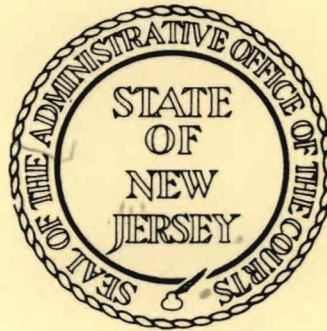




DISPOSITION MANUAL
FOR
JUVENILE JUDGES



JANUARY 1971

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FOREWORD

This manual has been prepared for the Administrative Office of the Courts by Dennis Wynne, a member of its legal staff. It is intended to provide a convenient desk reference for judges sitting in juvenile matters. An attempt has been made to include all material relevant to dispositions in juvenile matters.

The information contained in the manual is current as of December 1, 1970. The Administrative Office plans to issue supplements annually so as to keep the manual current. Any suggestions regarding its contents will be welcomed and will be considered for subsequent printings.

A handwritten signature in cursive script, reading "Edward A. Cunneiff". The signature is written in dark ink and is positioned above the printed name of the Administrative Director of the Courts.

Administrative Director of the Courts

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I. Jurisdiction of the Juvenile and Domestic Relations Court

N.J.S.A. 2A:4-14 gives the Juvenile and Domestic Relations Court exclusive jurisdiction to hear and determine all cases of juvenile delinquency, which consists of a number of offenses enumerated in the statute, committed by a male or female under the age of eighteen. The only exception to this jurisdiction is that the juvenile court does not have jurisdiction over motor vehicle violations committed by a juvenile with a valid driver's license, N.J.S.A. 2A:4-14, or a valid learner's permit, State v. Adams, 14 N.J. Super 27 (App. Div. 1951). These cases are heard in municipal court.

There is a distinction in the law between the treatment of a 16 or 17 year old and a juvenile below the age of 16. A juvenile 16 or older can be tried in the same manner as an adult in certain cases described in N.J.S.A. 2A:4-15 and R. 5:9-5. If the juvenile is under the age of 16, the seriousness of the offense is irrelevant and the juvenile court always has jurisdiction, In re State in Interest of Steenback, 34 N.J. 89 (1961). The fact that a juvenile is married or a parent has no effect on jurisdiction.

The juvenile's age at the time that the offense was committed determines jurisdiction, not his age at the time of the hearing, Application of Smigelski, 30 N.J. 513 (1959). When jurisdiction has been acquired

it continues during the term of commitment to an institution or the period of probation even if the juvenile reaches the age of 18 during these periods, N.J.S.A.

2A:4-17.

II. Intake Decisions that Affect Sentencing

Decisions are made at the intake period of a juvenile case which either affect the options of disposing the case, such as the choice of the formal or informal calendar; or act as a disposition of the case as far as the juvenile court is concerned, such as referral to the county prosecutor or to a Juvenile Conference Committee.

A. The Formal and Informal Calendar

R. 5:9-1 divides the hearing of juvenile matters into cases on the formal calendar and cases on the informal calendar, as a response to the In re Gault decision, 387 U.S. 1, 87 Sup. Ct. 1428, (1967). If there is the possibility of institutionalization as a disposition, the case must be heard on the formal calendar, and the juvenile must be afforded the constitutional rights described in the Gault decision, such as the right to counsel and to cross-examine the witnesses for the state.

There is some dispute over the exact meaning of the term "institutionalization." The Supreme Court Committee on the Juvenile and Domestic Relations Court in its report of June 15, 1969, was of the opinion that

the term includes correctional institutions and the residential group centers such as Highfields and Turrell Center. Therefore, when it appears at the intake stage that the disposition of the complaint against the juvenile may be commitment to a reformatory or Highfields, the formal calendar is the required choice.

R. 5:9-1 (c) gives the judge the duty to choose the calendar. This may be personally exercised or delegated to the court clerk or a probation officer, who will make the decision on the basis of standards established by the judge. The choice of calendar is based on such considerations as the seriousness of the offense, the juvenile's case history, and any available social, psychological and school reports. Since the choice of calendar is made at the intake period, there is no hearing or investigation before the decision is made.

Before a case is placed on the formal calendar, the judge must give his approval. The judge may also transfer an informal case to the formal calendar at any stage of the hearing, R. 5:9-1(e). When such a transfer is made, the hearing on the formal calendar is conducted de novo, and any statements made by the juvenile at the informal hearing are inadmissible as evidence, R. 5:9-1(e).

In all formal calendar cases the juvenile is entitled to be represented by counsel, and the judge must

advise him of this right. In cases of possible indigency the judge should advise the juvenile and his parents or legal guardians to fill out a "5-A" form to determine eligibility for free legal services, R. 5:3-3(a). If the parents can afford to retain counsel but do not choose to do so, the court will assign counsel and subsequently order the parents to pay counsel fees as fixed by the court, R. 5:3-3(a).

B. Referral to the County Prosecutor

When a juvenile is between the age of 16 and 18 his case can be referred to the prosecutor on the court's initiative or on the request of the juvenile himself, R. 5:9-5. There is no right to a jury trial in juvenile court, N.J.S.A.2A:4-15. To obtain a jury trial a juvenile must request that his case be referred to the county prosecutor, R. 5:9-5(a) and N.J.S.A. 2A:4-15. If the juvenile judge (in his discretion) grants this request then the juvenile has waived his right to a hearing in juvenile court, and the county prosecutor will make a presentment to the grand jury and otherwise proceed as in an adult case. The juvenile will then be remanded to detention in the county jail, and from that point he can be admitted to bail by a Superior Court or County Court judge, R. 5:9-5(d). By choosing to be tried as an adult a juvenile leaves himself open to the same penalties as an adult, although the Superior Court or County Court judge can impose a sentence to the reformatory.

R. 5:9-5(b) gives the judge the right to refer a case to the prosecutor on his own motion if, as provided by N.J.S.A. 2A:4-15, the court finds the juvenile to be "an habitual offender or the offense charged is of such heinous nature that for the welfare of society the matter should be handled as an adult criminal offense." A preliminary hearing must be held before such a referral, State v. Van Buren, 29 N.J. 548 (1959). The juvenile must be present at this hearing to have the opportunity to advance relevant facts that might convince the judge that the case should be heard in juvenile court, State v. Tuddles, 38 N.J. 565 (1962). The Tuddles case also held that the juvenile has the right to be represented by counsel at this hearing, and therefore, the judge must inform him of this right.

Several cases have made it clear that no offense is "heinous" per se; even murder does not necessitate referral to the prosecutor in every instance, Steenback (supra), Tuddles (supra), State v. Monahan, 15 N.J. 34 (1954). The juvenile court judge must decide in each individual case whether the juvenile can be rehabilitated or whether he must be punished as an adult, Monahan (supra).

C. Referral to Juvenile Conference Committees

Under R. 5:9-1(c), a judge has the discretion to refer a case to the Juvenile Conference Committee in his area for handling. Juvenile Conference Committees

are appointed by juvenile court judges and consist of six to nine members representing the various socio-economic, racial and ethnic groups in the community, R.5:10-2. In different counties the Committees may serve a county-wide area or merely a municipality.

The purposes of using Juvenile Conference Committees were outlined in "A Guide for Juvenile Conference Committees," a pamphlet prepared by the Administrative Office of the Courts in 1967. They are "to avoid an adjudication of the delinquency whenever possible if the offense is mild, the damage slight and the misbehavior not unusual for one in the process of growing up," and to "reduce the amount of time the Juvenile and Domestic Relations Court judges spend on minor cases, thereby allowing them more time to deal with serious and persistent infractions." Thus, the stigmatizing effect of an adjudication of delinquency can be avoided when the offenses "are not serious enough to need a formal hearing and an adjudication."

Meetings of a Committee are closed to the public and strict secrecy is enforced. The juvenile and his parents appear at meetings voluntarily, although lack of cooperation results in a referral back to the court. At the hearing the Committee members initially make a determination whether the juvenile did commit the offense described in the complaint and dismiss the complaint if they find he did not. If it is found the offense was committed,

then the Committee will try to determine as much as possible what motivated the juvenile. There will then be a conference out of the hearing of the child and his parents at which recommendations will be discussed.

Recommendations may include having the parents counsel the juvenile or take away one of his privileges; having the juvenile make restitution for any damage he caused; suggesting that the juvenile become a member of the Boy or Girl Scouts or a similar program; and referring the juvenile to needed medical services or services for the emotionally disturbed or mentally retarded. The Committee can check with the school authorities or other knowledgeable community officials on the juvenile's progress. A second conference is then held to discuss adjustment and encourage the juvenile and his parents.

While the decision to use a Juvenile Conference Committee is usually made at the intake stage, a referral can also be made at any time before the court hears the complaint. Under R. 5:9-9(2) (c), the juvenile can also be placed under the supervision of a Committee after an adjudication of delinquency.

III. Sentencing Procedures

Cases on the informal calendar are usually disposed of at the hearing on the complaint. Where there may be commitment to a correctional institution, (in formal calendar cases) or a pre-sentence investigation is otherwise ordered, or there is need of diagnostic services,

then the case will be disposed of at a subsequent hearing. The disposition hearing, like all other hearings in juvenile court, will be conducted in private with only persons who have a direct interest in the case allowed to appear, R. 5:9-1 (a). These persons include the juvenile and his parents as necessary parties, R. 5:8-8, and other persons who are interested in the juvenile and the work of the court such as probation officers, Bureau of Children's Services workers and others. The right to counsel extends to this hearing if it is necessary to the disposition of a case on the formal calendar.

The judge after the hearing on the complaint may adjudicate the juvenile delinquent or postpone adjudication. In either case the disposition may be postponed until an inquiry into the habits, mode of life, physical or mental condition of the juvenile, and other such matters is completed, R. 5:9-1(f). This investigation is made by probation officers and in some cases B.C.S. workers. While a pre-disposition investigation and report can always be ordered at the judge's discretion, it is mandatory before a judge can commit a juvenile to a correctional institution, R. 5:9-10 (b). The pre-disposition report will contain the information listed above and any recommendations made by the probation officer.

R. 5:9-8 gives the juvenile court judge the option of referring a juvenile to the State Diagnostic Center at Menlo Park or to a suitable public or private institution

for examination, study and classification. When the judge by his own observation or from the probation report or other community evaluation has reason to believe that the juvenile is suffering from any psychiatric problem, he may order a diagnostic evaluation. The Diagnostic Center will examine juveniles suffering from any kind of emotional disturbance; its use is not limited to sex offenders or persons with psychotic problems as with adults. Arrangements for admission are made by county probation officers after the judge's decision. Diagnosis may involve a residential program lasting as long as 90 days or examinations for shorter periods at an outpatient clinic, depending on the needs of the patient as determined by the staff.

The evaluation at the Diagnostic Center is made by a team consisting of a psychiatrist, social worker and psychologist. When the patient is released, a report will be made to the court and a copy will also be sent to the juvenile's attorney. This report will include a diagnosis of the juvenile's condition and a recommendation of the type of treatment that is necessary. This recommendation may range from referral to a residential treatment center (mental hospital), referral to a private residential school, or community supervision while attending a public school, to commitment to a correctional institution for discipline. If there is difficulty in interpreting the report, the judge can consult with the staff at the Diagnostic

Center. If the case warrants it, the Director of the Diagnostic Center is available to appear as a friend of the court, R. 5:9-7.

In accordance with the ruling in State v. Kunz, 55 N.J. 128 (1969), juveniles are now entitled to copies of presentence investigation reports and diagnostic reports. These reports should be given to the juvenile's attorney to protect the juvenile from potentially harmful materials.

If a juvenile is placed on probation or committed to an institution, the court must transmit to the receiving agency a copy of the order and a memorandum that may assist the receiving agency or institution in the treatment of the juvenile, R. 5:9-10(B). When a custodial sentence is imposed the court should transmit a copy of the presentence investigation report to the receiving institution (no later than) within 10 days. An Administrative Office of the Courts directive dated May 20, 1970, recommended that these reports accompany the juvenile to the institution whenever possible.

