

Report to the Colorado General Assembly

INDEX TO COLORADO

CHILDREN'S LAWS



COLORADO LEGISLATIVE COUNCIL

RESEARCH PUBLICATION NO. 103

DECEMBER 1964

LEGISLATIVE COUNCIL

OF THE

COLORADO GENERAL ASSEMBLY

Representatives

C. P. (Doc) Lamb, Chairman Joseph V. Calabrese John L. Kane William O. Lennox John W. Nichols Clarence H. Quinlan John D. Vanderhoof, Speaker

Senators

Fay DeBerard, Vice Chairman William E. Bledsoe Edward J. Byrne Frank L. Gill Floyd Oliver Robert L. Knous, Lt. Governor

* * * * * * *

The Legislative Council, which is composed of five Senators, six Representatives, and the presiding officers of the two houses, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators, and the publication and distribution of factual reports to aid in their solution.

During the sessions, the emphasis is on supplying legislators, on individual request, with personal memoranda, providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in the form of facts, figures, arguments, and alternatives.

52 Colo.6 no.103

INDEX TO COLORADO CHILDREN'S LAWS

Legislative Council
Report to the
Colorado General Assembly

Research Publication No. 103 December, 1964 OFFICERS

19. C. P. (Dec) Lomb
Cheirman
10. Fay Deborard
Vice Cheirman

STAPP
la C. Kyle
Director
property O. Lawson
Senier Analyst
stillig E. Jenes
Senier Analyst
svid F. Marriasey
Research Assistant
yran H. Schlechte
Research Assistant
net Wilson

COLORADO GENERAL ASSEMBLY



LEGISLATIVE COUNCIL

ROOM 341, STATE CAPITOL DENVER 2, COLORADO 222-0911—EXTEMBION 2285

December 1, 1964

MEMBERS

Lt. Gov. Robert L. Kneur Son. William E. Blodson Son. Edward J. Byrne Son. Frank L. Gill Son. Fland Ollers

hpaaker Jahn D. Vanderheel Rep. Joseph V. Calabrese Rep. John L. Kene Rep. William O. Lennex Rep. John W. Hishols Rep. Cierence H. Quinlan

To the Members of the Forty-fifth Colorado General Assembly:

At the meeting of the Legislative Council on November 23, 1964, the members approved the recommendation of the Committee on State Institutions that its index to Colorado laws relating to children be published as a separate Council publication.

Accordingly, this index has been prepared as a separate publication and is transmitted herewith.

Respectfully submitted,

C. P. Lamb, Chairman

CPL/mp

FOREWORD

Under the provisions of House Joint Resolution No. 1030, one of the areas of study assigned the Legislative Council was the laws relating to children, including the prospects of revisons and clarifying these laws. This subject was included in the studies carried out by the Legislative Council's Committee on State Institutions, which was composed of the following members: Representative William O. Lennox, chairman; Representative Kathleen Littler, vice chairman; Senators William E. Bledsoe, Edwin S. Lamm, Roland L. Mapelli, and L. P. Strain, and Representatives Joseph V. Calabrese, Seiji Horiuchi, Elizabeth E. Pellet, Ted Rubin, and Ruth S. Stockton. Representative C. P. Lamb, chairman of the Legislative Council, also served as an ex officio member of the committee.

The committee began preliminary consideration of the proposal relating to children's laws by reviewing past efforts in this direction with Professor Homer H. Clark, Jr., of the University of Colorado's School of Law. The committee agreed that the first step in eventually revising and codifying laws relating to children would be the compilation of an index to the present laws.

Consequently, under the direction and supervision of Professor Clark, such an index was prepared by law school students at the University of Colorado for the committee. The contents of this index were verified, with minor changes being made therein, by Miss Clair T. Sippel, secretary of the Legislative Reference Office, and by Mr. Albert Metz, assistant attorney general assigned to the Legislative Reference Office.

The accompanying index is based on a definition of children's laws as referring to all statutes which directly affected children, i.e., persons under 21 years of age. However, this inclusive definition still involved problems of inclusion and exclusion. For example, some of the school laws directly affecting children were included, while others pertaining solely to financing or administration were excluded in order to give a complete picture of the treatment of children by Colorado laws.

December 1, 1964

Lyle C. Kyle Director

TABLE OF CONTENTS

	<u>Page</u>
LETTER OF TRANSMITTAL	111
FOREWORD	٧
INDEX TO COLORADO CHILDREN'S LAWS	1
Adoption Age Requirements Aid to Needy Disabled Banks Child Care Act Child Labor Law Compact on Juveniles Colorado State Training School for Girls (Mount View Girls School) Colorado Constitution Courts Crimes and Punishments Custody Damages Delinquent Children Department of Institutions Dependent and Neglected Children Detention Facilities Domestic Relations Drugs and Narcotics Education Employment of Children Estates Illegitimate Children Imprisonment Injury Reports Insurance Judgment Jurors Loans Lookout Mountain School for Boys Medical Care of Children Mental Deficiencies Military Minor Motor Vehicles Mount View School for Girls	1 1111222 2222344444555566677777888888999999999
Non-support Paternity Suit	9
Pensions Public Employees' Retirement Association Records Reformatory Sales	9 9 10 10 10
Schools	10

