



women in Florida

THE GOVERNOR'S COMMISSION ON THE STATUS OF WOMEN



PROGRESS
REPORT
OF THE
GOVERNOR'S
COMMISSION
ON THE
**STATUS
OF WOMEN**

JANUARY 1966

TALLAHASSEE FLORIDA



STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

HAYDON BURNS
GOVERNOR

TO THE MEMBERS OF THE GOVERNOR'S COMMISSION
ON THE STATUS OF WOMEN

Florida's Commission on the Status of Women was established by Executive Order in 1964. It was my pleasure to re-appoint this Commission in 1965. My faith and confidence in this outstanding group has been rewarded by this document, the first report of the Governor's Commission on the Status of Women.

Women in increasing numbers are playing a most vital role in our state and nation's working force. They are represented in industry, education, the numerous professions, our social, economic, and political life.

The diligent efforts put forth in making this compilation a reality now need to be channeled towards further study and action.

To the dedicated, qualified membership of this Commission, I thank you for this report and for your sincere devotion and desire that Florida's women share equally in all opportunities and endeavors and that they be encouraged to make their full contribution as citizens of a great state and nation.

Sincerely,

A handwritten signature in cursive script that reads "Haydon Burns".

Governor



HAYDON BURNS
Governor



MRS. ALEENE R. KIDD
CHAIRMAN

FLORIDA COMMISSION ON STATUS OF WOMEN
Governors Office Capitol Building
TALLAHASSEE, FLORIDA

October 1, 1965

The Honorable Haydon Burns
Governor of Florida
Tallahassee, Florida

Dear Governor Burns:

With a great deal of pleasure we submit to you the following report of the Commission on the Status of Women.

We have divided the report into five phases; education, home and community, employment, legal status and legislation. You will find our summary of the situation as it stands today and our recommendations for improvement.

The work of this Commission can help raise the status of women in Florida and we hope that the material covered in this report can be used for that purpose.

Thank you for your encouragement to the members of the Commission and for your sincere understanding and support.

Most sincerely,

Mrs. William R. Kidd
Chairman

Mrs. William R. Kidd
Ocala, Florida
Chairman of the Commission

The Hon. Mildred Akerman
Fort Lauderdale, Florida
Judge, Small Claims Court

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GOVERNOR'S COMMISSION ON THE STATUS OF WOMEN

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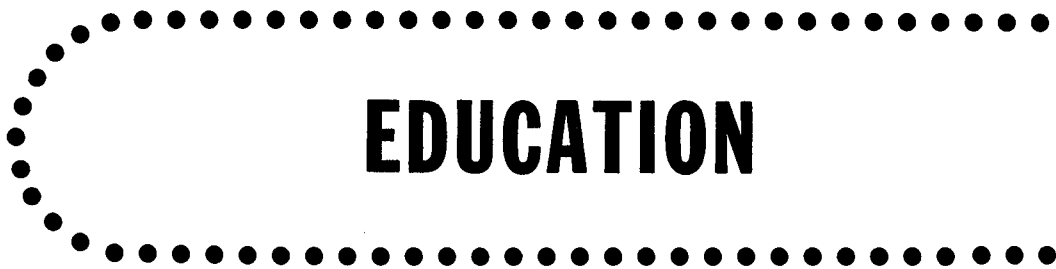
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Dean of Women,
Florida State University



EDUCATION

REPORT OF THE COMMITTEE ON EDUCATION

The field of education is very broad and therefore cannot be surveyed in depth in its entirety during the limited life of this committee. Therefore, the committee on education restricted its research to a very limited area so that any recommendations relative to education in Florida which may eventually be approved may be implemented through positive action. Questionnaires were prepared and sent to presidents of all senior and junior colleges in the State and to all county superintendents of public instruction. The response to the questionnaires was most gratifying.

Summaries of these finds and recommendations of the education committee are hereby presented.

DEGREE GRANTING COLLEGES AND UNIVERSITIES

This report includes the results of a questionnaire sent to state and private degree granting colleges and universities, interpretation and comment on these results, and recommendations for action. The questionnaires sought information with regard to employment of women, variations in degree programs, and counseling services.

Questionnaires—sent to 18 private and state institutions

Replies—18

I. EMPLOYMENT

A. Is employment in your college or university controlled by written and/or practised policies which:

- | | | |
|---|----------|-------|
| 1. Discriminate against married women? | Yes | No 18 |
| 2. Prohibit employment of husband and wife on equal terms of salary, promotion, and tenure opportunities? | Yes 9 | No 7 |

Note:

It would appear from the "yes" answers in No. 2 that there is some discrimination in the instance of married women who happen to be wives of professors or administrators.

B. Are these written and/or practised policies made by:

- | | |
|--|----------------------|
| 1. Board of Regents? | Yes 5 |
| 2. Trustees? | Yes 6 |
| 3. Other Board of a similar nature? | Yes 1 |
| 4. Administrative officers of the college or university? | Yes 4 |
| 5. Faculty? | Yes 1 |
| 6. Other? | Yes no such policies |

- | | | |
|---|-------|------|
| C. Do you feel these policies are desirable?
Please give reasons for either comment. | Yes 7 | No 2 |
|---|-------|------|

COMMENTS

Provided they may be administrated with reasonable flexibility; that is, permitting exceptions when justified.

They seem to be reasonable since they apply only when one member of the family would exercise supervision over another member of the same family.

Yes. The arguments pro and con are age old. Basically the husband and wife are a unit with all the advantages and disadvantages of such unity.

In a small institution they may be. In our own situation I believe this policy (adopted before my tenure as president) resulted from difficulties arising from employing both husband and wife.

Board policies on nepotism prohibit a husband or wife working under the administration jurisdiction of the other.

We employ mostly married women. While we have not had a husband and wife on our faculty, we have no policy against. We employ several in other campus personnel.

When institutions will hire both husband and wife, the tenure of service has proven to be longer and have proven to be more stable faculty.

We believe that a person may be capable regardless of sex, race or other factors. We are interested in our students and employ the most capable of persons we can find to achieve this end.

For administration, policies that clarify situations are made desirable. At Florida Presbyterian College no discrimination is made, and presently employed is a couple in French and another couple (one of whom is in Sociology and the other part-time in English). It would seem to the administration at Florida Presbyterian College the competence of the instructor is the important factor and not marital status. In the case of wives no discrimination is made in terms of salary arrangements.

This is a loaded question. There is no prohibition of equal pay for equal work, but against situations which constitute nepotism or can lead to it.

In education, women teachers can be just as effective in their work as the male teacher and so we make no discrimination whatsoever.

Husband and wife may not be employed in the same or in closely related departments, nor may a spouse apply for the doctorate in the department of the other member of the family. Aside from this, there is no bar to the employment of spouses. We feel this is working well.

Employment based on qualifications and need of institution. Stability of institution's personnel desirable—so conducive to employment of husband and wife when both are qualified and there is a need for each by the institution in their areas of specialization.

Note:

Of the 18 respondents only 9 answered the question of desirability, but 13 commented. How to interpret these figures is a problem. Seven of the 13 who made comments consider policies against hiring husband and wife undesirable and better left to the local administrations. They base their argument on competence without regard to sex.

D. Do you think such policies depend on the local situation and should be determined by the college or university rather than by groups such as 1, 2, 3 in part B?

Yes 6 No 6

COMMENTS

For the University system the Board of Regents should determine the policy re nepotism. Administration should be institutionalized.

We are a public institution in a system including six other institutions. A system-wide policy seems desirable with respect to this matter.

The underlying considerations are equally applicable.

Only local groups involved here.

In case of a private college, the Board of Trustees is the governing body and sets the policy. As stated, this question pertains only to state institutions.

“Local” and 1, 2, 3 are similar in our situation.

I think this is a matter for college administrators to handle.

The policy that will work at one institution will not work at another, therefore, each institution should have freedom to make laws governing itself.