IV. Alternative Dispositions

The juvenile judge has the following alternatives in the disposition of a case of juvenile delinquency, pursuant to N.J.S.A. 2A:4-37 and R.5:9-9:

A. Dismissal of the Complaint.

B. Withholding adjudication for as long as nine months to see if there will be a good adjustment by the juvenile, when the evidence has been found to support

the complaint beyond a reasonable doubt.

C. Suspending sentence and placing the juvenile on probation with terms that are deemed in his best interest.

D. Placement by B.C.S.

E. Referral to private institutions and agencies.

F. Referral to institutions for the mentally retarded and emotionally disturbed.

G. Referral to residential group centers or residential treatment centers operated by the Division of Correction and Parole.

H. Commitment to correctional institutions.

A. Dismissal

The judge can dismiss the complaint if it cannot be proved that beyond a reasonable doubt the juvenile committed the offenses described in the complaint, R. 5:9-9(a). The judge can, of course, dismiss the complaint for any of the reasons applicable in adult courts.

B. Withholding Adjudication

In 1962, R. 5:9-9 was amended to include a new disposition in section (b) (1). Under the amendment a judge can withhold adjudication of the case for up to nine months to determine whether the juvenile can make a satisfactory adjustment in his conduct during the intervening period. A 1969 amendment restructured the rule to make it clear that it could only be applied when there is evidence that would convince the judge that the

charges against the juvenile are true beyond a reasonable doubt.

The new disposition was adopted after it had been recommended by the Supreme Court Committee on the Juvenile and Domestic Relations Courts. The Committee noted in its report to the Supreme Court dated March 27, 1962, "We believe that juvenile offenders who are not really in need of the court may be protected against the adverse effects of an adjudication of juvenile delinquency by action of the juvenile court itself." Therefore, the Committee suggested that a rule be adopted similar to the approach of the Minnesota Courts, Minn. Laws 1959, ch. 685, sec. 28 (3), and the proposed Standard Family Court Act, p. 147.

The adoption of the amendment provided judges with a new method of dealing with minor juvenile offenders.

The Committee stated in its 1962 report:

Our Juvenile Conference Committees serve to weed out the lesser offenders who might otherwise be adjudicated delinquents by the Court. The rule change herein proposed will protect those juveniles whose offenses are not properly within the jurisdiction of these Committees but who are in need of the treatment or correctional facilities of the court--for example, if the offense is a relatively minor one which may be situational in nature, or the offender's background and history indicate that the one court appearance may be sufficient to teach him the error of his ways.

The Committee suggested that the judge consider whether the fact that the juvenile was apprehended, questioned and brought to court along with the corrective discipline he suffered at home was in itself productive

of the desired change in attitude. When the judge feels that these considerations warrant an application of this disposition, he will withhold adjudication for a period not to exceed nine months. During this period the juvenile will be investigated periodically by the county probation department or any other suitable agency designated by the judge, including a Juvenile Conference Committee. The investigating agency will check with the juvenile's parents, school, employer, the local police or anyone else who can provide information on the juvenile's adjustment.

After this period, the juvenile will be recalled to court for another hearing so that the judge will have an opportunity to assess the juvenile's adjustment for himself. If there has been a satisfactory change, then the complaint will be dismissed and the disposition docketed as "matter adjusted--complaint dismissed."

C. Probation

A juvenile who has been adjudicated delinquent can be put on probation as a disposition with conditions that are deemed in the best interest of society and the juvenile himself, R. 5:9-9(2) (B). The President's Task Force on Corrections in its 1967 report stated that probation had an advantage over institutionalization, since it offers a means of dealing with juvenile problems in the community itself and avoiding the isolating and labelling effects of the reformatory, and also since probation is a far less

expensive program to maintain. In Adamo v. McCorkle, 13 N.J. 561, 563 (1953) our Supreme Court stated:

Probation is well recognized as an important device in our criminal jurisprudence. It is designed to aid both society and the offender by affording opportunity for correction and reform under suitable supervision. The main hope is that during the period of probation the violator will establish himself as a law abiding and useful member of the public and thus avoid the need for actual confinement and its adverse consequences.

When probation is the disposition of a case it must be set within time limits of one year minimum and five years maximum, N.J.S.A. 2A:168-1. This original period can later be extended or shortened by the judge within the statutory limits.

The conditions or terms of probation are recommended by the probation officer who makes the pre-disposition investigation, and are then set by the judge's decision. Terms must be individualized in each case but N.J.S.A. 2A:168-2 lists some standard terms that can be applied to the individual case:

That the probationer shall avoid places or persons of disreputable or harmful character; shall report to the probation officer as directed by the court or probation officer; shall permit the probation officer to visit him at his place of abode or elsewhere; shall answer all reasonable inquiries on the part of the probation officer; shall work faithfully at suitable employment; shall not change his residence without the consent of the court or probation officer; shall pay a fine or the costs of the prosecution, or both, in one or several sums; shall make reparation or restitution to the aggrieved parties for the damage or loss caused by his offense; shall support his dependents.

The judge is not limited by these terms but can also design any other more individualized terms for the individual. (Appendix I is a list of standard terms prepared by the Administrative Office of the Courts.)

Terms and conditions of probation must be expressly stated so that the probationer will be put on notice of the type of conduct that will be expected of him, Lathrop v. Lathrop, 50 N.J. Super 535 (App. Div., 1958). The only exception to this rule is that there does not have to be a specification that the commission of a new offense will be a violation of probation, State v. Zachowski, 53 N.J. Super 431 (App. Div., 1959).

County probation officers have two main functions, supervision and treatment. The basis for supervision is laid by the information gathered during the pre-disposition investigation. When an individual officer has been assigned to the case after the disposition, he will explain the conditions of probation to the child and his parents or guardians. Supervision is carried out by visits in the home and contacts with the probationer's school, employer, family, and any other sources that will help in understanding the juvenile. Supervision not only involves enforcement of the conditions of probation, but also supplies information helpful in the treatment aspect of probation. It also provides information that the probation officer (will report) to the judge periodically.

The probationer and the officer are expected to

discuss the goals the juvenile will attempt to achieve during his probationary period. The officer has wide latitude in helping the juvenile realize these goals; this is the treatment aspect of probation. The officer himself can give advice and counsel to the juvenile on his problems. However, the primary duty of the officer is to mobilize the services and resources of the community that the juvenile needs to become a responsible member of society. The officer can make informal referrals by merely supplying the probationer with the names of physicians, psychologists, employers or similar people. However, the probation officer can also contact these services on his own to help in the treatment of the juvenile. The mobilization of services can take any direction that the probationer and his assigned officer feel is necessary.

Besides this individual treatment the probation officer can arrange for group counselling. Groups of probationers with similar problems meet in (several counties) under probation supervision for interaction and group therapy. As part of the general movement in probation of bringing services closer to the community in which they are needed, there are plans to provide, in the near future, two community based treatment centers. These will not be institutions but instead meeting places where probationers from the community can participate in planned treatment programs. The centers will also

provide short term emergency residences when such a service **is** needed by probationers.

Based on the reports of the probation officer the judge can discharge the juvenile from probation before his term is complete, change the time of probation required or modify the terms to better suit the individual. The probation officer himself can request the court to modify the terms of probation when he feels this action will be appropriate, N.J.S.A. 2A:168-4.

If the juvenile violates the conditions of probation, he can be arrested without a warrant by a police officer or probation officer. When a violation is reported a summary court hearing will be held to decide the matter. The judge can impose the original sentence that was suspended if he concludes there was a violation, or can impose a new sentence in cases of serious violations.

The Zachowski case (supra) held that the hearing must be based on concepts of fairness, and that the probationer must be placed on notice of the charges against him, afforded the right to counsel, allowed to introduce witnesses and given the right to cross-examine the state's witnesses. An Administrative Office of the Courts directive dated March 2, 1970, stated that in cases of violation of probation, which was imposed in an informal calendar case, the juvenile cannot be committed to an institution, even if he is represented by counsel at the probation

violation hearing. If the violation constitutes a separate offense, then a new complaint should be filed for hearing on the formal calendar, In the Interest of G.J., 108 N.J. Super 186, (App. Div. 1969).

Probation officers may arrange for the placement of a juvenile in a private residential school, when attendance at such an institution is a term of probation. When an officer recommends placement in a private school in the predisposition report, he should also inform the judge whether there is a vacancy for the juvenile. If the juvenile is ordered to attend a school which does not have a vacancy for him, the result is often detention in the county jail until he can be admitted to the school. B.C.S. also undertakes the placement of juveniles in private schools for the courts.

An increasingly important area of probation involves the administration of the Interstate Compact on Juveniles which is carried out by the Administrative Office of the Courts. The Compact is designed to permit the supervision of juveniles adjudicated delinquent who should be on probation, but who also would benefit from a transfer to another state for treatment or to live with guardians; to provide for the return of runaways from home and escapees from institutions; and to aid in the cooperation of the states in institutionalizing certain types of juveniles who are residing out of the state which has jurisdiction. The Compact is especially

important in enabling the court which refers a juvenile to an out of state institution to retain custody and control. Another function of the Compact is to permit supervision to be continued when the parents of the juvenile decide to move to another state.

D. Bureau of Children's Services

N.J.S.A. 2A:4-37 makes placement with the Bureau of Children's Services a disposition available to the judge after an adjudication of delinquency. However, B.C.S. is also available to serve the court before the disposition of the case, and these services will be described first. B.C.S. services are available to all persons under the age of 21.

Each district office of the Bureau of Children's Services (see Appendix II for list) is equipped to serve the judge by supplying information about the juvenile and his family life and making recommendations about the type of programs that would help in rehabilitation. Either the probation officer or the judge during the pre-disposition stages of the case can contact a B.C.S. office about the juvenile. The B.C.S. office will then make an evaluation of the child based on community resources and its own contacts with the child and his family. The State Director of B.C.S. is of the opinion that B.C.S. evaluation can be used effectively as an alternative to a probation department investigation when there are indications that the juvenile is part of a family which

is suffering from critical problems or where there has been an actual breakdown of family life. If it appears to the judge or probation officer at the pre-disposition stage of the case that placement outside the family may be necessary to rehabilitate the juvenile, but that institutionalization in a correctional facility is not necessary, then B.C.S. can be used by the court to make a report on the juvenile's suitability for a placement program.

When B.C.S. has completed its evaluation a (representative of) the local office will appear in court to make a report and recommendations to the judge. These recommendations can include anything from probation and placement by B.C.S. to commitment to a correctional institution.

Placement by B.C.S. is available without an adjudication of delinquency. The judge can recommend to the parents that they voluntarily request placement by B.C.S. Secondly, if the evaluation of B.C.S. shows that the child's welfare will be endangered unless proper care or custody is provided; or the needs of the child cannot be provided for by public funds; (or that) no relative is willing to be responsible for the child; or when a child, suffering from a mental or physical disability requiring institutionalization, is not immediately admissible to the needed public institution, then there can be placement by B.C.S., N.J.S.A. 30:4C-11. The

judge can then issue an order making the juvenile a ward of the court and placing such child under the care and supervision of B.C.S. If the court chooses to issue such an order there must be a summary hearing with notice to the juvenile's parents of their right to appear to contest the court's decision, N.J.S.A. 30:4C-12. A court order of this nature has the effect of giving B.C.S. temporary custody of the child.

After an adjudication of delinquency the court can use B.C.S. for the placement of the juvenile in the manner described above pursuant to N.J.S.A.30:4C-11. The judge also may, after an adjudication of delinquency, award guardianship of the juvenile to B.C.S. and permanently terminate parental rights, N.J.S.A.30:4C-15. Such a court order will give B.C.S. the right to offer the child for adoption, an alternative which is not available when only temporary custody is granted B.C.S. by an order pursuant to N.J.S.A.30:4C-11.

Except for adoption the same options are open to be exercised by B.C.S. under both kinds of custody. In either case B.C.S. has the right to decide what type of placement will best suit the child. B.C.S. custody may involve placement of a child with his own parents under the supervision of B.C.S. N.J.S.A.30:4C-13, also authorizes B.C.S. to place the child with a relative who is willing to be responsible for his or her care under B.C.S. supervision.

B.C.S. can place the child in a group care home, where up to eight juveniles live with a family that provides care for as long as a two year period. A B.C.S. worker will also make regular visits to provide individual and group counselling. The program of group care is designed for children who can benefit more from group interaction with their peers than from close emotional ties with foster parents. There are currently four group care centers for children under 12 and one for older children, and more centers are being developed.

