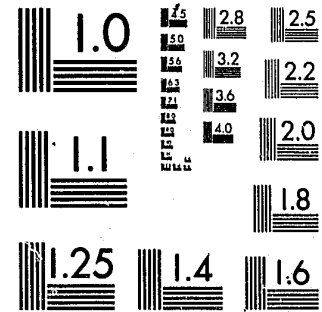


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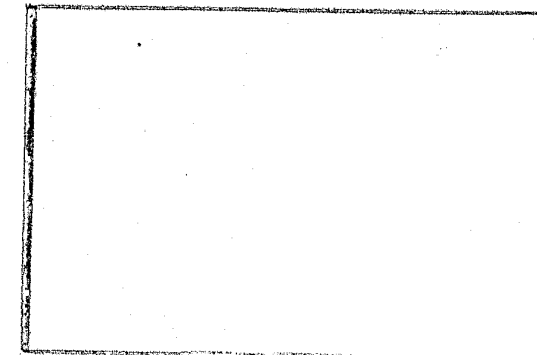
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JUVENILE COURT JURISDICTION
OVER CHILDREN'S CONDUCT:
1980 STATUTES ANALYSIS

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JUVENILE COURT JURISDICTION
OVER CHILDREN'S CONDUCT:
1980 STATUTES ANALYSIS

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PREFACE

This report is an update of the monograph Juvenile Court Jurisdiction Over Children's Conduct: A Statutes Analysis, published in June, 1977. Although the basic format of the original monograph and its methodology, terminology, conduct categories, and classification criteria have been preserved in this report, certain errors and oversights of the original work have been corrected in the preparation of this report. Although this improves the accuracy of the present report, it poses problems for the reader in trending from one report to the other because not all changes are the result of interim legislative activity. The Postscript to this report highlights changes in legislation from the currency dates in Table III of the 1977 monograph to those in the Appendix of this report, changes in national profiles and totals, and legislative trends suggested by the data. Any inconsistencies between the data reported in the Postscript and data derived by direct comparison of the two reports probably result from the aforementioned errors in the original monograph and should be resolved in favor of the present report.

JUVENILE COURT JURISDICTION OVER CHILDREN'S CONDUCT

INTRODUCTION

This report examines that conduct of juveniles which subjects them to the jurisdiction of the juvenile court, as distinguished from the conduct of adults (e.g., abuse, neglect, abandonment) which may result in the exercise of the court's dependency or neglect jurisdiction.

Children's conduct over which the juvenile court exercises its jurisdiction is commonly viewed as falling into two categories: (1) delinquency -- conduct of juveniles which would constitute a violation of a criminal statute if committed by an adult, and (2) status offenses -- children's behavior which would not be criminal if committed by an adult. The juvenile codes of most states define two categories of juveniles whose conduct subjects them to the jurisdiction of the juvenile court; however, the nature of the conduct encompassed by the statutory classifications varies widely and only approximates the commonly accepted meanings of the terms "delinquency" and "status offense."

Forty-one (41) jurisdictions categorize juvenile lawbreakers as "delinquents."¹ In the remaining ten states, the statutes use what are intended to be less stigmatizing names -- "offender,"² "ward of the court,"³ -- or simply declare that children who commit certain acts are within the

¹Ala., Alaska, Ariz., Ark., Colo., Conn., Del., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., La., Md., Mass., Minn., Miss., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., N.D., Ohio, Okla., Pa., R.I., S.D., Tenn., Texas, Vt., Va., W.Va., Wisc., Wyo.

²Wash.

³Cal.

jurisdiction of the court.⁴ Maine, however, minces no words in labelling such acts "juvenile crime."

In forty-three (43) states, separate labeled categories have been established which include juveniles engaging in conduct which would not be criminal if committed by an adult,⁵ and sometimes neglected or dependent children as well. The most commonly used label is "child in need of supervision" (eleven states), but many others are used: "minor (or person or juvenile) in need of supervision," "unruly child," "incorrigible child," etc. In the remaining eight (8) states,⁶ such non-criminal behavior is either specifically included in the definition of delinquency, described in a separate but unlabeled category, or included in a general jurisdictional section which establishes the court's jurisdiction over "all children who [engage in criminal and certain non-criminal conduct]."

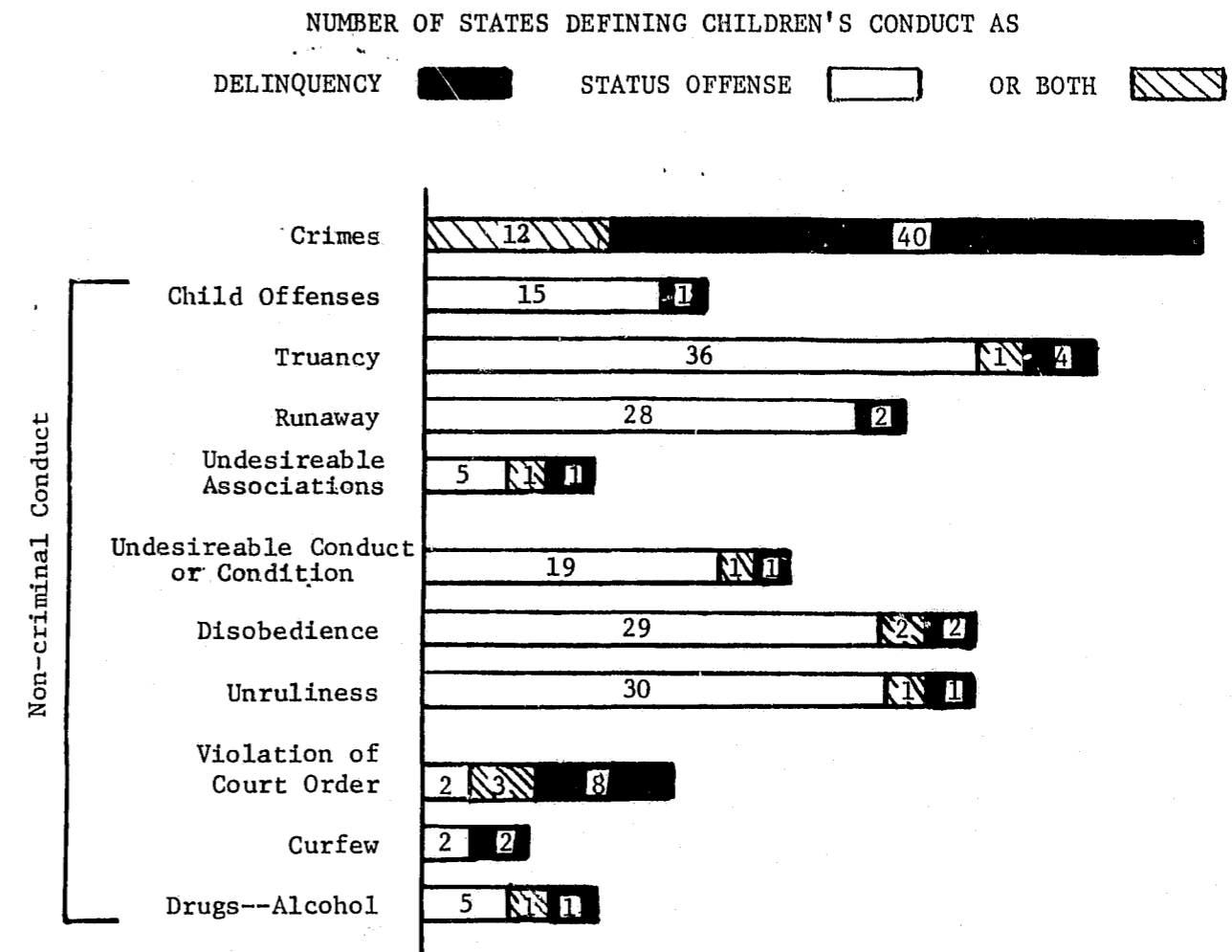
Even where distinct labeled categories have been established, however, they do not conform to the criminal/non-criminal distinction connoted by the terms "delinquent" and "status offender." Some non-criminal conduct may be included in the definition of delinquency even where a separate status offense category is defined, and in a few cases some less serious criminal offenses may be included in the status offense category. In some statutes the same conduct may be described in both the delinquency and status offense categories, or the court may be granted discretion to treat any juvenile who commits a delinquent act as a status offender.

⁴Haw., Idaho, Me., Mich., Mo., Oregon, S.C., Utah

⁵Ala., Alaska, Ariz., Ark., Cal., Colo., Conn., Del., D.C., Fla., Ga., Ill., Ind., Iowa, Kans., Ky., La., Md., Mass., Minn., Miss., Mo., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., N.D., Ohio, Okla., Pa., R.I., S.D., Tenn., Texas, Vt., Va., Wash., Wisc., Wyo.

⁶Haw., Idaho, Maine, Mich., Oregon, S.C., Utah, W.Va.

The bar graph presents an overview of the data of this report and clearly indicates the incongruity between the connotative distinction between delinquency and status offenses (criminal vs. non-criminal) and the statutory definitions.



Study Methodology

This report reviews the definitions of delinquency and status offenses in the juvenile codes of the fifty states and the District of Columbia. The data of the report is presented in a table, an appendix, and the graph above.

TABLE I presents in detail the statutes' definitional schemes. It sets forth for each state the terminology used to refer to juveniles engaging in delinquent and status offense conduct and the nature of conduct included under those jurisdictional categories. A narrative description of TABLE I follows the table.

The appendix contains the text of the definition or jurisdiction sections of the juvenile codes from which the data in TABLE I was derived. In the event of any ambiguity in the data reported in TABLE I or for comparison of the exact language of the statutes, the appendix should be consulted. The appendix also reports the currency of the legislative material reviewed in each state. Rather than reporting the state of the law in all states on a particular date, the most recent statutory material available in each state was reviewed to obtain as current data as possible on the law of each state.

Delinquent or Status Offender? The classification schemes of the reviewed statutes are of three general types:

- (1) All juveniles engaging in conduct, whether criminal or non-criminal, over which the court is granted jurisdiction are expressly included in a single labeled category, usually "delinquent child."
- (2) Juveniles engaging in conduct over which the court is granted jurisdiction are divided into two categories, one or both of which are labeled, one including primarily criminal conduct and one including primarily non-criminal conduct.
- (3) Juveniles engaging in conduct over which the court is granted jurisdiction are described, but not labeled, in jurisdictional sections providing that the court has jurisdiction

"over children who (engage in certain criminal and non-criminal conduct)." Such statutes may, or may not, distinguish between juveniles on the basis of available dispositional alternatives or age of jurisdiction.

For purposes of this report, juveniles engaging in conduct over which the court is granted jurisdiction have been classified as delinquents and status offenders on the basis of express statutory classifications (type 1 and 2 above) or on the basis of similarity of statutory treatment as to dispositions and age (type 3 above):

- (1) Where all juveniles engaging in conduct over which the court is granted jurisdiction are included in a single labeled category, or described in a jurisdictional section with no distinctions drawn on the basis of dispositional alternatives or age of jurisdiction, all such juveniles are classified as delinquent. The label attached, or the symbol J_D if no label is attached, to such juveniles is entered in the delinquency column of the terminology section of TABLE I, and a D is entered under each type of conduct expressly included in the court's jurisdiction.
- (2) Where juveniles engaging in conduct over which the court is granted jurisdiction are divided into two or more categories, either expressly by the statute or by implication based on distinctions in dispositional alternatives or age of jurisdiction, those juveniles engaging in criminal acts and those placed in the same category by label, disposition or age are classified as delinquent. Those juveniles distinguished from criminal-type

offenders are classified as status offenders. The labels attached to the categories, or the symbol J_D or J_S if one or both categories are unlabeled, are entered in the delinquency and status offense columns of the terminology section in TABLE I, and D or S is entered under each type of conduct included in the definition of the delinquent or status offender label or jurisdiction. In statutes where the same conduct is described in both the delinquent and status offense categories, or where the court has discretion to treat as status offenders juveniles committing delinquent acts, both D and S appear in the appropriate conduct column.