Note:

Twelve of the 18 respondents answered this question as opposed to 9 in the previous one concerning desirability of policies. Their comments show a spread of opinion. Questions which come to mind are, “Must each university or college which is part of a system be exactly like others in the system when the local situation may be different?” Administrations prefer to choose their own faculties rather than have those not so acquainted with the local situation do so. “Why then, does this not apply in all situations where faculty are to be employed?”

II. DEGREE PROGRAMS

A. Does your college or university have any variation in its degree-granting program to enable a married or older woman with a job to take or complete:

- | | | |
|-------------------------------------|-------|-------|
| 1. A Bachelors degree? | Yes 4 | No 11 |
| 2. A Masters or Professional degee? | Yes 2 | No 9 |

B. If the answer is yes to the above how is this accomplished?

- | | | |
|---|----------|---------|
| 1. By study at home under a planned and supervised program? | Yes | No |
| 2. By television courses? | Yes | No |
| 3. By arrangement of hours? | Yes 2 | No |
| 4. By correspondence courses? | Yes | No |
| 5. By special classes for married or working women? | Yes | No |
| 6. Other?..... | | |

Only “arrangement of hours” was checked by 2 institutions but others made comments which may be helpful in interpretation as to what is being done to adjust to the married or older working woman who wishes to continue her studies.

COMMENTS

No "variation" in our program though we feel that our program is flexible enough in its scheduling to accommodate this group.

Most of the above are available. I do not conceive of them as designed for married or older women.

Any course is open to married or older women. Day courses are offered evenings but less frequently.

Central Florida Schools for Continuing Studies, Division of Rollins College.

We have introduced a program called Operation Finish Wherever You Are (OFWEYA).

Evening, Saturday and summer classes.

We are a small college and arrange classes at convenient times for working or married students. We would like to do more than we are able in this direction.

The program is not appropriate to casual study. All Students are in residence taking full time programs of undergraduate work based upon class, seminars and independent study.

We have under development a program leading to a degree of Bachelor of Independent Studies.

C. Would you be interested in making some attempt to meet the needs of these women if sufficient funds and personnel were available? Yes 13 No 3

Note:

In spite of the fact that only two checked the variations listed, their descriptions of what is occurring at their institutions appear to vary from rigidity to considerable flexibility in meeting the needs of married or older working women. Some are making considerable effort in this direction while others consider the college or university designed to maintain the traditional concept of undergraduate and graduate institutions. However, 13 of the 16 who replied to question C checked a "yes" answer. There appears to be an interest in meeting the needs of these women if sufficient funds and personnel were made available.

III. COUNSELING SERVICES

A. Are any counselors in your college or university specifically assigned to work with married or older women who might be interested in obtaining or completing a bachelors degree or pursuing graduate work in a professional area? Yes 1 No 17

B. Do you think training of such counselors would be valuable since the problems of the older or married women are different from those of undergraduates? Yes 10 No 3

C. If sufficient funds and personnel were available would you be interested in instituting such a training course? Yes 8 No 7

Note:

It would appear that practically no institutions have counselors specifically assigned to counsel married or older women but that most of these feel such counselors would be valuable. Seven of the institutions would be interested in instituting a training course if sufficient funds and personnel were available.

RECOMMENDATIONS

While more information might be gained by analyzing individual questionnaires and categorizing them as to whether state or private institutions, information as to size and location, and any other relevant factors, the information now gained does make it possible to make recommendations. These recommendations might well benefit adult men as well as the women described and make it possible for handicapped persons to obtain degrees.

It is recommended that:

1. Policies with regard to the hiring of man and wife be left to the individual institution, and that these decisions be made on other factors than the sex of the individual.
2. Colleges and universities be encouraged to make variations in their degree granting programs by providing means of (1) study at home under planned and supervised programs, (2) television courses, (3) arrangement of hours, (4) correspondence courses, (5) any other adaptation that might meet the needs.

Ways to make funds and personnel available to do these things should be explored at both the state and national level, since there appears to be definite interest in doing something about the problem.

3. The state provide sufficient funds and personnel so that institutions willing to undertake the training of counselors to work with adult women may do so. It should also encourage the use of these trained counselors throughout the state by providing financial assistance to institutions wishing to employ such counselors.
4. There be a re-examination of admissions policies, academic pre-requisites, transfer of credits and graduation requirements (including residence and physical education) since some of these women may have attended other institutions and some may have completed high school only but wish to study further. Tests should be devised that take advantage of the experience factor.
5. Funds be made available for experimental programs in the continuing education of women, and grants in aid provided for part-time as well as full-time students.

JUNIOR COLLEGE AND THE MARRIED OR OLDER WORKING WOMEN

This report includes the results of a questionnaire sent to Junior Colleges in Florida, interpretation and comment on these results, and recommendations for action. The questionnaires sought information with regard to employment of women, variations in degree programs and counseling services.

I. EMPLOYMENT

A. Is employment in your college or university controlled by written and/or practised policies which:

1. Discriminate against married women? Yes 2 No 30

Note: One "yes" gave no further explanation.
 The other said "Male student body."

2. Prohibit employment of husband and wife on terms of salary, promotion, and tenure opportunities. Yes 5 No 25

Note: Many questionnaires have double answers on this question. Example: One states that "there is no distinction between women and men in matters of salary, promotion and tenure. The College does not employ both husband and wife. This is County Board policy and has a sound basis."

B. Are these written and/or practised policies made by:

- | | |
|---|--------|
| 1. Board of Regents | Yes 0 |
| 2. State Board of Education? | Yes 0 |
| 3. Trustees? | Yes 0 |
| 4. Other Board of a similar nature (County School Board, etc.)? | Yes 12 |
| 5. Administrative officers of the Junior College | Yes 12 |
| 6. Faculty | Yes 4 |
| 7. Other | Yes 2 |

Note: If there is a higher governing body than the Junior College Administration, it is a School Board (in cases of public junior colleges).

- C. Do you feel these policies are desirable?** Yes 11 No 4
 Please give reasons for either comment.

COMMENTS

Of the fifteen answering this question the following thoughts were given:

No. Answ.

- 1 Better understanding between Faculty and Administration
- 9 Trouble with husband and wife in same employ
- 1 Married women cause inconvenience when child sick, etc.
- 2 No set policy, but Administrators do not think it wise to hire husband and wife
- 1 Married status should not be measuring rod
- 1 Male student body

Twenty-nine returns stated that it is a good policy **not** to hire husband and wife in the same school or same area of teaching. If there is not a written policy the return says that, for example, "The Administration (or College) believes such a policy should be followed." The inequality is not in "equal terms of salary, promotion and the tenue of office," but in the statement "Prohibit employment of husband and wife."

Three returns evaluate personnel by contributions they can make; qualifications should be evaluated on an individual rather than a class basis.

- D. Do you think such policies depend on the local situation and should be determined by the Junior College rather than by groups such as 1, 2, and 3 in part B? Yes 25 No 2**

COMMENTS

There is a strong feeling that Junior College problems should be determined on a local basis, because of a better understanding of employees by the College. The disadvantage of nepotism in public institutions is unique.

There were two exceptions to the feeling that control should be local: 1) "All policies should be determined by the School Board (Junior College should be in a position to advise.)" 2) "I think all Junior College problems should be determined on a local basis. . . . Many Junior College Presidents won't agree on this since they are at times subject to local pressure in their hiring and want state rules to assist them."

II. DEGREE PROGRAMS

- A. Does your Junior College have any variation in its degree-granting program to enable a married or older woman with a job to take or complete an Associate of Arts degree? Yes 13 No 17**
- B. If the answer is yes to the above, how is this accomplished?**
- | | | | | |
|---|-----|---|----|---|
| 1. By study at home under a planned and supervised program? | Yes | 2 | No | 2 |
| 2. By television courses? | Yes | 5 | No | 1 |
| 3. By arrangement of hours? | Yes | 9 | No | 0 |
| 4. By correspondence courses? | Yes | 2 | No | 0 |
| 5. By special classes for married or working women? | Yes | 3 | No | 1 |
| 6. Other? (see Comments) | | | | |

COMMENTS

One return stated that they are treated as any other student who wishes to earn the Associate of Arts degree. Three returns state that "Special arrangements" are not necessary. The degree can be gotten through attendance in the evening division with few required courses in the Day Program. Classes are from 7:30 to 10:00 p.m. in most colleges. Six more returns state that their evening schedules are geared to this situation primarily.