Another type of placement is in a foster home, on a temporary or long term basis, until the child is ready to return to his parents. B.C.S. is responsible for making a decision on the suitability of foster parents.

There can be placement in a public or private institution for the treatment of the emotionally disturbed or the mentally retarded; B.C.S. can also place the juvenile in a private residential school. In such cases, B.C.S. can purchase the needed services from the institution and is authorized to pay up to \$350.00 a month for services. B.C.S. can also purchase needed services for a child in any of its other programs from placement in his own home to residence with foster parents. These services can include treatment by medical doctors, psychiatrists and psychologists, N.J.S.A. 30:4C-30.

When a judge decides that his disposition of a case will be to place the child in a private institution as

provided by R. 5:9-9(C), then B.C.S. can be used to help the placement, since it maintains resource files that provide information about available institutions.

Through its contact with private institutions B.C.S. can work out the details of placement. If B.C.S. is to be used and its funds used to purchase services, then B.C.S. officials must make a determination of the appropriateness of the placement for the child and give their approval. If B.C.S. funds will not be sufficient to meet the costs of placement, the judge can make an application for additional money from the Turrell Fund.

When adoption is the appropriate type of placement and guardianship has been obtained by B.C.S., the state director of the agency will administer the adoption.

E. Private Schools and Agencies

R. 5:9-9 (E) and (C) empowers the juvenile court to commit a juvenile to a private institution or to suggest voluntary admission as a disposition to the juvenile and his parents. N.J.S.A.2A:4-37 also lists commitment to a private authority as a possible disposition. Both B.C.S. and county probation departments are available to give assistance in placement. There is no institution in this list that will exclude any juvenile for religious reasons.

New Jersey Private Institutions

1. Co-Educational

(a) The American Institute for Mental Studies in Vineland has a capacity of 350 persons aged 5 to adult.

The program is geared primarily for the treatment of the retarded and emotionally disturbed. Overt homosexuals and arsonists are excluded. The professional staff includes psychiatrists, social workers and psychologists.

(b) The Bancroft School in East Haddonfield has a capacity of 100 juveniles from 5 to 18. Juveniles with severe behavior problems and who can't be trusted in an open environment are excluded. The staff includes psychiatrists, social workers and psychologists.

(c) The Pollock Rehabilitation Center in Jersey City has a capacity of 6 males and 5 females from birth to age 21. The program has been established for the neurologically and physically impaired, and emotionally disturbed juveniles are excluded. The staff includes psychiatrists, social workers and psychologists.

(d) The Children's Seashore Home in Atlantic City can accomodate 82 males and females aged 1 to 18. The program is geared to chronically ill or physically handicapped children, but emotionally disturbed and retarded children are excluded.

(e) The Christian Home for Children in Fort Lee has a capacity of 100 males and females aged 3 to 12. The program is geared to neglected and pre-delinquent children; retarded children are excluded.

(f) Fair Oakes Hospital has a capacity of 120 males and females, juveniles and adults. No drug addicts or mentally retarded children are accepted. The staff includes

psychiatrists, social workers and psychologists.

(g) The Immaculate Conception Home in Lodi has a capacity of 30 males and 35 females ages 6 to 11. No child who has been adjudicated delinquent will be accepted. The staff consists of social workers.

(h) The Kessler Institute for Rehabilitation in West Orange accepts up to 48 males and females, aged 4 to adult. The program emphasizes the treatment of the physically handicapped. The staff includes psychiatrists, social workers and psychologists.

(i) The Kelbarchar Home in Paterson is geared to 6 to 14 year old emotionally disturbed boys and girls. The staff includes psychiatrists and social workers; no mentally retarded children are accepted.

(j) The Mount Saint Joseph Home in Totawa has a capacity of 20 boys and girls from ages 5 to 12. No one who is in need of special education courses will be accepted.

2. Schools for Males

(a) The Camden Home for Children has facilities for 40 males, aged 7 to 13. The program is geared to emotionally disturbed pre-delinquents. Severely disturbed or mentally retarded boys are not admitted. The staff includes psychiatrists and social workers.

(b) The Children's Home of Burlington County in Mount Holly has a capacity of 50 males, ages 9 to 13. The program is geared to emotionally disturbed pre-delinquents. Severely disturbed and mentally retarded boys are not

accepted. The staff includes social workers and psychiatrists.

(c) The Greenway Academy in Sweetwater has a capacity of 115 boys aged 6 to 12. Boys who have been adjudicated delinquent are not accepted. The staff includes psychologists.

(d) New Jersey Boystown in Kearney can accomodate 120 boys aged 11 to 16 who have been involved in pre-delinquent behavior. No mentally retarded or emotionally disturbed are eligible. The institution is operated by a religious order whose staff includes social workers.

(e) Ranch Hope Inc. in Alloway has a capacity of 32 boys aged 12 to 15 who have been involved in pre-delinquent conduct. Severely disturbed, mentally retarded and physically handicapped boys are not accepted.

(f) The Rorick School in Washington, N. J. has a capacity of 16 boys aged 8 to 16 who are emotionally disturbed or neurologically impaired. Severely disturbed or physically handicapped children are not accepted.

(g) Saint Timothy's House in Newark has a capacity of 8 males, aged 12 to 16. The program is geared to pre-delinquent and delinquent boys. Boys with severe sexual or emotional problems are not accepted.

(h) The Union Industrial Home in Trenton can accept up to 35 boys aged 6 to 12 for vocational training who have been involved in pre-delinquent or delinquent behavior. No severely disturbed children are accepted.

3. Schools for Females

(a) The Collier School in Wickatunk has a capacity of 70 females, ages 12 to 16. It is geared toward delinquent and emotionally disturbed girls. Girls with severe emotional disturbances or those with retardation below the 85 I.Q. level are excluded. The staff includes psychiatrists, social workers and psychologists.

(b) The Hammond Memorial Home in Hoboken can accomodate 9 females ages 5 to 13. Girls who have been adjudicated delinquent will not be accepted. The staff includes social workers.

(c) The Mount Saint John Academy in Gladstone accomodates up to 80 girls who have above average intelligence but who have behavior problems or are neglected. No emotionally disturbed, mentally retarded or physically handicapped girls will be accepted.

(d) The Robins' Nest in Woodbury has a capacity of 8 girls, aged 12 to 15, who have been involved in pre-delinquent behavior.

(e) Saint Mary's Residence in Newark has a capacity of 35 girls, aged 6 to 16, who have been involved in pre-delinquent behavior. Girls who are emotionally disturbed or mentally retarded are not accepted.

(f) The Youth Consultation Service Residence in Newark can accomodate 14 girls, ages 3 to 12. The program is geared to the treatment of mild emotional problems.

4. Private Schools in Other States

The Anderson School, Staatsburg-on-Hudson, N. Y. can accomodate 76 boys and 22 girls, aged 13 to 17. Juveniles with serious neurological impairment or emotional illness are excluded.

The Devereux Schools in Devon, Pennsylvania have a capacity of 157 boys and 40 girls, aged 12 to 18. Juveniles with neurological impairment or emotional illness are excluded.

George Junior Republic in Freeville, N. Y. has a capacity of 126 boys and 43 girls, aged 13 to 18. Juveniles with neurological impairment will be excluded.

The Green Chimneys School in Brewster, N. Y. can accept 124 boys and 26 girls, aged 4 to 14. Juveniles with serious emotional or neurological problems are excluded.

The Pathway School in Norristown, Pennsylvania has a capacity of 58 boys and 20 girls aged 5 to 11. Juveniles with serious emotional or neurological problems are excluded.

The Reece School in New York City can accommodate 33 boys and 6 girls, aged 6 to 13. Juveniles with neurological impairments will be excluded.

Vanguard School in Haverford, Pa. can accept 580 boys and 120 females aged 6 to 21. Juveniles with serious emotional problems are excluded.

Children's Village in Dobbs Ferry, N. Y. can accept 246 boys, aged 6 to 10. Boys with serious emotional and neurological problems are excluded.

The Joint Planning Service in Pleasantville, N. Y. represents four schools which can together accomodate 348 boys and 129 girls, aged 8 to 16.

The Lakeside School in Spring Valley, N. Y. has a capacity of 96 boys and 48 girls aged 8 to 16. Juveniles with emotional or neurological problems will be excluded.

The Pride School in Brooklyn, N. Y. can accomodate 34 boys and 6 girls aged 3 to 14. Juveniles with serious emotional problems are excluded.

The Wiltwyck School in Yorktown, N. Y. can accept up to 110 boys, aged 8 to 12.

5. The Turrell Fund

The Turrell Fund is a private foundation which provides funds for the placement of juveniles in private schools. The Fund is designed to supplement whatever money the parents are able to afford, and payments through B.C.S. Under current guidlines B.C.S. can contribute up to \$3,000.00 for the purchase of services for a juvenile at a private school. In the year 1970, the Turrell Fund made \$185,000.00 available to the juvenile judges of the state for use in placement in private schools of juveniles for one year.

The Turrell Fund Bulletin suggests that a judge can consider use of the Fund in the case of a juvenile where there is proof to sustain the complaint, but the judge feels that commitment to a correctional institution is not necessary, and there is no other appropriate public institution for the juvenile's needs. Juveniles who have previously spent time in a correctional institution will not be considered for the Fund.

Applications to the Fund must be made by the judge

himself by writing a letter to the Turrell Fund, 15 South Munn Avenue, East Orange, N. J., 07018. The letter should include a statement of the juvenile's need for placement in a private institution, the amount his parents will contribute, and the amount that will be paid by B.C.S. or some other source. An application for Funds from B.C.S. is a prerequisite to consideration by the Turrell Fund. Another possible source of funds is the juvenile's local board of education under N.J.S.A. 18:14-71.39, which provides for special action by local boards in cases of "socially mal-adjusted juveniles."

The request to the Turrell Fund must be accompanied by a probation office report, Menlow Park Diagnostic Center report or a similar evaluation that the juvenile would benefit from placement in a private institution. Another prerequisite is that the judge has reasonable assurance that the institution under consideration for placement has a vacancy for the juvenile. Placement is not arranged by the Turrell Fund, which is not an operating agency in that sense; it must be arranged by the judge with the assistance of probation or B.C.S. officers.

When a decision on acceptance has been made, the Turrell Fund will forward its check to the judge. The money is allocated for one year at a time, and Turrell cannot be responsible for additional money if the institution raises its fee or the other contributors default. The Fund will consider paying up to \$2,500.00 a year for services at a private, non-profit institution, and in special cases this

can be extended to \$3,500.00. If a second year's stay would be helpful, the judge can file a request for additional funds; the request should be made at least two months prior to expiration of the current year's grant. The judge should also obtain from the institution progress reports every six months and a report on termination of the stay and forward these to the Turrell Fund.

Beginning in July 1969 the Turrell Fund established a college scholarship program for juveniles who originally had spent time in a private institution. Fifteen juveniles, on the basis of recommendations from their private secondary schools, are now studying in college through funds provided by the program. New Jersey is the only state in the union to have such a service.

6. Drug Rehabilitation Programs

There are several privately operated drug rehabilitation programs throughout the State.

D.A.R.E. Center

(a) The D.A.R.E. Center in Newark accepts persons who are involved in any form of drug abuse, ages 14 to adult, male and female. At present, about one-third of the participants in the program are juveniles. Approximately 50% have applied voluntarily.

The usual disposition when the judge wishes to refer a juvenile to the program is a suspended sentence to the reformatory and probation with a condition being successful completion of the D.A.R.E. program. The usual method of

placement is for probation officers or the judge to contact the program during the pre-disposition stage of the case. There will then be an interview at the D.A.R.E. center with the juvenile and his parents. If the juvenile demonstrates the motivation to make an effort at rehabilitation, he will be accepted. No class of applicants is excluded.

The capacity at D.A.R.E. is approximately 70 participants in the residence program with plans to add beds for 100 more residents in January 1971. There is also a day care program which handles up to 100 local residents. The residence program is geared to Essex County residents, but if there are vacancies people from any county in the state will be accepted.

