

or individual in accordance with the provisions of sections 260.01 to 260.34, the child shall, unless otherwise ordered, become a ward, and be subject to the guardianship of the Director of Social Welfare or of the association or individual to whose care he is committed; but such guardianship shall not include the guardianship of any estate of the child, except as provided in section 260.17. The Director of Social Welfare, association, or individual shall have authority to place such child in a family home and may be made a party to any proceedings for the legal adoption of the child, and may, by his or its attorney or representative, appear in any court where such proceedings are pending and consent to such adoption.

In every case where an order for final commitment is made, the Clerk of Court shall notify the parents by registered mail, if their address is known, and if unknown by such notice as the court shall prescribe, of the fact of such final commitment and that said parents will not be entitled to notice of any subsequent adoption proceeding.

Proof of such mailing notice or other notice as the court shall prescribe shall be filed in the dependency or neglect proceedings in Juvenile Court.

Approved April 3, 1951.

CHAPTER 224—S. F. No. 511

An act relating to dependent, neglected, and delinquent children, amending Minnesota Statutes 1949, Section 260.08.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1949, Section 260.08, is amended to read:

260.08. Custody; proceedings. Upon the presentation of the petition if it appears that a child may be dependent, neglected, or delinquent and that it is for the best interests of the child that the matter be heard in said county, the petition shall be filed and a date set for hearing thereon. A summons may be issued by the judge or clerk of the court requir-

ing the person having custody or control of the child, or with whom the child may be, to appear with the child at a place and time stated in the summons, which time shall be not less than 24 hours after service. Such place may be in the county-seat of the county, or in any other city or village in the county, at the discretion of the court. It shall be sufficient to confer jurisdiction if service is made at any time before the day fixed in the summons for the return thereof; but in such case the court if so requested shall not proceed with the hearing earlier than the second day after the service. The summons shall be served as provided by law for the service of summons in civil actions, and may be served by a probation officer. The parents of the child, if living, and their residence is known, or its legal guardian, if one there be, or if there be neither parent nor guardian, or if his residence is not known, then some relative, if there be one and his residence is known, shall be notified of the proceedings, *and in all cases of dependency or neglect the notification shall also include a statement that in the event the court makes a final order of commitment the child shall be subject to adoption and, in case of proceedings to adopt the child, no notice need be given the parents.* In any case the judge may appoint some suitable person to act in behalf of the child. Except in counties containing a city of the first class if the petition presented is made by a person other than a representative of the division of social welfare or county welfare board, notice as provided by the court shall be given to the county welfare board. Where the person to be notified, other than a member of the county welfare board or its staff, resides within the county, service of notice shall be the same as service of the summons, but in any other case service of notice shall be made in such manner as the court may direct. If the person summoned as herein provided shall fail without reasonable cause to appear and abide the order of the court or bring the child, he may be proceeded against as in case of contempt of court. In case the summons cannot be served or the party served fails to obey the same, and in any case when it shall be made to appear to the court that such summons will be ineffectual, or that the welfare of the child requires that he shall be brought forthwith into the custody of the court, a warrant may be issued by the court, either against the parent or guardian or the person having custody of the child or with whom the child may be, or against the child himself. On the date set for the hearing and on the return of the summons if any has been issued or other process, or on the appearance of the child with or without summons or other process in person before the court, and on the return of the service of notice, if there be any person to be notified, or a

personal appearance or written consent to the proceedings of the person or persons, if any to be notified, or as soon thereafter as may be, the court shall proceed to hear the case, and may proceed in a summary manner.

In all such proceedings in counties having less than 150,000 population the county attorney shall appear for the petitioner. The child shall have the right to appear and be represented by counsel and, if unable to provide counsel, the court may appoint counsel for him. The counsel shall receive from the general revenue fund of the county reasonable compensation for services upon the order of the court.

In all such proceedings the county welfare board shall upon the request of the judge of the juvenile court or the county attorney, cause an investigation to be made relative to the child and the child's family. In all such proceedings, such child may be released into the custody of the parent, guardian, or custodian.

Approved April 3, 1951.

CHAPTER 225—S. F. No. 590

An act relating to old age assistance; amending Minnesota Statutes 1949, Section 256.18.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1949, Section 256.18, is hereby amended to read:

256.18. **Old age assistance, when not paid.** No old age assistance shall be paid to a person:

(1) While or during the time he is an inmate of, and receives gratuitously all the necessities of life from any public charitable, custodial, or correctional institution maintained by the United States, or any state or any of the political subdivisions of the state; provided, in the case of temporary medical or surgical care in a hospital or infirmary, part or all of any old age assistance may be paid at the discretion of the county