- C. Would you be interested in making some attempt to meet the needs of these women if sufficient funds and personnel were available? Yes 19 No 3**

COMMENTS

Most Junior Colleges would be interested in making some attempt to meet the needs of these women if sufficient funds and personnel were available. This is evident also in the variety of programs in part B. The three "No" returns showed absolutely no interest in making this attempt.

III. COUNSELING SERVICES

A. Are any counselors in your Junior College specifically assigned to work with married or older women who might be interested in obtaining or completing a bachelors degree or pursuing graduate work in a professional area?

Yes 4 No 27

B. Do you think training of such counselors would be valuable since the problems of the older or married women are different from those of undergraduates?

Yes 16 No 15

COMMENTS

Twenty-seven Junior Colleges have no counselors specifically assigned to work with married or older working women. Some feel, however, that their counselors are capable and understanding enough with married and older women's problems. As noted, sixteen Junior Colleges feel training of counselors would be valuable since the problems of the older or married woman are different from those of undergraduates. Three returns think all counselors should have such training.

One return stated that "all students have equal access to counselors" and they "are not convinced that the older or married woman has any problems so different from other students." They state that this includes adult men, and special counselors with special training are not needed.

RECOMMENDATIONS

While more information might be gained by analyzing individual questionnaires and categorizing them as to whether state or private institutions, information as to size and location, and any other relevant factors, the information now gained does make it possible to make recommendations. It appears that, from the 32 questionnaires returned, the "Degree Program" and the "Counseling Services" are the weak areas.

It is recommended that:

1. More Junior Colleges, in planning their over-all schedule, work toward a program to aid married or older working women to take or complete an Associate of Arts Degree.
2. The program outlined in number 1 above also be available to older and working men and fathers.
3. These suggested methods be used:
 - a. Study at home under a planned and supervised program.
 - b. Television courses.
 - c. Arrangement of hours.

- d. Correspondence courses.
 - e. Special classes for married or working women (or men).
 - f. Evening schedule geared to such students.
 - g. Other workable plan.
4. Since there are very few counselors, if any, who are trained to work with adults and their problems, special training for counselors who will be able to counsel married or working women is recommended.
 5. This special training be added to the counselor training now being given to counselors (preparing them for all problems that may come to their offices).
 6. That recognition be given trained counselors in educational systems when they are available.
 7. That more people be encouraged to become trained counselors.

QUESTIONNAIRE TO SUPERINTENDENTS

I. EMPLOYMENT OF TEACHERS

A. Is employment of teachers in your system controlled by written and/or practiced policies which:

- | | | |
|--|--------|-------|
| 1. Discriminate against married women? | Yes 0 | No 54 |
| 2. Prohibit employment of husband and wife? | Yes 0 | No 54 |
| 3. Allow employment of husband and wife in same system, but not same school? | Yes 16 | No 29 |
| Allow in same school—8 | | |

B. If such policies exist in your system, do you feel they are desirable policies? Yes 10 No 1
Do not exist—2

C. If so, why? Past experience has indicated problems when husband and wife teach in same school—5

II. VOCATIONAL PROGRAMS

A. What vocational programs are offered in your high school which prepare girl students for employment upon graduation from high school?

- 54 1. Secretarial
- 9 2. Practical nursing
- 9 3. Cosmetology
- 4. Others (please list)

DCT — 10

Dist. Ed. — 3

Drafting — 4

Home Ec. — 12

Bus. Ed. — 7

B. Are these programs open to older women in the community who may or may not have a high school diploma? Yes 41 No 14

C. What programs would you like to offer or do you feel are needed if sufficient funds were available?

Vocational office Ed.	— 10	Others listed only once or twice:
Industrial Homemaking	— 3	Sales, Tailoring, Cosmetology
Dental Asst.	— 4	data processing, needle trades
Food Services	— 4	commercial art.

D. Are there other agencies within your community offering vocational training for women? Yes ... No ...

1. If so, what agencies and what kind of training is available?

Private business colleges — 9
Private cosmetology schools — 7

Business and Industrial Training Program — 1
Jr. College Vocational Tech. Training — 3

Adult Ed. — Typing, shorthand, bookkeeping, speed-writing

III. COUNSELING SERVICES

A. Is vocational and educational counseling providing girl students in your high schools through an organized program manned by:

52 1. Trained counselors
6 2. Experienced but untrained counselors
27 3. Classroom teachers

B. Does your school system provide any counseling services for older women in the community who may wish to complete a high school education or train for a vocation? Yes 30 No 25

C. Do you feel such services are needed in your community? Yes 44 No 2

D. If they are not offered by your high school, are they available anywhere in your community? Yes 8 No 25

I. If so, where?

Florida State Employment Service — 6

Vocational Counselor at Jr. College — 4

Great need for full-time adult counselor — 3

Adult Ed. Coordinator — 1

COUNTY SUPERINTENDENTS OF PUBLIC INSTRUCTION

I. TOTAL REPLIES RECEIVED — 55 (out of 67)

II. SUMMARY OF ANSWERS

A. Employment of teachers

1. There seems to be no discrimination against married women.
2. There seems to be no hesitancy about hiring husband and wife to work in the same system.
3. About $\frac{1}{4}$ of the counties replying indicated it was against the county policy to hire husband and wife to teach in the same school. Reasons given indicated past experience had taught them problems could be avoided by following this policy.

B. Vocational programs

1. Nearly 100% reported secretarial vocational programs are offered in high schools for girl students. However, only a few offered other programs such as practical nursing, cosmetology, home economics, business education, etc.
2. 41 out of 55 stated such programs were open to older women in the community.
3. Interest in programs such as vocational office education, industrial homemaking, practical nursing, food services and dental assistants was indicated by three or more counties in each program (if sufficient funds were available.)
4. Only 20 of the 55 counties indicated there are other agencies within the community offering vocational training for women. Examples of these agencies were:
 - a. Private business colleges
 - b. Private cosmetology schools
 - c. Jr. College Vocational technical training
 - d. Adult education—mainly in business courses.

C. Counseling services

1. Vocational and educational counseling in high schools is done mainly by trained counselors (52 counties); also by classroom teachers (27 counties).
2. 30 counties provide counseling services for older women.
3. 44 felt such services are needed.
4. To a very small degree, these services were provided by:
 - a. Florida State Employment Service (6)
 - b. Vocational counselor at Jr. College (4)
5. Several counties indicated they felt a great need for full-time adult counselors to work with older women.

RECOMMENDATIONS OF SUBCOMMITTEE ON PUBLIC SCHOOLS

1. Some of the counties seemed to misunderstand the question about husband and wife working in the same school. We recommend a follow-up of this question to clarify the existing policies.
2. The most urgent need, according to the responses, seems to be the need for counseling services for older women. We recommend a survey of services now offered by the Florida State Employment Service, Junior Colleges, and Adult Education programs. Such a survey could determine what services are now offered, and where they need to be expanded or initiated.
3. Another need seems to be to further analyze vocational training offered beyond high school. 35 counties indicate no such training is offered.
4. This additional information should provide us with the necessary background for planning future action by the Commission.

Katherine Warren, Chairman
Lucile Alexander
Marna Brady
Jane Rudy
Edna Tait



HOME & COMMUNITY

HOME AND COMMUNITY COMMITTEE

The Home & Community Committee reviewed progress and is hereby making recommendations for constructive action in the area of home and community life that will enable women to function more adequately in the home and the community. These recommendations are made in the hope of trying to maintain a balance in the needs of home and family and the needs of the community and its economy.

DAY CARE

Child care services to insure good care of children should be available in every community for women who work, as well as for women who need this type of care for other reasons.

Such care may be public (voluntary or non-profit) or private (commercial) and should be available as a utility to children and families of all economic levels.

In Florida it is available through day care centers, or operated by church or service club sponsorship.

