

*Report Related to*

**RECORDS OF CHILDREN PLACED IN FOSTER HOMES OR  
RESIDENTIAL CHILD CARE FACILITIES**

**(Required by Sec. 8a, Act No. 100 of 2022)**

*Submitted by*

**Vermont State Archives and Records Administration  
Office of Secretary of State**

*In consultation with the*

**Department for Children and Families and Interested Parties**

January 15, 2023

# REPORT CONTENTS

EXECUTIVE SUMMARY .....	3
INTRODUCTION .....	4
OVERVIEW OF CURRENT LAWS AND RULES GOVERNING RECORDS.....	5
33 V.S.A. § 4921 and Records of the Department for Children and Families .....	5
33 V.S.A. § 5117 and Records of Juvenile Judicial Proceedings.....	7
CVR 13-162-007 and Records of Foster Homes .....	7
CVR 13-162-005 and Records of Child-placing Agencies.....	7
HISTORICAL OVERVIEW OF LAWS GOVERNING RECORDS.....	9
Juvenile Proceedings and Public Assistance or Benefits Laws .....	10
Adoption and Relinquishment or Termination of Parental Rights Laws.....	11
NARRATIVE EXPLANATION OF RECORDS AND CUSTODIANS.....	14
RECOMMENDATION FOR LEGISLATION .....	15
Recommendation No. 1: Amend 33 V.S.A. § 4921 and 33 V.S.A. § 5117.....	15
Recommendation No 2: Clear and Concise Legislation.....	15
Department for Children and Families Statement .....	16
CONCLUSION.....	16

## EXECUTIVE SUMMARY

Section 8a of Act 100 of 2022 (An act relating to access to adoption records) requests a written report from the Vermont State Archives and Records Administration, a division within the Office of Secretary of State, in consultation with the Department for Children and Families and interested parties, containing: (1) a historical overview of the laws governing records related to children who were placed by a child-placing agency in foster homes or residential child care facilities and who are not adopted; (2) a narrative explanation of the records that may exist concerning these children and who acts as the custodians of the records; and (3) a recommendation for legislation to ensure that these children have access to records concerning their background, medical history, and other pertinent information relating to their time under the care and supervision of an agency.

This report illustrates a complex and evolving system of intersecting local and state government officials and entities, state and other institutions, and child-placing agencies. This means that for individuals who were placed as children, whether adopted or not, their personal journeys vary immensely and are dependent on: (1) the laws at the time they were placed under the care and supervision of an agency; and (2) the personal circumstances of their parents. This also means the records pertaining to their placement and their parents' personal circumstances are complex as well.

Additionally, while individuals who were adopted have access to information concerning their placement under current adoption laws, those who were not adopted are not afforded the same access to their placement history. The Vermont State Archives and Records Administration, in consultation with the Department for Children and Families and individuals who were placed as children at St. Joseph's Orphanage in Burlington who contributed to this report as interested parties, recommends the following:

- (1) Legislation that explicitly extends appropriate access to the following records to individuals, upon their reaching the age of majority, who, as children, were placed by a child-placing agency in foster homes or residential child care facilities:
  - a. Department for Children and Families records and information relating to an investigation, assessment, review, or response related to abuse or neglect that was initiated on behalf of an individual when the individual was a child; and
  - b. Records of juvenile proceedings in which the individual, as a child, was the subject.
- (2) Clear and concise legislation regarding access to records for individuals who were placed as children in foster homes or residential child care facilities, whether adopted or not, that encompasses the past as well as the present and future.

The Vermont State Archives and Records Administration and the Department for Children and Families are committed to continuing the collaboration initiated by the request for this report and welcome the opportunity to testify on our progress.

## INTRODUCTION

Section 8a of Act 100 of 2022 (An act relating to access to adoption records) requests a written report from the Vermont State Archives and Records Administration, a division within the Office of Secretary of State, in consultation with the Department for Children and Families and interested parties, containing the following:

- (1) a historical overview of the laws governing records related to children who were placed by a child-placing agency in foster homes or residential child care facilities and who are not adopted;
- (2) a narrative explanation of: (A) the records that may exist concerning these children; and (B) who acts as the custodians of the records; and
- (3) a recommendation for legislation to ensure that these children have access to records concerning their background, medical history, and other pertinent information relating to their time under the care and supervision of an agency.

The Vermont State Archives and Records Administration (VSARA) and the Department for Children and Families (DCF), a department of the Agency of Human Services, appreciate the opportunity this report provides. VSARA and DCF have a strong and collaborative partnership under the Statewide Records and Information Management Program.<sup>1</sup> Services provided to DCF by VSARA include ongoing support to the Department's records officer and records liaisons for DCF's internal records management program for contemporary records as well as off-site storage in the State Records Center, which VSARA manages and operates, for DCF's records in paper and microfilm format. Through VSARA's State Archives function, VSARA also accepts legal custody transfers of inactive DCF records appraised as permanent (archival), regardless of format.

VSARA and DCF routinely collaborate on searching for responsive DCF records in the State Records Center for discovery and public record requests. Requests made to DCF can involve searching and researching records created or received by a broad range of DCF and other Agency of Human Services predecessors, and each request requires an examination and understanding of government structures and legislation in place at the time records could have been created or received. In 2020, VSARA and DCF also worked together to locate records pertinent to the criminal investigation led by the Vermont Office of Attorney General into the former St. Joseph's Orphanage in Burlington, Vermont.

For requests specific to an individual, each search also requires an understanding of the individual's journey, as a child, through a complex and evolving system of intersecting local and state government officials and entities, state and other institutions, and child-placing agencies. No two personal journeys are the same and the type, extent, and depth of existent records about individuals are as unique as the individuals themselves. Over time, records have also been shuffled and transferred due to

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<sup>1</sup> The Statewide Records and Information Management Program administered by VSARA serves all three branches of Vermont State Government and all local government (see: 1 V.S.A. § 317a; 3 V.S.A. § 117)

reorganizations, merges and, sometimes, dissolutions. If record searches of public records are challenging for contemporary state employees with full access, imagine being the individual, who was placed as a child and has little or no information and limited access to both public records and the records of child-placing agencies. How or where does one start? They often don't – or cannot.

This fact was validated through the experiences and insights shared with VSARA by individuals who were placed as children at St. Joseph's Orphanage. Through the *Voices of St. Joseph's Orphanage* group, an initiative started by the Burlington Community Justice Center, invaluable information from those who have tried to gain access to existing records to understand the circumstances that led to their being placed by child-placing agencies in foster homes or residential child care facilities underscore the importance of this report and the recommendations for legislation.

## **OVERVIEW OF CURRENT LAWS AND RULES GOVERNING RECORDS**

To best understand records related to children who were placed by a child-placing agency in foster homes or residential child care facilities and who are not adopted, an overview of current laws and rules is necessary. Current laws have clearly been written to address current children placed in foster homes or residential child care facilities (active records). They do not address adults, who as children, were placed in foster homes or residential child care facilities (inactive records). This distinction is the crux of one of the issues the recommendations at the end of this report try to address.

### ***33 V.S.A. § 4921 and Records of the Department for Children and Families***

General provisions relating to foster care, which is defined in 33 V.S.A. § 4902 as meaning the “care of a child, for a valuable consideration, in a child care institution or in a family other than that of the child's parent, guardian, or relative” are found in Subchapter 1 of Title 33 (Human Services), Chapter 49 (Child Welfare Services). Within the general provisions, there are no references to records or access to them.

Records of an investigation, assessment, review, or response related to abuse or neglect, which can lead to a child being placed in a foster home or residential child care facility, are addressed in Subchapter 2: Reporting Abuse of Children. Under 33 V.S.A. § 4921, the Department Commissioner is charged with maintaining “all records of all investigations, assessments, reviews, and responses” related to abuse and neglect and “may use and disclose information from such [abuse and neglect] records in the usual course of its business, including to assess future risk to children, to provide appropriate services to the child or members of the child's family, or for other legal purposes.”

Disclosure under this statute is specific to certain types of records and information and only to those authorized. Several individuals and entities can request, and are required to receive, certain records and information related to a child for whom an investigation, assessment, review, or response related to abuse or neglect was initiated. There is no provision in this statute for any records or information to be disclosed to the individuals for whom an investigation, assessment, review, or response related to abuse or neglect was initiated when they were children. Due to the specificity, this statute is interpreted as being absolute.

