

**OPINION**  
**56-44**

February 27, 1956 (OPINION)

CRIMES

RE: Juvenile, Publication of Names

This is in reply to your letter of February 16, 1956, in which you request an opinion from this office, regarding newspaper publications of names of juveniles as set out in section 27-1631. This section provides as follows:

"PUBLICATION OF NAME OF CHILD. No publication of the name of any child under the jurisdiction of this court shall be made by any newspaper except as contained in process of the court and published by order of the court. Any violation of the provisions of this section shall be subject the news reporters and publisher of any newspaper so violating the same to be cited for civil contempt and to be punished therefor."

You have made three specific inquires, and our opinion is set forth after each question.

1. If the juvenile court, in the case of a person over 18 and under 21 takes concurrent jurisdiction and such person is also charged in magistrate and justice and district court, does the ban on publication of names imposed by 27-1631 still apply?

Answer: Yes, it appears that if the juvenile court retains partial jurisdiction the ban would apply because of the concurrent jurisdiction of the juvenile court with the magistrate or justice or district court. It would appear to this writer that the only time the juvenile court jurisdiction ban would not apply would be when the juvenile court had waived its jurisdiction in writing.

2. After arrest of a juvenile but before juvenile court jurisdiction is invoked, does the ban apply?

Answer: In reply to question number 2, we believe that the purpose, intent, and spirit of section 27-1631 can be accomplished only by holding that juvenile court jurisdiction is invoked simultaneously with the arrest of a juvenile as defined by chapter 27-6516.

3. When a juvenile is sent to the state training school, does the juvenile court relinquish jurisdiction and thereby make 27-1631 no longer applicable? This comes up occasionally in reporting escapees from the state training school who usually are objects of hue and cry searches throughout the state.

Answer: The juvenile courts apparently lose their

jurisdiction once the juvenile is placed in the state training school and it would appear that the ban would not apply after his incarceration in the training school. Therefore, anything that happens to the juvenile while in the state training school would not be subject to the ban in section 27-1631.

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