D - Delinquent

CCDA - Child who has Committed a Delinquent Act
 DA - Delinquency Action (Kentucky labels the proceeding, not the child)
 DC - Delinquent Child
 DJ - Delinquent Juvenile
 DM - Delinquent Minor
 DY - Delinquent Youth
 JC - Juvenile Crime (Maine labels the act, not the child)
 JD - Juvenile Delinquent
 JO - Juvenile Offender
 JTO - Juvenile Traffic Offender
 MC - Miscreant Child
 TO - Traffic Offender
 WdCt - Ward of the Court
 J_D - Unlabelled Delinquency Category

Crimes

¹Some minor offenses excluded
²Some serious offenses excluded
³Some minor and serious offenses excluded

Conduct or Condition

D* or S* - Habitual conduct required

S - Status Offender

CFD - Child who is Found to be Dependent
 CHINA - Child In Need of Aid
 CHINS - Child In Need of Services
 CINA - Child In Need of Assistance
 CINCST - Child In Need of Care or Supervision
 CINCT - Child In Need of Care or Treatment
 CINPS - Child In Need of Protection or Services
 CINS - Child In Need of Supervision
 CINSS - Child In Need of Special Supervision
 CNO - Child Needing Oversight
 DepC - Dependent Child
 DNC - Dependent or Neglected Child
 FWSN - Family With Service Needs
 FIC - Family In Conflict
 IncC - Incurable Child
 JINS - Juvenile In Need of Supervision
 MINS - Minor In Need of Supervision
 NDC - Neglected or Dependent Child
 NegC - Neglected Child
 PINS - Person In Need of Supervision
 SA - Status Action (Kentucky labels the proceeding, not the child)
 UndJ - Undisciplined Juvenile
 UngC - Ungovernable Child
 UnrC - Unruly Child
 YINS - Youth In Need of Supervision
 WdCt - Ward of the Court
 WwdC - Wayward Child
 J_S - Unlabelled Status Offense Category

Unruliness

BC - Beyond Control
 Inc - Incurable
 MD - Morally Depraved
 Unc - Uncontrolled
 Ung - Ungovernable
 Unm - Unmanageable
 Wwd - Wayward

TABLE I - CONTINUED

State	TERMINOLOGY			CONDUCT OR CONDITION					CONDUCT OR CONDITION					
	D	S	Crimes	Child Offense	Truancy School Offense	Runaway	Undes. Assoc.	Undes. Condition or Conduct	Disobedience-Urfulness	Violation of Court Order	Curfew	Drugs Alcohol	Other	And Needs Care or Supervision
Idaho	J _D		D ¹	D										
Ill.	DM	MINS	D ¹		S ^a				S/BC	S		S		
Ind.	DC	CHINS	D ¹		D	D		S	D ^a		D		S	D,S
Iowa	DC	CINA	D,S										S	
Kans.	DC MC TO	WdC Truant	D ¹	S	S ^a	S		S	S ^a		D		S	
Ky.	DA	SA	D ¹		S ^a	S ^a			S ^a -----S/Wed					
La.	DC	CINS	D ¹	S	S ^a	S	S	S	S ^a -----S/Ung,BC			S		S
Maine	JC	J _S	D ¹			S								
Md.	DC	CINS	D ³	S	S ^a			S	S ^a -----S/Ung,BC					
Mass.	DC	CHINS	D ²		S ^a	S ^a			S ^a					D,S
Mich.	J _D	J _S	D		D ^a	D	D ^a ,S ^a	D,S	D ^a ,S ^a -----S/WD					
Minn.	DC	WgC	D,S		D ^a ,S ^a		S	S	S ^a ,D ^a -----S ^a , D/Unc, Wed					

TABLE I - CONDUCT DEFINED AS DELINQUENCY OR STATUS OFFENSE

State	TERMINOLOGY			CONDUCT OR CONDITION					CONDUCT OR CONDITION					
	D	S	Crimes	Child Offense	Truancy School Offense	Runaway	Undes. Assoc.	Undes. Condition or Conduct	Disobedience-Urfulness	Violation of Court Order	Curfew	Drugs Alcohol	Other	And Needs Care or Supervision
Ala.	DC	CINS	D ¹	S	S ^a				S-----S/BC					D,S
Alaska	DM	CHIMA	D ¹ ,S			S ^a								
Ariz.	DC	IncC	D ¹ ,S ²	S	S ^a	S		S ^a	S-----S,BC	S				
Ark.	DJ	JINS	D ¹	S	S ^a	S			S ^a				D	S
Cal.	WdCt §602	WdCt §601	D		S ^a				S ^a -----S/BC		S			
Colo.	DC	CHO MDC MHC	D ³			S		S	S/BC	D				
Conn.	DC	FWSE	D		S ^a	S		S	S/BC	D,S				
Del.	DC	Truant	D ³		S ^a									
D.C.	DC	CINS	D ³	S	S ^a				S ^a -----S/Ung					D,S
Fla.	OCRA	CPB	D ¹		S ^a	S ^a			S ^a -----S/BC	D				
Ga.	DC	UarC	D ¹ ,S ¹	S	S ^a	S			S ^a -----S/Ung	D,S	S	S		D,S
Haw.	J _D	J _S	D		S			S	S/BC		D		D	

TABLE I - CONTINUED

State	TERMINOLOGY			CONDUCT OR CONDITION					CONDUCT OR CONDITION					
	D	S	Crimes	Child Offense	Truancy School Offense	Runaway	Undes. Assoc.	Undes. Condition or Conduct	Disobedience-Unruliness	Violation of Court Order	Curfew	Drugs Alcohol	Other	And Needs Care or Supervision
<u>Okla.</u>	DC	CINS	D ¹		S*	S		S*						D
<u>Oregon</u>	J _D	J _S	D			S		S						S/BC
<u>Pa.</u>	DC	DepC	D ³ , S ³		S*				S*-----S/Ung					D, S
<u>R.I.</u>	DC	WwdC	D ³ , S ³		S*	S	S*	S	S*					
<u>S.C.</u>	J _D		D				D	D						D/BC
<u>S.D.</u>	DC	CINS	D ¹		S*	S		S						S/BC
<u>Tenn.</u>	DC	UurC	D	S	S*	S			S*-----S/Ung					D, S
<u>Texas</u>	DC	CINS	D ¹ , S ³		S*	S								D
<u>Utah</u>	J _D		D		D*									S
<u>Vt.</u>	DC	CINCS	D ¹											S/BC
<u>Va.</u>	DC	CMINS	D	S	S*	S*			S*					S
<u>Wash.</u>	JO	FIC	D			S								

TABLE I - CONTINUED

State	TERMINOLOGY			CONDUCT OR CONDITION					CONDUCT OR CONDITION					
	D	S	Crimes	Child Offense	Truancy School Offense	Runaway	Undes. Assoc.	Undes. Condition or Conduct	Disobedience-Unruliness	Violation of Court Order	Curfew	Drugs Alcohol	Other	And Needs Care or Supervision
<u>Miss.</u>	DC	CINS	D ² , S ²		S*	S			S*-----S/Ung					S
<u>Mo.</u>	J _D	CINCT	D				S	S						
<u>Mont.</u>	DY	YINS	D, S	S	S*				S* S/Ung, BC	D, S		S		
<u>Neb.</u>	DC	CINSS	D		S*	S*		S	S*-----S/Ung, Urd					
<u>Nev.</u>	DC	CINS	D ²		S*	S			S*-----S/Ung		D			S
<u>N.H.</u>	DC	CMINS	D ¹ , S ²		S*	S*			S*					D, S
<u>N.J.</u>	DJ	JINS	D ¹	S	S*			S	S* S/Ung, Inc					D, S
<u>N.M.</u>	DC	CINS	D ¹	S	S*				S*-----S/Ung, BC					
<u>N.Y.</u>	JD	PINS	D ²		S				S*-----S/Inc, Ung, BC				S	
<u>N.C.</u>	DJ	UndJ	D		S	S		S*	S*-----S/BC					D, S
<u>N.D.</u>	DC	UurC	D ¹	S	S*			S	S*					S
<u>Ohio</u>	DC JTO	UurC	D	S	S*	S*	S	S	S*-----S/Urd		D			S

NARRATIVE DESCRIPTION OF TABLE I

A. TERMINOLOGY

This section identifies the terminology of the statute applied to juveniles engaging in conduct which subjects them to the jurisdiction of the juvenile court. These terms have been separated into categories of delinquent (D) and status offender (S). Where the statutes do not include specific terminology labelling different categories of children, the symbols J_D and J_S indicate the areas of the court's delinquency and status jurisdiction, respectively.

In general, delinquency includes conduct which would be criminal if committed by an adult, and status offense includes non-criminal conduct of juveniles. However, the variety of statutory classification schemes renders any attempt at uniform definitions futile. In several states, all juveniles within the court's jurisdiction, whether for criminal or non-criminal conduct, are labelled as delinquent. In many, some non-criminal conduct is included with criminal acts in the definition of delinquency, while other non-criminal conduct only, constitutes a status offense category. In a few states, first-time criminal or misdemeanor offenses are placed with non-criminal offenses in a status offense category, and only repeated or serious criminal offenses are defined as delinquent acts. In several states, some status offense type conduct of juveniles is included in the court's dependency or neglect jurisdiction. In one state, as many as five different categories are established for juveniles whose conduct brings them within the jurisdiction of the court. In several states no definitional categories are established, the statutes merely providing that "the juvenile court shall have jurisdiction over all children who..." or similar language.

State	D	S	CONDUCT OR CONDITION				CONDUCT OR CONDITION											
			Child Offense	Truancy School Offense	Runaway	Under- Assoc. of Conduct	Indem. Condition of Conduct	Disobedience-Disruptiveness	Violation of Court Order	Curfew	Drugs Alcohol	Other	And Needs Care or Supervision					
<u>W.Va.</u>	DC		D	D ^a				D ^a										
<u>Wisc.</u>	DC	CINFS	D ¹ , S ¹	S ^a	S ^a					S/Dnc								
<u>Wyo.</u>	DC	CINS	D	S ^a	S					S ^a -----S/Dnc, DC								

Totals for 51 states (including District of Columbia)		(Footnotes explain why columns do not always add to total)	
<u>Crimes</u>	D-1 S-12 51 ^a	D-1 S-15 16	D-1 S-19 35
<u>Child Offense</u>	D-1 S-15 16	D-1 S-15 16	D-1 S-19 35
<u>Truancy School Offense</u>	D-1 S-15 16	D-1 S-15 16	D-1 S-19 35
<u>Runaway</u>	D-2 S-19 21	D-2 S-19 21	D-2 S-19 21
<u>Under- Assoc. of Conduct</u>	D-1 S-4 5	D-1 S-4 5	D-1 S-4 5
<u>Indem. Condition of Conduct</u>	D-2 S-17 19	D-2 S-17 19	D-2 S-17 19
<u>Disobedience-Disruptiveness</u>	(21)-----21	(21)-----21	(21)-----21
<u>Violation of Court Order</u>	D-11 S-3 14	D-11 S-3 14	D-11 S-3 14
<u>Curfew</u>	D-2 S-2 4	D-2 S-2 4	D-2 S-2 4
<u>Drugs Alcohol</u>	D-1 S-1 2	D-1 S-1 2	D-1 S-1 2
<u>Other</u>	D-2 S-5 7	D-2 S-5 7	D-2 S-5 7
<u>And Needs Care or Supervision</u>	D-10 S-15 25	D-10 S-15 25	D-10 S-15 25

^a In twelve states some criminal offenders may be treated as status offenders.

^b In Minnesota such conduct may be either delinquency or status offense.

^c In Michigan, such conduct may be either delinquency or status offense.

^d In Connecticut, Georgia, and Montana, such conduct may be either delinquency or status offense.

^e In ten states, abiding is required for both delinquency and status offense.

The terminology of the statutes and the children encompassed by those terms have been classified as delinquents and status offenders to the extent possible in conformance with the generally accepted meaning of those terms. Each definitional category was determined to be primarily criminal or non-criminal and classified accordingly. Where labelled categories were not defined by the statute, they were artificially created on the basis of distinctions in dispositional alternatives or age of jurisdiction. The abbreviations entered in the table are explained in the Key to TABLE I.

B. CONDUCT OR CONDITION

This section of TABLE I details for each state the nature of juvenile conduct expressly included by the juvenile code within the categories of delinquent and status offender entered in the Terminology section. The entry of D or S in the appropriate column indicates that juveniles engaging in such conduct are expressly included within the delinquent or status offender category, respectively.

Because of the incorporation of other statutes into juvenile codes, the inherent vagueness of much of the statutory language and the broad interpretations often applied, the absence of such an express reference to particular conduct (and the absence of a column entry) does not necessarily indicate that the court has no jurisdiction over juveniles engaging in such conduct. For example, provisions of the state law or local ordinances outside the juvenile code, and hence beyond the scope of this study, may define curfew, liquor, truancy, or other violations for children. Such conduct, even if not expressly set forth in the juvenile code, might be brought within the court's jurisdiction under such language as "violation of any state or federal law or local ordinance" or "violation of a statute

applicable only to children," which would be reflected by an entry in the Crimes or Child Offense column. Similarly, running away from home, school disciplinary offenses, undesirable associations etc., although not expressly referred to in the code and entered in the table, may be within the interpretation given to Disobedience-Unruliness language. Caution should be exercised, therefore, in interpreting the absence of an entry in the columns of this section of the table.

1. Crimes

An entry in this column indicates that the juvenile court has jurisdiction over children who commit acts which would be criminal if committed by an adult. While some statutes use just such language, others are more broadly phrased, clearly encompassing such criminal conduct but, possibly, offenses only for children as well. (See narrative on Child Offenses.)

All states grant juvenile court jurisdiction over criminal conduct of juveniles, although many states expressly exclude certain criminal conduct of juveniles from the definition of delinquency or from the original jurisdiction of the court. The superscripts indicate the nature of the exclusions, as indicated below.

- D¹ - Some minor offenses excluded (usually vehicle, fish and game violations).
- D² - Some serious offenses excluded (usually murder and some other serious felonies or second offenses).
- D³ - Some minor and some serious offenses excluded.

Most states expressly define juveniles engaging in criminal conduct as delinquent. In those states without a labelled delinquency category, criminal conduct is included within the artificially created category of delinquency jurisdiction (J_D). Therefore, in every jurisdiction a D is entered

in this column. In twelve (12) states some juveniles committing criminal acts may also be adjudicated status offenders.¹ Therefore, both D and S have been entered for those jurisdictions.