<b>Record of the Department:</b>	<b>Required Disclosure To:</b>
<p>Department Record</p> <p><i>“Department Record” is a term used in 33 V.S.A. § 4921 for records “created under” Subchapter 2: Reporting Abuse of Children.</i></p>	<p>Commissioner or person designated by the Commissioner to receive such records</p> <p>Persons assigned by the Commissioner to conduct investigations</p> <p>Law enforcement officers engaged in a joint investigation with the Department, an Assistant Attorney General, or a State’s Attorney</p> <p>Other State agencies conducting related inquiries or proceedings</p> <p>Office of the Child, Youth, and Family Advocate, effective July 1, 2023</p>
<p>Redacted Investigation File</p> <p><i>“Redacted Investigation File” is a term used in 33 V.S.A. § 4921 that is explicitly defined in 33 V.S.A. § 4912.</i></p>	<p>Child’s parents, foster parent, or guardian, provided that the child’s parent, foster parent, or guardian is not the subject of the investigation</p> <p>Person alleged to have abused or neglected the child</p> <p>Attorney representing the child in a child custody proceeding in the Family Division of the Superior Court</p>
<p>Relevant Department Information</p> <p><i>“Relevant Department Information” is a term defined in 33 V.S.A. § 4921 as “information regarding the individual that the Department determines could avert the risk of harm presented by the individual to the requestor’s child.”</i></p>	<p>Parent with a reasonable concern that an individual who is residing at least part time with the parent’s child presents a risk of abuse or neglect to the child</p>
<p>Relevant Department Record</p> <p><i>“Relevant Department Record” is a term used in 33 V.S.A. § 4921 for which the determination of relevancy resides explicitly with Department for Children and Families.</i></p>	<p>Person, agency, or organization, including a multidisciplinary team empaneled under section 4917 of Title 33, “authorized to diagnose, care for, treat, or supervise a child or family who is the subject of a report or record created under this subchapter, or who is responsible for the child’s health or welfare</p> <p>Health and mental health care providers working directly with the child or family who is the subject of the report or record</p> <p>Educators working directly with the child or family who is the subject of the report or record</p> <p>Licensed or approved foster caregivers for the child</p> <p>Mandated reporters</p> <p>Family Division of the Superior Court involved in specific proceedings</p> <p>Probate Division of the Superior Court involved in guardianship proceedings</p> <p>Other governmental entities for purposes of child protection</p>

### ***33 V.S.A. § 5117 and Records of Juvenile Judicial Proceedings***

General provisions relating to juvenile proceedings, which are defined in 33 V.S.A. § 5102 as meaning the “proceeding[s] in the Family Division of the Superior Court under the authority of the juvenile judicial proceedings chapters” are found in Title 33, Chapter 51. Within the general provisions, there is a provision related to the records of juvenile judicial proceedings.

Juvenile proceedings can lead to a child being placed in a foster home or residential child care facility and under 33 V.S.A. § 5117, “inspection of such records and files by or dissemination of such records and files” is prohibited except to specific individuals and entities.

Unlike 33 V.S.A. § 4921 and records of the Department for Children and Families, for records of a juvenile proceeding, the “child who is the subject of the proceeding” is explicitly allowed access under 33 V.S.A. § 5117. The statute, however, only references the “child” as having access and not individuals, who as children, were the subject of the proceeding. Access is also limited in this statute to inspection of only those “records and files” approved by a Family Court judge.

### ***CVR 13-162-007 and Records of Foster Homes***

Foster homes and related records are addressed through rules adopted by the Department for Children and Families. CVR 13-162-007, which is titled *Licensing Regulations for Family Foster Care*, was first adopted in 1992 and amended once, in 2005. Statutory citations in the rules are outdated and do not reflect the technical amendments made to Vermont Statutes Annotated related to the restructuring of the Agency of Human Services by Act 174 of 2006 or any subsequent legislation enacted since 2005. Foster home, a term used in the rule, is not defined in the rule or in any current state statute.

Under the current rule, the Department for Children and Families shall keep the following “Foster Home Records” on each foster home applicant and licensee: applications, reference letters, compliance checklists, licensing reports and notes regarding communication with or about the applicant(s) or licensee(s). Disclosure under the rule is limited to only the subject applicant(s) or licensee(s) and does not include “information received from third persons, such as reference letters and information which is made confidential by law.”

### ***CVR 13-162-005 and Records of Child-placing Agencies***

Child-placing agencies and related records are addressed only through rules adopted by the former Department of Social and Rehabilitation Services. CVR 13-162-005, which is titled *Licensing Care Placing Agencies*, was first adopted in 1987 and last amended in 1992. Statutory citations in the rules are outdated and do not reflect the technical amendments made to Vermont Statutes Annotated related to the restructuring of the Agency of Human Services by Act 174 of 2006 or any subsequent legislation enacted since 1992.

Child-placing agency, a term used in the rule, is defined as “an organization established for the purpose of providing or arranging placement for children in foster homes, residential child care facilities or adoptive homes.” Under the current rule, a child-placing agency must have written procedures for

managing their records that also specify “who shall supervise the maintenance of records, who shall have custody of records, and to whom records may be released.” The rule also explicitly states that the records “shall be the property” of the child-placing agency.

The rule specifies what records and information must be maintained in a separate written record (“Case Record”) for each child and that the content and format of all case records must be uniform within the child-placing agency. Each case record is required to contain the following information and, if unavailable or in the custody of another person or child-placing agency, the absence of any information and the reason why must be documented in the case record as well:

- Name, sex, birthdate and birthplace of the child;
- Name, address, telephone number and marital status of the parent(s) or guardian of the child;
- Date of admission and source of referral;
- When the child was not living with his/her parent(s) prior to admission, the name, address, telephone number and relationship to the child of the person with whom the child was living;
- Date of discharge, reason for discharge and the name, telephone number and address of the person or agency to whom the child was discharged;
- All documents related to the referral of the child to the Agency;
- Current custody and legal guardianship status; and
- Consent forms signed by the parent(s) or guardian or custodian prior to placement allowing the child-placing agency to authorize all necessary medical care, routine tests, immunization and emergency medical or surgical treatment for the child when such treatment is procured by the child-placing agency.

The rule also requires child-placing agencies to have written policies for the protection of confidentiality in the case records and that the policies shall not conflict with relevant Federal and state laws.

Disclosure of case records under the rule is limited to only the following: (1) agency staff on a “need-to-know basis;” and, upon request, (2) the child, the child’s parent(s) or custodian(s), and their respective legal counsel.

Case records disclosed to the child, parent or custodian explicitly cannot contain “material which violates the right of privacy of another individual and/or material that should be withheld from release according to other laws or by order of a court of competent jurisdiction.” Further, the child-placing agency is responsible under the rule to make the determination on whether “certain information contained in the record would be damaging to a child” and may withhold the information unless ordered to be released by the court.

The rule also authorizes the child-placing agency to use any case records for “teaching or research purposes, development of the governing body's understanding and knowledge of the facility's services or similar educational purpose, provided that names are deleted and other identifying information is disguised or deleted.”



## HISTORICAL OVERVIEW OF LAWS GOVERNING RECORDS

Records are the written and recorded evidence of transactions. Recordkeeping requirements for both government and non-government entities to create or receive certain records are routinely included in Federal and state laws, rules and regulations. The nature of the records, as well as scope, are dependent on the laws, rules and regulations in place at the time the records were created or received. Likewise, the availability and findability of the records are dependent on the records maintenance or management laws, rules and regulations in place the time a government or non-government entity existed *and* when a government or non-government entity reorganized, dissolved, or merged into another entity.

In Vermont, records concerning the placement of children are created and received by both government and non-government entities. Laws governing such records became more prevalent when state governments became involved in the care and placement of children following the onset of World War I and the 1918 influenza pandemic. Concerns about the safety and security of children in the custody of overseers of the poor and similar local officials had been steadily growing in the United States and World War I, followed by the influenza pandemic, became the tipping point due to the increase in children needing care and supervision. Charitable and religious institutions chartered within their respective states to provide residential care and supervision to dependent or needy children began evolving into the child-placing agencies we recognize today.

Not unique to Vermont, the financial stability and “competence” or “properness” of the adult or adults responsible for the care and supervision of a child, as well as the legitimacy of the child, were significant factors for government involvement and the involvement of any charitable or religious institution. Children from financially stable and presumed “competent” and “proper” families, regardless of legitimacy, often followed a different placement path when found in need of care and supervision. Further, depending on laws in effect at the time, that path may or may not have intersected with government or an institution or organization chartered, or later licensed, for the care and supervision of children.

However, a significant number of children, if not most, placed by a child-placing agency in foster homes or residential child care facilities are recipients of public assistance or benefits. Historically, an adult or child’s need for public assistance or benefits dictated the path taken for care and supervision. Initially, state law required disclosure of the names and information of those receiving public assistance or benefits in annual town reports. Following the passing of the Federal Social Security Act in 1935, Federal funds became available to states – providing the state agreed to keep the names and information about those receiving public assistance and benefits confidential.

Several states, including Vermont, protested this provision but Vermont ultimately enacted legislation in 1941. Act 59 restricted “the use or disclosure of information concerning child welfare service and applicants and recipients of public assistance to dependent children” unless for “purposes directly connected with the administration of these programs” and the publishing, use, and disclosure “for any other purpose” was outright forbidden. Since first enacted, there have been minor amendments to this law, which is codified in 33 V.S.A. § 111. A clause for additional disclosure, *when required by law*, has been added and, like 33 V.S.A. § 4921, is interpreted as being absolute in terms of access to records.

## *Juvenile Proceedings and Public Assistance or Benefits Laws*

Act 244 of 1917 charged “charitable and benevolent associations” chartered by the State of Vermont, overseers of the poor, other individuals, and the newly established State Board of Charities and Probation “to whose care [a child was] committed” for providing or finding “suitable homes” for all children taken under their respective care. For the first time, the placement of “any dependent child” in a poorhouse was forbidden unless the child was “an infant or young child with its mother and except in cases of emergency, and for a period not to exceed ninety days.”<sup>2</sup>

The Act also added a reporting duty for overseers of the poor in each town to report to the State Board all cases of “dependent, neglected or delinquent children.” At this time, Justices of the Peace and Municipal and City Courts (“Juvenile Court”) had original jurisdiction of all juvenile cases coming within the provisions of Chapter 319 of the General Laws (G.L.): *Dependent, Neglected and Delinquent Children*. Upon receipt of a petition, children would become wards of the Juvenile Court until the matter of their care and supervision was decided. The proceedings and orders of the court in all examinations and cases were required by G.L. 7324 to be kept in a book known as the “Juvenile Record.”