Day care is an essential service which protects children from neglect and prevents early maladjustments leading to delinquency, crime, mental illness and dependency. Florida cannot afford to neglect its children who are in need of these services.

With more women coming into the labor force and with the increased population of our state, more day care centers are inevitable. An incomplete count of voluntary day care centers in Florida is 75.

Statistics on Day Care

Total number of children under six in Florida	645,075
Number of children under six in 52 counties without day care licensing programs	167,215
Number of children under six in 15 counties with day care licensing programs	477,860
Number of employed mothers with children under six	107,000
Estimated number of their children under six	182,000
Estimated number of these children cared for away from home	73,000
Estimated number of these children cared for away from home but not in established day care centers or family day care homes	52,000

Areas of Major Concern

1. General unavailability of quality day care for children of low income families, particularly Negroes and migrants.
2. Too few day care programs for exceptional children, the mentally retarded, physically handicapped, emotionally disturbed, and gifted.

3. Gaps and inadequacies in the licensing and regulations of day care centers and family day care homes.

4. Lack of training and lack of regulations on the part of many of the personnel providing care for children.

5. Very little day care for school age children after school and during vacation.

What is being done in Florida

1. Many churches, religious organizations, service clubs provide day care for children on a non-profit basis for low income groups. Many of these groups are aided by United Fund or Community Chest monies.

2. At least two navy bases provide day care programs.

3. The Association for Mentally Retarded Children cooperates in some communities to provide care for the mentally retarded child.

4. Many hospitals provide programs for nurses and employees.

5. Individual counties provide surveys in day care programs.

6. Workshops on day care have been set up by FACUS (Florida Association on Children Under Six.)

7. Settlement houses provide care for latch string children in some communities.

8. Many churches provide day care for children of migrant workers.

9. One large farm provides day care facilities for their workers.

10. Some nurseries provide services for odd hours or shifts.

11. At least one large industry provides day care for its employees.

12. Operation Head Start under the Economic Opportunity Act has been operated successfully in many communities for the culturally deprived children.

13. Day care services have been provided for women taking advantage of training programs under the Economic Opportunity Act.

14. The Day Care Advisory Committee of the Florida Public Welfare Department is working on state legislation to be presented at the next session of the legislature.

Recommendations

1. Encourage education of parents that they may distinguish between good and poor day care.

2. Encourage churches and service groups to provide after school care for school age children.

3. Encourage industry to investigate, aid and promote child care services.

4. Encourage industry to create more part time work for women with school age children.
5. Encourage service organizations to establish day care and training for exceptional children.
6. Encourage counties to set up minimum day requirements on a local level through the county health department, the county welfare department or a local citizens' committee. This should include requirements for staff personnel.
7. Encourage state legislators to set up minimum requirements for the State of Florida.

CARE FOR THE AGED

What is being done in Florida

1. Health and nursing care by the County Health Departments.
2. Care from the Department of Public Welfare.
3. Services from Family Service Associations.
4. Foster Grandparent Programs are being arranged in some communities.
5. Many communities, service organizations and churches provide recreation and programs for the aged.

Recommendations

1. Encourage counties to set up minimum standards for nursing homes and homes for the aged.
2. Encourage counties to set up programs for the aged under the welfare department, health department or Economic Opportunity Act.
3. Encourage communities to provide counseling service (job opportunities, protective services, guidance) for the aged.
4. Encourage churches and service groups to provide education, training, and recreation for older people.

COMMUNITY SERVICE

Recommendations

1. Encourage communities to provide homemaking services through existing agencies to safeguard, protect and stabilize families, to keep children together at home during family crisis, allow the aged to remain at home, permit chronically ill to leave the hospital sooner, help mentally ill have out-patient care, and to help parents of retarded children.
2. Encourage communities to establish Family Service Associations. There are now only six accredited associations in Florida: Tampa, St. Petersburg, Jacksonville, Ft. Lauderdale and two in Miami.

3. Encourage legislators to propose statewide legislation concerning marriage and guidance counseling services or agencies.

4. Encourage housekeeping training courses through local school systems or existing agencies to upgrade domestic help. (Manpower Development and Training Act and Economic Opportunity Act).

5. Encourage pilot programs whereby prospective employers and employees would be trained in their respective roles to upgrade domestic help. A working code for household employment might be helpful in this program.

6. Encourage the initiation of volunteer bureaus to aid existing agencies as well as to aid women to find fulfillment in volunteer work.

7. Encourage existing agencies to use teen-agers and older people in volunteer programs.

8. Encourage existing volunteer groups to evaluate, improve and upgrade their volunteer programs.

CONSUMER EDUCATION

Recommendations

1. Encourage homemaking advisory services in urban centers through existing agencies, local TV and radio stations.

2. Encourage consumer education programs in school systems.

3. Encourage consumer education in Community Action Programs.

4. Encourage consumer interest through existing clubs and organizations.

5. Encourage consumers to look for demand standards of quality and quantity in labeling and packaging.

CONCLUSION

Because many services in the field of home and community life are already provided for and supervised by existing agencies as well as programs under the Economic Opportunity Act, in many counties, it is desirable that these same services be encouraged in counties without such services. These services should be instigated by and suited to the local situation. It is further desirable that pilot programs to meet future needs be planned on a local level by existing agencies as well as by industry, school, churches, and civic organizations. These look-ahead projects should be based on the desire to encourage and retain family life in the home when possible and to aid the family outside the home when necessary and desirable.

The basis of all home and community programs is the education of the individual to take his place in the community while taking the responsibility of home and family. This education can take place in the community, in the schools and colleges, in the churches and in the home.

Lee Leavengood, Chairman
Frances Barthlemy
Virginia Bishop
Charlotte Blee
Lois M. Emmel
Louise M. Hewlett

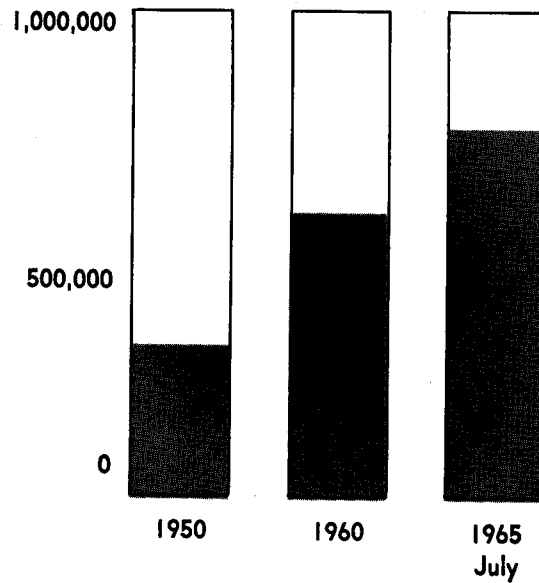


EMPLOYMENT

REPORT OF THE COMMITTEE ON EMPLOYMENT

The status of the working women in Florida demands the full attention of its citizens. Working women now constitute 37% of the total working force in the state. It was the purpose of the Public and Private Employment Policies committee of the Commission to review progress and make recommendations as needed for constructive action in public employment in county and city governments and in private employment.

Increase in Number of Employed Women



	Total employment	Women	%
1950	1,009,615	316,522	31.3
1960	1,719,591	600,910	34.9
1965 July estimate	2,096,000	769,000	36.6

ORLANDO OCCUPATIONAL WAGE SURVEY
CONDUCTED BY FLORIDA INDUSTRIAL COMMISSION
FLORIDA STATE EMPLOYMENT SERVICE

MARCH 1965

ECONOMIC CHARACTERISTICS

Facts and figures as presented in the Orlando Occupational Wage Survey prepared by the Florida Industrial Commission, were chosen as a representative group of the working women of Florida.

Orange County with an estimated population of 310,000 is a major population, production and wholesale distribution center of Florida. It is considerably more diversified than many other sections.

With a total employment of 113,000 in early 1965, it is the sixth largest county, employment-wise, in the State.

OBSERVATIONS

The greatest number of women were employed in the Clerical and Sales category, followed by Service and Professional Managerial.