2. Child Offenses

An entry in this column indicates that the definition or jurisdiction section of the statute expressly provides that the court has jurisdiction over children who commit "violations which are not criminal for adults," "offenses only for children," or similar language. Fifteen (15) states categorize such conduct as a status offense,² and one (1) as delinquency.³ Since child-only offenses may be incorporated in the "Crimes" language of the statute (e.g., "any child who violates any state or local law or municipal ordinance" could encompass state liquor laws, local curfew ordinances, etc.), such offenses may be included in delinquency in many states where not expressly stated in the juvenile code and thus not reflected in the table.

3. Truancy, School Offenses

An entry in this column indicates that truancy and/or school offenses are expressly included in the definitional/jurisdictional section of the juvenile code. Four (4) states include such conduct in their delinquency category.⁴ In thirty-six (36) jurisdictions, truancy is a status

¹Alaska, Ariz., Ga., Iowa, Minn., Miss., Mont., N.H., Pa., R.I., Texas, Wisc.

²Ala., Ariz., Ark., D.C., Ga., Kans., La., Md., Mont., N.J., N.M., N.D., Ohio, Tenn., Va.

³Idaho

⁴Ind., Mich., Utah, W.Va.

offense.⁵ In Minnesota such conduct may fall into either category. In other states, while not expressly stated in the juvenile code, truancy may be encompassed by the "violation of any statute" or the "child-only offenses" language of the court's jurisdiction. Similarly, school disciplinary offenses may be encompassed by language such as "disobedient to or beyond the control of his proper custodian." Of the forty-one (41) states which expressly refer to truancy, thirty-seven (37) expressly require habitual truancy or repeated absences.⁶ In other states, however, truancy may be defined outside the juvenile code in terms of repeated or numerous absences from school.

4. Runaway

An entry in this column indicates an express reference to "running away from home," "truant from home," "absence from home without permission," or similar language. In two (2) states, such conduct is classified as delinquent.⁷ In twenty-eight (28) jurisdictions it is a status offense.⁸ Of the thirty (30) jurisdictions, nine (9) states expressly require habitual or repeated conduct.⁹ In some states while not expressly mentioned, running away may be brought within the court's jurisdiction under disobedience or unruliness language.

⁵Ala., Ariz., Ark., Cal., Conn., Del., D.C., Fla., Ga., Haw., Ill., Kans., Ky., La., Md., Mass., Miss., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., N.D., Ohio, Okla., Pa., R.I., S.D., Tenn., Texas, Va., Wisc., Wyo.

⁶All but Haw., Ind., N.Y., and N.C.

⁷Ind., Mich.

⁸Alaska, Ariz., Ark., Colo., Conn., Fla., Ga., Kans., La., Me., Mass., Miss., Neb., Nev., N.H., N.C., Ohio, Okla., Oregon, R.I., S.D., Tenn., Texas, Va., Wash., Wisc., Wyo.

⁹Alaska, Fla., Ky., Mass., Neb., N.H., Ohio, Va., Wisc.

5. Undesirable Association

Included under this column are express references to association with vagrants, vicious or immoral people, pimps, prostitutes, criminals, etc., or to associations injurious to the child's welfare. In five (5) states such conduct is considered a status offense only.¹⁰ In South Carolina it falls in the delinquency category, and in Michigan such conduct may be either delinquency or a status offense. Michigan and Rhode Island expressly require repeated or habitual association. While the statutes of only seven (7) states make such express reference to undesirable associations, such conduct may in other states be brought within the court's jurisdiction under language included in the Undesirable Conduct or Condition or the Unruliness categories explained below.

6. Undesirable Conduct or Condition

This column encompasses children whose conduct, condition, environment, or situation is "dangerous to life and limb," "injurious to health, morals, or welfare," etc., who are found "on premises used for illegal purposes," "in a house of prostitution," etc., or who are "vagrant," "idle," "leading an immoral life," "in danger of becoming morally depraved," etc. The statutes of twenty-one (21) states contain some such language, but the Undesirable Association and Unruliness categories are so closely related to this one that the same conduct or condition might be brought within the court's jurisdiction under language within those categories even in the absence of an express provision such as those set forth herein. Of the twenty-one states which include such language in their codes, only South Carolina treats such children as delinquent; nineteen states place them in a status offense

¹⁰La., Minn., Mo., Ohio, R.I.

category.¹¹ In Michigan, such conduct falls into both categories. Three (3) states expressly require that such conduct or condition be habitual or repeated.¹²

7. Disobedience-Unruliness

Thirty-three (33) juvenile codes expressly grant jurisdiction over children who disobey their parents. An entry under disobedience is indicative of such an express reference to "disobey[ing] the reasonable and lawful demands of his parents," "being habitually disobedient," "refus[ing] to obey the reasonable and proper orders or direction of his parent, guardian or custodian," or similar language. Of the thirty-three (33) states with such provisions, two states classify disobedient children as delinquent,¹³ twenty-nine classify them as status offenders,¹⁴ and Michigan and Minnesota include disobedience in both categories. Thirty (30) states expressly require habitual, repeated or persistent disobedience,¹⁵ and in Michigan the court has jurisdiction to age 17 (the delinquency category) of children who are "repeatedly disobedient" and to age 18 (the status offense category) of children who are "willfully disobedient ... and in danger of becoming morally depraved."

Statutes often specify jurisdiction over children who are "wayward," "incorrigible," "unruly," "beyond control," etc., often using such terms in

¹¹Ariz., Colo., Conn., Haw., Ind., Kans., La., Md., Minn., Mo., Neb., N.J., N.C., N.D., Ohio, Okla., Oregon, R.I., S.D.

¹²Ariz., N.C., Okla.

¹³Ind., W.Va.

¹⁴Ala., Ariz., Ark., Cal., D.C., Fla., Ga., Kans., Ky., La., Md., Mass., Miss., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., N.D., Ohio, Okla., Pa., R.I., Tenn., Va., Wyo.

¹⁵Ark., Cal., D.C., Fla., Ga., Ind., Kans., Ky., La., Md., Mass., Minn., Miss., Mont., Neb., Nev., N.H., N.J., N.M., N.Y., N.C., N.D., Ohio, Okla., Pa., R.I., Tenn., Va., W.Va., Wyo.

combination. All such provisions are included under the term "Unruliness" in the table, and the specific term or terms used in the statute are indicated by abbreviations following the / in the column entry and described in the key for TABLE I. Thirty-two (32) states detail some form of unruliness jurisdiction, with thirty (30) placing such children in a status offender category.¹⁶ Only South Carolina and Minnesota still classify such children as delinquent.

Many juvenile codes establish the court's jurisdiction over disobedient and unruly children within the same subsection of the statute, often with a conjunctive or causal relationship between the two conditions. For example, in Arizona, an incorrigible child is defined in part as "one who refuses to obey the reasonable and proper orders or directions of his parent, guardian or custodian, and who is beyond the control of such person." (Emphasis added.) In Kentucky, the court has jurisdiction over a child who "does not subject himself to the reasonable control of his parents, teacher, guardian or custodian by reason of being wayward or habitually disobedient." (Emphasis added.) The existence in twenty-one (21) states of such a relationship between the two jurisdictional grounds is indicated by a line (----) between the two entries in the Disobedience-Unruliness column. The text of the statutes should be consulted to determine the precise nature of the relationship.

8. Violation of Court Order

Thirteen (13) states expressly include within the jurisdiction of the juvenile court juveniles who "violate any lawful order of the court,"

¹⁶Ala., Ariz., Cal., Colo., Conn., D.C., Fla., Ga., Haw., Ill., Ky., La., Md., Mich., Miss., Mont., Neb., Nev., N.J., N.M., N.Y., N.C., Ohio, Oregon, Pa., S.D., Tenn., Vt., Wisc., Wyo.

or similar language.¹⁷ In nine (9) of those states such conduct is a delinquent offense.¹⁸ The effect of such a provision in those states with separate status offender categories is that the status offender who violates court ordered placement or probation may be adjudicated delinquent.¹⁹ In Connecticut and Georgia the child's classification does not change; the delinquent who violates a court order commits a delinquent act and the status offender another status offense. In Arizona and Illinois, violation of a court order is defined as a status offense.

9. Curfew

Only four (4) juvenile codes expressly declare the court's jurisdiction over curfew violations. Of these states, only Hawaii and Indiana treat curfew violators as delinquent; in California and Georgia they are status offenders. In many more, however, state or local curfew provisions may be incorporated into the juvenile code by the Crimes or Child Offense language of the statutes described above.

10. Drugs, Alcohol

Included under this category are express grants of jurisdiction over juveniles who violate alcohol or drug laws, are addicted to drugs or alcohol or are found on premises where alcohol is sold. Only seven (7) states include such an express reference in their juvenile codes,²⁰ although drug and alcohol violations may be incorporated in the Crimes and Child Offense language of the statutes described above.

¹⁷Ariz., Colo., Conn., Ga., Ill., Kans., Mont., Nev., N.H., N.C., Ohio, Okla., Texas

¹⁸Colo., Fla., Kans., Mont., Nev., Ohio, Okla., Texas, W.Va.

¹⁹Colo., Fla., Kans., Mont., Nev., Ohio, Okla., Texas

²⁰Ga., Ill., Me., Mich., Mont., N.Y.

11. Other

An express reference to specific conduct other than that encompassed by the categories described above is indicated by an entry in this column. The seven (7) entries represent escape from the locked portion of a juvenile facility (Ark.), frequenting dance halls (Haw.), participation in an obscene performance or sex offense with parental consent (Ind.), paid sex activity or child pornography (Iowa), attempting to marry without parental consent (Ohio), glue or paint sniffing (Texas), and self-inflicted injury (Wisc.).

12. And Needs Care or Supervision

Fifteen (15) states expressly include in the definitional or jurisdictional section of the statute the requirement that the child needs care, supervision, rehabilitation or similar language. The requirement of this element in addition to certain conduct or behavior is represented by an entry in this column. In ten (10) states it is an element of both delinquent and status offender categories,²¹ although in two of these states it need not be shown in every case. In Indiana a showing of need for care or rehabilitation is not required where the alleged delinquency involves a criminal act, and in Pennsylvania the finding of need is required for delinquency adjudications and for dependency adjudications for disobedience and ungovernability but not for other status offenses. In five (5) states²² such a showing is required only for status offenders, although in Virginia it is unnecessary where the status offense involved is "a crime only if committed by a child."

²¹Ala., D.C., Ga., Ind., Md., N.H., N.M., N.D., Pa., Tenn.

²²Ark., La., Miss., Nev., Va.

POSTSCRIPT

CHANGES AND TRENDS IN
JUVENILE COURT JURISDICTION OVER CHILDREN'S CONDUCT

Significant changes were made in the definition or jurisdiction sections of the juvenile laws of twenty-nine (29) states¹ in the time periods between the currency dates in Table III of the 1977 monograph and those in the Appendix of this report. This section details some of those changes category by category, and state by state, describes their impact on the national profile, and presents the opinions and judgments of the author regarding national trends which may be suggested by the data.

Much of the data suggests that the trend continues toward distinguishing between the criminal conduct of children and that non-criminal conduct of children over which the court exercises jurisdiction. Five (5) more states² have added labelled status offense categories to their legislation, and nationally the specific inclusion of certain non-criminal conduct in the delinquency category has been substantially reduced:

¹Alaska, Ariz., Ark., Colo., Conn., Del., Fla., Ga., Haw., Ind., Iowa, Kans., La., Me., Miss., N.H., N.Y., N.C., Okla., Pa., S.C., S.D., Tenn., Texas, Utah, Va., Wash., W.Va., Wisc.

(Minor changes in the entries for D.C., Mass., Mich., Minn., Neb., N.M., Ohio and R.I. represent the correction of errors or oversights in the 1977 monograph rather than legislative activity in those states. Corrections to the 1977 analyses of legislation since amended are reflected only in the totals and narrative.)

²Conn., Del., Ind., Miss., Va.

Child Offenses:³ from 4 states to 1;
 Truancy/School Offenses:⁴ from 10 states to 5;
 Runaway:⁵ from 8 states to 2;
 Undes. Assoc.:⁶ from 5 states to 2;
 Undes. Condition or Conduct:⁷ from 9 states to 2;
 Disobedience:⁸ from 9 states to 4; and
 Unruly:⁹ from 10 states to 2.

In the legislation reviewed for the 1977 monograph, twenty-six (26) states¹⁰ expressly included some conduct outside the "Crimes" category in their delinquency category. If those states are also excluded that specifically include in their delinquency category "contempt of court," "violation of a court order," "escape" or similar language which many legislators and juvenile justice professionals consider "conduct which would be criminal if committed by an adult" rather than "conduct prohibited only for children," the number

³Ariz., Ark., and Kans. shifted such conduct from D to S.

⁴Conn., Del., and Miss. shifted such conduct from D to S. Me. and S.C. eliminated such conduct from D.

⁵Conn., Me., Miss., and Va. shifted such conduct from D to S. Kans., S.C., and W.Va. eliminated such conduct from D. Ind. added such conduct to D.

⁶Me., Miss., and W.Va. eliminated such conduct from D.

⁷Conn. shifted such conduct from D to S. Del., Me., Miss., Kans., Utah, and W.Va. eliminated such conduct from D.

⁸Miss. and Pa. shifted such conduct from D to S. Ga., S.C., and Kans. eliminated such conduct from D.