The staff is composed of a psychologist, medical doctor, rehabilitation specialist and paraprofessionals in rehabilitation. There are also teachers from the Newark school system who direct the educational program. Working through other community agencies the center also involves the participants in vocational training. The center operates its own program of job counselling and placement. All residents and day participants are involved in a basic hygiene course.

As in the case of most programs to rehabilitate ex-addicts, the main focus is on group therapy and encounter sessions. The presence of other addicts forces the individual to be more honest in facing up to his problem and

the steps he must take to adjust to acceptable standards of social behavior.

The average stay in the program for residents is 6 to 8 months and longer periods can be arranged if the extra time will help the juvenile's readjustment. The decision on release will be made by the other members of the program. After release the staff carries out a follow up program with contacts with the individual, his school, parents, employer and any other sources of information. The released ex-addict must also report periodically to take physical examinations to prove that he has not become re-addicted.

There is no charge to the participants in the program. The funding comes from the National Institute of Mental Health and from private donors.

Integrity Inc.

(b) The Integrity Inc. Center in Newark is also operated on funds from the National Institute of Mental Health, along with donations from the New Jersey Medical School, Martland Medical Center and private parties. The program maintains a treatment center at Lincoln Park in Newark for adult participants and formerly for juveniles. On October 1, 1970, a new facility where juveniles can be accommodated from ages 8 to 18 will open on High Street in Newark.

The Integrity Inc. program is basically a group encounter program combined with work around the residence.

All juveniles who have not completed their high school education must participate in an educational program conducted by Newark public school teachers. After completion of this treatment stage there is a re-entry period during which the juvenile will continue to live at the center while he returns to school or takes a job.

The decision on release is made by the staff. Staff follow-up on the individual includes periodic physicals to check on possible addiction. There is a \$1,200.00 board charge for those who can afford to pay.

Daytop Village

(c) The current Daytop Village program in Trenton is a non-residential community group therapy program for 15-1/2 year old to adult drug users. About 400 males and females currently participate. The program is made up primarily of persons who have been referred by the courts and is composed basically of group therapy and encounter sessions. The average time of treatment is 18 to 24 months. No juvenile is excluded who is genuinely motivated, as demonstrated in a staff interview, with the parents and the juvenile present.

Odyssey House

(d) Odyssey House maintains a residential center for adults in Newark. Juveniles who are referred to the program spend one day in Newark and are then sent to the Odyssey House adolescent Center on 18th Street in New York City. The New York program is residential with an average

stay of nine months. Nine to 18 year old males and females are accepted. Most New Jersey participants have been given a suspended sentence and probation.

No one has been rejected because of lack of space in the past. The staff is professionally oriented, with several psychiatrists, a psychologist and social workers. There is also a follow up program for all juveniles who are released. The program is operated on private funds with no charge to the individual.

7. Juvenile Conference Committees

In addition to referral to a private school or a drug rehabilitation program, a judge may place the juvenile under the care, custody and supervision of a juvenile conference committee, R. 5:9-9 (c). In this way the committees can be used as a dispositional alternative after an adjudication of delinquency, as well as an intake alternative, as described previously.

Institutions for the Mentally Retarded and Emotionally Disturbed

(f) When a juvenile charged with offenses that may lead to his being adjudicated delinquent is suffering from problems of mental retardation or emotional illness, the judge can commit him to an institution for treatment. The judge can also suggest to the parents of the juvenile that they voluntarily arrange for the admission of the juvenile to a suitable program for his treatment.

1. Services for the Mentally Retarded

There are many available private and public programs

for juveniles who are mentally retarded. Depending on the degree of security that the judge deems necessary, there are programs ranging from day care and counselling in the home to residential programs which include the Johnstone Yepsen Unit, a medium security institution for the mentally retarded.

N.J.S.A. 30:4-25.2 empowers a judge or probation officer to make an application to a Regional Office of the Bureau of Field Services of the Division of Mental Retardation (See Appendix III for list) for a determination of the juvenile's eligibility for functional services for the mentally retarded. Functional services are those which involve the actual treatment or assistance of the retarded as opposed to diagnostic services. Upon receiving an application, the Regional Office will conduct a secondary evaluation of the juvenile making use of prior examinations by community agencies. If these prior determinations are not sufficient, then the Regional Office can request a new evaluation by a community diagnostic and evaluation facility specializing in mental retardation. After a determination is made, a report will be made to the court including, if the juvenile is found eligible for functional services, recommendations of the type which is most appropriate and the availability of this service and any alternatives. Regional Offices can also be consulted for assistance in supplying information about community services for the assistance of the retarded and their

families. A staff member of a Regional Office can also appear as a friend of the court if this is necessary, R. 5:9-7.

Juveniles can be committed to a state school for the retarded, or, in the vast majority of cases, are admitted voluntarily. Ninety-nine percent of the present population in these facilities has been admitted voluntarily. Applications for voluntary admission are made by the juvenile's parent or guardian or a public agency having care and custody, N.J.S.A. 30:4-25.1 (Class F). Under Class H of the same statute admission can also be by order of a juvenile court judge. Another alternative is imposing probation with one condition being the successful completion of a program for the mentally retarded.

All intake and placement decisions, after the court has committed a juvenile or there has been a voluntary application, are made by Regional Office personnel. The decision is based on the degree of retardation on a scale with the gradations being mild, moderate, severe and profound, (See Appendix IV) and on the need for services at the present time. Further considerations are sex and age group. When a juvenile has been committed by the court and there is a waiting period before admission, then it is necessary for the court to provide interim supervision by probation officers, the Bureau of Children's Services or the Bureau of Field Services. The waiting list for admission is approximately 1000 cases as of December 1970.

Parents may be responsible for contributions to the cost of maintenance for children who are either committed by the court or voluntarily admitted. After the juvenile has been admitted the county adjuster meets with the juvenile's parents to determine whether they can afford to pay part of the cost of maintenance. The adjuster then obtains a court order making the parents legally responsible for these payments, which may range from the entire cost of maintenance to no contribution at all in the case of indigency. If the child has been voluntarily admitted and the parents decide they do not want to pay the costs they have been assessed, then they have the option of withdrawing the child from the facility. Authorities can only block this withdrawal by applying for a court order for commitment, N.J.S.A. 30:4-25.1, (Class H).

Although the different institutions are geared to the treatment of different kinds of cases, they have the same system of administration. Policy decisions are made by the Division of Mental Retardation. Each state school also has a board of managers which makes administrative decisions.

When a juvenile arrives at a state school there is no formal reception period. However, in the early part of his stay, there are decisions on the program to be followed and cottage assignments. Cottage assignments are based on sex, age and degree of retardation. A classification committee, composed in most cases of a social worker,

psychologist, administrative staff member, educator and cottage life worker, makes scheduled periodic evaluations of the juvenile's progress. The committee also works with the juvenile to decide on his goals, and eventually will make the decision when the juvenile should be released, subject to the approval of the superintendent.

A juvenile can be released at any time that the classification committee feels he has received the maximum benefit of the programs at the state school. When a juvenile has been committed by the court, he will be released automatically upon reaching the age of 21, N.J.S.A.30:4-107.4. A juvenile who has been discharged after reaching his majority may file a request for continued services, N.J.S.A. 30:4-107.2. A voluntarily admitted juvenile can be released at any time after admission in the custody of his parents. A committed juvenile can also be released by order of the Commissioner of the Department of Institutions and Agencies with 10 days notice to the court, or by order of the court itself.

(a) Residential Facilities

There are seven state schools for the mentally retarded, each of which is geared to different sexes, age groups and problems of retardation. The Vineland State School has been established for females five and over who predominantly are severely or profoundly mentally retarded. The capacity is 1515. The State Colony at Woodbine accomodates males five and over who suffer from

severe and profound retardation, with 200 mild or moderate cases. The over-all capacity is 1000. The State Colony at New Lisbon accepts males five and over with mild, moderate and severe retardation, and its capacity is 1006.

The Woodbridge State School is open to both sexes five and over who are severely or profoundly retarded. The capacity is 950. The North Jersey Training School in Totawa has a Main Institution for up to 821 females who suffer from mild and moderate retardation. The Nursing Unit of the school is designed for all retarded children five and under, with a capacity of 275. The Hunterdon State School, with a capacity of 854, will accept both sexes ages five and over, where there is moderate, severe, or profound retardation.

The Edward R. Johnstone Training and Research Center in Bordentown includes two units for the treatment of juveniles. The Seguin Unit accepts patients of both sexes between the ages of 12 and 20 with moderate and mild retardation. The Yepsen Unit is geared towards the treatment of males 16 to 35 who have gross, chronic behavior problems in addition to mild or moderate retardation. The capacity is 118 males. The Yepsen Unit is a facility for juveniles who require a more intensive program of treatment and stricter security than the other schools because of a history of behavior problems. In effect, the Yepsen Unit is a medium security institution with special services for the male retardate.

There also may be placement by the Division of

Mental Retardation in a privately operated residential school for the retarded through a purchase of care program.

(b) Non-Residential Programs

In addition to the residential functional services there are non-residential programs. When the judge feels that residential security is not needed and medical evaluations show that non-residential treatment is appropriate, there are day care centers which are group programs for school age children whose degree of retardation is too severe for special education courses in public school. (See Appendix V)

For more detailed and complete information on programs for the retarded, the booklet, "Resources for the Retarded," can be obtained from the Division of Mental Retardation, 169 West Hanover Street, Trenton, New Jersey, 08625.

There are many private institutions for the treatment of mentally retarded juveniles. (See Appendix VI for listing.)

2. Psychiatric and Mental Health Services

The Division of Mental Health and Hospitals of the Department of Institutions and Agencies operates facilities for the diagnosis and treatment of juveniles suffering from mental illness. Only one New Jersey private institution for the treatment of psychiatric problems will accept juveniles, Fair Oakes Hospital in Summit, and costs for patients admitted to that hospital are approximately \$15,000.00 a year.

In addition to supervising the diagnostic services at Menlo Park Center, described previously, the Division

maintains treatment facilities. Subject to the rules of the particular treatment institutions, a juvenile can be committed to a State hospital by action of the court or admitted by voluntary parental action. Neither the Arthur Brisbane Child Treatment Center nor the New Jersey Neuro-Psychiatric Institute will accept children on court commitments, and a judge can only suggest voluntary application. On the other hand, the four State mental hospitals must accept juveniles committed by court order, N.J.S.A. 30:4-25. When there is no vacancy in the Children's Unit of a State hospital the juvenile will be held in the reception unit or in a unit with adult patients. After there is an opening, the juvenile must go through a screening process under which his problem is considered to see if a program of treatment in the children's unit will be helpful to him.

Most juveniles are admitted to State institutions on a voluntary basis. In these cases the judge will inform the family of the recommendations of the Diagnostic Center and advise them to consult with the admission offices of the institutions for a screening. This method of admissions is preferable since it is most likely to enlist the help of parents in treating the child.

After a juvenile is committed or admitted voluntarily, his parents will be ordered to meet with the county adjuster to decide how much they will contribute to the cost of treatment. This cost may range from the maximum established by each institution to no contribution when the parents are

indigents. When the parents do not wish to meet this expense, they may withdraw a juvenile who has been voluntarily admitted unless the staff is of the opinion that he may be a danger to society or himself. When the staff feels that a juvenile is dangerous, they apply for a court order of commitment.

Each State mental hospital and the Diagnostic Center has its own board of managers acting in an administrative capacity. Major policy decisions are made by the Division of Mental Health. Decisions on the admission and release are made by the staff members themselves. The general program is comparable at all of the hospitals. In the first weeks after admission there is a reception period during which the diagnostic staff evaluates the patient and develops a plan of treatment. The patient is then assigned to a ward on the basis of age, sex and psychological considerations; patients under 17 are usually assigned to the children's ward.

After the treatment program begins there is a periodic review of the patient's progress by treatment staff consisting of a psychiatrist, social worker, psychologist, ward nurse, and any other person such as a chaplain who may have useful information. Along with the treatment program each hospital has programs in educational and vocational training, which may consist of a classroom program or individual tutoring where the patient's condition warrants this approach. There is no formal work program but a work schedule can be arranged if it will be therapeutic, Federal funds have been provided

for extra recreational activities, such as trips to places of historical and cultural interest. Furloughs home are also allowed if the staff feels that they will help in the treatment of the patient.