329 occupations surveyed in six major divisions:

1. Professional and Managerial
2. Clerical and Sales
3. Service
4. Skilled
5. Semi-skilled
6. Unskilled

Total of 154 employers responded, covering 16,197 employees.

In the Clerical and Sales group, all bookkeeping positions and accounting clerk positions were predominantly women. Other positions in which the majority of employees were women were calculating machine operator, cashier, general office clerk and clerk-typist, file clerk, grocery checker, key punch operator, payroll clerk, receptionist, receiving clerk, salesperson (general), secretary, stenographer, telephone operator, teletype operator, order clerk, teller, transcribing machine operator. There were some indications that women were entering the insurance field in large numbers. Approximately 33 1/3% of the employees classified as insurance underwriters were women. Data processing—tabulating machine operator and console operator also afford opportunities for women.

The greatest number of jobs for women in the Service group were provided in the nurse aide classification. Countergirl and hostesses in the food service industry were predominately women. A considerable number of jobs for women were reported as bartenders and cooks. Where like jobs exist for both sexes in service occupations, wages for males exceed those for females except for countergirl or counterman where women earn on the average more than the men.

Of the 21 occupations surveyed in the Professional and Managerial category, women predominated in health service and related occupations (medical technician, nurse, industrial, practical, registered; X-ray technician) and in executive secretarial positions. These are positions for which women have always shown the greatest natural aptitude and will probably continue to do so. There was pretty good evidence that more women are entering the accounting field. Approximately 40% of all accountants were women: 33 1/3% of cost accountants; 66 2/3% of junior accountants and 25% of those classed as general accountants. On the average, jobs in which men and women were employed, men's wages were higher for the same occupation.

In the skilled group, very few jobs were reported for women. Alterations women related only to women. A little less than a third of the employees in Electronics Inspector systems were women. These were the only two occupations reporting women.

In the Semi-skilled category women were predominant as electronic assemblers and as hand and machine pressers.

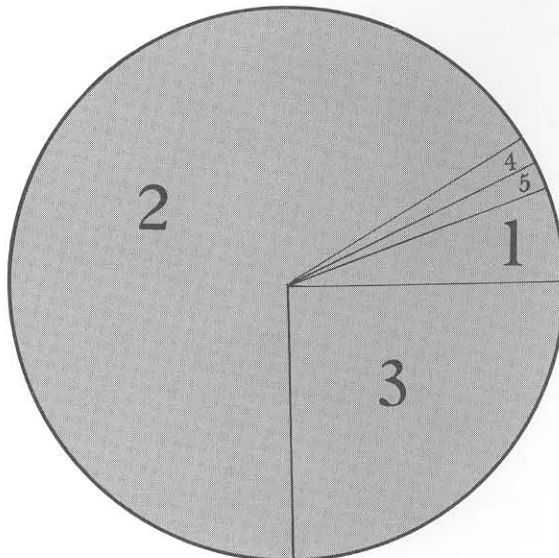
Only a very few jobs were available for women in the unskilled group (8 out of 163 were employed as manufacturing laborers). Here the average wage for females tended to be a little higher than that for men.

EXCERPTS FROM
 STATEWIDE SKILL SURVEY
 CONDUCTED BY
 FLORIDA INDUSTRIAL COMMISSION
 AUGUST 8, 1965

Total Employment Surveyed	832,481
Men	493,302 or 59.3%
Women	339,179 or 40.7%

Classifications

	Total	Women	%
1. Professional and Managerial	51,375	16,859	5.5
2. Clerical and Sales	372,252	200,063	66.
3. Service	125,151	76,826	25.4
4. Agricultural	10,434	4,644	1.5
5. Skilled	117,913	5,002	1.6



Major occupational groups—1965—by percent

ORANGE COUNTY OCCUPATIONAL WAGE SURVEY

EXCERPT CONDUCTED BY FLORIDA INDUSTRIAL COMMISSION

FLORIDA STATE EMPLOYMENT SERVICE

Occupational Title	Number of Employees In Sample	Number of Men In Sample	Wages Average Weekly	Number of Women In Sample	Wages Average Weekly
Professional and Managerial					
Accountant, General	62	66	\$140.40	22	\$128.39
Accountant, Junior	28	28	105.94	45	108.66
Manager, Personnel	19	15	152.91	6	142.08
X-Ray Technician	6	11	83.30	12	83.44
Clerical and Sales					
Accounting, Clerk	57	21	81.92	176	71.82
Bookkeeper II	105	23	99.27	128	89.23
Bookkeeper III	47	8	76.94	89	67.85
Cashier, General Office	154	91	79.54	1000	64.61
Payroll Clerk	36	7	90.28	52	79.44
Sales Clerk	18	66	51.87	237	46.38
Salesperson, General	33	232	78.42	440	56.37
Teller	9	12	72.67	117	64.98
Service					
Cook 1	29	47	82.71	19	62.87
Cook, Short Order	22	37	72.36	25	59.05
Counterman or girl	14	39	45.53	77	47.24



LEGAL STATUS

REPORT OF THE COMMITTEE ON LEGAL STATUS

The Florida Constitution

The Constitution of the State of Florida was examined and it was found that women are constitutionally well protected in Florida.

It was noted there are certain special privileges accorded to women such as permitting widows to exempt from taxation property up to the value of \$500 and a provision that a married woman's property is to be her separate property not subject to her husband's debts, without her written consent by instrument executed according to law respecting conveyances by married women.

However, certain exceptions were noted.

Article VI, Section 1, of the Constitution provides only for voting privileges of male persons. This article is, of course, superseded by the 19th Amendment to the Constitution of the United States.

Article XVI, Section 29, of the State Constitution provides for jury trial in condemnation of property proceedings to be by a "jury of twelve men in a court of competent jurisdiction." "Men" in this article has been construed to omit women, and no women serve on juries in condemnation of property proceedings.

Civil and Legal Rights

Florida laws affecting civil rights of women indicate they may serve as executors and administrators of estates, as guardians, and as trustees, and to serve in any legal capacity in which men may serve.

There are no laws prohibiting women from engaging in any vocation or profession, or from being employed in any job classification.

Property Rights

The right to own and control property is the same for unmarried persons. From examination of existing laws, it would appear there are many protections available to married women, although some such protective laws appear to create disabilities to them.

All real and personal property of a woman, owned by her before marriage, or lawfully acquired afterward is her separate property and is not liable for the debts of her husband without her consent by proper written instrument.

A married woman's wages and earnings acquired by her in any employment separate from her husband are her separate property and subject to her own disposal. Section 708.08 of the Florida Statutes permits every married woman, without the joinder and consent of her husband, to exercise all rights and powers with respect to her separate property, income and earnings, although no deed, mortgage, or other instrument pertaining to real property owned by a married woman is valid without the joinder of her husband.

However, Section 708.02 of the Florida Statutes states that property of a married woman remains in the care and management of her husband, who shall not charge for his care and management, nor shall the wife be entitled to sue her husband for rent, hire, issues, proceeds, or profits of her said property.

By recent law decision, it has been interpreted that this means the custody and management remain with the husband only until there is some positive indication of the wife to the contrary.

Free Dealer

Under the "free dealer" statute, any married woman, who is a resident of Florida and who desires to take charge of and manage her estate and to become a free dealer in every respect, may petition the proper Circuit Court for such right. This right to petition to become a free dealer must either be with the written consent of the husband to the petition, or by proper method of legal service or publication with proper hearing thereafter upon such petition.

Inheritance

Under Florida laws, inheritance rights are equal to men and women, except that a married woman has a dower interest in her husband's estate, both real and personal, of which he cannot deprive her by will. Florida law permits a widow a one-third in fee simple of real property and one-third absolutely of personal property of her husband's gross estate.

The widow's right of dower interest in the husband's estate also safeguards against disposing of real property during the marriage without the wife's consent; however, there is no safeguard against improper alienation of personal property.

Homestead

Florida law protects homestead property in that the homestead is exempt from forced sale under any court process; perhaps have not as yet achieved the proper representation in public office with respect to judicial development of the law, as well as in legislative and executive processes.