Further, the newly created State Probation Officer was responsible for investigating cases after a summons or warrant was issued by the Juvenile Court in response to the filing of a petition. Before any proceeding, the State Probation Officer could also be charged with inquiring into, and making a full examination of, parentage and the facts and circumstances of the petition. Under the laws of the time, “permanent records of probation, parole, and child care” were required to be kept in the “central office of the State Probation Officer.”

Act 244 of 1917 also enabled, for the first time, the child of a widowed or deserted mother to “remain with such mother.” Referred to as “Mothers’ Aid Law,” the offering of public funds allowed married women who were either widowed or deserted by their male spouses, provided the mother was found to be a “proper” person and that it “should appear [upon investigation] that it is desirable that the family be maintained,” to receive aid, if needed, for the care of their child or children. This Act allocated two dollars per week per child, half of which was paid through an appropriation made to the State Board of Charities and Probation and the other half through the town where the mother and child(ren) resided.<sup>3</sup>

The appendix offered at the end of this report represents a significant sample, but not a comprehensive listing, of the evolution of juvenile proceedings and public assistance or benefits legislation, and their correlation to child placement legislation over time.

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<sup>2</sup> For a detailed history of Vermont poor farms, see: Hoffbeck, S. (1989). “Remember the poor” (Galatians 2:10): Poor farms in Vermont. *Vermont History: The Proceedings of the Vermont Historical Society*. 57(4), pp. 226-240.

<sup>3</sup> The appropriation for 1917 was later described as being “so inadequate” that it was “impossible to put into effect.” An increased appropriation through Act 205 of 1919 (“the inauguration of this feature of public welfare”) was applauded. In 1920, aid was granted to 15 mothers and 65 children under the age of sixteen for a total of \$3,150). See: State of Vermont: Board of Charities and Probation (1920). Biennial Report Ending June 30, 1920.

## ***Adoption and Relinquishment or Termination of Parental Rights Laws***

Intertwined with juvenile proceedings and public assistance or benefits laws are, unsurprisingly, adoption and relinquishment or termination of parental rights laws. For individuals who were placed as children but not adopted, the adoption and relinquishment or termination of parental rights laws in effect at the time of their placement shed some light on possible extant records related to their journeys. This is particularly true if the individual was committed by the Juvenile Court to the custody of a local or state government official, to the custody of a state, charitable or religious institution, or to the custody of a child-placing agency. Further, if the individual, as a child, had a relationship with at least one parent that *could* be preserved, the adoption laws, historically, have been where such relationships and how and why they could be preserved – as well as relinquished or terminated – were written.

Adoptions were formalized in Vermont law by Act 50 of 1853 with jurisdiction residing with the “judge of probate of the district in which the person so to be adopted” resided. By filing a requisite instrument with a probate judge, those authorized by the new law to adopt were enabled to make an adult or a minor their “child and heir at law” and to “alter the name of such other person.” Upon the filing, Act 50 required probate judges to order the person(s) adopting an adult or a minor to publish notice of the adoption and the name change for three consecutive weeks in newspapers circulated in the probate court’s district.

Initially, a change of name was required; however, a decade later, the General Assembly amended the law to allow adoption without a change of name.<sup>4</sup> Act 37 of 1867 allowed the competency of parents for the care and supervision of their children to be a consideration for adoption and in 1880, through Act 137, provisions for petitioning a probate judge to vacate the adoption of a minor on the basis of the minor’s “parent, guardian or husband” not receiving appropriate notice of adoption were added. Also included in Act 137 of 1880 was the ability for a minor, within a year of reaching full age, to file a “dissent from such adoption,” after which the adoption was voided upon recording by the probate court.

It was through Act 108 of 1915 that “charitable or religious institutions” chartered by the State of Vermont were provided “the power to receive, for the purpose of obtaining for it a legal adoption, any minor who shall be given or relinquished to it by its parent or guardian, or by the overseer of the poor in the town where the minor is an inhabitant in any case where said overseer has a right to give or relinquish such minor.” An act of relinquishment on the part of a “parent, guardian or other person entitled to execute the same” was required to be made in writing and kept “on the books” of the institution. The clause regarding relinquishment was amended by Act 60 of 1923 to also include a minor “committed to its care and custody by a court of this state without limitation in respect to adoption” and the court order of commitment became a record required to be kept by the institution.

Under both the 1915 and 1923 Acts, institutions had “the sole and exclusive care, guardianship and direction of such minor[s]” relinquished or committed to them. Through its president or secretary or

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<sup>4</sup> For a detailed history of adoption in Vermont before 1863, see: Hoyt, E.A.; Sherman, M. (1996). Adoption and the law in Vermont, 1804-1863: An introductory essay. *Vermont History: The Proceedings of the Vermont Historical Society*. 64(3), pp. 159-173.

duly authorized agent, a charitable or religious institution was authorized under G.L. 3759 to execute the “instrument of adoption” on behalf of a minor in the “probate court of the district in which the adopting person” resided<sup>5</sup>. Under Act 60 of 1923, an adoption became final one year after the filing date of the instrument of adoption unless there was “cause shown” for vacating, canceling, or annulling the adoption.

Also in 1923, through Act 7, the General Assembly created the Department of Public Welfare as the successor to the State Board of Charities and Probation. Additionally, several amendments and additions to Vermont’s adoption and relinquishment or termination of parental rights laws were made in 1923. These changes underscore the continuing issue of the grounds for which the relationship of a parent and child could be terminated, which is codified in current law as 15A V.S.A. § 3-504. Act 59 of 1923 clarified when an instrument to adopt a minor could be executed and by whom. By further defining the circumstances in which a minor could be declared as being without a parent or guardian, the Act reaffirmed the ability to adopt a minor if, “in the opinion of the probate court,” the minor’s parent(s) or guardian(s) were “incompetent to have the care and custody for the minor.”

Five years later, in 1927, at the Vermont Conference of Social Work held at the Vermont State House on January 19<sup>th</sup>, a national slate of speakers called for greater accountability of charitable or religious institutions, specifically through supervision by state public welfare departments. Closing the Conference with “a plea for more attention to human life in law making,” strong suggestions from The Vermont Children’s Aid Society, Inc. outlined a wide range of concerns, including the lack of investigation into a minor’s case before adoption:

*“prohibit the marriage of children under 16 years; forbid the adoption of children without approval of court of record and thorough investigation of the case; increase aid to widowed mothers in order that they may support their children without leaving the home; [...] preventing children from going to work in factories without a physical examination to see if they are fit for the work; [and] appointment of a commission, either by the governor or legislature, to study the question of legislation on behalf of children, study the laws of other states and report to the legislature of 1929, with recommendations.”<sup>6</sup>*

The Vermont Department of Public Welfare was eventually charged under state law with licensing child-placing agencies and both the Department and licensed agencies had equal obligations and requirements in state law for children under the age of eighteen in their care and supervision, as well as the ability to file a petition for adoption on behalf of minors. However, public inspection of adoption records and the reports of child-placing agencies revealed continuing concerns about consent and supervision of “institutions and agencies placing children in adoption” and the accuracy of reporting by

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<sup>5</sup> For nonresidents, the Vermont location of the institution or its principal office was to be used.

<sup>6</sup> Vermont Press Bureau. (1927, January 20). Vermont is advised to widen its program of social service: Dept. of Public Welfare should supervise all privately conducted charitable agencies, stimulate town planning boards for zoning, good housekeeping, etc., Richard K. Conant tells Vt. Conference of Social Work at Montpelier – and other prominent speakers. *Burlington Free Press*.

“private agencies” to the Department of Public Welfare. Ironically, calls to pass legislation for the “confidential treatment of adoption records and their segregation from other probate records” and to “keep them from the curious and would-be-troublemakers” began in earnest at the same time.<sup>7</sup>

Act 46 of 1941 did add a new layer of accountability and recordkeeping regarding adoption. Through an amendment to General Law 3333, all chartered institutions and charitable or religious institutions licensed by the Department of Public Welfare were required to provide the probate court with a “Certificate of Authority” to show which of their agents were “empowered to execute” an adoption. Under the same Act, the Department of Public Welfare was charged with also providing the probate court with “a list of its approved and licensed child-placing agencies and corporations.”

This Act also allowed foster homes to serve as the “one year trial period [to] make a further report with recommendations thereon to the probate court.”<sup>8</sup> Moreover, the Department or agency were enabled to proceed with the filing of a final report and recommendation for adoption provided they had the requisite record of “relinquishment, surrender or commitment” and, where applicable, parents who were denied custody of a “child by reason of an order issued in a divorce proceeding” were notified. Upon issuing a final adoption decree, the probate court was further authorized to issue, for the first time, a new birth certificate for the adoptee, if requested.