⁹Conn. Miss., and Pa. shifted such conduct from D to S. Del., Fla., Ind., Utah, and W.Va. eliminated such conduct from D.

¹⁰Ariz., Ark., Colo., Conn., Del., Fla., Ga., Haw., Ind., Kans., Me., Mich., Minn., Miss., Mont., Nev., N.H., N.C., Ohio, Okla., Pa., S.C., Texas, Utah, Va., W.Va.

of states expressly including "status-type conduct" in their delinquency category in the 1977 report would number only nineteen (19).¹¹ In the present report, only twenty (20) states¹² (or only eight (8)¹³ if the broader concept of "crime" is applied) have expressly included non-criminal conduct in the delinquency category. While the caution to be exercised in interpreting the absence of an express reference should not be forgotten,¹⁴ this data suggests a continuing trend to remove non-criminal conduct from the definition of delinquency.

Other changes suggest that some legislatures are responding to long-voiced criticisms of the vagueness of juvenile code jurisdictional provisions and arguments that such vagueness authorizes unwarranted interference in the lives of children and families. The number of states including in the delinquency or status offender categories children's conduct falling under those vague headings "Undesireable Associations," "Undesireable Conduct or Condition," "Disobedience" and especially "Unruliness" has dropped considerably.¹⁵ In addition, the number of states requiring that a status offender adjudication be supported not merely by proof of conduct but also by evidence that the child "requires care or supervision," or similar language, has risen from ten (10)¹⁶ to fifteen (15).¹⁷

¹¹All of the above except Colo., Mont., Nev., N.C., Ohio, Okla., Texas

¹²Ark., Colo., Conn., Fla., Ga., Haw., Ind., Kans., Me., Mich., Minn., Mont., Nev., N.C., Ohio, Okla., S.C., Texas, Utah, W.Va.

¹³Haw., Ind., Me., Mich., Minn., S.C., Utah, W.Va.

¹⁴See p. 15.

¹⁵Undesireable Associations: from 11 states to 7; Undesireable Condition or Conduct: from 28 states to 21; Disobedience: from 36 states to 33; and Unruliness: from 42 states to 32.

¹⁶Ala., D.C., Ga., La., Md., Nev., N.H., N.M., N.D., Tenn.

¹⁷All of the above, plus Ark., Ind., Miss., Pa., Va.

APPENDIX

TEXT OF DEFINITIONS

ALABAMA
(Current through Feb. 1, 1980)

DELINQUENT

DELINQUENT ACT. An Act designated a crime under the law of this state or of another state if the act occurred in another state or under federal law or a violation of a municipal ordinance; provided, however, that traffic offenses committed by one 16 years of age or older shall be excepted unless transferred to the juvenile court by the court having jurisdiction.

DELINQUENT CHILD. A child who has committed a delinquent act and is in need of care or rehabilitation. Ala. Code § 12-15-1(8) and (9).

STATUS OFFENDER

CHILD IN NEED OF SUPERVISION. A child who:

- a. Being subject to compulsory school attendance, is habitually truant from school; or
- b. Disobeys the reasonable and lawful demands of his parents, guardian or other custodian and is beyond their control; or
- c. Has committed an offense established by law but not classified as criminal or one applicable only to children; and
- d. In any of the foregoing, is in need of care or rehabilitation.

Ala. Code § 12-15-1(4).

ALASKA
(Current through Nov. 30, 1979)

DELINQUENT

Jurisdiction. (a) Proceedings relating to a minor under 18 years of age residing or found in the state are governed by this chapter, except as otherwise provided in this chapter, when the court finds the minor

(1) to be a delinquent minor as a result of violating a criminal law of the state or of a municipality of the state; or

....

(b) When a minor is accused of violating a traffic statute or regulation, a traffic ordinance or regulation of an incorporated municipality, a fish and game statute or regulation under AS 16 or a parks and recreational facilities statute or regulation under AS 41.20, excepting a statute the violation of which is a felony, the procedure prescribed in AS 47.10.020--47.10.090 may not be followed, except that a parent, guardian or legal custodian shall be present at all proceedings. The minor accused of a traffic offense, a fish and game statute or regulation violation under AS 16 or parks and recreational facilities violation under AS 41.20 shall be charged, prosecuted, and sentenced in the district court in the same manner as an adult.
Alaska Stat. § 47.10.010.

STATUS OFFENDER

Jurisdiction. (a) Proceedings relating to a minor under 18 years of age residing or found in the state are governed by this chapter, except as otherwise provided in this chapter, when the court finds the minor

(2) to be a child in need of aid as a result of

(A) the child being habitually absent from his home or refusing to accept available care, ...;

(E) the child committing delinquent acts as a result of pressure, guidance, or approval from his parents, guardian or custodian.

Alaska Stat. § 47.10.010.

ARIZONA
(Current through April 1980)

DELINQUENT

"Delinquent act" includes an act by a child, which if committed by an adult would be a criminal offense except a violation of Section 4-244, paragraph 9, including violation of any law of this state, or of another state if the act occurred in that state, or of the United States, or any ordinance of a city, county, or political subdivision of this state defining crime, except that any child remanded for prosecution as an adult shall not be adjudicated as a delinquent child for that same offense for which he was remanded. A.R.S.A. § 8-201(8).

"Delinquent child" means a child who is adjudicated to have committed a delinquent act. A.R.S.A. § 8-201(9).

STATUS OFFENDER

"Incorrigible child" means a child adjudicated as one who refuses to obey the reasonable and proper orders or directions of his parent, guardian or custodian, and who is beyond the control of such person, or any child who is habitually truant from school, or who is a runaway from his home or parent, guardian or custodian, or who habitually so deports himself as to injure or endanger the morals or health of himself or others, or who commits any act constituting an offense which can only be committed by a minor, or who violates Section 4-244, paragraph 9, or who fails to obey any lawful order of the juvenile court given in a noncriminal action.
A.R.S.A. § 8-201(12).

ARKANSAS
(Current through Dec. 31, 1980)

DELINQUENT

"Delinquent juvenile" means any juvenile who (a) has committed an act other than a traffic offense which, if such act had been committed by an adult, would subject such adult to prosecution for a felony, misdemeanor or violation under the applicable criminal law of this State.
Ark. Stat. Ann. § 45-403(2), as amended by Act 815 of 1979, § 2.

The escape of a juvenile from the locked portion of a juvenile facility is an act of delinquency. Act 815 of 1979, § 6.

STATUS OFFENDER

"Juvenile in Need of Supervision" means any juvenile who:

- (a) while subject to compulsory school attendance, is habitually and without justification absent from school; or
 - (b) is habitually disobedient to the reasonable and lawful commands of his parent, guardian, or custodian; or
 - (c) has absented himself from his home without sufficient cause, permission, or justification; or
 - (d) has committed a non-criminal offense applicable only to a juvenile; and
 - (e) in any of the foregoing is in need of treatment or rehabilitation.
- Ark. Stat. Ann. § 45-403(3), as amended by Act 509 of 1977, § 3.

CALIFORNIA
(Current through Dec. 31, 1979)

DELINQUENT

Any person who is under the age of 18 years when he violates any law of this state or of the United States or any ordinance of any city or county of this state defining crime, other than an ordinance establishing a curfew based solely on age, is within the jurisdiction of the juvenile court, which may adjudge such person to be a ward of the court.
West's Ann. Welf. & Inst. Code § 602.

STATUS OFFENDER

(a) Any person under the age of 18 years who persistently or habitually refuses to obey the reasonable and proper orders or directions of his parents, guardian, or custodian, or who is beyond the control of such person, or who is under the age of 18 years when he violated any ordinance of any city or county of this state establishing a curfew based solely on age is within the jurisdiction of the juvenile court which may adjudge such person to be a ward of the court.

(b) If a school attendance review board determines that the available public and private services are insufficient or inappropriate to correct the habitual truancy of the minor, or to correct the minor's persistent or habitual refusal to obey the reasonable and proper orders or directions of school authorities, or if the minor fails to respond to directives of a school attendance review board or to services provided, the minor is then within the jurisdiction of the juvenile court which may adjudge such person to be a ward of the court; provided, that it is the intent of the Legislature that no minor who is adjudged a ward of the court pursuant solely to this subdivision shall be removed from the custody of the parent or guardian except during school hours.
West's Ann. Welf. & Inst. Code § 601.

COLORADO
(Current through 1979 Leg. Session)

DELINQUENT

(9)(a) "Delinquent child" means any child ten years of age or older who, regardless of where the violation occurred, has violated:

(I) Any federal or state law, except state traffic and game and fish laws or regulations;

(II) Any municipal ordinance except traffic ordinances, the penalty for which may be a jail sentence; or

(III) Any lawful order of the court made under this title.

(b) This definition shall not apply to:

(I) Children fourteen years of age or older who allegedly commit crimes of violence defined by section 18-1-105, C.R.S. 1973, as class 1 felonies; or

(II) Children who within the previous two years have been adjudicated a delinquent child, and the act for which the child was adjudicated a delinquent would have been a felony if committed by an adult, and who are sixteen years of age or older who allegedly commit crimes defined by section 18-1-105, C.R.S. 1973, as class 2 or class 3 felonies, except felonies defined by section 18-3-403(1)(e), C.R.S. 1973, or who commit nonclassified felonies punishable by a maximum punishment of life imprisonment or death; or

(III) Children fourteen years of age or older who allegedly commit any felony subsequent to any other felony which is the subject of proceedings under section 19-3-108 resulting in waiver of jurisdiction by any juvenile court in this state.

(c) The provisions of paragraph (a)(I) of this subsection (9) notwithstanding, the term "delinquent child" shall include any child under sixteen years of age who has violated a traffic law or ordinance if his case is transferred from the county court to the juvenile court.

C.R.S.A. § 19-1-103(9).

STATUS OFFENDER

(5) "Child needing oversight" means any child whose behavior or condition is such as to endanger his own or others' welfare.

C.R.S.A. § 19-1-103(5).

(20) "Neglected or dependent child" or "dependent or neglected child" means a child:

....

(f) Who has run away from home, or is otherwise beyond the control of his parent, guardian, or legal custodian.

C.R.S.A. § 19-1-103(20).

CONNECTICUT
(Current through 1979 Leg. Session)

DELINQUENT

a child may be found "delinquent" (1) who has violated any federal or state law or municipal or local ordinance, other than an ordinance regulating behavior of a child in a family with service needs as defined in this section or (2) who has violated any order of the superior court except any such order entered in a matter relating to a family with service needs; Conn. Gen. Stat. Ann. § 46b-120.

STATUS OFFENDER

a "family with service needs" means a family which includes a child who (A) has without just cause run away from his parental home or other properly authorized and lawful place of abode; (B) is beyond the control of his parent, parents, guardian or other custodian; (C) has engaged in indecent or immoral conduct; or (D) has been habitually truant or who, while in school, has been continuously and overtly defiant of school rules and regulations; Conn. Gen. Stat. Ann. § 46b-120.

DELAWARE
(Current through April 24, 1980)

DELINQUENT

(7) "Delinquent child" means a child who commits an act which if committed by an adult would constitute a crime.
Del. Code Ann. tit. 10 § 901(7).

(Note: See § 921 for excluded offenses.)

STATUS OFFENDER

(14) "Truancy" or "truant" shall refer to a child who has been absent from school without valid excuse for more than 3 days, or who has had an unreasonable amount of intermittent attendance or tardiness without valid excuse. If a parent, to ensure the safety and welfare of his child, fails to cause the child to attend school, such child is not truant.
Del. Code Ann. tit. 10 § 901(14).

DISTRICT OF COLUMBIA
(Current through April 25, 1980)

DELINQUENT

The term "delinquent child" means a child who has committed a delinquent act and is in need of care or rehabilitation. D.C.C.E. § 16-2301(6).

The term "delinquent act" means an act designated as an offense under the law of the District of Columbia, or of a State if the act occurred in a State, or under Federal law. Traffic offenses shall not be deemed delinquent acts unless committed by an individual who is under the age of sixteen. D.C.C.E. § 16-2301(7).

(Note: See D.C.C.E. § 16-2301(3) for other exclusions.)

STATUS OFFENDER

The term "child in need of supervision" means a child who--
(A)(i) is subject to compulsory school attendance and habitually truant from school without justification;
(ii) has committed an offense committable only by children; or
(iii) is habitually disobedient of the reasonable and lawful commands of his parent, guardian, or other custodian and is ungovernable; and
(B) is in need of care or rehabilitation.
D.C.C.E. § 16-2301(8).

FLORIDA
(Current through April 8, 1980)

DELINQUENT

(8) "Child who has committed a delinquent act" means a child who, pursuant to the provisions of this chapter, is found by a court to have committed a felony, a misdemeanor, contempt of court, or a violation of a local penal ordinance, other than a juvenile traffic offense, and whose case has not been prosecuted as an adult case. F.S.A. § 39.01(8).

(21) "Juvenile traffic offense" means a violation by a child of a state law or local ordinance pertaining to the operation of a motor vehicle; however, the following offenses shall not be considered juvenile traffic offenses but shall be considered delinquent acts for the purposes of this chapter:

(a) Fleeing or attempting to elude a law enforcement officer or failing or refusing to comply with any lawful order or direction of any police officer or members of the fire department, in violation of § 316.072(3).