A juvenile may be discharged any time at the discretion of the medical staff of the hospital, when he is cured or has exhausted the treatment program. There are many methods for following up on a juvenile's adjustment to society after release. There may be outpatient treatment at a Child Guidance Center, supervision by a local social service agency, or supervision under a day care program. The staff of the discharging hospital is always available to advise and consult with the probation officer.

Residential Facilities

Each of the four State-operated mental hospitals has a 75-bed unit for the treatment of children between the ages of 6 and 16; 17-year-olds will be treated as adults. All four hospitals can treat patients with disabling psychoses or other psychiatric conditions which necessitate at least temporary removal from the community or who are suffering from brain damage.

The four hospitals are Ancora, Greystone Park, Marlboro and Trenton. The Ancora State Hospital in Hammonton receives patients from Cape May, Cumberland, Atlantic, Salem, Gloucester, Camden, and Burlington Counties. The Greystone Park State Hospital in Morris Plains receives patients from Sussex, Passaic, Morris, Bergen and part of Essex County

(West Newark, Nutley and Belleville). The Marlboro State Hospital receives patients from Union, Middlesex, Monmouth and Ocean Counties. The Trenton State Hospital receives patients from Mercer, Hunterdon, Warren, Hudson and the remaining eastern part of Essex County.

The Arthur Brisbane Child Treatment Center at Allaire, provides treatment for children of normal or superior intelligence between the ages of 5 and 12, who are experiencing pre-psychotic behavior, serious maladjustment or nervous disorders.

The New Jersey Neuro-Psychiatric Institute at Skillman has a 35 bed unit for the treatment of children between the ages of 4-1/2 and 12 with psychotic problems and other major mental illnesses. Children committed by the court will not be accepted, so the judge is limited to suggesting to the parents, that there be voluntary admission. Only two county mental hospitals accept juvenile patients. The Essex County Hospital in Cedar Grove will accept juveniles 12 to 18 who are residents of Essex County. The Bergen Pines County Hospital in Paramus will accept residents of Bergen County and has a special concentration on the aftermath of drug addiction. Fifty percent of the cost of these hospitals is met by the State and contributions are required from those who can pay.

G. Residential Group Centers and Community Treatment Centers

The Division of Correction and Parole of the Department

of Institutions and Agencies maintains residential group centers and community treatment centers as alternatives to the correctional institutions. Three residential group centers for males and one for females are now in existence for juveniles 16 to 18. One community treatment center will open in Camden in early 1971, and another will open before the spring of 1971 for juveniles 14 to 16.

1. Residential Group Centers For Males

The three residential group centers for males are Highfields in Hopewell, Ocean in Forked River, and Warren in Oxford. The Highfields program was developed as an alternative to the reformatory for boys who need correctional handling. The program is designed for boys who had not responded to probation and the other community resources for rehabilitation, but who could benefit from a shorter and less institutionalized program than that provided by the reformatory. In 1957, after an experimental period the Highfields program was officially approved by the state in N.J.S.A. 30:4-177.31, and the founding of similar centers was authorized.

The age limits for Highfields and the subsequently founded Warren and Ocean Centers are 16 to 18 years. The maximum that can be accommodated at each center is 20 boys. Besides the limitations of age and space, there are other restrictions in regard to admission.

From the beginning due to the specialized nature of the program as a treatment center rather than a custodial institution, Highfields has been selective in choosing boys

who have the potential to benefit from the program. Boys who are emotionally disturbed, mentally retarded or sexually deviate and those who have spent time previously in a correctional institution are excluded from the program. Drug addicts and boys who have previously failed to respond to private residential school programs are also excluded. Truants are not considered appropriate candidates since at the minimum admission age of 16 they no longer have a legal duty to attend school. Incurrigibles are usually considered inappropriate candidates, since the whole family is involved in this type of offense and therapy directed at the individual will not be effective. Most boys at Highfields and the other male centers have been adjudicated delinquent for offenses that would be high misdemeanors if committed by an adult. The number of prior adjudications of delinquency for boys sent to the centers ranges from 3 to 15.

Decisions on suitability for participation in the programs are made by the Superintendent of Highfields in consultation with county probation departments. Referrals are usually made to the Superintendent by probation officers during the pre-disposition stage of the case. When the decision to consider referral to a residential group center is made by the judge, he also may consult with the Superintendent.

Intake and placement decisions for all 3 male centers are made by the Highfields Superintendent. The sole consideration in making this decision is the existence of vacancies, since the three centers have virtually identical programs.

The decision on placement among the three centers is made before disposition so that the boy can be sent directly from the court to a center which has an opening.

A judge wishing to refer a boy to one of the group centers imposes a suspended sentence to the Yardville Reformatory and then places him on probation with one condition being successful completion of the program. This method of sentencing impresses on the boy the fact that the residential group center is the last chance he has to avoid commitment to the reformatory, and accounts in some measure for the high degree of cooperation which the program elicits from participants.

After being sentenced the boy is brought to the center having a vacancy by the county sheriff or probation officers. He is interviewed by the Superintendent and then joins the rest of the boys in the normal program. There is no reception period and orientation is carried out by the other boys in the program. There is no testing of any kind at the centers, and they rely on probation presentence investigation reports for psychological evaluation.

(a) Highfields Residential Group Center

The Highfields Center is located in Hopewell, in a house formerly owned by Charles Lindbergh. The 3 story house is the residence of 20 boys and 3 of the 6 members of the staff. The Superintendent, his assistant and the cook live at the center, and a maintenance man, supervisor of the work

program and secretary work there during the day. Only the house and the grounds immediately surrounding it are used for the program, but there are 390 acres of open woodland surrounding the residence.

The program essentially involves a full work week, group interaction sessions six nights a week and recreation. The residents are transported five days a week to the New Jersey Psycho-Neurological Center by a staff member who then supervises their work. The boys work a 7-1/2 hour day rotating job assignments at the butcher's shop, laundry room, kitchen, warehouse and garage. Pay is \$.50 a day which can be spent as the boy desires. The work is not intended to provide vocational training, but it does have the value of instilling the basic work psychology that is lacking in many delinquents. For this reason the work day approximates as closely as possible the routine of a conventional job in the community. By his participation the boy learns to take orders, work with others and to acquire the discipline needed for a working man's schedule.

After dinner the boys divide into 2 equal sections for 90 minute group interaction sessions. Discussion is carried on by the boys under the direction of the Superintendent or his assistant. Five nights a week are spent in discussion with a different boy being the subject each night. When a boy first enters the program he is asked to articulate his problems, and subsequent group sessions are aimed at discussing how the boy can solve these problems. On the sixth night of group

activity there is a discussion about the problems of life at the center in general.

These sessions eliminate much of the egoism of the delinquent by forcing him to share his problems with boys who have had similar difficulties. The guidance is based on psychological and sociological concepts and is geared toward undermining delinquent attitudes and altering the boy's conception of himself. At the same time the discussion increases the boy's ability to deal with his problems verbally.

The group center does not have a staff psychologist, social worker, or educator. Medical and dental services are provided by the Psycho-Neurological Center. Therefore, the expense of the program is much less than reformatory programs.

Recreation centers around the institution except for a visit to the community one night a week. Furloughs home are also allowed to each boy twice during his stay, although he must convince his group that he will use the furlough to help solve his problems before one will be granted. All expenses of the furlough are paid by the boy himself and by his parents.

Disciplinary problems are handled by the assignment of extra work, or by having the boy work around the residence itself instead of for pay in his usual job at the Psycho-Neurological Center. Serious disciplinary problems necessitate a return to the court and this means in most cases commitment to the reformatory.

The decision on release is made by the boy's group

when the other members feel he has successfully completed the program and the Superintendent approves this decision. After release the boy will continue to be on probation. Boys who violate the terms of probation or become involved in new offenses will usually be committed to the reformatory, since Highfields will not accept repeaters. The average stay at the center is four months.

(b) Warren Residential Group Center

The Warren Center in Oxford, New Jersey was the second residential group center to be established and has been in operation since 1960. A building was designed for the group center with three floors for the housing of the inmates, the Superintendent and his assistant. There are two other small buildings, a garage and a storage shed. In addition to the building there are 75 acres of woodlands.

The work program is carried out at the State Fish Hatchery in Hacketstown, New Jersey. All residents work at the hatchery under the supervision of a Warren staff member. In other respects the program is operated in the same way as the Highfields model.

(c) Ocean Residential Group Center

The Ocean Center in Forked River, New Jersey was founded in 1963. A large ranch style house was built to house the 20 boys and 3 staff members in residence. The Center is located on the State Game Farm, and all work assignments are carried out at the game farm under the supervision of its staff. The program is otherwise the same

as that of Highfields.

2. Turrell Residential Group Center (Females)

The Turrell Center for Girls is located in Allaire, New Jersey. The project was originally financed by the Turrell Fund on land provided by the State, and is now operated on state funds. In 1961, the large ranch style building that serves as the center was completed. A maximum of 18 girls between the ages of 16 to 18 and 3 staff members reside at the center.

As in the male centers, there is no staff psychologist, teacher or social worker, although the Superintendent is a psychiatric social worker. The remainder of the staff consists of an assistant superintendent, two center workers, a secretary, and a supervisor of the work program at Marlboro State Hospital.

Referrals are almost always made on the recommendation of probation officers while the case is in the pre-disposition stage; the Superintendent seldom deals with judges directly. The general criteria for admission are the same as the male centers; serious habitual runaways, girls with serious emotional problems, hardened delinquents, and those who have been previously institutionalized are excluded. The Turrell Center also will not accept girls who are pregnant. (See Appendix VII for a list of homes for unwed mothers) However, unlike male centers, juveniles with a history of drug abuse are accepted unless they are undergoing physical withdrawal from the drug.

After a probation officer decides to recommend a girl

for referral to the center, he will send a copy of her case history to the Turrell Superintendent for consideration of the juvenile's fitness for admission. The judge will then make the final decision whether to refer the girl to Turrell or to make use of another disposition.

Dispositions involving the Turrell Center consist of a suspended sentence to the Clinton Reformatory or the State Home for Girls and probation with successful completion of the Turrell program being a condition. After sentencing, the girl is taken to Allaire by a probation officer or sheriff. There is no special reception program, and the new girl receives her orientation from the group. On the first Thursday after admission the girl receives a complete physical at the Marlboro State Hospital.

The program is similar to the male group centers, work, group therapy and recreation. All girls work a full week. Two girls stay at the center for cooking and housekeeping; the cooking for the center is done by the girls themselves under the supervision of a residential center worker. Other girls do laundry and housekeeping work at the Arthur Brisbane Child Treatment Center under the supervision of the staff of that institution. A third group has job assignments at the Marlboro State Hospital where they work under the direction of a Turrell Center staff member making beds, cleaning and helping to prepare materials for the patients' recreation. The pay is \$.50 a day which can be spent on the girl's needs and recreation.

Group interaction meetings are held five nights a week, and each girl's problems and goals are discussed by the group with the guidance of the Superintendent and Assistant Superintendent. There are two groups of equal size, although there has been experimentation with use of one large group. The methods employed in the group therapy sessions are the same as those originally devised at the Highfields Center.

The girls visit the community twice a week for shopping and recreation. Each girl is also allowed two furloughs home during her stay at Turrell at her own and her parents' expense. Unlimited phone calls and mail may be received without any attempt at staff censorship. Discipline involves the assignment of extra work around the residence such as window and car washing.

The decision on the date of release is made by the group with the approval of the Superintendent. The median stay at the group center for girls who successfully complete the program is 3 months and 28 days. However, even girls who are sent back to the court for a new disposition remain an average of two months before the staff makes a final decision that they are unfit for the program. In the last fiscal year, of 64 girls sent to Turrell, 5 runaways and 6 who failed to adjust were sent back to the court for a new disposition. Ten other girls were found unsuitable for medical or psychiatric reasons or because of pregnancy. The minimum stay for completion of the program is three months

and the maximum is six months.

