable of possessing criminal intent. Beyond that age, they were subjected to arrest, trial, and in theory to punishment like adult offenders. In these old days, the state was not deemed to have authority to accord them fewer procedural rights than adults.

The right of the state, as *parens patriae*, to deny to the child procedural rights available to his elders was elaborated by the assertion that a child, unlike an adult, has a right "not to liberty but to custody." He can be made to attorn to his parents, to go to school, etc. If his parents default in effectively performing their custodial functions—that is, if the child is "delinquent"—the state may intervene. In doing so, it does not deprive the child of any rights, because he has none. It merely provides the "custody" to which the child is entitled.[5] On this basis, proceedings involving juveniles were described as "civil" not "criminal" and therefore not subject to the requirements which restrict the state when it seeks to deprive a person of his liberty.[6]

Accordingly, the highest motives and most enlightened impulses led to a peculiar system for juveniles, unknown to our law in any comparable context. The constitutional and theoretical basis for this pe-

[4] Julian Mack, The Juvenile Court, 23 Harv.L.Rev. 104, 119–120 (1909).

[5] See, e. g., Shears, Legal Problems Peculiar to Children's Courts, 48 A.B.A. J. 719, 720 (1962) ("The basic right of a juvenile is not to liberty but to custody. He has the right to have someone take care of him, and if his parents do not afford him this custodial privilege, the law must do so."); Ex parte Crouse, 4 Whart. 9, 11 (Sup.Ct.Pa.1839); Petition of Ferrier, 103 Ill. 367, 371–373 (1882).

[6] The Appendix to the opinion of Judge Prettyman in Pee v. United States, 107 U.S.App.D.C. 47, 274 F.2d 556 (1959), lists authority in 51 jurisdictions to this effect. Even rules required by due process in civil proceedings, however, have not generally been deemed compulsory as to proceedings affecting juveniles. For example, constitutional requirements as to notice of issues, which would commonly apply in civil cases, are commonly disregarded in juvenile proceedings, as this case illustrates.