(b) Leaving the scene of a collision or an accident involving death or personal injuries or with an unattended vehicle.

(c) Driving while under the influence of alcoholic beverages, narcotic drugs, barbiturates, or other stimulants in violation of § 316.193.

(d) Driving without a restricted operator's license if under the age of 16 years.

(e) Driving without a valid operator's license or while the license is suspended or revoked. F.S.A. § 39.01(21).

(34) "Violation of law" means a violation of any law of the United States or of the state or of an ordinance which would be an infraction, a misdemeanor, or a felony if the violation were committed by an adult. F.S.A. § 39.01(34).

Jurisdiction.

(1) The circuit court shall have exclusive original jurisdiction of proceedings in which a child is alleged to have committed a delinquent act or violation of law. The circuit court shall have jurisdiction in cases involving offenses described in § 39.01(21)(a)-(e) and may have jurisdiction in those cases where the child has been found guilty of two or more previous juvenile traffic offenses within 6 months only if the court having jurisdiction over traffic offenses waives jurisdiction and certifies the case to the circuit court. In such case, a petition of delinquency, which may include or consist of the uniform traffic complaint, shall be filed in the circuit court, and the case shall be heard de novo as a delinquency proceeding. F.S.A. § 39.02.

STATUS OFFENDER

(9) "Child who is found to be dependent" means a child who, pursuant to this chapter, is found by the court: ...

(c) To have persistently run away from his parents or legal guardian.

(d) To be habitually truant from school while being subject to compulsory school attendance.

(e) To have persistently disobeyed the reasonable and lawful demands of his parents or other legal custodians and to be beyond their control. F.S.A. § 39.01(9).

GEORGIA
(Current through Dec. 31, 1979)

DELINQUENT

"Delinquent act" means:

- (1) An Act designated a crime by the laws of Georgia, or of another state if the act occurred in that state, or under federal laws, or by local ordinance, and the crime does not fall under paragraph (3) of subsection (g) and is not a juvenile traffic offense as defined in Section 24A-3101;
- (2) The act of disobeying the terms of supervision contained in a court order which has been directed to a child who has been adjudged to have committed a delinquent act. Ga. Code Ann. § 24A-401(e).

"Delinquent child" means a child who has committed a delinquent act and is in need of treatment or rehabilitation. Ga. Code Ann. § 24A-401(f).

STATUS OFFENDER

"Unruly child" means a child who:

- (1) while subject to compulsory school attendance is habitually and without justification truant from school; or
- (2) is habitually disobedient of the reasonable and lawful commands of his parent, guardian or other custodian, and is ungovernable; or
- (3) has committed an offense applicable only to a child; or
- (4) without just cause and without the consent of his parent or legal custodian deserts his home or place of abode; or
- (5) wanders or loiters about the streets of any city, or in or about any highway or any public place, between the hours of 12:00 o'clock midnight and 5:00 a.m.; and
- (6) The act of disobeying the terms of supervision contained in a court order which has been directed to a child who has been adjudicated unruly;
- (7) Patronizing any bar where alcoholic beverages are being sold, unaccompanied by the child's parents, guardian or custodian; or possessing alcoholic beverages;
- (8) In any of the foregoing, is in need of supervision, treatment or rehabilitation; or
- (9) Has committed a delinquent act or is in need of supervision but not of treatment or rehabilitation. Ga. Code Ann. § 24A-401(g).

(2) A status offender is a juvenile who is charged with or adjudicated of an offense which would not be a crime if it were committed by an adult. In other words, the act is only an offense because of the perpetrator's status as a juvenile. Such offenses shall include, but are not limited to, truancy, running away from home, incorrigibility and unruly behavior. Ga. Code Ann. § 24A-401(2).

HAWAII
(Current through March 12, 1980)

DELINQUENT

Jurisdiction; children. Except as otherwise provided herein, the court shall have exclusive original jurisdiction in proceedings:

- (1) Concerning any person who is alleged to have committed an act prior to achieving eighteen years of age which would constitute a violation or attempted violation of any federal, state or local law or municipal ordinance. Regardless of where the violation occurred jurisdiction may be taken by the court of the circuit where the person resides, is living or is found, or in which the offense is alleged to have occurred. Hawaii Rev. Stat. 571-11(1).

Curfew, children in public streets, prohibited when; penalty. Any child under sixteen years of age who, except in case of necessity, or except when permitted so to do in writing by a judge of the family court, goes or remains on any public street, highway, public place, or private place held open to the public after ten o'clock in the evening and before four o'clock in the morning, unaccompanied by either a parent or guardian, or an adult person duly authorized by a parent or guardian to accompany the child, is subject to adjudication under section 571-11(1). Hawaii Rev. Stat. 571-16.

Female dancing partners, male patrons, age limit. It shall be unlawful for any unmarried minor to frequent, be, or remain upon, in, or around the premises of any dance hall where female persons receive any remuneration or compensation, either directly or indirectly, for acting as dancing partners to the male patrons of the dance hall. The acceptance or receipt of any of the proceeds of the sale of any article to any male patron of the dance hall by any such female person under eighteen, or by anyone acting on her behalf, constitutes the receiving or remuneration or compensation within the meaning of this section. Any minor violating this section is subject to adjudication under section 571-11(1). Hawaii Rev. Stat. 577-22.

STATUS OFFENDER

Jurisdiction; children. Except as otherwise provided herein, the court shall have exclusive original jurisdiction in proceedings:

....

- (2) Concerning any child living or found within the circuit....

- (C) Who is beyond the control of his parent or other custodian or whose behavior is injurious to his own or others' welfare; or

- (D) Who is neither attending school nor receiving educational services required by law whether through his own misbehavior or nonattendance or otherwise.

Hawaii Rev. Stat. § 571-11(2).

IDAHO
(Current through Nov. 29, 1979)

DELINQUENT

Subject to the prior jurisdiction of the United States, the court shall have exclusive, original jurisdiction over any child and over any adult who was a child at the time of any act, omission or status, found or living within the county, in the following cases:

1. Where the act, omission or status is prohibited by federal, state, local or municipal law or ordinance by reason of minority only, regardless of where the same occurred;
2. Where the act or omission is a violation of any federal, state, local or municipal law or ordinance which would be a crime if committed by an adult, regardless of where the same occurred, except traffic, watercraft and fish and game violations; provided, however, that the prosecuting attorney of any county may bring under this act the operation of a motor vehicle while the operator's permit or license to drive is suspended or revoked; the operation of motor vehicle or watercraft while under the influence of intoxicating liquor or drugs; the operation of a motor vehicle in a reckless manner; the operation of a watercraft in a careless manner; or the violation of any motor vehicle, watercraft, or fish and game law or ordinance having theretofore been convicted of any combination of three (3) motor vehicle, watercraft or fish and game violations, regardless of where the violation, act, omission, revocation or suspension occurred.
3. Concerning any child under the purview of the interstate compact on juveniles as set forth in chapter 19, title 16, Idaho Code. Idaho Code § 16-1803.

STATUS OFFENDER

No separate status offense category.

ILLINOIS
(Current through April 1980)

DELINQUENT

Those who are delinquent include any minor who prior to his 17th birthday has violated or attempted to violate, regardless of where the act occurred, any federal or state law or municipal ordinance; and (b) prior to January 1, 1974, any minor who has violated a lawful court order made under this Act.

S.H.A. ch. 37, § 702-2.

(Note: See § 702-7(2) for exclusions.)

STATUS OFFENDER

Those otherwise in need of supervision include (a) any minor under 18 years of age who is beyond the control of his parents, guardian or other custodian; (b) any minor subject to compulsory school attendance who is habitually truant from school; and (c) any minor who is an addict, as defined in the "Drug Addiction Act" (91-1/2 - 120.1 et seq.); and (d) on or after January 1, 1974, any minor who violates a lawful court order made under this Act. S.H.A. ch. 37, § 702-3.

INDIANA
(Effective until Sept. 30, 1980)

DELINQUENT

Delinquent acts; delinquent child.

Sec. 1. (a) A child commits a delinquent act if, before his eighteenth birthday, he:

- (1) commits an act that would be a crime if committed by an adult;
- (2) leaves home without reasonable cause and without permission of his parent, guardian, or custodian who requests his return;
- (3) violates the compulsory school attendance law (IC 20-8.1-3);
- (4) habitually disobeys the reasonable and lawful commands of his parent, guardian, or custodian; or
- (5) commits a curfew violation.

(b) A child is a delinquent child if, before his eighteenth birthday, he:

- (1) commits a delinquent act defined by subdivision (a)(1); or
- (2) commits a delinquent act defined by subdivision (a)(2), (a)(3), (a)(4), or (a)(5) and needs care, treatment, or rehabilitation that he is not receiving, that he is unlikely to accept voluntarily, and that is unlikely to be provided or accepted without the coercive intervention of the court.

Ind. Ann. Stat. § 31-6-4-1.

(Note: See § 31-6-2-1(b) for exclusions.)

STATUS OFFENDER

Child in need of services.

Sec. 3. (a) A child is a child in need of services if before his eighteenth birthday:

-
- (4) his parent, guardian, or custodian allows him to participate in an obscene performance defined by IC 35-30-10.1-3 or IC 35-30-10.1;
 - (5) his parent, guardian, or custodian allows him to commit a sex offense prohibited by IC 35-45-4; or
 - (6) he substantially endangers his own health or the health of another; and needs care, treatment, or rehabilitation that he is not receiving, that he is unlikely to accept voluntarily, and that is unlikely to be provided or accepted without the coercive intervention of the court.

Ind. Ann. Stat. § 31-6-4-3.

IOWA
(Current through Nov. 6, 1979)

DELINQUENT

"Delinquent act" means:

- a. The violation of any state law or local ordinance which would constitute a public offense if committed by an adult except any offense which by law is exempted from the jurisdiction of this chapter.
- b. The violation of a federal law or a law of another state which violation constitutes a criminal offense if the case involving that act has been referred to the juvenile court.
I.C.A. § 232.2(11).

1. The juvenile court shall have exclusive original jurisdiction in proceedings concerning any child who is alleged to have committed a delinquent act unless otherwise provided by law, and shall have exclusive original jurisdiction in proceedings concerning an adult who is alleged to have committed a delinquent act prior to having become an adult, provided that the taking of that person into custody for the alleged act or the filing of a delinquency petition alleging the commission of the act occurs. I.C.A. § 232.8(1).

STATUS OFFENDER

5. "Child in need of assistance" means an unmarried child:

....

- h. Who has committed a delinquent act as a result of pressure, guidance, or approval from a parent, guardian, or custodian.
- i. Who has been the subject of or a party to sexual activities for hire or who poses for live display or for photographic or other means of pictorial reproduction or display which is designed to appeal to the prurient interest and is patently offensive; and taken as a whole, lacks serious literary, scientific, political or artistic value.
I.C.A. § 232.2.

KANSAS
(Current through Dec. 31, 1980)

DELINQUENT

(b) "Delinquent child" means a child less than eighteen (18) years of age who does an act, other than one defined in subsection (e), which if done by a person eighteen (18) years of age or over, would make such person liable to be arrested and prosecuted for the commission of a felony as defined by K.S.A. 21-3105.

(c) "Miscreant child" means a child less than eighteen (18) years of age:

(1) Who does an act, other than one defined in subsection (e) or (j), which if done by a person eighteen (18) years of age or over, would make such person liable to be arrested and prosecuted for the commission of a misdemeanor as defined by K.S.A. 21-3105 or the violation of any city ordinance or county resolution; or

(2) who escapes from or runs away from any lawful court ordered placement or placement by the secretary of social and rehabilitation services after a commitment to said secretary pursuant to the juvenile code, but this subsection shall be applicable only to a child who was an alleged or adjudicated delinquent, miscreant or traffic offender at the time of the court's order of placement or commitment.
K.S.A. § 38-802.

(e) "Traffic offender" means a child under fourteen (14) years of age who does an act which, if done by a person fourteen (14) years of age or over, would make such person liable to be arrested and prosecuted for the violation of any of the following traffic offenses:

(1) Any statute relating to the regulation of traffic on the roads, highways or streets, or the operation of self-propelled or nonself-propelled vehicles of any kind except K.S.A. 8-262, 8-287, 8-1566, 8-1568 or 21-3405 and K.S.A. 1978 Supp. 8-1567; or

(2) any city ordinance or county resolution which relates to the regulation of traffic on the roads, highways or streets, or the operation of self-propelled or nonself-propelled vehicles of any kind, except when such ordinance or resolution violation would also constitute a violation of K.S.A. 8-287, 8-1566, 8-1568 or 21-3405 or K.S.A. 1978 Supp. 8-1567.
K.S.A. § 38-802.

(NOTE: See § 38-815(b) for exclusions.)

STATUS OFFENDER

(d) "Wayward child" means a child less than eighteen (18) years of age:

- (1) Whose behavior is injurious to his or her welfare;
- (2) who has deserted his or her home without good or sufficient cause;
- (3) who is habitually disobedient to the reasonable and lawful commands of his or her parent, guardian or other lawful custodian; or
- (4) who does an act, other than one defined in subsection (e) or (j), the commission of which by persons under the age of eighteen (18) years, is specifically prohibited and made unlawful by state law, city ordinance or county resolution. K.S.A. § 38-802.