3. Community Treatment Centers

The first community treatment center for 14 to 16 year old male juveniles will be opening in Camden in early 1971, and before next spring another center will be established in North Jersey. The centers will be administered directly by the Division of Correction and Parole. The state office of the Division will control the intake of the center, working in the early stages with the juvenile court judges in the selected areas. The disposition involving the treatment centers will be a suspended sentence to the reformatory and probation with one condition being successful completion of a community treatment program.

Criteria for admission will be developed as the program is operated; the juveniles accepted will probably be those who ordinarily would be committed to the reformatory. It will also be necessary that the juvenile have a parent or a suitable guardian, since there will be participation by parents. The centers will be located in the area of the courts in the central city area, and the majority of the juveniles accepted will be from that area. Fifty percent of the juveniles will be residents at the center, and the remaining 50% will be resident only during the week or on weekends. The expected capacity at Camden will be 30 juveniles.

Since the age of the participants will be younger than at Highfields, the boys will spend their days in

educational instead of work programs. The teacher at the center will be in contact with the staff at each boy's former public school to gain information about his educational needs.

After the school day there will be group therapy sessions along the lines of the Highfields model. The novel feature of the center will be the inclusion of the boys' parents in these sessions. In an attempt to get at the roots of the problem, the centers will treat the parents as well as the juveniles themselves. As many parents as possible will also be hired to work a combined total of 100 man-hours a week as staff aides involved in transportation and other work around the center. Through this involvement it is hoped that parents will become more knowledgeable about the problems of their children and more involved in helping to solve them.

The full-time staff at the center will be made up of the Director, his assistant, a full time teacher, two instruction counsellors, two housemen and a clerk. The decisions on release will be made by the boys themselves. The average term for the program is expected to be four months.

H. Correctional Institutions

The State of New Jersey maintains correctional institutions for male and female juvenile delinquents. Males between the ages of 16 and 18 are committed to the Youth Reception Center at Yardville, where a further decision on placement among the correction centers and satellite units

will be made. Boys below the age of 16 are committed to the State Home for Boys at Jamesburg, and boys 12 and younger are from there immediately transferred to the Training School for Boys at Skillman.

The age limits of the institutions for women are not so clear cut. N.J.S.A. 30:4-154 states that any female above the age of 16 can be committed to the Women's Reformatory at Clinton. However, under N.J.S.A. 30:4-157.9, any girl under the age of 17 but older than 8 can be committed to the State Home for Girls at Trenton.

The correctional institutions for males who are 16 to 18 (i.e. Yardville, Annandale, and their satellite units) and for females (i.e. Clinton Reformatory) are also open to adult offenders. N.J.S.A. 30:4-147 makes adult offenders between the ages of 16 and 30 who are first offenders eligible to be committed to the reformatory system in lieu of the state prison system. Since under N.J.S.A. 30:4-143, no female can be committed to the State Prison, all females above the age of 16 are committed to the Clinton Reformatory.

Under present statute and case law juveniles must be segregated from adult prisoners, N.J.S.A. 2A:4-33, R.5:8-6. R.5:8-6 provides:

A juvenile of the age of sixteen or over shall not be placed in any prison, jail, lockup, or police station unless there is no other safe and suitable place for his detention and it is necessary for his protection or the protection of the public, and unless when so placed in a prison, jail, lockup, or police station it shall be in a segregated section of such premises where

the said juvenile cannot have contact with any adult convicted of crime or under arrest.

Although the statute and court rule were originally intended to refer to the pre-trial period of confinement, they have been expanded by case law to include commitment after adjudication. In State v. Smith, 32 N.J. 501 (1960), the court ruled the R. 6:8-7 (now R. 5:8-6) applied to detention either pending court disposition "or after a hearing at which institutional commitment has been ordered." [at 533]. In Johnson v. State, 18 N. J. 422 (1955), the court ruled that the law of the reformatories must be construed with reference to the Juvenile and Domestic Relations Act, N.J.S.A. 2A:4-1. Therefore, when a juvenile is committed to a reformatory, "he must be so confined that he cannot have contact with any adult convicted of crime or under arrest." [18 N.J.at 433]

However, except for Yardville, it is not the policy of the state correctional institutions to use age as the prime consideration in grouping inmates for housing. The staff at Annandale and Clinton have made the policy decision that age is not a good criterion for grouping inmates, and housing assignments are made on the basis of personality type. An aggressive and physically well-developed 16 year old will be housed with older juveniles or adults. Similarly a passive, weak 20 year old may be grouped with younger inmates. This method of housing is the best for the

security needs of the institutions in the opinion of the staff. Therefore, the mingling of adults and juveniles occurs in all aspects of life at Annandale and Clinton. Even at Yardville where age is the prime consideration in housing, there is contact between juveniles and adults in vocational and educational programs.

In addition to the mingling of juveniles and adults, another serious security problem faced by the institutions is the wide disparity in the types of offenses that led to commitment. The inmate population includes adults convicted of all types of criminal offenses, juveniles adjudicated delinquent for offenses that would be high misdemeanors or misdemeanors for adults, and juveniles convicted of offenses under N.J.S.A. 2A:4-14 (e-m), such as incorrigibility, immorality, growing up in idleness, truancy and roaming the streets at night. The security arrangements must be geared to protect serious offenders from themselves and others, and a strictly ordered environment must be maintained, which affects all types of offenders.

Juvenile sentences to the male and female correctional institutions are indefinite, but do not extend beyond the juveniles twenty-first birthday, N. J. S. A. 2A:4-37 (b), except that a juvenile committed for an offense which would constitute any form of homicide will be confined for an indeterminate sentence which can extend beyond his twenty-first birthday. A juvenile committed for such an offense cannot be confined for a period longer than the maximum period that an adult

could serve. The constitutionality of this exception to the general rule was upheld in In re State in the Interest of Steenback, 34 N.J. 89 (1961).

N.J.S.A. 30:4-148, which establishes a five year maximum sentence or one no longer than the statutory maximum for an offense (whichever is less) in sentences to the reformatory does not apply to juveniles. Application of Smigelski, 30 N.J. 513 (1959), limited the statute to sentences to the reformatories imposed on adult offenders.

Because of the indefinite nature of juvenile sentences, the decision when a juvenile is ready for release will be made by the board of managers of the male and female reformatories. There is one board of managers for the Yardville, Annandale and Bordentown Reformatories and their satellites, and another for Jamesburg and Skillman; Clinton and the State Home for Girls have separate boards of managers. The court in In re Nicholson, 69 N.J. Super 230 (App. Div. 1961), held that an indefinite sentence gave the board of managers the authority to release the juvenile at any time even if it is the day after commitment. The final decision on release will be governed by factors such as the juvenile's progress in accepting the social norms imposed by the reformatory, his adjustment to acceptable behavior patterns, his cooperation in the rehabilitation programs of the institution, and his fitness to return to society. The boards of managers usually base their decision on recommendations by the classification committees of the individual institutions.

1. Male Institutions

(a) Yardville

There are two functions performed at the Yardville Center; it is the reception center for all males 16 to 18 committed to the reformatory system, and it is a separate correctional institution for the rehabilitation of those juvenile delinquents who are most difficult to manage. Males received at Yardville Reception Center spend three weeks in intensive orientation and testing, and are completely segregated from the boys in the correctional unit. On the basis of this testing to determine social, psychological, and educational needs, and the type of security that will be needed, the juvenile will be sent to one of the correctional institutions by the classification committee. In general, boys presenting maximum security risks but who have the best potential for rehabilitation are sent to the Yardville Correction Center. Minimum security risk cases are sent to Annandale. Only males who are above the age of 18 are sent to the Bordentown Reformatory, which is a medium security institution. There are also satellite units of the main reformatories that can be used to refer juveniles who are first offenders or present very little security risk. The Yardville Reception Unit has a capacity of 300.

The Yardville Correction Unit can accomodate 578 inmates between the ages of 15 and 30. The population includes juveniles between the ages of 16 to 18, adult first offenders sentenced to the reformatory system, and a few

15 year olds who are too aggressive and disruptive to be handled at the State Home for Boys, or who have a history of drug addiction, (younger boys with these problems must be kept at the State Home). Yardville opened in January 1968. All of its facilities are located in one large building with separate wings for the various activities of administration, housing, educational and vocational training, and services to the inmates, which was designed specially for the needs of the Yardville program.

There are extensive grounds for outdoor recreation. The Correctional Unit has its own classification committee composed of five members, including the superintendent and representatives from the psychological, educational, social work and security branches of the reformatory. The initial decision on a housing and rehabilitative program is made by the reception unit classification committee. Then the correction unit classification committee sets a time goal for release on the basis of the nature of the offense that led to commitment and the results of testing. This goal is subject to modification when the committee meets at periodic intervals to consider individual progress. While in theory the time spent at the reformatory may range from one day to the juvenile's attaining his majority, the average stay at Yardville is about 14 months.

The primary emphasis in rehabilitation at Yardville is on education, with a staff of 30 certified teachers. All juveniles participate in some form of educational program,

which includes literacy training and elementary and secondary school certification programs. The library facilities include five different branches in separate wings and are excellent in every respect.

Along with the educational program there is an exceptionally well equipped vocational training program for developing marketable job skills. Facilities include an auto repair and body shops and extensive workshops for learning graphic arts, welding, shoe repair, culinary arts, dry cleaning and other trades. A Manpower Development Training Act grant has been received to develop a computer programming course for the training of 25 of the more gifted inmates at a time.

There is a special intensive educational program for juveniles who have not reached the sixth grade level in verbal and mathematical skills. In addition there is a special unit for younger disciplinary cases, which administers a program of behavior modification. Recreation facilities are excellent and a wide range of activities are available including a newspaper, special counselling and a self-government organization.

Yardville administers a satellite unit, the West Trenton Unit, which is located on the grounds of Trenton State Hospital. First offenders who are 16 years old and younger in some cases, and who do not have serious emotional problems are sent to the satellite unit. The decision to use the satellite unit is made during the reception period.

The capacity is 40 boys and the program includes work on the State hospital farm, and recreation, trips to the community, counselling, and educational programs.

(b) Annandale

The current population of the Annandale Reformatory is between 500 and 600 males ranging in age from 15 to 24 years old, with the average inmate being 17-1/2 years old. The percentage of inmates who are juveniles ranges from 50% to 64%, on the basis of admission figures kept at the reformatory. Annandale is a minimum security institution and receives males who pose the most minor security problems.

The initial decision on housing and educational program is made by the Yardville Reception Unit classification committee. Annandale has its own classification committee which includes the superintendent or his deputy, the deputy keeper, and representatives from the directors of social, medical and educational services. This committee will set the time for release, which can later be revised to an earlier date if the committee at its subsequent meetings feels there has been a willingness on the part of the inmate to participate in educational and social rehabilitation programs. The staff philosophy is that no one should be held longer than 18 months, and the average stay is 10 months.

The facilities at Annandale consist mainly of stone buildings which have existed for more than 30 years. Housing is in 11 of these old buildings with up to 125 inmates to a building. Juveniles are not separated from the adult

population, but are assigned housing on the basis of personality type. All of the dormitories are overcrowded. There are separate buildings for administration, educational and vocational training and dining, and also some farm buildings where some of the inmates work. The greatest physical asset is the 747 acres of land owned by the reformatory which provides space for recreation and work.

In general the program is the same for juveniles and adults, but a much larger percentage of juveniles are involved in educational programs. All inmates work a half day whether they participate in an educational program or not. While the educational program is voluntary, most younger inmates are sufficiently motivated to participate. All teachers are fully certified and an elementary school degree and high school equivalency course are offered.

Juveniles participate with adults in the federally funded Manpower Development Training Program for vocational training. After a six week period of exploratory shop assignments, the inmate can be assigned to a variety of training programs including welding, plumbing, carpentry and barbering.

Annandale has established a special intensive program in remedial reading and mathematics, and a speech therapy course is available. All inmates participate in a social education program which attempts to instill acceptable social habits. There is a very good library that has been developed with federal funds, and the athletic and recreation

programs are extensive.

Annandale has two satellite units at Stokes Forest and High Point State Park. The Stokes Forest unit is basically designed for young men who present the least security problem and who have been involved in minor offenses. Referrals to the unit can be made either by the Yardville Reception Unit or by Annandale. Between 50 and 60 men participate in a program of work under the direction of the Department of Conservation and Economic Development, treatment and recreation isolated from the reformatory influences.

