



# Welfare and Institutions Code

and

Laws Relating to  
Social Welfare

Sect 702

19



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State of California

Printing Division  
(Documents Section)

11th and O Streets, Sacramento

\$1.25, plus tax

the age of 21 years who comes within any of the following descriptions:

(a) Who has been left by either or both of his parents in the care and custody of another without any provision for his support, or without communication from either or both of his parents, for the period of one year with the intent on the part of such parent or parents to abandon such person. Such failure to provide, or such failure to communicate for the period of one year, shall be presumptive evidence of the intent to abandon. Such person shall be deemed and called a person abandoned by the parent or parents abandoning him.

(b) Who has been cruelly treated or neglected by either or both of his parents, if such person has been a ward of the juvenile court, and such parent or parents deprived of his custody because of such cruel treatment or neglect, for the period of one year continuously immediately prior to the filing of a petition praying that he be declared free from the custody and control of such cruel or neglectful parent or parents.

(c) Whose parent or parents are habitually intemperate, or morally depraved, if such person has been a ward of the juvenile court, and the parent or parents deprived of his custody because of such intemperance, or moral depravity, for the period of one year continuously immediately prior to the filing of the petition praying that he be declared free from the custody and control of such habitually intemperate or morally depraved parent or parents.

(d) Whose parent or parents are deprived of their civil rights due to the conviction of a felony, if, after investigation and service of citations as prescribed in this chapter, upon the parent or parents who are imprisoned, the court decides that the felony of which such parent or parents were convicted is of such nature as to prove the unfitness of such parent or parents to have the future custody and control of the child, or that the term of sentence of such parent or parents is of such length that the child will be deprived of a normal home for a period of years.

(e) Whose parent or parents have, in a divorce action, been found to have committed adultery and been divorced on that ground, if the court, after service of citations as prescribed in this chapter upon such parent or parents, and the presentation of all the evidence, finds that the future welfare of the child will be promoted by an order depriving such parent or parents of the control and custody of the child.

(f) Whose parent or parents have been declared by a court of competent jurisdiction to be feeble-minded or insane, if the State Director of Institutions and the superintendent of the State hospital of which, if any, such parent or parents are inmates or patients certify that such parent or parents so declared to be feeble-minded or insane will not be capable of supporting or controlling the child in a proper manner.

(Amended by Stats. 1937, Ch. 674, and by Stats. 1943, Ch. 337.)

702. Any person who commits any act or omits the performance of any duty, which act or omission causes or tends to cause or encourage any person under the age of 21 years to come within the provisions of any of the subdivisions of Section 700 or which act or omission contributes thereto, or any person who, by any act or omission, or by threats, commands, or persuasion, induces or endeavors to induce any person or ward of the juvenile court under the age of 21 years to fail or refuse to conform to a lawful order of the juvenile court, or to do or to perform any act or to follow any course of conduct or to so live as would cause or manifestly tend to cause any such person to become or to remain a person within the provisions of any of the subdivisions of Section 700, is guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in the county jail for not more than two years, or by both such fine and imprisonment, or may be released on probation for a period not exceeding five years.

The juvenile court shall have original jurisdiction over all misdemeanors defined in this section, and in all prosecutions hereunder, shall cause the defendant to be duly arraigned, and plead to the charge made against him in the manner provided in the Penal Code upon an indictment or information. In all cases where the defendant prosecuted under this section enters a plea of guilty, the juvenile court shall have jurisdiction to impose sentence or in its discretion to grant probation upon such terms as it deems proper. The court may, as a condition of such probation, require a bond in such sum as the court may designate to be approved by the judge requiring it, to secure the performance by such person of the condition imposed by the court on such probation. The bond shall by its terms be made payable to the State of California, and any moneys received for the breach thereof shall be paid into the county treasury.

(Amended by Stats. 1945, Ch. 1234.)

#### Article 7. Proceeding to Declare a Person a Ward of the Juvenile Court; Commitment and Other Disposition of Wards

720. A person subject to its jurisdiction may be brought before the juvenile court by any of the following means:

(a) A petition praying that such person be declared a ward of the juvenile court, and be dealt with according to the provisions of this chapter.

(b) A petition that such person be declared free from the custody and control of his parents.

(c) Certification from any other court before which such person is brought, charged with the commission of a crime.

721. Any person may present to the clerk of the superior court a petition showing that there is within the county, or residing therein, or in the case of any alleged violation within the county of any law or ordinance, that there then was

Contributing  
to delin-  
quency  
of minor

Jurisdiction  
of court

How brought  
before court

Petition