(f) "Truant" means a child who, being by law required to attend school, absents himself or herself therefrom to the extent of being a truant under the provisions of K.S.A. 1978 Supp. 72-1113, and any amendments thereto. K.S.A. § 38-802.

KENTUCKY
(Current through Dec. 31, 1981)

DELINQUENT

"Delinquency action" is an action brought in the interest of a child who is accused of committing a public offense, which if committed by an adult would be a crime; Ky. Rev. Stat. Ann. § 208.010(8).

The juvenile session of the district court of each county shall have exclusive jurisdiction in proceedings concerning any child living, or found within the county, who has not reached his eighteenth birthday or of any person who at the time of committing a public offense was under the age of eighteen (18) years:

(a) Who has committed a public offense, except a moving motor vehicle offense, involving a child sixteen (16) years of age or older. The court shall not have jurisdiction in any prosecution of a moving motor vehicle offense involving a child sixteen (16) years of age or older. Juvenile offenders sixteen (16) years of age or older accused of moving motor vehicle offenses shall be treated as any adult offender; provided, however, that the term "moving motor vehicle offense" shall not be deemed to include the offense of stealing or converting a motor vehicle nor operating the same without the owner's consent, nor any offense which constitutes a felony. Ky. Rev. Stat. Ann. § 208.020(1)(a).

STATUS OFFENDER

"Status action" is any action brought in the interest of a child who is accused of committing acts, which if committed by an adult, would not be a crime. Such behavior shall not be termed criminal or delinquent, and such children shall not be considered delinquents; Ky. Rev. Stat. Ann. § 208.010(9).

The juvenile session of the district court of each county shall have exclusive jurisdiction in proceedings concerning any child living, or found within the county, except a moving motor vehicle offense, involving a child ...

(b) Who does not subject himself to the reasonable control of his parents, teacher, guardian or custodian, by reason of being wayward or habitually disobedient; or
(c) Who is an habitual truant from home or from school; Ky. Rev. Stat. Ann. § 208.020(1)(b), (c).

Actions brought under subsection (1)(b) and (c) of this section shall be considered to be status actions.
Ky. Rev. Stat. Ann. § 208.020(8).

LOUISIANA
(Current through 1979 Leg. Session)

DELINQUENT

(7) "Delinquent act" means an act committed by a person less than seventeen years of age, and designated an offense under the statutes or ordinances of this state, or of another state if the act occurred in another state, or under federal law. It also includes a direct contempt of any court committed by a child and a constructive contempt of court committed by an adjudicated child who repeatedly disobeys the court's judgment of disposition. A child adjudicated a delinquent for a constructive contempt of court shall not be considered to have been adjudicated a delinquent upon termination of the judgment of disposition for contempt. It does not include a traffic violation or an offense applicable only to children. C.J.P. Art. 13.

"Delinquent child" means a child who has committed a delinquent act.
C.J.P. Art. 13.

STATUS OFFENDER

(13) "Child in need of supervision" means a child who needs care or rehabilitation because:

(a) being subject to compulsory school attendance, he is habitually truant from school or willfully violates the rules of the school;

(b) he habitually disobeys the reasonable and lawful demands of his parents, and is ungovernable and beyond their control;

(c) he absents himself from his home or usual place of abode without the consent of his parent;

(d) he purposefully, intentionally and willfully deceives, or misrepresents the true facts to, any person holding a retail dealer's permit, or his agent, associate, employee or representative, for the purposes of buying or receiving alcoholic beverages or beer, or visiting or loitering in or about any place where such beverages are the principal commodities sold or handled;

(e) his occupation, conduct, environment or associations are injurious to his welfare; or

(f) he has committed an offense applicable only to children.

C.J.P. Art. 13.

MAINE
(Current through Dec. 31, 1979)

DELINQUENT

Jurisdiction.

1. District Court as juvenile court. The District Court shall exercise the jurisdiction conferred by this Part and, when exercising such jurisdiction, shall be known and referred to as the juvenile court.

2. Juvenile court jurisdiction.

A. The juvenile court shall have exclusive original jurisdiction, subject to waiver of jurisdiction as provided in subsection 4, of proceedings in which a juvenile is alleged to have committed a juvenile crime.

B. Juvenile courts shall have no jurisdiction over offenses in which any juvenile is charged with the violation of any provision of Title 29; Title 28, chapter 25; Title 38, chapter I, subchapter VI; and Title 12, chapters 304 and 308, or over any other traffic law or ordinances, if such offense is a misdemeanor or traffic infraction, except that juvenile courts shall have exclusive, original jurisdiction over offenses in which any juvenile is charged with a violation of Title 29, section 1312; Title 12, section 1978, subsection 2; or of Title 12, section 2073, subsection 2.

15 M.R.S.A. § 3101.

Juvenile crimes.

1. Definition. The term "juvenile crime," as used in this Act, means the following offenses:

A. Conduct defined as a criminal by Title 17-A, the Maine Criminal Code, or by any other criminal statute, private act or ordinance outside that code, including any rule or regulation under a statute except for those statutes specifically excepted by section 3101, subsection 2, paragraph B;

B. The possession of a useable amount of marijuana; and

C. A violation of Title 28, section 303.

15 M.R.S.A. § 3103.

STATUS OFFENDER

(Note: The juvenile court has very limited, "last resort" jurisdiction over runaways, under 15 M.R.S.A. §§ 3504-3506.)

MARYLAND
(Current through 1980 Leg. Session)

DELINQUENT

"Delinquent act" means an act which would be a crime if committed by an adult. CJ § 3-801(k).

"Delinquent child" is a child who has committed a delinquent act and requires guidance, treatment, or rehabilitation. CJ § 3-801(1).

(Note: See § 3-804 for excluded offenses.)

STATUS OFFENDER

"Child in need of supervision" is a child who requires guidance, treatment, or rehabilitation and

- (1) He is required by law to attend school and is habitually truant; or
- (2) He is habitually disobedient, ungovernable, and beyond the control of the person having custody of him; or
- (3) He departs himself so as to injure or endanger himself or others; or
- (4) He has committed an offense applicable only to children.

CJ § 3-801(f).

MASSACHUSETTS
(Current through April 17, 1980)

DELINQUENT

"Delinquent child," a child between seven and seventeen who violates any city ordinance or town by-law or who commits any offense against a law of the commonwealth. M.G.L.A. ch. 119, § 52.

STATUS OFFENDER

"Child in need of services," a child below the age of seventeen who persistently runs away from the home of his parents or legal guardian, or persistently refuses to obey the lawful and reasonable commands of his parents or legal guardian, thereby resulting in said parent's or guardian's inability to adequately care for and protect said child, or a child between the ages of six and sixteen who persistently and wilfully fails to attend school or persistently violates the lawful and reasonable regulations of his school. M.G.L.A. ch. 119, § 21.

MICHIGAN
(Current through Jan. 14, 1980)

DELINQUENT

Except as provided herein, the juvenile division of the probate court shall have:

- (a) Exclusive original jurisdiction superior to and regardless of the jurisdiction of any other court in proceedings concerning any child under 17 years of age found within the county
- (1) Who has violated any municipal ordinance or law of the state or of the United States; or
 - (2) Who has deserted his home without sufficient cause or who is repeatedly disobedient to the reasonable and lawful commands of his parents, guardian or other custodian; or
 - (3) Who repeatedly associates with immoral persons, or who is leading an immoral life; or is found on premises occupied or used for illegal purposes; or
 - (4) Who, being required by law to attend school, wilfully and repeatedly absents himself therefrom, or repeatedly violates rules and regulations thereof; or
 - (5) Who habitually idles away his or her time; or
 - (6) Who repeatedly patronizes or frequents any tavern or place where the principal purpose of the business conducted is the sale of alcoholic liquors.
M.C.L.A. § 712A.2(a).

STATUS OFFENDER

Except as provided herein, the juvenile division of the probate court shall have:

- (d) Concurrent jurisdiction in proceedings concerning any child between the ages of 17 and 18 found within the county
- (1) Who is repeatedly addicted to the use of drugs or the intemperate use of alcoholic liquors; or
 - (2) Who repeatedly associates with criminal, dissolute or orderly persons; or
 - (3) Who is found of his or her own free will and knowledge in a house of prostitution or assignation or ill-fame; or
 - (4) Who repeatedly associates with thieves, prostitutes, pimps or procurers; or
 - (5) Who is wilfully disobedient to the reasonable and lawful commands of his parents, guardian or other custodian and is in danger of becoming morally depraved; or
 - (6) Who habitually idles away his or her time. ...
M.C.L.A. § 712A.2(d).

DELINQUENT

"Delinquent child" means a child:

- (a) Who has violated any state or local law or ordinance, except as provided in section 260.193, subdivision 1;
 - (b) Who has violated a federal law or a law of another state and whose case has been referred to the juvenile court; or
 - (c) Who is habitually truant from school; or
 - (d) Who is uncontrolled by his parent, guardian, or other custodian by reason of being wayward or habitually disobedient.
- M.S.A. § 260.015(5).

A child who violates a state or local traffic law, ordinance, or regulation, or who violates a federal, state, or local water traffic law shall be adjudicated a "juvenile highway traffic offender" or a "juvenile water traffic offender," as the case may be, and shall not be adjudicated delinquent, unless, as in the case of any other child alleged to be delinquent, a petition is filed in the manner provided in section 260.131, summons issued, notice given, a hearing held, and the court finds as a further fact that the child is also delinquent within the meaning and purpose of the laws relating to juvenile courts. M.S.A. § 260.193(1).

STATUS OFFENDER

"Neglected child" means a child: ...

(e) Whose occupation, behavior, condition, environment or associations are such as to be injurious or dangerous to himself or others; or ...

(h) Who comes within the provisions of subdivision 5, but whose conduct results in whole or in part from parental neglect.
M.S.A. § 260.015(10).

DELINQUENT

(i) "Delinquent child" means a child who has reached his tenth birthday and who has committed a delinquent act.

(j) "Delinquent act" is any act, which if committed by an adult, is designated as a crime under state or federal law, or municipal or county ordinance other than offenses punishable by life imprisonment or death. Miss. Code Ann. § 43-21-105.

STATUS OFFENDER

(k) "Child in need of supervision" means a child who has reached his seventh birthday and is in need of treatment or rehabilitation because the child:

(i) is habitually disobedient of reasonable and lawful commands of his parent, guardian or custodian and is ungovernable; or

(ii) while being required to attend school, wilfully and habitually violates the rules thereof or wilfully and habitually absents himself therefrom; or

(iii) runs away from home without good cause; or

(iv) has committed a delinquent act.

Miss. Code Ann. § 43-21-105.

MISSOURI
(Current through April 1, 1980)

DELINQUENT

Except as otherwise provided herein, the juvenile court shall have exclusive original jurisdiction in proceedings: ...

- (2) Involving any child who is alleged to have violated a state law or municipal ordinance, or any person who is alleged to have violated a state law or municipal ordinance prior to attaining the age of seventeen years, in which cases jurisdiction may be taken by the court of the circuit in which the child or person resides or may be found or in which the violation is alleged to have occurred;

V.A.M.S. § 211.031.1(2).

STATUS OFFENDER

Except as otherwise provided herein, the juvenile court shall have exclusive original jurisdiction in proceedings: ...

- (1) Involving any child who may be a resident of or found within the county and who is alleged to be in need of care and treatment because: ...

- (c) the behavior, environment or associations of the child are injurious to his welfare or to the welfare of others;

V.A.M.S. § 211.031.1(1).

MONTANA
(Current through 1979 Leg. Session)

DELINQUENT

"Delinquent youth" means a youth:

- (a) who has committed an offense which, if committed by an adult, would constitute a criminal offense;
- (b) who, having been placed on probation as a delinquent youth or a youth in need of supervision, violates any condition of his probation.

Mont. Rev. Codes Ann. § 41-5-103(12).

STATUS OFFENDER

"Youth in need of supervision" means a youth who commits an offense prohibited by law which, if committed by an adult, would not constitute a criminal offense, including but not limited to a youth who:

- (a) violates any Montana municipal or state law regarding use of alcoholic beverages by minors; or
- (b) habitually disobeys the reasonable and lawful demands of his parents or guardian, or is ungovernable and beyond their control; or
- (c) being subject to compulsory school attendance is habitually truant from school; or
- (d) has committed any of the acts of a delinquent youth but whom the youth court in its discretion chooses to regard as a youth in need of supervision.

Mont. Rev. Codes Ann. § 41-5-103(13).

NEBRASKA
(Current through 1980 Leg. Session)

DELINQUENT

The juvenile court in each county ... shall have jurisdiction as follows: ...

- (3)(a) Exclusive original jurisdiction as to any child under the age of sixteen years at the time he has violated any law of the state or any city or village ordinance amounting to an offense other than a felony, traffic offense, or parking violation;
- (b) concurrent original jurisdiction with the district court as to any child under the age of eighteen years at the time he has violated any law of the state constituting a felony; and
- (c) concurrent original jurisdiction with the district court, county court, and the municipal court as to any child sixteen or seventeen years of age at the time he has (i) violated a state law or any city or village ordinance amounting to an offense other than a felony or parking violation, and (ii) as to any child under sixteen years of age at the time he has committed a traffic offense.

Neb. Rev. Stat. § 43-202(3).

(Note: See also § 43-240 for terminology.)