Believing that the Governor's Commission on the Status of Women should be concerned with the improvement of standards and the removal of indefensible inequities affecting women, this committee makes the following recommendations:

(1) An amendment to Article VI, Section 1, of the State Constitution to include voting rights for females;

(2) An amendment to Article XVI, Section 29, of the State Constitution to permit women to serve on juries in condemnation of property proceedings;

(3) An amendment to existing laws to delete from the present law the elective right now accorded to women, and to eliminate sex distinction, respecting jury service; further, that such legislation assure equal jury service through proper jury listing and selection procedures;

(4) Further study as to the legal restrictions placed on real and personal property rights of married women, and to appraise the legal framework governing matrimonial rights;

(5) Enactment of legislation to establish minimum wage laws equal to, or better than, the Federal minimum for the protection of employees who may not be subject to the Federal wage-hour law;

(6) Enactment of legislation which prohibits wage, salary, or hours discrimination on the basis of sex, and which provides for equal pay for equal work on jobs requiring equal skill, effort, and responsibility, which are performed under similar working conditions in the same establishment for the same employer;

(7) Increased consideration should be given to the appointment and election of women to public office generally to assure broader opportunities for women to policymaking executive and administrative positions and to judicial offices;

(8) Civic and political groups and other appropriate organizations should be used to give high priority to encouraging full participation by women in political parties and encouraging party organizations to accord recognition to women on an equal footing with men for their abilities and accomplishments;

(9) Further study to determine the extent to which women hold public office, both appointive and elective, and to determine the type and degree of participation of women in political party organization;

(10) Consideration should be given to the publication of a "Know Your Rights" brochure to inform women, on all levels, of their constitutional and statutory rights under Florida laws; and, further, the establishment of a method for the proper dissemination of such a publication.

Phyllis F. Rabiner, Chairman
Mamie A. Arnold
Jayne Semler
Virginia Smith
Gloria R. Stritzinger



LEGISLATION

LEGISLATION

There is need for a study leading to possible legislation for:

1. An equal pay law
2. A Minimum wage law

There are many areas needing attention where the Federal program is not involved. There are indeed areas where a minimum wage law would work a hardship on the employer and these would require special consideration. Certainly we recognize the factors of free enterprise and of personal incentive.

Equal pay for equal work should not require legislation. In many instances however, when interpretations of equal work is left up to the individual, inequities result. The law then becomes the last resort for the correction of these inequities.

RECOMMENDATIONS

A comprehensive study of wages and working conditions of women must be made for the purpose of recommending an expansion of the labor laws affecting women. Since improvement of the conditions of women in employment has a direct effect on homes, families, and communities, this study should have high priority.

With the job market for women expanding and with the increasing percentage of women returning to the labor market after their childbearing years, the vital question of the availability of and participation in the employment counseling service be investigated. The need of this service is evident. Women who have left the labor market from five to fifteen years need much information if they are to return to a position in which they may use their full talent and skills. The counseling service should afford not only job information, but also such services as: assisting the applicant in assessing her abilities, physical capacities, need for further education, the need for a short refresher-type training program, and finally, her job preference.

Although many women are engaged in part-time work, little information is made available with regard to types of jobs, hours, salary, qualifications, and other pertinent facts. Both employers and women workers can benefit from the dissemination of such information.

An expansion of the information services of the State Industrial Commission concerning available part-time employment would be of considerable assistance to employers and the would-be employee, to say nothing of the financial boost such employment would give to the State of Florida.

Women, by their numbers and by their nature, have a valuable contribution to make to the growth and economy of the State of Florida. It is women's innate characteristic to protect the family and to uphold proper moral and spiritual values. Economic welfare means little if our moral and spiritual values decline. The feminine influence can be of tremendous importance in every phase of education, business, industry and commerce.

Alma Lee Loy, Chairman
Annette Baker
Beatrice Freede
Polly Henry
Gladys Holley
Helen Leslie
Gretchen Squires

REPORT OF THE COMMITTEE ON LEGISLATIVE PROGRAM

INTRODUCTION

The Committee on Legislative Program has attempted to review all laws of the State of Florida pertaining to women, their legal status and rights, and to make recommendations which would show the areas in which legislation is needed either to amend or to enlarge upon these rights, or in which there is now no legislation. A job of this magnitude would require one or more persons devoting full time for several months to in-depth research and study, and the Committee has had time only to scratch the surface. It is interesting to note that many of the recommendations are for legislation which would beneficially affect the interests of men and children in Florida.

THE COMMITTEE RECOMMENDS

That the Governor of the State of Florida continue the Florida Commission on the Status of Women and reappoint the members to continue their meritorious research, study and recommendations for the benefit of the women of the State.

FINDINGS AND RECOMMENDATIONS

STATE CONSTITUTIONAL AMENDMENTS

(1) When the Committee first convened, it was brought to its attention that Florida Constitution, Article XVI, Section 29, provides that only men could serve on the jury in condemnation proceedings. Committee members, one of whom is a Florida State Senator, suggested to area legislative members that the 1965 Legislature adopt a resolution proposing an amendment to this section of the Constitution. This was accomplished, and S. J. R 67—Compensation for Property Taken by Eminent Domain Proceedings; Jury—(to amend Article XVI, Section 29) making women as well as men eligible to serve on jury in condemnation proceedings was adopted. (This proposed amendment will be submitted for ratification or rejection at a special election by Florida voters to be held on November 2, 1965.)

THE COMMITTEE RECOMMENDS

That if the voters of the State of Florida ratify this proposed amendment, that the 1967 Legislature amend FSA 40.01, Jurors and Jury Lists, by deleting sub-section (5) which reads: "Provided that the foregoing provisions hereof are subject to the exception that the jury in an eminent domain proceeding shall be composed of men."

STATUTORY LAW AMENDMENTS

(1) Married Women's Property

The Committee has found that the laws of Florida pertaining to married women's property are highly confusing, repetitious, and contradictory.

First, consider Florida Constitution, Article XI, Section 1. "Separate property not subject to husband's debts.—All property, real and personal, of a wife owned by her before marriage, or lawfully acquired afterward by gift, devise, bequest, descent, or purchase, shall be her separate property, and the same shall not be liable for the debts of her husband without her consent given by

some instrument in writing executed according to the law respecting conveyances by married women." (This section of the Constitution was written verbatim into FSA 702.02.) The constitutional provision and the statute take precedence over the free dealership law (FSA 62.38 et seq.) which removes the disabilities of married women, but we note that the Florida Supreme Court has upheld conveyances by free dealer married women without the joinder of their husbands, except where the free dealer is attempting to encumber her separate property for the debts of her husband, and in this case she still must have the joinder of the husband.

FSA 693.01 Married women may convey reads as follows: "Any married woman owning real property may sell, convey, or mortgage it as she might do if she were not married, provided her husband joins in such sale, conveyance or mortgage." (A statute authorizing married women to convey real property was necessary inasmuch as she did not have such a right under the common law of England which was introduced and became operative in the State of Florida.)

Because there was some conflict between the common law of England and the civil laws of Spain which obtained in Florida while this state was under the jurisdiction of that government, there was enacted in 1824 FSA 708.01 Rights reserved under the Spanish laws which reads as follows: "Whereas some doubts have been entertained as to the effect and operation of the introduction of the common law of England upon the separate rights of husband and wife under the laws of the provinces of East and West Florida upon marriages solemnized before the change of government; to obviate any doubts in future, be it enacted, that all the rights and privileges of husband and wife established or derived by marriage under the civil laws of Spain while this state was under the jurisdiction of that government, shall be held, possessed and exercised by the husband and wife respectively in this state, and each shall be permitted to sell, succeed to, dispose of and convey by sale, devise, or will their goods, chattels, lands and tenements in the same manner as they could or might have done under the laws of Spain, observing only the formalities of conveyance required by any other laws established, or which may hereafter be established, in this state."

FSA 708.03 Custody and management of such property reads as follows: "The property of the wife shall remain in care and management of the husband but he shall not charge for his care and management, nor shall the wife be entitled to sue her husband for the rent, hire, issues, proceeds or profits of her said property."