This new birth certificate, required to be created using a “special form prescribed by the state board of health,” had the words “by adoption” and included the facts provided to the court on the petition for the adoption. The new birth certificate was also filed with the original birth certificate in the town where the person was born. This amendment was a slight change from legislation enacted by Act 67 of 1937, which required a certificate of adoption, including any vacations, avoidance or change of name, to be transmitted to the town clerk and filed with the original birth certificate.<sup>9</sup>

Ultimately, Act 41 of 1945 shifted access to adoption records, including any information on the vacating or annulling of an adoption, to only those with written orders for “good cause” from the probate court. In 1959, through Act 48, G.L. 9938 was amended to make it explicit that juvenile court orders terminating parental rights needed to be reaffirmed through a probate court relinquishment order. Effective June 19, 1961, under Act 170, all original birth certificates for adoptees were also required to be placed under seal upon filing of a new birth certificate. Subsequent legislation as well as legal opinions, such as those from Vermont’s Attorney General, ensured the retrospective closure or sealing of adoption and related records, which did not change substantially until the passing of Act 161 in 1996.

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<sup>7</sup> See: Bergman, V. (1941, January 14). Proposed changes to adoption laws. *Burlington Free Press*; and Editor. (1941, October 4). Critics see state’s new adoption law clarified by book. *Burlington Daily News*.

<sup>8</sup> Act 47 of 1959 (An Act to Amend Section 9943 of V.S. 47 (VSA Title 15 Section 440) Relating to the Length of the Trial Period in Adoption Cases) reduced the time period for issuing a final adoption decree from one year to six months.

<sup>9</sup> The Office of Secretary of State, which served as the State Registrar for vital events from 1857 until 1980, also received certificates of adoption, and later new birth certificates, under the laws of the time and was charged with carrying out duties similar to those of town clerks in relation to the filing, and eventually sealing, of these records.

## **NARRATIVE EXPLANATION OF RECORDS AND CUSTODIANS**

In general, a records custodian is the person who has been designated responsible for the care, management, and control of a record. Official custodians or designees are the only one authorized to certify and attest to the authenticity of the records in their care, management, and control and responsibilities include overseeing records inspection and copying.

For individuals who were placed as children by a child-placing agency in foster homes or residential child care facilities, regardless of adoption, contemporary records are in the custody of the government and non-government entities charged by state law to carry out certain child placement functions and related activities. For older or legacy records for which the original custodian has been reorganized, merged or dissolved, the successor to the original custodian is the records custodian unless another custodian has been designated by Federal or state law, rule or regulation. For non-government entities, articles of dissolution or similar corporate filings may name successor records custodian(s).

For local and state government, authorization to destroy records has been required since 1937. Authorizations exist in the form of disposition orders (former law) or record schedules (current law). Therefore, if comparing recordkeeping requirements with authorizations, there is a reasonable understanding of what records were required to be created or received and whether destruction was authorized. The degree of findability, however, can vary greatly. This is largely due to past state records management practices, which emphasized storage, including the microfilming of records to save space, over management and preservation for ongoing access.

For non-government child-placing agencies and residential care facilities, the historical overview of laws as well as the Department for Children and Families' rule provided in previous sections of this report outline, generally, what records were, or are, required to be kept and maintained. For this narrative explanation section of the report, the Vermont State Archives and Records Administration endeavored to compile the corporation names of past and present child-placing agencies and residential care facilities through their corporate filings with the Secretary of State. This list was intended to be a starting place for soliciting information on the availability of records from child-placing agencies and residential care facilities, particularly those that no longer exist. While not difficult to find the corporate names, the number of child-placing agencies and residential care facilities, past and present, is simply overwhelming.

Therefore, the records in existence through local and state government may be the only way for some generations of individuals who were placed by a child-placing agency in foster homes or residential child care facilities to begin their search. Commitment and foster care placement records in storage at the State Records Center date back to the year 1900 and probate and juvenile court records even earlier. Meanwhile, although the list of child-placing agencies and residential care facilities, past and present, is not included in this report, information is still being compiled to support the intent of this section of the report.

## RECOMMENDATION FOR LEGISLATION

As requested under Sec. 8a of Act 100, the Vermont State Archives and Records Administration, in consultation with the Department for Children and Families and interested parties, has the following two recommendations to ensure individuals who were placed as children by a child-placing agency in foster homes or residential child care facilities, and who are not adopted, have access to records concerning their background, medical history, and other pertinent information relating to their time under the care and supervision of an agency.

### ***Recommendation No. 1: Amend 33 V.S.A. § 4921 and 33 V.S.A. § 5117***

The review of current laws and rules pertaining to access to the following records, which enables access by several individuals in supporting roles for children and access by the child for juvenile proceedings to which the child is the subject, allow for a reasonable and justifiable recommendation for legislation that explicitly extends appropriate access to the following records to individuals, upon their reaching the age of majority, who, as children, were placed by a child-placing agency in foster homes or residential child care facilities:

- Department for Children and Family records and information relating to an investigation, assessment, review, or response related to abuse or neglect that was initiated on behalf of an individual when the individual was a child (33 V.S.A. § 4921).
- Records of juvenile proceedings in which the individual, as a child, was the subject (33 V.S.A. § 5117).

Further, while not in statute and instead in administrative rule, amending the above statutes will better enable the Department for Children and Families to propose a revision to its rule to enable individuals access to:

- Case records as maintained by child-placing agencies that placed the individual when the individual was a child (CVR 13-162-005).

Rulemaking, however, is not a legislative process. Yet, as previously noted, the general provisions relating to foster care found in Subchapter 1 of Title 33 (Human Services), Chapter 49 (Child Welfare Services) make no references to records or access.

### ***Recommendation No 2: Clear and Concise Legislation***

The historical review of legislative acts compiled in the appendix of this report shows *how often* and *how many* changes have been made to Vermont state law. There is no doubt that matters concerning the care and supervision of children are complex and complicated. While some legislative acts resulted in minor amendments, others resulted in major changes. Some changes resulted in diverging legislation concerning the management of, and access to, records that had been previously more aligned in the statutes. Current law, even with the amendments made by Act 100 as enacted, raised records-related questions among those involved in both child placement and adoptions.

For this report, reviewing legislative acts in the broadest sense allowed for more visibility into the interrelatedness of existing statutes ranging from assistance to placement to adoption. This process increased awareness of the need for clear and concise legislation that encompasses the past as well as the present and future. As a result, the Vermont State Archives and Records Administration and the Department for Children and Families are committed to continuing the collaboration initiated by the request for this report and welcome the opportunity to testify on our progress.

***Department for Children and Families Statement***

The Department for Children and Families recognizes the rights and needs of all individuals to have access to information about their lives. To that end, the Department for Children and Families strongly supports the pursuit of legislative changes to permit individuals who were formerly in foster care or substitute care in a child-caring institution to have access to relevant records regarding their time in care. The Department for Children and Families looks forward to working with stakeholders to address privacy and access issues so the voices of everyone involved are respected and honored.

## **CONCLUSION**

The care and supervision of children, historically and presently, is a complex and evolving system of intersecting local and state government officials and entities, state and other institutions, and child-placing agencies. For individuals who were placed as children, whether adopted or not, their personal journeys vary immensely and are dependent on the laws in place at the time as well as the personal circumstances of their parents and the authorities of those to which their care and supervision was committed.

For individuals who were placed as children and adopted, current Vermont State law provides a mechanism for them to access relevant and pertinent information about their lives and personal histories. Individuals who were placed as children but not adopted should also be afforded a mechanism under Vermont state law to access relevant and pertinent information about their lives and personal histories. Minor changes to two existing state laws, 33 V.S.A. § 4921 and 33 V.S.A. § 5117, provide major opportunities for legislators to close this gap while considering more concise legislation on a broader scale.

Much like the visibility into the interrelatedness of statutes ranging from assistance to placement to adoption that this report provides, opening access will also bring more visibility into the interrelatedness of records ranging from assistance to placement to adoption. To this end, the Vermont State Archives and Records Administration and the Department for Children and Families are continuing the collaboration initiated by the request for this report and welcome the opportunity to work with legislators and other stakeholders to achieve the recommendations outlined in the report.



## APPENDIX: LEGISLATIVE ACTS

This appendix represents a significant sample, but not a comprehensive listing, of legislative acts in the 20<sup>th</sup> and 21<sup>st</sup> centuries that affected children and influenced, if not determined, outcomes in terms of placement by child-placing agencies in foster homes or residential child care facilities; eligibility for adoption; and pertinent records created or received by both government and non-government entities and access to them.