The High Point Unit accepts Annandale inmates who can be managed in an open, minimum security environment in the three months prior to their release. The Unit is designed to serve as a bridge between the restricted environment of the reformatory where virtually all decisions are made for the inmates and the freedom of life in the community. High Point inmates must make many of their basic daily living choices to insure that they will be better able to do so in their home environment. The capacity is between 50 and 60 young men, who are involved in a work program under the Department of Conservation and Economic Development, are counselled for their release, and participate in recreation.

(c) Bordentown Reformatory

Bordentown is a medium security institution where a large number of the inmates work outside the grounds. Juveniles are only sent there from the Yardville Reception Unit, in the very rare case when a juvenile must be placed

with older men. The inmates at Bordentown have been committed by the adult court system.

(d) The State Home for Boys

All juveniles who have been adjudicated delinquent and committed to the reformatory who are below the age of 16 are sent to the State Home for Boys at Jamesburg. Boys 12 and younger are automatically sent on their day of arrival to the Training School for Boys. When a 15 year old presents security problems or has a history of drug addiction he may be transferred to Yardville.

The purpose of the State Home for Boys as expressed by its Superintendent is:

---to provide a new challenging experience in a typical, wholesome, community setting and to instill in our wards an honest desire to live by the same standards of acceptable relationships upon their release, to the end that they will be happier, their friends and family encouraged to a new faith and a new mode of living effected for each individual so that he might never again be necessarily segregated from society.

On arrival the youngster spends a three week period at the reception center for interviews and testing by various members of the staff. The classification committee then meets to decide the broad outlines of the educational program that will be utilized, and what type of cottage will best suit the child. The committee consists of the deputy superintendent and representatives from the educational and psychological staffs along with a cottage officer. If the child

is 14 or younger, a representative of the Bureau of Children's Services will be a member of the committee; if the child is older, then a regular parole officer will attend. The classification committee also sets a release date, which can be modified at subsequent periodic meetings, with the juvenile allowed to appear. The juvenile's parent or attorney does not appear at these meetings and no report is made to the court since the decision on release is an internal matter.

Housing assignments are made on the basis of size, age, maturity and social needs, and living accommodations are in the form of small cottages with dormitory style rooms under 24 hour supervision. Two cottages are set aside for boys with above average intelligence, so that they may be specially motivated toward adjustment and achievement.

Ninety percent of the population is involved in some form of educational program covering first grade to junior high school. Classes are held 12 months a year with some being closed in August and the teacher-student ratio is 1 to 12. There are three types of academic programs. First, a general program of fourth through eleventh grade studies for those of average or above average intelligence. Second, a program for boys of below average intelligence who are two or more years behind in educational achievement. The level of education in this program is grades 4 through 6. Third, a special education program for boys who have learning disorders, but who are not suffering from mental retardation to the extent that an institution for the mentally retarded

would be more appropriate. The emphasis in this program in on art and physical education in an attempt to overcome resistance to the educational process.

In addition to these programs there are experimental programs in remedial reading and mathematics for intensive training in these areas. The normal secondary school manual training courses are offered but there is no vocational training program. There is a model library that has been created under a federal grant.

A separate Special Treatment Unit has been established for the education and social development of maladjusted children, whose degree of psychological or emotional problems is generally less serious than that which would necessitate residence in a mental hospital. The Unit is autonomous and youngsters can be sent there directly after the initial reception period. Extensive individual and group therapy is combined with special education programs. About eight percent of the State Home population is placed in the Special Treatment Unit.

All inmates are allowed furloughs to their own homes periodically at their own and their parents' expense. More frequent furloughs are used as an inducement to cooperate with the programs of the institution. Otherwise failure to cooperate can lead to assignment to the Guidance Unit, which serves a dual role of confinement in less desirable surroundings and special counselling by social workers and psychologists. Group therapy and encounter sessions are also used to try to eliminate anti-social tendencies. A maximum of one month can

be spent at the guidance unit.

Aside from the actual discipline program, a strict institutionalized environment is maintained at the State Home. Boys walk or march in groups wherever they go until they achieve honor status. Strict supervision is maintained 24 hours a day.

The State Home also maintains a satellite unit at Wharton State Forest in Burlington County. Older boys with no academic aptitude are sent to the Wharton Forest for practical instruction in forestry.

(e) The Training School for Boys

The Training School for Boys located in Skillman, opened in December 1968. The same board of managers exists for the Training School and the State Home for Boys. The institution is in no way connected with the Neuro-Psychiatric Institute at Skillman. Since institutions are often referred to by the name of the town where they are located, there has been confusion in the past between these two separate institutions.

The staff of the Training School is not vastly different from that of the other correctional institutions, and they are not equipped to handle the mentally retarded and emotionally disturbed youngsters who are often sent there. At present 12% of the population at the training school is composed of mentally retarded children who cannot be treated and who are awaiting administrative transfer to state homes for the retarded.

Under current administrative policy boys between the ages of 8 and 12 who are committed to Jamesburg are immediately transferred to the Training School. All papers including the commitment order and pre-sentence investigation report are taken with the boy by State Home personnel. No mention need be made in disposing of the case of an 8 to 12 year old that placement at the Training School is desired; the transfer will be automatic, space permitting.

The Training School is a residential institution designed for 200 youngsters. The physical lay-out resembles that of an ordinary boarding school with separate buildings for housing, administration and education, and dining. All buildings were designed specially for the institution. The buildings are surrounded by open farm land.

Upon arrival a boy will spend five to six weeks at a reception unit for testing, but assignment to a regular class program occurs within a week after arrival. The reception unit committee makes the initial decision on housing and educational program. The committee consists of the chief social worker, acting as chairman, a psychiatrist, psychologist, teacher, two juvenile officers and the head juvenile officer. This committee assigns the youngster to a cottage where a cottage treatment team can become thoroughly familiar with the youngster, his potential and limitations. This second team consists of a social worker, acting as chairman, a teacher, the head juvenile officer and the juvenile officers on the 7 a.m. to 3 p.m., and 3 p.m. to 11 p.m. shifts.

All decisions made by these two groups are subject to review by the staff case conference consisting of department heads and the superintendent. Final decisions on transfer and recommendations to the Board of Managers for release are made by the superintendent.

No preliminary date for release is set at the reception period as is common with other institutions. Each boy's case is reviewed monthly by the cottage treatment team. The institution is too new to have any meaningful statistics on the average length of detention. Some youngsters have been released within the first seven months after arrival, while some others were in residence from the opening of the institution until June 1970. Since youngsters after their release are still young enough to be subject to compulsory school attendance laws, there must be an acceptable adult supervisor for the child before there can be parole from the institution.

The youngster's life at the Training School centers around cottage life and the academic program. Cottage assignments are based on compatibility so that physical harm from other inmates is minimized. Classes in the educational program are ungraded with grouping by academic achievement. In addition to regular classes at the elementary and junior high school level, there is an arts and crafts program, a library, and shops for working with wood and metal. Schooling is on a 12 month basis.

A liberal furlough program exists to enable the

youngster to maintain ties with parents and his community. It is expected that everyone will go home at his and his parents' expense one weekend per month. Over 100 boys do go home once a month. When parole is imminent the youngster is furloughed at more frequent intervals, whenever this is possible.

An extensive volunteer program exists with the cooperation of neighboring social and religious organizations. Volunteer activities include taking youngsters with no homes into volunteers' homes for a weekend or away from the institution for a day of activity. Some volunteers assist in the classroom, since even with a teacher-student ratio of 1 to 12, more individualized help is often needed. Youngsters have responded well to the program, and the extensive assistance provided by this program is regarded as an integral part of the institution's program, "to return the boy to society better able to adapt to the community in a constructive way."

2. Female Institutions

The correctional system for females is in most respects the same as the male system. However, unlike the male system there is no central reception center where juveniles are received and thereafter placed in the most suitable institution. The decision on choosing The State Home for Girls or the Women's Reformatory must be made by the judge himself.

The age limits of the two institutions overlap. N.J.S.A. 30:4-157.9 sets the age limits of the State Home for Girls as over 8 and under 17. The age limits for the Women's

Reformatory are over 16 to adult, N.J.S.A.30:4-154. Therefore, while 15 year olds must be sent to the State Home and 17 year olds to the Reformatory, 16 year olds can be sent to either institution. There is no guide as to seriousness of offense since both institutions can take females guilty of any offense. Nor is there any other standard for making a choice between the two institutions. The composition of the institutions is strikingly different. The State Home for Girls has 9 to 17 year old girls in the vast majority and a few 18 year old girls who are completing their term. At the Women's Reformatory in June 1970 there were 63 girls who were juveniles out of a population of 213.

(a) The Women's Reformatory

Approximately one-third of the population at the Reformatory is made up of females on juvenile commitments. This group in turn is composed of direct commitments from the courts and a small number of girls transferred from the State Home for Girls when they outgrow the age limits. Most girls are kept at the State Home when they reach 17, unless they are termed "mature delinquents" by the State Home officials. There are no special programs for juveniles at the Reformatory and they are not treated differently from adult inmates. Age is not used as a basis for making decisions on housing inmates.

When a girl arrives at Clinton she is placed in an orientation cottage for extensive testing and an introduction to life at the reformatory. After 4 weeks the classification committee makes the choice of educational program and housing

for the girl and sets the projected date of release.

The committee is composed of the directors of education, social work and vocational training; the superintendent, a parole officer, the nursing supervisor, a supervisor of cottage life, and the director of the Manpower Development Training Program.

The choice of cottage is primarily based on security considerations; the girl will be placed where she will offer the least amount of danger to others and vice versa. Age is not a consideration, since the institution's staff feels that many of the younger girls tend to be as sophisticated about crime as the older inmates. There are three types of cottages with minimum, medium and maximum security regulations.

Educational programs are only mandatory for those inmates whose reading comprehension is below the fifth grade level. However, most other inmates do attend classes voluntarily. Classes are ungraded and rapid advancement is possible. A grammar school or high school equivalency certificate can be earned, and a girl can even complete college courses.

The vocational program places its stress on skills that will be marketable after release. There are three Manpower Development programs for training in office skills, food services, and nursing. The reformatory maintains a dental assistant's course. The beauty culture course operated by the reformatory, which is open to girls who have a high school equivalency degree, has been very successful in preparing girls to pass the licensing examination for beauticians. In

15 years only 2 girls have failed to pass the combined written and practical examination on the first attempt. There are also programs in sewing and in driver education.

The average juvenile length of stay is for a period of 18 months. A pre-release cottage in the town of Clinton is used to prepare inmates for their return to society. Eight girls can be accommodated at the cottage at one time. There is also a day parole program which allows the inmate to do domestic work by the day in the surrounding area, and work-release program which permits selected inmates to hold full time jobs in the community while living at the institution. Both programs are designed to aid in the transition from a structured to an open environment.

(b) The State Home for Girls

The State Home for Girls is an institution geared towards juveniles exclusively. Since the disparity in age is so much less than at the Women's Reformatory, special programs aimed at the adolescent are possible. While the age limits are 8 to 17, few girls under the age of 13 are committed.

Upon arrival at the State Home, a girl will spend four weeks at a reception cottage segregated from the rest of the population for orientation and testing. After this period the classification committee, composed of the assistant superintendent, directors of cottage life and education, a social worker and a parole or Bureau of Children's Services officer (depending on the age of the girl) will meet. The girl is allowed to be present at this meeting. The committee

establishes a date for parole and suggests an educational program and housing. Housing is based on age and personality type with a special cottage for the emotionally disturbed and another for girls 13 and younger.

The physical facilities at the State Home include a separate administration building, a school building, an infirmary, chapel and 10 cottages; each with a capacity of 27 girls. Dining facilities are located in one of the cottages. The buildings are surrounded by 150 acres of land.

School programs have all inmates as participants. Classes are ungraded and individual teaching is stressed. The range of classes is from grade one to junior high school. School placement is based not only on the evaluations of the reception staff but on plans for educational goals after return to the community. All girls also participate in social readjustment classes. Besides the educational program there are classes conducted in nurses aide, beauty culture, home economics, arts and crafts, music and physical education. There is also training in food services, laundry, sewing and building service.