STATUS OFFENDER

The juvenile court in each county ... shall have jurisdiction as follows: ...

- (4) Exclusive original jurisdiction as to any child under the age of eighteen years (a) who, by reason of being wayward or habitually disobedient, is uncontrolled by his parent, guardian, or custodian; (b) who is habitually truant from school or home; or (c) who departs himself so as to injure or endanger seriously the morals or health of himself or others;

Neb. Rev. Stat. § 43-202(4).

(Note: See also § 43-210.01 for terminology.)

NEVADA
(Current through Dec. 31, 1980)

DELINQUENT

Except as otherwise provided in this chapter, the court has exclusive original jurisdiction in proceedings: ...

- (c) Concerning any child living or found within the county who has committed a delinquent act. A child commits a delinquent act if he:
 - (1) Commits an act designated a crime under the law of the State of Nevada except murder or attempted murder, or violates a county or municipal ordinance or any rule or regulation having the force of law; or
 - (2) Violates the terms or conditions of an order of court determining that he is a child in need of supervision.

Nev. Rev. Stat. § 62.040(1).

STATUS OFFENDER

Except as otherwise provided in this chapter, the court has exclusive original jurisdiction in proceedings: ...

- (b) Concerning any child living or found within the county who is in need of supervision because he:
 - (1) Is a child who is subject to compulsory school attendance and is an habitual truant from school;
 - (2) Habitually disobeys the reasonable and lawful demands of his parents, guardian, or other custodian, and is unmanageable; or
 - (3) Deserts, abandons or runs away from his home or usual place of abode,

and is in need of care or rehabilitation. The child shall not be considered a delinquent.

Nev. Rev. Stat. § 62.040(1).

NEW HAMPSHIRE
(Current through 1979 Leg. Session)

DELINQUENT

II. "Delinquent" means a person who has committed an offense before reaching the age of 18 years which would be a felony or misdemeanor under the criminal code of this state if committed by an adult, and is expressly found to be in need of counselling, supervision, treatment, or rehabilitation as a consequence thereof. N.H.R.S.A. § 169-B:2(II).

STATUS OFFENDER

IV. "Child in need of services" means a child who:

(a) Being subject to compulsory school attendance, is habitually, and without good and sufficient cause, truant from school; or
(b) Habitually runs away from home, or otherwise repeatedly disregards the reasonable and lawful commands of his parents, guardian or custodian;

(c) Has committed an offense which, if committed by an adult, would be a violation under the criminal code of this state; or has committed an offense which, if committed by a person 16 years of age or older, would be a violation under the motor vehicle code of this state; or has violated an ordinance or by-law of a city or town; and

(d) If any one of the foregoing, is also expressly found to be in need of care, guidance, counselling, discipline, supervision, treatment or rehabilitation. N.H.R.S.A. § 169-B:2(IV).

NEW JERSEY
(Current through Sept. 1, 1979)

DELINQUENT

As used in this act, "delinquency" means the commission of an act by a juvenile which if committed by an adult would constitute:

- a. A homicide or act of treason;
- b. A high misdemeanor or misdemeanor;
- c. A disorderly persons offense; or
- d. A violation of any other penal statute, ordinance, or regulation....

But the commission of an act which constitutes a violation of chapters 3, 4, 6, or 8 of Title 39, Motor Vehicles, of the Revised Statutes, or of any amendment or supplement thereof, by a juvenile of or over the age 17 years shall not constitute delinquency as defined in this act.

N.J.S.A. § 2A:4-44.

STATUS OFFENDER

As used in this act, "juvenile in need of supervision" means:

- a. A juvenile who is habitually disobedient to his parent or guardian;
- b. A juvenile who is ungovernable or incorrigible;
- c. A juvenile who is habitually and voluntarily truant from school; or
- d. A juvenile who has committed an offense or violation of a statute or ordinance applicable only to juveniles.

Evidence of conduct which is ungovernable or incorrigible may include but shall not be limited to:

- (1) habitual vagrancy,
- (2) immorality,
- (3) knowingly visiting gambling places, or patronizing other places or establishments, the juvenile's admission to which constitutes a violation of law,
- (4) habitual idle roaming of the streets at night,
- (5) deportment which endangers the juvenile's own morals, health or general welfare.

N.J.S.A. § 2A:4-45.

NEW MEXICO
(Current through 1980 Leg. Session)

DELINQUENT

"delinquent act" means an act committed by a child, which would be designated as a crime under the law if committed by an adult, except for offenses under municipal traffic codes or the Motor Vehicle Code other than the following offenses when committed by a child who has not reached his fifteenth birthday:

- (1) driving while under the influence of intoxicating liquor or drugs;
- (2) failure to stop in the event of an accident causing death, personal injuries or damage to property;
- (3) reckless driving;
- (4) driving without a valid operator's license or permit;
- (5) any offense punishable as a felony; or
- (6) any offense not within the trial jurisdiction of magistrate or municipal courts;

N.M. Stat. Ann. § 32-1-3(N).

"delinquent child" means a child who has committed a delinquent act and is in need of care or rehabilitation; N.M. Stat. Ann. § 32-1-3(O).

STATUS OFFENDER

"child in need of supervision" means a child who:

- (1) being subject to compulsory school attendance, is habitually truant from school; or
- (2) habitually disobeys the reasonable and lawful demands of his parents, guardian or custodian and is ungovernable and beyond control; or
- (3) has committed an offense not classified as criminal or one applicable only to children; and
- (4) in any of the foregoing situations is in need of care or rehabilitation; N.M. Stat. Ann. § 32-1-3(M).

NEW YORK
(Current through 1980 Leg. Session)

DELINQUENT

"Juvenile delinquent". A person over seven and less than sixteen years of age who, having done an act that would constitute a crime, (i) is not criminally responsible for such conduct by reason of infancy, or (ii) is the defendant in an action ordered removed from a criminal court to the family court pursuant to article seven hundred twenty-five of the criminal procedure law.
Family Court Act § 712(a).

(Note: See Criminal Procedure Law § 30.00 and § 180.75 re: excluded offenses.)

STATUS OFFENDER

"Person in need of supervision". A male less than sixteen years of age and a female less than eighteen years of age who does not attend school in accord with the provisions of part one of article sixty-five of the education law or who is incorrigible, ungovernable or habitually disobedient and beyond the lawful control of parent or other lawful authority or who violates the provisions of section 221.05 of the penal law.
Family Court Act § 712(b).

NORTH CAROLINA
(Current through June 4, 1980)

DELINQUENT

(12) Delinquent juvenile. Any juvenile less than 16 years of age who has committed a criminal offense under State law or under an ordinance of local government, including violation of the motor vehicle laws. N.C. Gen. Stat. § 7A-507.

STATUS OFFENDER

(28) Undisciplined juvenile. A juvenile less than 16 years of age who is unlawfully absent from school; or who is regularly disobedient to his parent, guardian, or custodian and beyond their disciplinary control; or who is regularly found in places where it is unlawful for a juvenile to be; or who has run away from home. N.C. Gen. Stat. § 7A-507.

NORTH DAKOTA
(Current through Dec. 31, 1980)

DELINQUENT

"Delinquent act" means an act designated a crime under the law, including local ordinances or resolutions of this state, or of another state if the act occurred in that state, or under federal law, and the crime does not fall under paragraph c of subsection 4 and is not a minor traffic offense as defined in subsection 10.

"Delinquent child" means a child who has committed a delinquent act and is in need of treatment or rehabilitation. N.D. Cent. Code § 27-20-02(2).

STATUS OFFENDER

"Unruly child" means a child who:

- a. Is habitually and without justification truant from school;
 - b. Is habitually disobedient of the reasonable and lawful commands of his parent, guardian, or other custodian and is ungovernable; or who is willfully in a situation dangerous or injurious to the health, safety, or morals of himself or others; or
 - c. Has committed an offense applicable only to a child; and
 - d. In any of the foregoing is in need of treatment or rehabilitation.
- N.D. Cent. Code § 27-20-02(5).

OHIO

(Current through Oct. 31, 1979)

DELINQUENT

As used in sections 2151.01 to 2151.54, inclusive, of the Revised Code, "delinquent child" includes any child:

- (A) Who violates any law of this state, the United States, or any ordinance or regulation of a political subdivision of the state, which would be a crime if committed by an adult, except as provided in section 2151.021 of the Revised Code;
- (B) Who violates any lawful order of the court made under this chapter. Ohio Rev. Code Ann. § 2151.02.

A child who violates any traffic law, traffic ordinance or traffic regulation of this state, the United States, or of any political subdivision of this state, shall be designated as a "juvenile traffic offender." Ohio. Rev. Code Ann. § 2151.021.

STATUS OFFENDER

As used in sections 2151.01 to 2151.54, inclusive, of the Revised Code, "unruly child" includes any child:

- (A) Who does not subject himself to the reasonable control of his parents, teachers, guardian, or custodian by reason of being wayward or habitually disobedient;
- (B) Who is an habitual truant from home or school;
- (C) Who so deports himself as to injure or endanger the health or morals of himself or others;
- (D) Who attempts to enter the marriage relation in any state without the consent of his parents, custodian, legal guardian, or other legal authority;
- (E) Who is found in a disreputable place, visits or patronizes a place prohibited by law, or associates with vagrant, vicious, criminal, notorious, or immoral persons;
- (F) Who engages in an occupation prohibited by law, or is in a situation dangerous to life or limb or injurious to the health or morals of himself or others;
- (G) Who has violated a law applicable only to a child. Ohio Rev. Code Ann. § 2151.022.

OKLAHOMA

(Current through Dec. 31, 1979)

DELINQUENT

Chapter 257 Section 1. 10 O.S.1971, Section 1101, as last amended by Section 1. Chapter 79, O.S.L.1977 (10 O.S.Supp.1978, Section 1101), is amended to read as follows:

Definitions.

When used in this act, unless the context otherwise requires:

(a) The term "child" means any person under the age of eighteen (18) years, except any person sixteen (16) or seventeen (17) years of age who is charged with murder, kidnapping for purposes of extortion, robbery with a dangerous weapon, rape in the second degree, use of a firearm or other offensive weapon while committing a felony, arson in the first degree, burglary with explosives, shooting with intent to kill, manslaughter in the first degree or nonconsensual sodomy.

(b) The term "delinquent child" means:

- (1) a child who has violated any federal or state law or municipal ordinance, excepting a traffic statute or traffic ordinance; or any lawful order of the court made under this act;
- (2) a child who has habitually violated traffic laws or traffic ordinances; or
- (3) any sixteen- or seventeen-year-old who has been certified for juvenile proceedings by the criminal division of the district court.

Chapter 248 Section 1. 10 O.S.1971, Section 1101, as last amended by Section 1, Chapter 79, O.S.L.1977 (10 O.S.Supp.1978, Section 1101), is amended to read as follows:
S.B.No.234

Definitions.

When used in this act, unless the context otherwise requires:

(18) (a) The term "child" means any person under the age of eighteen years.

(b) The term "delinquent child" means:

- (1) a child who has violated any federal or state law or municipal ordinance, excepting a traffic statute or traffic ordinance; or any lawful order of the court made under this act; or
- (2) a child who has habitually violated traffic laws or traffic ordinances.

(Note: In its 1979 session, the Oklahoma Legislature passed two bills amending the definitional section of the juvenile code, one introduced in the House and one in the Senate. Although H.B. 1493 and S.B. 234, which became Chapters 257 and 248 respectively, contained identical amendments to § 1101(c) defining "child in need of supervision," their definitions of "child" and "delinquent child" did not match. Neither act made reference to the other and they were passed on June 1 and June 5 respectively with the same effective date. Since the present state of the law is unclear the language of both acts is set forth above.)

OKLAHOMA
(Current through Dec. 31, 1979)

STATUS OFFENDER

- (c) The term "child in need of supervision" means a child who:
- (1) has repeatedly disobeyed reasonable and lawful commands or directives of his parent, or legal guardian or other custodian;
 - (2) is willfully and voluntarily absent from his home without the consent of his parent or guardian or legal custodian for a substantial length of time or without intent to return; or
 - (3) being subject to compulsory school attendance, the child is willfully and voluntarily absent from school for fifteen (15) or more days or parts of days within a semester or four (4) or more days or parts of days within a four-week period without a valid excuse, as defined by the local school boards. 10 Okl. St. Ann. § 1101(c).

OREGON
(Current through Dec. 31, 1980)

DELINQUENT

- The juvenile court has exclusive original jurisdiction in any case involving a person who is under 18 years of age and:
- (a) Who has committed an act which is a violation, or which if done by an adult would constitute a violation, of a law or ordinance of the United States or a state, county or city;
Ore. Rev. Stat. § 419.476(1)(a).

STATUS OFFENDER

- The juvenile court has exclusive original jurisdiction in any case involving a person who is under 18 years of age and:
- (b) Who is beyond the control of his parents, guardian or other person having his custody; or
 - (c) Whose behavior, condition or circumstances are such as to endanger his own welfare or the welfare of others; or
 - (f) Who has run away from his home.
Ore. Rev. Stat. § 419.476(1).

PENNSYLVANIA
(Current through Feb. 5, 1980)

DELINQUENT

"Delinquent act."

- (1) The term means an act designated a crime under the law of this Commonwealth, or of another state if the act occurred in that state, or under Federal law, or under local ordinances.
- (2) The term shall not include:
 - (i) the crime of murder; or
 - (ii) summary offenses, unless the child fails to pay a fine levied thereunder, in which event notice of such fact shall be certified to the court.