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 100 of 2022</b>	An Act relating to access to adoption records
<b>Act 101 of 2022</b>	An Act Relating to the Interstate Compact on the Placement of Children
<b>Act 104 of 2022</b>	An Act Relating to Incarceration Terms for Criminal Defendants Who are Primary Caretakers of Dependent Children
<b>Act 129 of 2022</b>	An Act Relating to the Office of the Child, Youth, and Family Advocate
<b>Act 160 of 2022</b>	An Act Relating to Juvenile Proceedings
<b>Act 26 of 2021</b>	An Act Relating to Repealing the Statute of Limitations for Civil Actions Based on Childhood Physical Abuse
<b>Act 120 of 2020</b>	An Act Relating to Implementing the Expansion of Juvenile Jurisdiction
<b>Act 45 of 2019</b>	An Act Relating to Juvenile Jurisdiction
<b>Act 35 of 2017</b>	An Act Relating to Consent by Minors for Mental Health Treatment
<b>Act 43 of 2017</b>	An Act Relating to Building Resilience for Individuals Experiencing Adverse Childhood Experiences
<b>Act 54 of 2017</b>	An Act Relating to the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel
<b>Act 72 of 2017</b>	An Act Relating to Juvenile Jurisdiction
<b>Act 92 of 2016</b>	An Act Relating to the Department for Children and Families' Registry Review Unit
<b>Act 116 of 2016</b>	An Act Relating to Foster Parents' Rights and Protections
<b>Act 170 of 2016</b>	An Act Relating to Permanency for Children in the Child Welfare System
<b>Act 7 of 2015</b>	An Act Relating to the Uniform Transfers to Minors Act
<b>Act 60 of 2015</b>	An Act Relating to Improving Vermont's System for Protecting Children from Abuse and Neglect
<b>Act 131 of 2014</b>	An Act Relating to Updating and Reorganizing Title 33
<b>Act 142 of 2014</b>	An Act Relating to Repeal of Report Requirements that are at Least Five Years Old
<b>Act 168 of 2014</b>	An Act Relating to the Rights of Children of Arrested and Incarcerated Parents
<b>Act 170 of 2014</b>	An Act Relating to Guardianship of Minors
<b>Act 61 of 2013</b>	An Act Relating to Studies on Classification of Criminal Offenses, Development of a Cost-Benefit Model for Assessing Criminal and Juvenile Justice Programs, and the Role of Administrative Hearing Officers
<b>Act 145 of 2012</b>	An Act Relating to Expanding Confidentiality of Cases Accepted by the Court Diversion Project

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 19 of 2011</b>	An Act Relating to Extending the State's Reporting Concerning Transportation of Children in State Custody and Transportation of Individuals in the Custody of the Commissioner of Mental Health
<b>Act 29 of 2011</b>	An Act Relating to Uniform Child Custody Jurisdiction and Enforcement
<b>Act 56 of 2011</b>	An Act Relating to Driving While Intoxicated, Forfeiture and Registration of Motor Vehicles, the Blood and Breath Alcohol Testing and Alcohol Screening Program, the Minor Guardianship Study Committee, Confidentiality of Cases Accepted by the Court Diversion Project, and the Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act
<b>Act 97 of 2010</b>	An Act Relating to Voluntary Guardianship and Children in Foster Care
<b>Act 28 of 2009</b>	An Act Relating to Technical Corrections to the Juvenile Judicial Proceedings Act of 2008
<b>Act 118 of 2008</b>	An Act Relating to Child Support for Children with Disabilities
<b>Act 168 of 2008</b>	An Act Relating to Reports of Child Abuse or Neglect
<b>Act 172 of 2008</b>	An Act Relating to the Agency of Human Services
<b>Act 185 of 2008</b>	An Act Relating to Juvenile Judicial Proceedings
<b>Act 186 of 2008</b>	An Act Relating to Guardianships
<b>Act 6 of 2007</b>	An Act Relating to Eliminating Certain Sunset Provisions and Extending the Juvenile Proceedings Study Committee
<b>Act 40 of 2007</b>	An Act Relating to Restitution and Notice to Prosecution of Confidential Records Disclosure
<b>Act 74 of 2007</b>	An Act Relating to Foster Care Services and Supports
<b>Act 77 of 2007</b>	An Act Relating to the Child Abuse Registry and Increased Sex Offender Registry Requirements
<b>Act 174 of 2006</b>	An Act Relating to Technical Amendments to the Vermont Statutes Annotated Related to Restructuring the Agency of Human Services
<b>Act 198 of 2006</b>	An Act Relating to the Sealing of Juvenile Records, Care of Children in the Custody of the State, and Rights of Persons Under a Guardianship Order
<b>Act 21 of 2005</b>	An Act Relating to Judicial Determinations in Juvenile Proceedings
<b>Act 73 of 2004</b>	An Act Relating to Access to Juvenile Proceedings
<b>Act 158 of 2004</b>	An Act Relating to the Confidentiality and Noncommercial Distribution of Certain Tax Records and Data
<b>Act 159 of 2004</b>	An Act Relating to Child Support, Custody, and Visitation
<b>Act 43 of 2003</b>	An Act Relating to Mandatory Reporting of Suspected Child Abuse and Neglect
<b>Act 57 of 2003</b>	An Act Relating to a Juvenile Justice Legislative Oversight Committee and to Restitution Procedures
<b>Act 58 of 2003</b>	An Act Relating to Assistant Judges, Probate Courts, Family Court Magistrates, and Guardianships for Minors
<b>Act 66 of 2003</b>	An Act Making Appropriations for the Support of Government

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 135 of 2002</b>	An Act Relating to Reports of Abuse, Neglect and Exploitation of Elderly and Disabled Adults
<b>Act 28 of 2001</b>	An Act Relating to Address Confidentiality of Victims of Domestic Violence, Sexual Assault, and Stalking
<b>Act 41 of 2001</b>	An Act Relating to Unlawfully Sheltering and Aiding a Runaway Child
<b>Act 98 of 2000</b>	An Act Relating to Zoning of Registered or Licensed Family Child Care Homes
<b>Act 147 of 2000</b>	An Act Relating to Assisting Families to Attain Self-Sufficiency
<b>Act 162 of 2000</b>	An Act to Create a Permanent Guardianship for Minors
<b>Act 81 of 1998</b>	An Act Relating to Confidentiality of Information about a Fatality of a Child
<b>Act 139 of 1998</b>	An Act Relating to Foster Children and Adoption
<b>Act 53 of 1997</b>	An Act Relating to Adoptions
<b>Act 63 of 1997</b>	An Act Relating to Child Support
<b>Act 137 of 1996</b>	An Act Relating to the Custody of a Child or Adolescent with a Severe Emotional Disturbance
<b>Act 145 of 1996</b>	An Act Relating to Emancipation of Minors
<b>Act 147 of 1996</b>	An Act Relating to Parental Liability for Damages by a Minor Child and Contributing to Juvenile Delinquency
<b>Act 161 of 1996</b>	An Act Relating to Adoptions
<b>Act 43 of 1995</b>	An Act Relating to Health Insurance Coverage for Children of Noncustodial Parents
<b>Act 59 of 1995</b>	An Act Relating to Enforcement of Child Support Orders
<b>Act 154 of 1994</b>	An Act Relating to Children at Risk of School Failure
<b>Act 156 of 1994</b>	An Act Relating to Suspected Child Abuse Reporting
<b>Act 178 of 1994</b>	An Act Relating to Juvenile Probation
<b>Act 214 of 1994</b>	An Act Relating to Adoptions
<b>Act 228 of 1994</b>	An Act Relating to Abuse Prevention and Child Support
<b>Act 105 of 1993</b>	An Act Relating to Child Support
<b>Act 141 of 1992</b>	An Act Relating to Reports of Child Abuse
<b>Act 169 of 1992</b>	An Act Relating to Juvenile Procedures
<b>Act 38 of 1991</b>	An Act Relating to Appointment of Counsel in Guardianship Proceedings
<b>Act 39 of 1991</b>	An Act Relating to Incarceration of Juveniles
<b>Act 220 of 1990</b>	An Act Relating to Child Support
<b>Act 221 of 1990</b>	An Act Relating to a Family Court
<b>Act 260 of 1990</b>	An Act Relating to Infants and Children at Risk of School Failure
<b>Act 295 of 1990</b>	An Act Relating to Child Abuse Reports and Disclosure of Certain Criminal Records
<b>J.R. 161 of 1988</b>	Joint Resolution Relating to the Study of Juveniles and Juvenile Services
<b>Act 182 of 1988</b>	An Act Relating to Placement of Minors Convicted as Adult Offenders
<b>Act 54 of 1987</b>	An Act Relating to Child Support Wage Assignment Orders

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 141 of 1986</b>	An Act Relating to Juveniles
<b>Act 180 of 1986</b>	An Act Relating to Child Support and Maintenance
<b>Act 211 of 1986</b>	An Act Relating to Reporting of Child Abuse
<b>Act 10 of 1985</b>	An Act Relating to the Custody of a Delinquent Child
<b>J.R. 171 of 1985</b>	Joint resolution Relating to Services for Children and Families
<b>Act 169 of 1984</b>	An Act Relating to Child Abuse
<b>Act 222 of 1984</b>	An Act Relating to Enforcement of Child or Spousal Support Obligations
<b>Act 231 of 1984</b>	An Act to Add to and to Repeal Sections of Title 15 Relating to Parentage Proceedings and Child Support
<b>Act 79 of 1983</b>	An Act to Add 33 V.S.A. Chapter 16 Relating to the Prevention of Juvenile Delinquency and Other Problem Behaviors
<b>Act 171 of 1982</b>	An Act to Amend 33 V.S.A. §§ 2596, 2752, and 2852 Relating to Registration of Family Day Care Homes
<b>Act 206 of 1982</b>	An Act Relating to Juvenile and Adult Court Diversion Projects
<b>Act 207 of 1982</b>	An Act to Add 33 V.S.A. Chapter 14 and to Repeal 13 V.S.A. Chapter 27 Related to Child Abuse and Neglect
<b>Act 243 of 1982</b>	An Act to Amend 33 V.S.A. §§ 658, 667 and 2801(4) Relating to Administrative Review of Child Custody Orders
<b>Act 1 of 1981 (Spec. Sess.)</b>	An Act Relating to Juvenile Crimes
<b>J.R. 52 of 1981</b>	Joint Resolution Relating to a Secure Facility for Juveniles and to an Assessment of Services to Juveniles
<b>Act 136 of 1980</b>	An Act to Add 15 V.S.A. Chapter 19 Relating to Child Custody
<b>Act 145 of 1980</b>	An Act to Add 3 V.S.A. § 16 Relating to Juvenile Court Diversion Projects
<b>Act 212 of 1978</b>	An Act to Add 33 V.S.A. § Chapter 33 and 3 V.S.A. § 3092 Relating to Support of Dependent Children
<b>Act 217 of 1978</b>	An Act to Amend 15 V.S.A. §§ 432(b) and 435 and to Add 15 V.S.A. § 435a Relating to Adoptions
<b>Act 200 of 1976</b>	An Act to Amend 13 V.S.A. §§ 1352(a)(2), 1353(a) and (b) and 1354 and to Add § 1356 Relating to Child Abuse
<b>Act 233 of 1976</b>	An Act to Add 12 V.S.A. Chapter 191 and 33 V.S.A. § 667 Relating to the Protection of the Interests of Children
<b>Act 19 of 1975</b>	An Act to Amend 33 V.S.A. § 2801 Relating to Child Welfare Services
<b>Act 133 of 1974</b>	An Act to Amend 14 V.S.A. §§ 3201(5), 3203 and 3206; and to Add 14 V.S.A. §§ 3201(14), 3202(a)(4) and 3204(j) Relating to Gifts to Minors
<b>Act 152 of 1974</b>	An Act to Amend 3 V.S.A. §§ 3084, 3088(b)(5) and 3084(c)(2); 13 V.S.A. §§ 1351, 1353; 15 V.S.A. §§ 432, 434, 436, 436, 437, 440, 441, 442, 443, 445, 446, 453, 16 V.S.A. § 830, 831, 832, 1075, 33 V.S.A. §§ 632, 638, 641, 642, 645, 647, 655, 656, 660, 2501, 2502, 2504, 2551, 2611, 2612, 2651(4), 2653, 2654, 2660, 2701(a)(c)(ii), 2703(c), 2752(1), 2851(a), 2852(a), 3004, 3202, 3203; to Add 33 V.S.A. Chapter 27, §§ 2602(c), 2701(7) and (8), 2752(4) and (5), 2904, 3101(e), 3301(10) and (11); and to

