

Dependent Children, Allowance to. Grandmother, of Dependent Children. Adopted Grandchildren, Who are Dependent.

A grandmother who has legally adopted grandchildren whose natural parents are both dead, when otherwise qualified is entitled to an allowance under Chapter 86, Laws of 1915.

May 5, 1916.

Hon. Fred C. Webster,
County Attorney,
Missoula, Montana.

Dear Sir:

I am in receipt of your communication submitting the following question, and your opinion thereon:

“Is it possible for a widowed grandmother who has adopted her grandchildren, both parents of said grandchildren being dead, to be allowed financial aid in the care of dependent children as provided for in Chapter 86, 14th Session Laws of the State of Montana, 1915, provided, she meets with all the other requirements of said Act?”

I note that you are of the opinion that she is entitled to such aid.

In this opinion I concur. The law does not specifically define the term "mother", but certainly a grandmother who had legally adopted her grandchildren would be in loco parentis. The law is intended for the benefit of the children, and should I believe receive a liberal interpretation.

Yours very truly,
J. B. POINDEXTER,
Attorney General.