(In Flash Bonded Storage Co. v. Ades, 12 So. 2d 164, the Supreme Court held that the word "remain," as used in this section providing that wife's property shall remain in the care and management of the husband means that until there is some positive indication of the wife to the contrary, the care of her property shall abide in the husband. In Hawkins vs. Hawkins, 130 Fla. 130, 177 So. 274, the Court held that a wife may at her pleasure terminate the control over her separate property which has been conferred upon her husband by this section; and in Florida Citrus Exch. v. Grisham, 65 Fla. 46, 61 So. 123, it was held that under Const. Art. 11, Section 1 the wife at her pleasure may terminate the husband's control over her separate property. The committee feels that this places an onus upon the woman who is given complete control over her separate property by the Florida Constitution and the state statutes, and this section should be repealed.)

FSA 708.04 Sales and conveyances reads as follows: "The husband and wife shall join in all sales, transfers and conveyances of the property of the wife, other than personal property and choses in action."

FSA 708.08 Married women's rights: separate property is more than confusing: it is contradictory. It reads as follows (emphasis ours): "Every married woman is hereby **empowered to take charge of, and manage and control her separate property**, to contract and to be contracted with, to sue and be sued, **and to sell, convey, transfer, mortgage, use and pledge her property**, real and personal, **and to make, execute and deliver instruments and documents of every character**, without re-

straint, without the joinder or consent of her husband, in all respects as fully as if she were unmarried. Every married woman, without the joinder or consent of her husband, shall have and may exercise all rights and powers with respect to her separate property, income and earnings, and may enter into, obligate herself to perform, and enforce contracts or undertakings to the same extent and in like manner as if she were unmarried; provided, however, that no deed, mortgage or other instrument conveying or encumbering real property owned by a married woman shall be valid without the joinder of her husband; provided, further, that any claim or judgment against any married woman shall not be a claim or lien against such married woman's inchoate right of dower in her husband's separate property."

The Free Dealer Law of Florida was enacted in 1943 (and amended and added to in 1944) and in effect abrogates many of the provisions of Chapters 693 and 708. Although nowhere in the free dealer law is a married woman given specific authority to sell, convey or mortgage her real property, the Supreme Court of Florida, albeit construing the old free dealer law which was repealed, held in *Larch v. Barnes*, 61 Fla. 672, 54 So. 763, that a married woman who has been made a free dealer may convey her separate real estate by her sole deed, the husband in such a case not being required by law to join in the conveyance.

The Committee finds that Chapters 693 and 708 should be combined into one chapter to be entitled "Married Women's Property; Manner of Conveyance or Disposal." The present free dealer law should be repealed, and married women given the right to convey, sell, or mortgage their separate real property without the joinder of their husbands. We agree with the statement of the Florida Supreme Court as expressed in *Taylor v. Dorsey*, (Fla. 1944) 19 So. 2d 876, at 882: "We yield for a moment to the temptation to give briefly our observations on the general progress of the law with reference to the protection given the property of married women. We have said that Blackstone referred to "protection" and "benefit" enjoyed by married women. As civilization has advanced relaxation of the rigid common law rule with reference to the disabilities of married women has continued apace. And well it might. The strange illogic of the common law rule becomes more striking as the years pass. In this century we find women, married ones, engaged in every conceivable business and government enterprise. In the national cabinet, the national congress, and the national judiciary they have their place, and in the state and municipal governments as well. Yet if we pursue the ancient doctrine very far we arrive at a conclusion little less than absurd as far as property rights and liability for debts are concerned. We find that a woman's responsibilities and faculties remain intact from the age of maturity until she finds her mate; whereupon incompetency seizes her and she needs protection in an extreme degree. Upon the advent of widowhood she is reinvested with all her capabilities which had been dormant during her marriage—only to lose them again upon remarriage. Intermittently she is protected and benefited accordingly as she is married or single.

"It seems to this writer responsibility springing from business activity complements the advantages of such enterprise and that for her to enjoy the one and escape the other is calculated to work injustice upon those with whom she deals while in her married state."

THE COMMITTEE RECOMMENDS

1. That the Free Dealer Law of Florida be repealed;
2. That Chapters 693 and 708 be combined and completely rewritten, deleting any requirement that husband must join in the sale, conveyance or mortgage of the wife's separate and real property; deleting Chapter 708.03 entirely.

3. That if 1 and 2 above are not feasible or if introduced in the 1967 Legislature and are defeated, that Chapters 693 and 708 be combined and all sections which are confusing, repetitious and contradictory be written.

2. Divorce, Alimony and Custody of Children

The Committee is concerned that in Florida there are no grounds for divorce based on incurable insanity or conviction of a felony. There are many husbands and wives who are deprived of a marital partner because the other spouse is either incurably insane or has been convicted and sentenced to serve for many years in a penal institution. Children are growing up absent a mother or father. In 1901 The Florida legislature passed Chapter 4972 making incurable insanity a ground for divorce but this was repealed by legislative action in 1905. Many features of the act making incurable insanity a ground for divorce were good: it provided that the defendant's condition had to have existed for at least four years prior to the filing for divorce; that there had to have been a legal adjudication of lunacy and that a guardian of the person or property of the adjudicated lunatic would have had to have been appointed prior to the institution of the suit. Also, it made provision for the care of the lunatic wife by the husband in every case where she had no property and where he was able to provide. The Family Law Committee of the Florida Bar, of which committee your chairman is and has been a member for five years, has been working on this problem for many years without much success. It currently is drafting a section to the Divorce Law of Florida which would make incurable insanity and the conviction of a felony grounds for divorce in Florida.

THE COMMITTEE RECOMMENDS

That incurable insanity for a period of five years be included as a ground for divorce in Florida. That the statute be carefully prepared to include every safeguard for the incompetent spouse.

That conviction of a felony and sentence of up to five years be included as a ground for divorce in Florida, and that the section include (as in the incurable insanity section) that a guardian ad litem be appointed to represent the interest of the felon defendant.

Sub-section (9) of Section 65.04, Chapter 65, FS, is listed as a ground for divorce in Florida and reads "That either party had a husband or wife living at the time of the marriage sought to be annulled." Section 65.05 bastardizes the children born of such bigamous marriage. While this is a logical consequence of a marriage which is void ab initio, it is a travesty of justice, penalizing usually an innocent party who had no knowledge of the incompetency of his or her spouse to contract a valid marriage, and certainly penalizing the innocent issue born of such a union. Other states have corrected this by specific legislation, and the committee finds that this should be done in Florida.

THE COMMITTEE RECOMMENDS

That Section 65.05, F. S., be amended to read as follows: "No decree of divorce obtained on any ground shall render illegitimate the children in esse or born during the marriage."

There is some confusion in Florida as to annulments: there is no statute which authorizes annulments or states the grounds upon which they may be entered, although the legislature has ordained that three of the traditional grounds for annulment shall be grounds for divorce, these being marriage within the degrees prohibited by law, natural impotence, and bigamous marriage. The circuit courts of Florida, being courts of chancery, have jurisdiction to declare the nullity of a void marriage or to enter a decree that a voidable marriage is annulled. While this is true, the

Committee feels that annulments should be authorized by statute, that the grounds be set forth and that all legal questions pertaining to any children, suit costs, attorneys fees, support of children and/or alimony should be spelled out with exactness so as to end all confusion. Practical aspects for these suggestions are religious and the reinstatement of Social Security payments or pension rights.

THE COMMITTEE RECOMMENDS

That an act authorizing annulments and carefully setting forth the grounds, all rights and duties of the parties, and specifically including that any child born or conceived prior to the final decree of annulment shall be legitimate and provisions made for its support; also that the factor of consummation of the marriage shall not be a necessary element in the proceeding or act as a bar, provided other common law grounds for annulment are present, be submitted to the 1967 Legislature. The act should give the right of action only to the innocent party.

Lawyers are aware of the extreme difficulty in some cases of securing a corroborating witness for a Plaintiff in a divorce case as to the grounds for divorce. The Family Law Committee of the Florida Bar is suggesting that by statute the need for corroboration of the grounds for divorce be dispensed with unless the circuit court enters its order directing same.