TABLE OF CONTENTS

	<u>Page</u>
INDEX TO COLORADO CHILDREN'S LAWS, Cont.	
School Attendance	10
Service of Process	11
State Children's Home	11
Stock	11
Taxation	11
Towns and Cities	11
Welfare	11

Alphabetical Index To Children's Laws

<u>C,R</u>	.s. 1963
ADOPTION	
Advertisement to adopt by maternity hospital Birth certificate Consent to adoption Copies of court order of adoption required Decree of adoption - final " " - legal effects of final decree. Hearing for - time	66-8-14 4-1-6 4-1-12 4-1-10 4-1-11
Hearing on adoption - investigation Hearing on petition Inheritance Invalidation of Final Decree - time limitation Jurisdiction and Venue Legislative policy Misdemeanor to profit by adoption	4-1-7 4-1-9 153-2-4 4-1-16 4-1-2 4-1-1
Notice of hearing - service	4-1-8 4-1-5 4-1-17 4-1-15 4-1-18 4-1-9 4-1-3
AGE REQUIREMENTS Annulment - when marriage voidable " - exceptions Bar applicant - 21 years Cosmetology - students - 16 years County office - "qualified elector"	46-3-1 (1)(b) 46-3-2 (2)(a) Rules 204 & 207 32-1-12 (1) Colo. Const.,
Employment in mines - no children under 12	
Game and fish license	13-4-3 90-1-2 48-1-9 & 48-1-11 Rule 207 39-10-1 48-1-17 (3) 62-6-10
AID TO NEEDY DISABLED Eligibility	119-6-6
BANKS Contract with schools and institutions Minor's deposit account	14-3-3 (1)

CHILD CARE ACT	R.S. 1963
Advisory Committee - institutes Definition - application of act Federal grants Fees (for licenses) Injunction proceeding Investigations and inspections - local authority - reports License - denial, suspension and revocation License to operate homes Penalty for violation Standards for facilities and agencies Title	22-12-2 22-12-9 22-12-4 22-12-10 22-12-6 22-12-7 22-12-3 22-12-11 22-12-5
CHILD LABOR LAW Age certificates	80-6-10 80-6-1 80-6-7 80-6-5 80-6-6 80-6-11 80-6-2 80-7-15 80-6-3 80-6-4 80-6-12
COMPACT ON JUVENILES Authority of Governor - with other states - form	74-8-1
COLORADO STATE TRAINING SCHOOL FOR GIRLS Vagrant girls Offense requirements Age requirement Commitment to Age of discharge	105-2-2 105-2-2 105-2-2
COLORADO CONSTITUTION Trust Fund Legislation (guiding guardians)	Art. V 🛢 36
Legislation prohibited declaring any person of age. Sale of minors	Art. V # 25
COURTS Publicity at trials	22-10-1 thru 22-10-4, and 22-8-1
CRIMES AND PUNISHMENTS Aiding escape from industrial school	
obtaining funds	22-11-17

C.R.S. 1963 22-2-4, DETENTION FACILITIES Admission 22-14-3 * supplement. DOMESTIC RELATIONS 90-1-9 Marriage - void, unless order of court 46-3-3 Non-support (see NON-SUPPORT) Separate maintenance - care and custody of minors. 46-2-4 DRUGS AND NARCOTICS

EDUCATION	
Blind, deaf or mute citizen (School for Deaf	
& Blind)	16-1-14 Colo. Const., Art. IX 8 11
Evacuation drill - accident liability Free public schools for residents	24-4-2 Colo. Const.,
Race or religion admission test for teacher or student forbidden	Art. IX 8 2
Transportation payments	Art. IX # 8
EMPLOYMENT OF CHILDREN	
Age no grounds for discharge if over 18	80-11-16
Apprenticeship of minor	9-1-4, 9-1-5, 9-1-6, 9-1-7, 9-1-8 & 9-1-9
Employer's liability - who may sue	80-5-3
Employment security - definitions	82-1-3
Employment security - legal representative Employment security - minor bringing suit	87-2-2 87-1-14
Employment security - statute of limitations	87-2-1 thru 87-2-6
Mines - no children under 12	92-10-2
	Art. XVI 8 2
Powers of Apprenticeship Board	
Commission	80-7-18
Workmen's Compensation - definition of employee Workmen's Compensation - computation of minor's	
wages	81-8-1
ESTATES	
Adopted children - inheritance	153-2-4
Allowances for widow & children	153-12-16 thru
Allowances for spouse & minor children of mental	
incompetent	
deceased person	153-12-16
Assets concealed - embezzlement	153-10-42
settlement	153-14-11
Completing payment of real estate	153-13-30
Construction of terms (statute)	118-1-19
Court costs and fee	56-5-2
Declaration of rights	77-11-4
Distribution to surviving children	153-2-1 153-2-0
Divorce - effect on previously begotten children Execution on judgment against decedent minor	153-12-5
Guardian - bond	153-10-5
Guardian - a charitable corporation	153-17-6 & 153-17-7
Guardian ad litem - leasing of lands	118-14-2
- 6 -	