<b>Act or Resolve</b>	<b>Title</b>
	Repeal 33 V.S.A. §§ 2561, 2601, 2701(c), Relating to the Duties of the Department of Social Welfare and Social and Rehabilitation Services
<b>Act 191 of 1974</b>	An Act to Amend 16 V.S.A. § 830 and to Repeal 16 V.S.A. §§ 831 and 832 Relating to the Education of Foster Children
<b>Act 57 of 1973</b>	An Act to Add 33 V.S.A. § 658 Relating to Orders in Juvenile Proceedings
<b>Act 181 of 1972</b>	An Act to Amend 33 V.S.A. § 2851 Relating to Foster Care Facilities
<b>Act 206 of 1972</b>	An Act to Amend 33 V.S.A. § 2801 Relating to Protective Services
<b>Act 219 of 1972</b>	An Act to Amend 15 V.S.A §§ 432, 434 and 435 and to Add Chapter 42 to 33 V.S.A. Relating to Adoption; Interstate Compact on the Placement of Children
<b>Act 238 of 1972</b>	An Act to Amend 15 V.S.A. § 551(7) and to Add 15 V.S.A. § 675 Relating to Dissolution of Marriage and to Provide for Representation for Minors in Divorce Proceedings
<b>Act 246 of 1972</b>	An Act to Amend 33 V.S.A. § 656(a)(3)(A) Relating to the Disposition of Neglected or Unmanageable Children
<b>Act 76 of 1971</b>	An Act to Add 18 V.S.A. § 4226 Relating to Minors; Medical Treatment; Consent
<b>Act 98 of 1971</b>	An Act to Amend 15 V.S.A. §§ 201, 291, 293, 294, 671 and 672; 33 V.S.A. § 2571; and to Add 15 V.S.A. § 293a Relating to Social Welfare
<b>Act 289 of 1970</b>	An Act to Amend 28 V.S.A. § 1008 Relating to Probation of Prisoners; to Amend 33 V.S.A. §§ 632(a)(18), 655(a), 658, 659(a) and to Add 33 V.S.A. § 663(c) Relating to Juvenile Procedure; to Amend 29 V.S.A. §§ 1101 and 1193 Relating to Public Documents
<b>Act 29 of 1969</b>	An Act to Amend 15 V.S.A. § 437 Relating to Investigations on Adoptions
<b>Act 246 of 1968</b>	An Act to Amend 21 V.S.A. § 1338a Relating to Dependents' Allowances Under the Unemployment Compensation Law
<b>Act 285 of 1968</b>	An Act to Include Vermont in the Interstate Compact on Juveniles, and Establish Certain Additional Provisions
<b>Act 304 of 1968</b>	An Act to Provide for Judicial Proceedings Relating to Juveniles and to Repeal 33 V.S.A. §§ 601 through 627 and §§ 671 through 678 with Certain Exceptions and to Amend 13 V.S.A. § 65036(a) and (c)
<b>Act 350 of 1968</b>	An Act to Amend 14 V.S.A. § 553 Relating to Illegitimate Children, Inheritance By and From
<b>Act 147 of 1967</b>	An Act Relating to Social Welfare
<b>Act 53 of 1965</b>	An Act to Amend 33 V.S.A. §301 Relating to Aid for Dependent Children
<b>Act 152 of 1965</b>	An Act to Amend 16 V.S.A. §§2941, 2942 and 2951 Relating to Handicapped Children
<b>Act 153 of 1965</b>	An Act to Provide for Classes for Handicapped Children and to Appropriate Money Therefor
<b>Act 208 of 1965</b>	An Act for the Mandatory Reporting by Physicians and Institutions of Certain Physical Abuse of Children

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 14 of 1964</b>	An Act to Amend 16 V.S.A. §3457 Relating to School Buildings for Retarded Children
<b>Act 12 of 1963</b>	An Act Concerning Services for Locating Deserting Parents and Other Persons Liable for Support of Dependents
<b>Act 50 of 1963</b>	An Act to Amend 33 V.S.A. §§301 and 303 Relating to Aid to Dependent Children
<b>Act 53 of 1963</b>	An Act to Amend 33 V.S.A. §745 and §746 Relating to Poor Relief Laws
<b>Act 78 of 1961</b>	An Act to Repeal 33 V.S.A. §853 Relating to the Annual Appropriation to Town Aid for Poor Persons
<b>Act 83 of 1961</b>	An act to Amend 16 V.S.A. §2948 Relating to Education of Handicapped Children
<b>Act 115 of 1961</b>	An Act to Amend 16 V.S.A. §801a Relative to Children Under Custody of Child Placing Agency and 16 V.S.A. §3441(1)
<b>Act 162 of 1961</b>	An Act to Amend 33 V.S.A. §301 Relating to Aid to Dependent Children
<b>Act 251 of 1961</b>	An Act to Amend the First Paragraph of 33 V.S.A. §615 Relating to Payment of Expenses for Care of Committed Children
<b>Act 257 of 1961</b>	An Act to Authorize a Preventative Service Program for Children by the Department of Social Welfare
<b>Act 3 of 1959</b>	An Act to Amend Section 9866 of V.S. 47, As Amended (VSA Title 33 Section 303), Relating to the Amount of Assistance for Needy Children
<b>Act 47 of 1959</b>	An Act to Amend Section 9943 of V.S. 47 (VSA title 15 Section 440) Relating to the Length of the Trial Period in Adoption Cases
<b>Act 48 of 1959</b>	An Act to Amend Section 9938 of V.S. 47, as Amended (VSA Title 15 Section 432), Relating to Adoption of Children Relinquished to Charitable and Religious Corporations
<b>Act 55 of 1959</b>	An Act to Amend Section 7097 of V.S. 47 as Amended (VSA Title 33 Section 701), and 783), Relating to Assistance to Needy Children and State Reimbursements to Towns for Relief Furnished Nonsettled Poor Persons
<b>Act 64 of 1959</b>	An Act to Provide Allowances for Dependents of Persons Who Receive Compensation Under the Unemployment Compensation Law
<b>Act 85 of 1939</b>	An Act to Provide for the Education of Physically Handicapped Children and to Cooperate with the United States in Such Work
<b>Act 124 of 1959</b>	An Act to Authorize the Recovery of Civil Damages Due to Malicious or Willful Personal Injuries or Destruction of Property by Minors Under Seventeen Years of Age
<b>Act 131 of 1959</b>	An Act to Amend Section 7114 of V.S. 47, as Amended (VSA Title 33 § 824), Relating to Recovery of Expense of Transient Poor Relief
<b>Act 189 of 1959</b>	An Act to Provide State aid for the Construction of School Buildings for Retarded Children
<b>Act 233 of 1959</b>	An Act to Amend Sections 4308 and 4358, as Amended, of V.S. 47 (VSA Title 16 §§ 1075, 801), Relating to the Education of Children Committed