"Delinquent child." A child ten years of age or older whom the court has found to have committed a delinquent act and is in need of treatment, supervision or rehabilitation.

42 Pa.C.S.A. § 6302.

STATUS OFFENDER

"Dependent child." A child who:

- (5) while subject to compulsory school attendance is habitually and without justification truant from school;
- (6) has committed a specific act or acts of habitual disobedience of the reasonable and lawful commands of his parent, guardian or other custodian and who is ungovernable and found to be in need of care, treatment or supervision;
- (7) is under the age of ten years and has committed a delinquent act;
- (8) has been formerly adjudicated dependent, and is under the jurisdiction of the court, subject to its conditions of placements and who commits an act which is defined as ungovernable in paragraph (6); or
- (9) has been referred pursuant to section 6323 (relating to informal adjustment), and who commits an act which is defined as ungovernable in paragraph (6).

42 Pa.C.S.A. § 6302.

RHODE ISLAND
(Current through Sept. Session 1979)

DELINQUENT

The term "delinquent" when applied to a child shall mean and include any child--

Who has committed any offense which, if committed by an adult, would constitute a felony, or who has on more than one (1) occasion violated any of the other laws of the state or of the United States or any of the ordinances of cities and towns, other than ordinances relating to the operation of motor vehicles.
R.I. Gen. Laws Ann. § 14-1-3(F).

(Note: See § 14-1-7.1 for other exclusions.)

STATUS OFFENDER

The term "wayward" when applied to a child shall mean and include any child--

1. Who has deserted his home without good or sufficient cause; or
2. Who habitually associates with dissolute, vicious or immoral persons; or
3. Who is leading an immoral or vicious life; or
4. Who is habitually disobedient to the reasonable and lawful commands of his parent or parents, guardian or other lawful custodian; or
5. Who, being required by chapter 19 of title 16 to attend school, wilfully and habitually absents himself therefrom, or habitually violates rules and regulations of the school when he attends.
6. Who has on any occasion violated any of the laws of the state or of the United States or any of the ordinances of cities and towns, other than ordinances relating to the operation of motor vehicles.
R.I. Gen. Laws Ann. § 14-1-3(G).

SOUTH CAROLINA
(1979 Sessions of the General Assembly)

DELINQUENT

(A) Except as otherwise provided herein, the court shall have exclusive original jurisdiction and shall be the sole court for initiating action:

(1) Concerning any child living or found within the geographical limits of its jurisdiction;

....

(b) Whose occupation, behavior, condition, environment or associations are such as to injure or endanger his welfare or that of others;

(c) Who is beyond the control of his parent or other custodian;

(d) Who is alleged to have violated or attempted to violate any State or local law or municipal ordinance, regardless of where the violation occurred except as provided in § 14-21-515.

S.C. Code Ann. § 14-21-510.

STATUS OFFENDER

No separate status offense category.

SOUTH DAKOTA
(Current through 1979 Leg. Session)

DELINQUENT

In this chapter unless the context otherwise plainly requires "delinquent child" means any child ten years of age or older who, regardless of where the violation occurred, has violated any federal, state or local law or regulation for which there is a penalty of a criminal nature, except state or municipal hunting, fishing, boating or traffic laws cognizable by a magistrate, or who has committed a petty offense.

S.D.C.L. Ann. § 26-8-7.

STATUS OFFENDER

In this chapter unless the context otherwise plainly requires "child in need of supervision" means any child who is an habitual truant from school; who has run away from home or is otherwise beyond the control of his parent, guardian, or other custodian; or whose behavior or condition is such as to endanger his own or others' welfare.

S.D.C.L. Ann. § 26-8-7.1.

TENNESSEE
(Current through 1979 Cum. Supp.
1st Session, 91st General Assembly)

DELINQUENT

"Delinquent act" means an act designated a crime under the law, including local ordinances of this state, or of another state if the act occurred in that state, or under federal law, and the crime does not fall under paragraph (iii) of subsection 5 and the crime is not a traffic offense as defined in the traffic code of the state other than drunken driving and negligent homicide.

Tenn. Code Ann. § 37-202(3).

"Delinquent child" means a child who has committed a delinquent act and is in need of treatment or rehabilitation. Tenn. Code Ann. § 37-202(4).

STATUS OFFENDER

"Unruly child" means a child who:

- (i) While subject to compulsory school attendance is habitually and without justification truant from school;
- (ii) Is habitually disobedient of the reasonable and lawful commands of his parent, guardian, or other custodian and is ungovernable;
- (iii) Has committed an offense applicable only to a child; or
- (iv) Is away from the home or residence of his parents or guardians without their consent. Such child shall be known and defined as a "runaway."
- (v) If any of the foregoing is in need of treatment or rehabilitation.

Tenn. Code Ann. § 37-202(5).

TEXAS
(Current through Dec. 31, 1980)

DELINQUENT

Delinquent conduct is conduct other than a traffic offense, that violates:

- (1) a penal law of this state punishable by imprisonment or by confinement in jail; or
 - (2) a reasonable and lawful order of a juvenile court entered under Section 54.04 or 54.05 of this code, including an order prohibiting conduct referred to in Subsection (b)(4) of this section.
- V.T.C.A., Family Code § 51.03(a).

STATUS OFFENDER

Conduct indicating a need for supervision is:

- (1) conduct, other than a traffic offense or other than an offense included in Subdivision (5) of this subsection, that on three or more occasions violates either of the following:
 - (A) the penal laws of this state of the grade of misdemeanor that are punishable by fine only; or
 - (B) the penal ordinances of any political subdivision of this state;
 - (2) the unexcused voluntary absence of a child on 10 or more days or parts of days within a six-month period or three or more days or parts of days within a four-week period from school;
 - (3) the voluntary absence of a child from his home without the consent of his parent or guardian for a substantial length of time or without intent to return;
 - (4) conduct which violates the laws of this state prohibiting driving while intoxicated or under the influence of intoxicating liquor (first or subsequent offense) or driving while under the influence of any narcotic drug or of any other drug to a degree which renders him incapable of safely driving a vehicle (first or subsequent offense); or
 - (5) conduct prohibited by city ordinance or by state law involving the inhalation of the fumes or vapors of paint and other protective coatings or glue and other adhesives.
- V.T.C.A., Family Code § 51.03(b).

UTAH
(Current through Dec. 31, 1980)

DELINQUENT

Except as otherwise provided by law, the court shall have exclusive original jurisdiction in proceedings:

- (1) Concerning any child who has violated any federal, state, or local law or municipal ordinance, or any person under twenty-one years of age who has violated any such law or ordinance before becoming eighteen years of age, regardless of where the violation occurred.
- (2) Concerning any child:
 - (b) who is an habitual truant from school. Utah Code Ann. § 78-3a-16.

STATUS OFFENDER

No separate status offense category.

(Note: L.1977, ch. 76, § 2, repealed sections giving the juvenile court jurisdiction over children beyond control to the point of being dangerous and over incorrigibles, charged the division of family services with the responsibility of providing services to any runaway or child beyond control and in § 78-3a-16.5 provided for referral to the juvenile court of acases where despite earnest and persistent efforts of the division or a contracting agency, a child is beyond control to the point of being dangerous or has run away from home. However, § 78-3a-39 relating to adjudication and disposition of cases was not amended to refer to § 78-3a-16.5 and thus the court appears to have been granted no adjudicatory or dispositional authority, in regard to such agency referrals.)

VERMONT
(Current through Dec. 14, 1979)

DELINQUENT

"Delinquent act" means an act designated a crime under the laws of this state, or of another state if the act occurred in another state, or under federal law, provided, however, that traffic offenses committed by an individual after becoming 16 years of age shall not be deemed delinquent acts except for violations of sub-chapter 5 of chapter 13 and of section 1091 of Title 23.

Vt. Stat. Ann. tit. 33, § 632(3).

"Delinquent child" means a child who has committed a delinquent act.
Vt. Stat. Ann. tit. 33, § 632(4).

STATUS OFFENDER

"Child in need of care or supervision" means a child who: ...
(C) Is without or beyond the control of his parents, guardian or other custodian.

Vt. Stat. Ann. tit. 33, § 632(12)(C).

VIRGINIA
(Current through Dec. 31, 1980)

DELINQUENT

H. "Delinquent act" means an act designated a crime under the law of this State, or an ordinance of any city, county, town or service district, or under federal law, including traffic infractions as defined under § 46.1-1(40); except an act, which is otherwise lawful, but is designated a crime only if committed by a child.

I. "Delinquent child" means a child who has committed a delinquent act or an adult who has committed a delinquent act prior to his or her eighteenth birthday.

VA. Code Ann. (1979 Supp.) § 16.1-228.

STATUS OFFENDER

F. "Child in need of services" means:

1. A child who while subject to compulsory school attendance is habitually and without justification absent from school; or
2. A child who is habitually disobedient of the reasonable and lawful commands of his or her parent, guardian, legal custodian or other person standing in loco parentis; or
3. A child who remains away from or habitually deserts or abandons his or her family; or
4. A child who commits an act, which is otherwise lawful, but is designated a crime only if committed by a child.

Provided, however, to find that a child falls within any of classes 1, 2 or 3 above (i) the conduct complained of must present a clear and substantial danger to the child's life or health or (ii) the child or his or her family must be in need of treatment, rehabilitation or services not presently being received and (iii) the intervention of the court must be essential to provide the treatment, rehabilitation or services needed by the child or his or her family.

Va. Code Ann. (1979 Supp.) § 16.1-228.

WASHINGTON
(Current through 1979 Leg. Session)

DELINQUENT

(11) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older, committed pursuant to RCW 13.40.300;

....
(14) "Offense" means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state

....
(2) "Violation" means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration.
R.C.W. § 13.40.020.

STATUS OFFENDER

(Note: Family in Conflict -- Court has limited jurisdiction over runaways (where conflict cannot be resolved by family or department) to approve or disapprove alternative residential placement of child under 15 or to emancipate child 15 or older.
13 R.C.W.A. § 13.32A.010 et seq.

WEST VIRGINIA
(Current through 1980 Regular Session)

DELINQUENT

"Delinquent child" means a child"

- (1) Who commits an act which would be a crime under state law or a municipal ordinance if committed by an adult, punishable by confinement in a jail or imprisonment;
- (2) Who commits an act designated a crime under a municipal ordinance or state law not punishable by confinement in a jail or imprisonment;
- (3) Who, without just cause, habitually and continually refuses to respond to the lawful supervision by such child's parents, guardian or custodian;
- (4) Who is habitually absent from school without good cause; or
- (5) Who willfully violates a condition of a probation order or a contempt order of any court.

14 W. Va. Code Ann. § 49-1-4.

STATUS OFFENDER

No separate status offense category.

WISCONSIN
(Current through Nov. 16, 1979)

DELINQUENT

Jurisdiction over children alleged to be delinquent. The court has exclusive jurisdiction, except as provided in §§ 48.17 and 48.18, over any child 12 years of age or older who is alleged to be delinquent because he or she has violated any federal or state criminal law. W.S.A. § 48.12.

Jurisdiction over children alleged to have violated civil laws or ordinances. The court has exclusive jurisdiction over any child alleged to have violated a law punishable by forfeiture or a county, town or other municipal ordinance, except as provided under § 48.17. W.S.A. § 48.125.

Jurisdiction over traffic and boating, civil law and ordinance violations.
(1) Traffic violations. Except for §§ 342.06 (2) and 344.48 (1), and § 346.67 when death or injury occurs, courts of criminal and civil jurisdiction shall have exclusive jurisdiction in proceedings against children 16 or older for violations of §§ 30.50 to 30.80, of chs. 341 to 350, and of traffic regulations as defined in § 345.20. A child convicted of a traffic or boating offense in a court of criminal or civil jurisdiction shall be treated as an adult for sentencing purposes except that the court may disregard any minimum period of incarceration specified for the offense. W.S.A. § 48.17.

STATUS OFFENDER

Jurisdiction over children alleged to be in need of protection or services. The court has exclusive original jurisdiction over a child alleged to be in need of protection or services which can be ordered by the court, and: ...

- (3) Who has been the victim of sexual or physical abuse including injury which is self-inflicted or inflicted by another by other than accidental means; ...
- (6) Who is habitually truant from school;
- (7) Who is habitually truant from home and either the child or a parent signs a petition requesting jurisdiction and attests in court that reconciliation efforts have been attempted and have failed; ...

(12) Who, being under 12 years of age, has committed a delinquent act as defined in § 48.12. W.S.A. § 48.13.

WYOMING
(Current through 1980 Leg. Session)

DELINQUENT

"Delinquent act" means an act punishable as a criminal offense by the laws of this state or any political subdivision thereof.
Wyo. Stat. Ann. § 14-6-201(a)(ix).

"Delinquent child" means a child who has committed a delinquent act.
Wyo. Stat. Ann. § 14-6-201(a)(x).

STATUS OFFENDER

"Child in need of supervision" means any child who is habitually truant, or who has run away from home or who habitually disobeys reasonable and lawful demands of his parents, guardian, custodian or other proper authority, and is ungovernable and beyond control.
Wyo. Stat. Ann. § 14-6-201(a)(iv).

END