C.R.S. 1963

The state of the s	
Guardian - choose own if over 14 years	153-17-1 thru 153-17-3
Guardian - to manage estate	
Guardian - to nonresident minors Guardian to prosecute & defend Guardians to provide education Hearing on petition for appointment of guardian. Heirships, determination of - Guardian ad litem. Homestead to child Illegitimate children - inheritance Nonresident minor - transfer of property Personal estate insufficient to pay allowance Petition for appointment of guardian Posthumous children to inherit Realty decreed to surviving spouse or minors Receiving property before death - advancement Redemption of undevised lands	153-9-3 153-10-27 153-9-9 153-9-1 153-3-2 & 153-4-3 77-3-4 153-2-8 153-9-11 153-12-19 153-9-1 153-9-1 153-2-3 153-2-5 & 153-2-6
Sale of real estate - guardian ad litem appointed	153-13-11
Sale by nonresident guardian of real estate Wills - appointment of guardian Wills - appointment of guardian ad litem Wills - child born after last will Wills - power to devise	153-5-24 153-5-24 153-5-6
ILLEGITIMATE CHILDREN Birth certificate after legitimation Inheritance Records not public Right to benefits	153-2-8 66-5-5
IMPRISONMENT Duration of commitment in state reformatory Juvenile Parole Board - authority Juvenile Parole officers - supervision Juvenile prisoners - kept separate Review of record - State Board of Parole Sentence to State Reformatory	39-20-2 39-20-4 105-7-21 39-18-3
INJURY REPORTS Declaration of purpose Definitions Duties of department Duties of law enforcement agency - limitation Evidence not privileged (physician & patient) Immunity from liability Report by physicians & institutions	22-13-2 22-13-5 22-13-4 22-13-7 22-13-6
INSURANCE Age limit (Fraternal Benefit Society)	139-80-10

C.R.S. 1963

Calculations of values and exemptions	72-19-6 (2)(f)
·	& 72-19-7
Competency of minor to contract	72-1-54
Fraternal Benefit Society	72-7-6 & 72-7-8
Mutual benefit society - minimum age	72-9-9
Sickness and accident	/2-10-3 72-7-6
Type and kind for children under 16	/2-/-6
JUDGMENT	
Appeal from juvenile court to supreme court	Rule 111(a)(1)
Declaratory judgments - relating to infants	Rule 57(d)
Default judgment against infants	
JURORS	
Challenge of guardian, ward or member of the	
family	Rule 47(e)(3)
LOANS	
Veterans who are minors	144-8-1
LOOKOUT MOUNTAIN SCHOOL FOR BOYS	
Appeal	105-1-12
Commitments (to school)	105-1-7
Cultivation of lands	105-1-15
Duties	
Escapes - penalties	105-1-11
Establishment	105-1-1
Fees for transporting boys	105-1-10
Parole	105-1-9
Rules	105-1-4
Treatment	105-1-8
MADICAL CARE OF CUITIDIEN	
MEDICAL CARE OF CHILDREN Blindness in infant	66-6-1
Birth certificate	66-8-12 & 66-8-
Eyes - improper treatment - penalty	66-6-5
Eyes - medication for newly born	66-6-2 & 66-6-3
Stillbirth - registration	66-8-5
Venereal disease - examinations given for boys	
and girls in state institutions	66-9-5
MENTAL DEFICIENCIES	71 1 0
Admittance and release from hospital	71-1-2
Age limit stipulations	126 2 10
Children's diagnostic center created Evaluation hearing - Juvenile Court - Denver	124-3-10
Evaluation of temporary custody	124-3-13
Evaluation of temporary custody	124-3-14
Insanity - commitment if under 16	71-1-8 & 71-3-3
Referral to medical center	124-3-12 &
	124-13-17
Sanity hearings - guardian ad litem	71-1-4 thru
	71-1-13
School and state home for feeble-minded children	/1-4-1 & /1-4-3

<u>C.</u> I	R.S. 1963
Judicial proceedings	123-20-10
SERVICE OF PROCESS By person over 18	4-1-8 58-1-8 Rule 4(e)(1) Rule 4(e)(2)
Establishment of	22-4-1
Power to issue stock to minors	122-3-15
Gifts to minors	138-1-16 138-4-5 (2) 138-4-3 & 138-4-4 153-10-19
TOWNS AND CITIES Annulties to survivors of fireman Power to provide for protection and care of children Records of births and deaths	139-32-1 (60)
WELFARE (Department of) Aid to dependent children	22-11-2 thru 22-11-20
Apportionment of funds	119-3-3 & 119-3-4
County department's duties Delinquent children supervision Division of child welfare created State department's duties	119-1-13 22-8-12 119-1-7

Note: Rule citations refer to Rules of Civil Procedure found in Volume 1, Colorado Revised Statutes 1963. State Constitution also found in said volume.