<b>Act or Resolve</b>	<b>Title</b>
	to the Care and Custody of the Social Welfare Department and to the Care of Agencies Licensed by the Social Welfare Department
<b>Act 16 of 1957</b>	An Act to Amend Sections 9852, 9858 and 9908 of V.S. 47, Relating to Neglected, Dependent or Delinquent Children
<b>Act 21 of 1957</b>	An Act to Amend Section 9896 of V.S. 47, as Amended, Relating to Dependent, Neglected and Delinquent Children
<b>Act 24 of 1957</b>	An Act to Amend Sections 9864 and 9865 of V.S. 47, as Amended, Relating to Assistance for Needy Children
<b>Act 108 of 1957</b>	An Act to Amend Subdivisions II and VI of Section 249 of No. 170 of the Acts of 1951, Relating to Marriage Licenses Issued to Minors
<b>Act 205 of 1957</b>	An Act Relating to Gifts of Securities and Money to Minor and to Make Uniform the Law with Reference Thereto
<b>Act 229 of 1957</b>	An Act to Amend Sections 7097, 7108, 7109, 7114, 7115, 7116 as Amended, 7117 and 7119 of V.S. 47, Relating to Relief and Support of Poor and Transient Persons, and Section 9866 of V.S. 47, Relating to Assistance to Needy Children
<b>Act 17 of 1955</b>	An Act to Amend Section 9859 of V.S. 47, Relating to Investigation of Poor Relief
<b>Act 49 of 1955</b>	An Act to Amend Section 9888 of V.S. 47, as Amended, Relating to Dependent, Neglected and Delinquent Children
<b>Act 100 of 1955</b>	An Act to Provide an Appropriation for the Employment of Additional Juvenile Officers by the Department of Institutions
<b>Act 148 of 1955</b>	An Act to Amend Section 8175 of V.S. 47, Relating to Employment of Women and Children
<b>Act 199 of 1955</b>	An Act to Amend Sections 4358 and 4359 of V.S. 47, Relating to the Education of Children Committed to Care and Custody of the Social Welfare Department
<b>Act 212 of 1955</b>	An Act to Authorize Financial Institutions to Make Mortgage Loans to Minors
<b>Act 216 of 1955</b>	An Act to Provide Custodial Care for Certain Children
<b>Act 273 of 1955</b>	An Act to Equalize the Cost of Caring for Poor Persons and Provide State Aid to Towns
<b>Act 30 of 1953</b>	An Act to Amend Section 4 of No. 227 of the Acts of 1949, Relating to Foster Homes and Institutions for Children
<b>Act 41 of 1953</b>	An Act to Amend Section 9888 of V. S. 47, as Amended, Relating to Dependent, Neglected and Delinquent Children
<b>Act 56 of 1953</b>	An Act to Amend Section 7107 of V.S. 47, Relating to Information to Overseers of the Poor Regarding Bank Deposits
<b>Act 78 of 1953</b>	An Act to Amend Sections 7125, 7126 and 7127 of V. S. 47, Relating to Relief of Disable the Needy Veterans and Their Legal Dependents

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 235 of 1953</b>	An Act Relating to Education of Handicapped Children, and to Repeal Certain Section of V.S. 47
<b>Act 61 of 1951</b>	An Act to Amend Section 3254 of V.S. 47, as Amended, and Section 3255 of V.S. 47, Relating to Care of Minor Children
<b>Act 94 of 1951</b>	An Act Providing for the Instruction of Children Residing Upon Fort Ethan Allen Reservation, and to Repeal No. 82, Acts of 1939
<b>Act 100 of 1951</b>	An Act to Provide State Assistance for the Education of Homebound Children
<b>Act 169 of 1951</b>	An Act to Amend Sections 7110 and 7116 of V.S. 47, Relating to the Relief of the Poor
<b>Act 199 of 1951</b>	An Act to Amend Section 9864 of V.S. 47, Relating to Federal Assistance for Needy Children
<b>Act 201 of 1951</b>	An Act to Amend Section 9883 of V.S. 47, Relating to Dependent, Neglected and Delinquent Children
<b>Act 202 of 1951</b>	An Act to Amend Section 9888 of V.S. 47, Relating to Dependent, Neglected and Delinquent Children
<b>Act 203 of 1951</b>	An Act to Amend Section 9895 of V.S. 47, Relating to Dependent, Neglected or Delinquent Children
<b>Act 207 of 1951</b>	An Act to Provide Care for Indigent Children at the Caverly Preventorium
<b>J.R. 351 of 1951</b>	Joint Resolution Providing Facilities and Endowment Funds for the Care, Instruction and Training of Underprivileged Children
<b>J.R. 370 of 1951</b>	Joint Resolution Relating to Dependent, Neglected and Delinquent Children
<b>Act 67 of 1949</b>	An Act to Amend Section 3254 of the Vermont Statutes, Revision of 1947, Relating to Court Summons in Cases of Minor Children of Separated or Divorced Parents
<b>Act 195 of 1949</b>	An Act to Provide a Penalty for Acts Which Contribute to the Delinquency of Children
<b>Act 226 of 1949</b>	An Act to Amend Section 9865 of the Vermont Statutes, Revision of 1947, Relating to Federal Assistance for Needy Children
<b>Act 227 of 1949</b>	An Act to Provide for the Establishing of Standard for Foster Homes and Institutions for Children and Licensing of the Same
<b>Act 228 of 1949</b>	An Act to Amend Section 9896 of the Vermont Statutes, Revision of 1947, Relating to Dependent, Neglected and Delinquent Children
<b>Act 189 of 1947</b>	An Act to Amend Section 5451 of the Public Laws, as Amended by Section 3 of No. 89 of the Acts of 1943 and by Section 10 of No. 119 of the Acts of 1945 (Section 10,138 of the Vermont Statutes, 1947, as Propose) Relating to a Detention Home for Children Pending Court Investigation
<b>Act 191 of 1947</b>	An Act to Provide for the Inspection of Sanatoriums, Rest Homes, Nursing Homes, Homes for the Reception of Children, and Related Institutions
<b>J.R. 300 of 1947</b>	Joint Resolution Relating to Wages and Hours of Women and Children in Intrastate Business and Appointing a Committee to Investigate



<b>Act or Resolve</b>	<b>Title</b>
<b>Act 41 of 1945</b>	An Act Relating to Adoption and the Procedure Therefor and to Repeal Certain Sections of Chapter 144 of the Public Laws, as Amended, Relating to Adoption
<b>Act 188 of 1945</b>	An Act to Provide for the Pay of Justices Designated as Juvenile Courts
<b>Act 89 of 1943</b>	An Act to Amend Certain Sections of the Public Laws Relating to Child Welfare
<b>Act 130 of 1943</b>	An Act to Amend Section 6587 of the Public Laws, as Amended by No. 177 of the Acts of 1937, Relating to Hours of Labor for Women and Children
<b>Act 33 of 1943</b>	An Act Concerning the Guardianship of Incompetent Veterans, and Other Incompetent and Minor Beneficiaries of the Veterans Administration, and Concerning Commitment to the Veterans Administration or other Agency of the United States of Persons Eligible for Care or Treatment and to Make Uniform the Law with Reference Thereto
<b>Act 59 of 1941</b>	An Act Relating to the Confidential Character of Public Assistance Records and to Amend Section 471 of the Public Laws and Section 7 of No. 82 of the Acts of 1935, as Last Amended by Section 2 of No. 72 of the Acts of 1939
<b>Act 60 of 1941</b>	An Act to Amend Section 3921 of the Public Laws to Compel Banks to Furnish Information Regarding Deposits of Persons Receiving or Applying for Public Support of Assistance
<b>Act 106 of 1941</b>	An Act to Amend Section 5421 of the Public Laws, as Last Amended by Section 1 of No. 130 of the Acts of 1939, Relating to Payments for the Benefit of Children
<b>Act 108 of 1941</b>	An Act to Provide for Reimbursement of School Districts for Certain Expenses Incurred Through the Placing of Children Therein by the Department of Public Welfare and to Provide Due Notice to School Directors in Such Districts in Certain Cases
<b>Act 159 of 1941</b>	An Act to Amend Subdivision (c) of Section 6513 of the Public Laws, as Amended by No. 172 of the Acts of 1937, and to Amend Section 6516 of the Public Laws Relating to Death Benefits for Dependent Children and Minimum Average Weekly Wage in Fatal Accident
<b>Act 189 of 1941</b>	An Act to Repeal Sections 8380 and 8381 of the Public Laws Relating to the Prosecution of the Mother of an Illegitimate Child Found Dead
<b>J.R. 302 of 1941</b>	Joint Resolution Relating to the Creation of a Commission to Study Legislation in Regard to Children and Child Welfare and to Make an Appropriation Therefor
<b>Act 82 of 1939</b>	An Act Providing for the Instruction of Children Residing Upon the Fort Ethan Allen Reservation and Appropriating a Sum of Money Therefor
<b>Act 130 of 1939</b>	An Act to Amend Section 5421 of the Public Laws as Amended by No. 131 of the Acts of 1935 and by Section 2 of No. 11 of the Acts of the Special Session of 1935, Relating to Payments for Benefit of Children

