

CHILDREN: A child committed to the Missouri Training School for Boys is subject to any order or further orders made by Court making commitment.

6-27
June 27, 1935.



Mr. J. M. Highfill
Chief Clerk
Missouri Training School for Boys
Boonville, Missouri

Dear Sir:

This will acknowledge your letter requesting an opinion from this department which reads as follows:

"Enclosed is Commitment paper of Jack B. Collison from the Juvenile Court of Jackson County.

"Collison was born November 24, 1920.

"Would appreciate an opinion as to how long we can keep this boy. Please return the commitment paper as it is our authority for holding him."

We direct your attention to Section 14151, R. S. Mo. 1929, which provides in part:

"In the case of a delinquent child, the court may suspend the sentence or execution thereof from time to time, and may in the meantime commit the child to the care and control of a probation officer duly appointed by the court, and may allow such child to remain in its home subject to the visitation and control of the probation officer, such child to report to the probation of-

ficer as often as may be required, and to be subject to be returned to the court for further proceedings whenever such action may appear to the court to be necessary; or the court may authorize the child to be placed in a suitable family home, subject to the friendly supervision of a probation officer and the further order of the court, or it may authorize the child to be boarded out in some suitable family home, in case provision is made by voluntary contribution or otherwise for payment of the board of such child, until suitable provision may be made for the child in a home without such payment; or the court may commit the child, if a boy, to the Missouri training school for boys. *****.

From a reading of the above section, you will note that it is within the discretion of the Juvenile Court as to what may be done regarding a delinquent child; and that such a child, if a boy, may be committed to the Missouri Training School for Boys.

Your attention is further directed to Section 14152, R. S. Mo. 1929, which provides in part:

"In any case where the court shall commit a child to the care of any association or individual in accordance with the provisions of this article, the child shall, unless otherwise ordered, be subject to the control of the association or individual to whose care it is committed, but subject to the order of the court in committing such child and to any further order made by the court. *****"

It is evident from a reading of the above section of the statutes that the Court having committed a child to the care of any association or individual does not lose jurisdiction over said child.

CONCLUSION.

In light of the foregoing, it is the opinion of this department that Jack B. Collison is still subject to the control of the Juvenile Court of Jackson County, Missouri. We conclude that you may only keep the aforementioned boy until such time as the Court may decree otherwise.

Respectfully submitted,

RUSSELL C. STONE
Assistant Attorney-General.

APPROVED:

JOHN W. HOFFMAN, Jr.
(Acting) Attorney-General.

RCS/afj

Enclosed committment.papers.