All girls are responsible for housekeeping in their cottages and other light work around the institution. Furloughs are allowed to the girl's home at her expense and her parents'. Activities such as this which are outside the institution are stressed in an attempt to keep the girl's community orientation and to prevent dependency on the institution. Field trips to nearby points of interest are frequent.

Release from the institution is based on accomplishment in the educational and other rehabilitative programs, and on existence of parents or other responsible guardians in the community. The average stay is from 9 to 13 months. Each girl's progress is discussed weekly by the staff or her cottage and is then reviewed every two or three months by the classification committee.

While the institution's infirmary has 24 hour nursing service and daily visits by a physician, there are no facilities adequate for the confinement of girls who are pregnant. The Women's Reformatory also does not have facilities that are suitable for the housing of pregnant girls. (A list of maternity homes can be found in Appendix VII)

The philosophy of the State Home is to provide a stable environment in which the girl can develop. Each girl is encouraged to set goals for herself which are reasonable and to take steps toward accomplishing these goals.

3. Post - Release

All juveniles are released from the correctional institutions subject to terms and conditions of parole. B.C.S. representatives supervise parolees younger than 14, and older juveniles are subject to parole officers. Each parolee is assigned an individual worker who will make personal contacts in the home, school or place of employment to get a true idea of the parolee's life style. Along with this supervisory task, parole authorities can act like "concertmasters" to muster any service that the parolee may need, including

medical, psychological or vocational services.

Violations of terms of parole will lead to a decision by the state parole board whether or not the parolee will be returned to the reformatory. Complaints against parolees that constitute new substantive offenses will lead to court action. However, a juvenile court judge can dispose of such a complaint by referring it to the state parole board for its decision.

There are two residential facilities to serve the needs of parolees. These "halfway houses" will serve as a place where juveniles and adults can live who ordinarily would have no place to go after their release.

The Robert Bruce House in Newark, founded in 1964, can accomodate up to 20 male parolees primarily from Essex County, with some from the 8 other North Jersey counties. Residents attend public school or work in community jobs and then return to the House afterwards for counselling programs and home life. The maximum stay at the house is four months. The supervising authority is the Yardville Reception and Correction Center.

Unlike the Bruce House, the Proof House in Jersey City is open to residents from the entire state and is operated by parole officers. All males 15 and older are eligible if they have no suitable place to go after their parole. Their are 15 beds at the present time and the average stay is 2 months. The Proof House is also different from the Bruce House in that it is not only a residential center, but also serves as a

community center where all local parolees can come for
counselling and tutoring.

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APPENDIX I

ADMINISTRATIVE OFFICE OF THE COURTS

STANDARD CONDITIONS OF PROBATION - JUVENILE

1. Refrain from committing any act which violates a municipal, state or federal law.
2. Obey all lawful commands of parents or other person legally responsible for your care.
3. Attend school regularly or be suitably employed.
4. Keep reasonable hours at night as required by parents or other person legally responsible for your care.
5. Keep all appointments arranged by the probation department.
6. Avoid injurious or vicious habits.
7. Do not desert your home or other place of residence or treatment without authorized permission.
8. Avoid associating with known criminals and persons of known disreputable or harmful character.
9. Answer all reasonable inquiries on part of the probation department.
10. Cooperate with the probation department and others, in their efforts to help you maintain a satisfactory standard of health and conduct during the period of probation.
11. Notify the probation department immediately of any change in residence, school or employment.
12. Do not leave your county of residence overnight except when accompanied by your parents or guardians unless you have in advance obtained the written permission from the probation department.
13. Satisfy any other conditions reasonably related to your adjustment that may be applied during the period of probation.

APPENDIX II

BUREAU OF CHILDREN'S SERVICES DISTRICT OFFICES

Due to the frequency of address changes in the past year, B.C.S. District Offices are now officially listed by the name of the municipality in which they are located.

<u>COUNTIES</u>	<u>DISTRICT B.C.S. OFFICES</u>
Atlantic	Atlantic City
Bergen	Hackensack
Burlington	Mt. Holly
Camden	Camden
Cape May	Atlantic City
Cumberland	Bridgeton
Essex	Newark
Gloucester	Woodbury
Hudson	Jersey City
Hunterdon	Somerville
Mercer	Trenton
Middlesex	New Brunswick
Monmouth	Red Bank
Morris	Morristown
Ocean	Toms River
Passaic	Paterson
Salem	Bridgeton
Somerset	Somerville
Sussex	Newton
Union	Elizabeth
Warren	Newton

APPENDIX III

BUREAU OF FIELD SERVICES

REGIONAL OFFICES OF THE NEW JERSEY

DIVISION OF MENTAL RETARDATION

1. Metropolitan Regional Office, serving Essex, Bergen, Hudson, Passaic and Union Counties.

Address: Field Services
7 Park Street
Montclair, N. J. 07042
201-744-7797 and 4489

2. Northern Regional Office, serving Sussex, Warren, Morris, Somerset and Hunterdon Counties.

Address: Field Services
108 High Street
Hackettstown, N. J. 07840
201-852-1214 and 1216

3. Central Regional Office, serving Mercer, Monmouth, Burlington, Middlesex and Ocean Counties.

Address: Field Services
730 White Horse Pike
Hammonton, N. J. 08037
609-292-3720, 21, 22

4. Southern Regional Office, serving Camden, Atlantic, Salem, Cumberland, Gloucester and Cape May Counties.

Address: Field Services
730 White Horse Pike
Hammonton, N. J. 08037
609-561-5070 and 6020

APPENDIX IV

CLASSIFICATION OF RETARDATION

The following descriptions of the classification of retardates as to their level of retardation have been supplied by the Division of Mental Retardation.

1. Mild - In pre-school years the mildly retarded youngster is slower to talk, walk and feed himself than most children. During the 5 to 21 year age period, he can achieve a 3rd to 6th grade reading and mathematical level with the aid of special education courses. In later years, the mildly retarded adult can maintain himself adequately with the aid of guidance in stress situations.
2. Moderate - In pre-school years the **moderately** retarded youngster has noticeable difficulty in motor development and speech. During the 5 to 21 period, he can acquire personal habits that are socially acceptable and simple manual skills, but does not progress in functional reading or arithmetic. In adult years he can perform simple tasks, but is incapable of maintaining himself.
3. Severe - In pre-school years, the severely retarded youngster has marked difficulty in speech and motor development, and must be trained to feed himself. In the 5 to 21 year old period, he must be trained systematically to be able to walk. In later years the severely retarded adult needs continuing supervision in a protective environment to merely conform to a daily routine.
4. Profound - In pre-school years, the profoundly disturbed youngster needs constant nursing care and has obvious difficulty in motor and speech development. In the 5 to 21 year old period, he must receive training to walk. In adult years the profoundly retarded adult is incapable of personal maintenance.

APPENDIX V

DAY CARE CENTERS FOR SEVERELY AND PROFOUNDLY RETARDED CHILDREN

Atlantic County

1. Atlantic Unit Day Care
Reformation Lutheran Church
Biscayne Ave. and Shore Rd.
Absecon, N. J.
2. V.F.W. Post No. 3361
601 North Dorset Ave.
Ventnor City, N. J.

Bergen County

3. Bergen-Passaic Unit Day Care
First Methodist Church
Passaic St. and Summit Ave.
Hackensack, N. J.
4. Church of the Good Shepherd
497 Godwin Avenue
Midland Park, N. J.
5. Temple Emanu-El
147 Tenaflly Road
Englewood, N. J.

Burlington County

6. Training Center for Retarded Children
Deacon Road
Hainesport, N. J.

Camden County

7. Bernice Ravel Day Care Centers
First Baptist Church
Walnut and Centre Streets
Merchantville, N. J.
8. Pennsauken Methodist Church
3541 Pennsylvania Avenue
Pennsauken, N. J.

Cape May County

9. Cape May Unit Day Care
c/o Crest Community Church
Crocus and Pacific Avenue
Wildwood Crest, N. J.

Cumberland County

10. Evanoff Guidance Center
West Sherman Avenue
Vineland, N. J.

DAY CARE CENTERS FOR SEVERELY AND PROFOUNDLY RETARDED CHILDREN

Essex County

11. Essex Unit Day Care
Hillside Presbyterian Church
494 Hillside Avenue
Orange, N. J.

Gloucester County

12. Gloucester Unit Day Care
c/o Pitman Presbyterian Church
5 Broadway Avenue
Pitman, N. J.

Hudson County

13. Hudson Unit Day Care
St. John Lutheran Church
155 North Street
Jersey City, N. J.

Hunterdon County

14. Hunterdon Unit Day Care
American Legion Hall
Route 69
Flemington, N. J.

Mercer County

15. Mercer Unit Day Care
ARC Unit Building
1015 Fairmount Avenue
Trenton, N. J.

Middlesex County

16. Raritan-Valley Unit Day Care
c/o Centenary Methodist Church
200 Hillside Avenue
Metuchen, N. J.
17. c/o American Legion Post No. 1777
16 Emerson Street
Old Bridge, N. J.

Monmouth County

18. Monmouth Unit Day Care
ARC Unit Building
30 Hudson Avenue
Red Bank, N. J.

APPENDIX V (Continued)

DAY CARE CENTERS FOR SEVERELY AND PROFOUNDLY RETARDED CHILDREN

Morris County

19. Morris Unit Day Care
Bethlehem Church
State Highway 10
Mt. Fern, N. J.

Ocean County

20. Ocean Unit Day Care
Sarah Miller Training Center
365 Chambers Bridge Road
Brick Township, N. J.

Passaic County

21. Bergen-Passaic Unit Day Care
First Presbyterian Church
303 Maplewood Avenue
Clifton, N. J.

Salem County

22. Cumberland-Salem Unit Day Care
c/o Broadway Methodist Church
West Broadway
Salem, N. J.

Somerset County

23. Raritan-Valley Unit Day Care
First Reformed Church
22 North Bridge Street
Somerville, N. J.

APPENDIX VI

PRIVATE HOMES FOR THE RETARDED

1. The McVeigh Home for Mongoloid Infants
141 Lincoln Avenue
East Paterson, N. J.
2. The Bancroft School
437 King's Highway
East Haddonfield, N. J.
3. Bayside Training School
Beesley's Point
Ocean City, N. J.
4. The Cove
304 East 14th Avenue
North Wildwood, N. J.
5. The Foster School
1 Shore Road
Marmora, N. J.
6. Kinderstrand
118 - 43rd Street
Sea Isle City, N. J.
7. The Training School at Vineland
Vineland, N. J.
8. Harbourton Hills Home for Mongoloid Children
Woodsville-Harbourton Road
Lambertville, N. J.
9. Irma's Home
61 Nancy Drive
Trenton, N. J.
10. Dorothy Hall School
315 Eighth Avenue
Belmar, N. J.
11. Raphael's Knoll
Belvidere Road
Oxford, N. J.

APPENDIX VII

HOMES FOR UNWED MOTHERS

1. The Florence Christian Home in Wayne can accommodate ten girls who are in their sixth or seventh month of pregnancy. The home has a Protestant orientation.
2. The Florence Crittenton Home in Trenton will accept girls during any period of their pregnancy, including emotionally disturbed girls and those who have been involved in pre-delinquent behavior. The capacity is 24 girls.
3. The Florence Crittenton Home in Atlantic City has a capacity of 16 girls who are 6 months pregnant. No severely disturbed girls are accepted.
4. The Florence Crittenton Home in Newark has a capacity of 24 girls who are 6 months pregnant, including emotionally disturbed girls and those who have been involved in pre-delinquent behavior.
5. St. Elizabeth's Home in Yardville, operated by the Catholic Welfare Bureau of Trenton, has a capacity of 68 girls in their fifth to sixth month of pregnancy. Girls with severe behavior problems are excluded.
6. St. Martha's Home in Newark, operated by Catholic Charities, has a capacity of 20 girls who are 6 months pregnant. Girls with severe behavior problems are not accepted.
7. The Salvation Army Door of Hope Home has a capacity of 66 girls in their 5th to 6th month of pregnancy. Girls who are emotionally disturbed or who have been involved in pre-delinquent or delinquent behavior are accepted, but not drug addicts or psychotics.

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