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 133 of 1939</b>	An Act to Amend Section 5447 of the Public Laws, as Amended by No. 136 of the Acts of 1937, Relating to Proceedings Under Petition as to Dependent, Neglected and Delinquent Children
<b>Act 137 of 1939</b>	An Act to Amend Section 5498 of the Public Laws Creating a Revolving Fund from the Sale of Products Made by Children in the Weeks School
<b>Act 140 of 1939</b>	An Act to Amend Section 5563 of the Public Laws Relating to Duties of the Commissioner of Public Welfare in the Instruction of Blind, Deaf and Dumb Children
<b>Act 252 of 1939</b>	An Act to Amend No. 423 of the Act of 1906 Relating to the Sheldon Poor House Association
<b>Act 67 of 1937</b>	An Act to Amend Section 4074 of the Public Laws Relating to Transmission of Vital Records of Nonresidents and Section 4081 Thereof Relating to Correction of Birth Certificates and Records and to Provide for Making of New Birth Records in Certain Cases
<b>Act 135 of 1937</b>	An Act to Amend Section 5445 of the Public Laws Relating to Juvenile Courts
<b>Act 136 of 1937</b>	An Act to Amend Section 5447 of the Public Laws Relating to Proceedings Under Petition as to Dependent, Neglected and Delinquent Children
<b>Act 136 of 1937</b>	An Act to Amend Section 5447 of the Public Laws Relating to Proceedings Under Petition as to Dependent, Neglected and Delinquent Children
<b>Act 176 of 1937</b>	An Act to Amend Certain Sections of Chapter 265 of the Public Laws Relating to Employment of Minors
<b>Act 177 of 1937</b>	An Act to Amend Section 6587 of the Public Laws Relating to Hours of Labor for Women and Children and Requiring Records of Hours Worked
<b>Act 10 of 1935</b>	An Act to Provide for Maternal and Child Health Services and Services for Crippled Children
<b>Act 11 of 1935</b>	An Act to Amend Sections 5431 and 5421 of the Public Laws Relating to Trust Funds of the Department of Public Welfare and to Assistance in Supporting Needy Children, to Permit the Department of Public Welfare to Cooperate with Federal Agencies, and to Amend Subsection (E) or Section 24 of No. 41 of the Acts of 1935 Relating to Appropriations and to Appropriate Sums Received from the Federal Government for Welfare Work.
<b>Act 68 of 1935</b>	An Act in Addition to Chapter 150 of the Public Laws Relating to the Issue of Municipal Bonds for the Purpose of Poor Relief
<b>Act 131 of 1935</b>	An Act to Amend Section 5421 of the Public Laws Relating to Mothers' Aid
<b>Act 58 of 1931</b>	An Act Relating to Interstate Transportation of Poor and Indigent Persons
<b>Act 116 of 1931</b>	An Act to Amend Section 5835 of the General Laws Relating to the Employment of Children Under Sixteen Years of Age
<b>Act 1 of 1929</b>	An Act to Amend Section 28 of the General Laws Relating to Minors

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 141 of 1929</b>	An Act Concerning the Guardianship of Incompetent Veterans and of Minor Children of Disable or Deceased Veterans, and the Commitment of Veterans and to Make Uniform the Laws with Reference Thereto
<b>Act 153 of 1929</b>	An Act to Change the Name of the Vermont State School for Feeble-Minded Children to the Brandon State School
<b>Act 32 of 1927</b>	An Act Providing for the Instruction of Children Residing Upon the Fort Ethan Allen Reservation and Appropriating a Sum of Money Therefore
<b>Act 62 of 1927</b>	An Act Authorizing Overseers of the Poor of Towns Not Possessing a Poorhouse to Contract for the Care of Paupers with Towns Possessing Poorhouses
<b>Act 54 of 1925</b>	An Act to Amend Section 3794 and 3795 of the General Laws Relating to the Issuance of Marriage Licenses to Minors and Others
<b>J.R. 225 of 1925</b>	Joint Resolution Relating to the Rejection by the State of Vermont of the Child Labor Amendment
<b>Act 7 of 1923</b>	An Act to Reorganize the Civil Administration of the State Government and to Repeal and Amend Certain Sections of the General Laws Relating Thereto
<b>Act 53 of 1923</b>	An Act to Amend Sections 3264, 3492 and 3706, and Subdivision III of Section 3234, Subdivision III of Section 3473 and Subdivision III of Section 3665 of the General Laws, as Amended by Number 88 of the Acts of 1919, Relating to the Settlement of Accounts of Executors, Administrators, Accounts of Executors, Administrators Trustees and Guardians and to Amend Section 3717 of the General Laws Relating to the Removal of Guardians.
<b>Act 58 of 1923</b>	An Act to Provide for the Settlement of Guardian Accounts of a Deceased Ward
<b>Act 59 of 1923</b>	An Act to Amend Sections 3755 and 3757 of the General Laws Relating to Adoption
<b>Act 60 of 1923</b>	An Act Relating to Adoption and to Amend Sections 3758 and 3759 of the General Laws Relating Thereto
<b>Act 142 of 1923</b>	An Act to Amend Section 7188 of the General Laws Relating to Commitments to the Vermont Industrial School
<b>Act 84 of 1921</b>	An Act to Amend Section 3635 of the General Laws, Relating to the Guardians of Minors
<b>Act 114 of 1921</b>	An Act to Provide That the State Reimburse Town in Certain Cases for Expenses Incurred in the Burial of Poor Persons
<b>Act 217 of 1921</b>	An Act to Provide Medical and Surgical Treatment for Crippled and Physically Defective Children
<b>Act 218 of 1921</b>	An Act to Amend Section 7312 of the General Laws Relating to Aid to Widowed and Deserted Mothers
<b>Act 219 of 1921</b>	An Act to Provide a Shelter Home for Certain Children Committed to the Board of Charities and Probation

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 220 of 1921</b>	An Act to Amend Section 7314 of the General Laws as Amended by Section 1 of the Acts of 1919, Relating to the Duties of Overseers of the Poor Respecting Dependent Children
<b>Act 221 of 1921</b>	An Act to Amend Section 315 of the General Laws Relating to Keeping Dependent Children in Poorhouses
<b>Act 222 of 1921</b>	An Act to Amend Section 7317 of the General Laws, as Amended by No. 205 of the Acts of 1919, Relating to the Duties of the Board of Charities and Probation with Respect to Poor Relief
<b>Act 223 of 1921</b>	An Act Relating to the Examination of Children in the Custody of a Juvenile Court
<b>Act 233 of 1921</b>	An Act Relating to the Examination of Children in the Custody of a Juvenile Court
<b>J.R. 329 of 1921</b>	Joint Resolution to Provide for the Inspection of the State Industrial School, State School for Feeble-minded Children and the State Hospital for the Insane
<b>Act 91 of 1919</b>	An Act Relating to the Disposition and Care of Children in Nonsupport or Desertion Cases
<b>Act 205 of 1919</b>	An Act to Amend Section 7314 and 7317 of the General Laws, Relating to the Duties of the Board of Charities and Probation with Respect to Poor Relief
<b>Act 206 of 1919</b>	An Act Relating to the Care of Dependent and Neglected Children Committed to the State Board of Charities and Probation
<b>Act 207 of 1919</b>	An Act Prohibiting the Commitment of Dependent Children to the Vermont Industrial School
<b>Act 208 of 1919</b>	An Act to Regulate the Importation of Dependent Children into the State, and in Amendment of and in Addition to Chapter 319 of the General Laws, Relating to Dependent, Neglected and Delinquent Children
<b>Act 244 of 1917</b>	An act to establish a board of charities and probation, to amend certain sections, relating to probation, and to amend certain sections of the juvenile court act and to abolish the probation commission
<b>Act 244 of 1917</b>	An Act to Establish a Board of Charities and Probation, to Amend Certain Sections, Relating to Probation; and to Amend Certain Sections of the Juvenile Court Act and to Abolish the Probation Commission
<b>Act 92 of 1915</b>	An Act to Amend No. 113 of the Acts of 1912, Relating to Juvenile Courts
<b>Act 107 of 1915</b>	An Act in Amendment of Section 3266 of the Public Statutes Relating to the Adoption of Children
<b>Act 108 of 1915</b>	An Act to Enable Charitable and Religious Corporations to Receive Minors for the Purpose of Obtaining Adoption for Them
<b>Act 81 of 1913</b>	An Act to Provide for the Care, Training and Education of Feeble-Minded Children

<b>Act or Resolve</b>	<b>Title</b>
<b>Act 113 of 1913</b>	An Act to Define and Regulate the Treatment and Control of Dependent and Delinquent Children; to Provide for Their Disposition, Care, Education, Protection, Support, Maintenance, Punishment, Guardianship and Adoption; to Prescribe the Powers and Duties of Courts, Police Officers and Probation Officers with Respect Thereto; to Fix the Jurisdiction Over Juvenile Offenders in the Probate Court and Prescribe its Powers and Procedure in Such Cases; and to Restrict the Imprisonment of Children
<b>Act 51 of 1904</b>	An Act Amending Section 856 of Vermont Statutes, Relating to Deaf, Dumb, Blind, Idiotic and Feeble-Minded Children
<b>Act 81 of 1904</b>	An Act amending Section 3172 of the Vermont Statutes Relating to Notice to Overseer of the Poor
<b>Act 81 of 1904</b>	An Act amending Section 3172 of the Vermont Statutes Relating to Notice to Overseer of the Poor
<b>Act 155 of 1904</b>	An Act Relating to the Employment of Child Labor
<b>Act 123 of 1902</b>	An Act to Amend Section 5157 of the Vermont Statutes Relating to Persons Neglecting to Provide for Wife and Minor Children
<b>Act 54 of 1884</b>	[Party interested, not notified, may petition to have adoption vacated]
<b>Act 62 of 1882</b>	[Children in charge of public institutions; how adopted]
<b>Act 137 of 1880</b>	[Who may adopt; person of age; minors; instrument]
<b>Act 132 of 1878</b>	[Party interested, not notified, may petition to have adoption vacated]
<b>Act 8 of 1870</b>	[Who may adopt; person of age; minors; instrument]
<b>Act 28 of 1856</b>	An act respecting the custody of minor children whose parents are living separate
<b>Act 50 of 1853</b>	[Who may adopt; person of age; minors]