THE COMMITTEE RECOMMENDS

That the 1967 Legislature be presented with a statute which would dispense with the need for corroboration of the grounds for divorce, unless the circuit court enters its order directing same.

3. Marriage Laws

Because of the high incidence of divorce in Florida, it is believed that the marriage laws should be made stricter, that common law marriages be abolished, that there be a greater effort by law enforcement officials and courts to arrest and punish those persons found to be occupying for immoral purposes, fornication, and adultery, that pre-marriage counselling courses be required prior to the issuance of a marriage license, that there be a cooling-off period between the application to wed and the issuance of the license, that the lawful marital age for males be set at 21 and for females at 18, with, of course, the exception which now exists—that if the parties are under these ages and have had born to them or will have born to them a child, the county judge may, upon proper affidavit, issue a marriage license.

THE COMMITTEE RECOMMENDS

That the marriage laws of Florida be studied most carefully and that the above suggestions be given thought for incorporation into either new laws or as amendments to present laws.

That the laws giving notaries public and justices of the peace the right to perform marriage ceremonies be repealed, and this right given only to county, circuit, and higher ranking judges, and to religious heads such as ordained ministers, priests, rabbis, etc.

4. Family Court

In Florida in recent years there has been such study relative to the establishment of a Family Court as a part of the present Circuit Court with jurisdiction over all family matters, utilizing all available welfare agencies' facilities and all other resources available in a community for the stabilization of marriages and families.

THE COMMITTEE RECOMMENDS

That the Legislature take all steps, including Constitutional amendments and the passage of necessary legislation, to create a Family Court, as a part of the existing Circuit Court, with jurisdiction over families in an initial attempt to reconcile them, divorce, annulment and separate maintenance matters, child custody and support, adoptions, paternity proceedings, and any and all other matters relating to families.

This legislation should include provision for the creation of and financing for an officer to be termed "Friend of the Court" with the requirement that he be an attorney and with authority to hire an investigative and secretarial-clerical staff which may be necessary in the performance of his duties. (Both the Family Law and the Legal Aid and Indigent Defendant Committees of the Florida Bar are presently working on this last proposal and should have a bill drafted in the near future.)

5. Bastardy Laws

Florida's bastardy laws are archaic in that the right of action to proceed in the circuit court to establish paternity of an illegitimate child and to obtain an order that the man found to be the father of such child support it is given only to an unmarried woman. It has been brought to the attention of attorneys who practice in this field that many married women who no longer live with their husbands either through their fault or the fault of the husbands bear children fathered to other men. We also find that women still die in childbirth or thereafter, and the children born out of wedlock have no recourse against their natural fathers. Also there is a statute of limitations which prescribed the time within which a paternity action may be brought, and that is up until the time the illegitimate child reaches the age of four years. FS Chapter 742.041 sets forth the amount of contribution of support the defendant is to pay for his illegitimate child, and shows that no support is required when such child reaches his eighteenth birthday. Many of these children still are in school at that age and need continuing support.

THE COMMITTEE RECOMMENDS

That Chapter 742 of the Florida Statutes be amended as follows: that the right of action be given not only to the unmarried woman, but to the married, divorced, or widowed woman who can prove non-access of her husband to her in and around the time the child whose paternity is sought to be proved was conceived; that the right of action be given to the child itself by its next friend and/or guardian; that the right of action be given to a representative of the State Department of Public Welfare in the case of a child who is or who is likely to become a public charge.

Further that the right of action be not barred by any statute of limitation, and that FS 95.11(9) be repealed.

Further that the obligation of the natural father to support his illegitimate child continue in the same fashion and to the same extent that he would be required if the child were a legitimate child.

The 1965 Legislature passed Chapter 65-462 (H.B. 1125) which amends FS Chapter 39.11 and authorizes the juvenile courts to require child support payments to be made by the natural father of an illegitimate child when such father has acknowledged his paternity before that court. This should be amended to include the natural father who has, under oath and before two witnesses, acknowledged the child to be his in any court, before any judicial official (which would include attorneys), or before any governmental agency. Also FS Chapter 742.10 which reads "Chapter in lieu of other proceedings.—This chapter shall be in lieu of any other proceedings provided by law for the determination of paternity and support of bastard children." Should be repealed or amended to show that the juvenile courts have authority to enter support orders in cases covered by FS Chapter 39.11.

THE COMMITTEE RECOMMENDS

That FS Chapter 39.11, as amended by the 1965 Legislature, should be further amended to include natural fathers who acknowledge in writing under oath and before two witnesses paternity of their illegitimate children no matter where such acknowledgment is obtained.

Further that FS Chapter 742.10 be repealed or amended as suggested above.

6. Negligence Actions

The Committee has studied FS Chapter 768.03 (1)—Parties in actions for death of minor child; damages.—and has ascertained that an amendment is needed to cover the bringing of the action for wrongful death of minor child by the mother of said child where the father has deserted and his residence is unknown, or he is insane or is incarcerated in a penal institution, or where there has been a divorce or separate maintenance suit and custody of the child has been awarded to the mother.

THE COMMITTEE RECOMMENDS

That FS Chapter 768.03(1) be amended to read as follows: "Whenever the death of any minor child shall be caused by the wrongful act, negligence, carelessness or default of any individual, or by the wrongful act, negligence, carelessness, or default of any private association of persons, or by the wrongful act, negligence, carelessness or default of any officer, agent, or employee of any private association of persons, acting in his capacity as such officer, agent, or employee, or by the wrongful act, negligence, carelessness or default of any corporation, or by the wrongful act, negligence, carelessness or default of any officer or agent, or employee of any corporation acting in his capacity as such officer, agent, or employee, an action can be maintained by the father of such minor child (or if the father be not living, or has deserted and his residence is unknown, or if the father is insane or if he is incarcerated in a penal institution, or if a divorce or separate maintenance action has been completed and the custody of said minor has been awarded to the mother, the mother may maintain an action) against such individual, private association of persons, or corporation, and may recover, not only for the loss of services of such minor child, but in addition thereto, such sum for the mental pain and suffering of the surviving parent, or surviving parents, as the jury may assess."

The Florida Supreme Court in Ripley v. Ewell, Fla. 1952, 61 So. 2d 420 decided that Florida should follow the common law rule precluding a wife from suing for loss of consortium with her husband. This was upheld in Wilson v. Redding, Fla. 1962, 145 So. 2d 252, the Court stating that since there had been no statutory enactment since the decision in Ripley v. Ewell that the common law rule would obtain. In Florida, however, a husband has the right to sue for loss of consortium with his wife, and the committee thinks this right of action should be given by statute to the wife.

THE COMMITTEE RECOMMENDS

That the 1965 Legislature enact a law abrogating the common law rule that a wife cannot sue for loss of consortium and giving her the specific right to so sue.

7. Exemption of wages from garnishment

The committee has been made aware of cases such as the following: a woman with minor children is living either voluntarily or legally separate and apart from her husband, who either is voluntarily or by court order contributing some small sum towards the support of the children, often sporadically. The woman and her husband have contracted a debt jointly. He does not pay. The creditor sues out a writ of garnishment against the husband who then claims to be head of a family because of his contributions of support; or the creditor sues out the writ against the wife, claiming that she is not head of a family because she is receiving the small contributions of support. The head of the family in this instance should be the wife who is working and contributing the major portion of the support of the minor children.

THE COMMITTEE RECOMMENDS

That an addition be made to FS Chapter 222.11 to read as follows: "That as between husband and wife, living together or separately, or between divorced persons, the head of the family will be the person who contributes the major share to the support of their minor children."

SUBJECTS FOR FURTHER STUDY:

Minimum wage protection for men and women in Florida.
Equal pay legislation.
State wage and hour board, similar to the Federal Wage and Hour Board.
Establishment of a system or regulation of the working conditions of both men and women with adequate inspection.
Legal abortions.
Sterilization laws.
Required birth control for unwed mothers.
Establishment of kindergartens in all public school systems.
Day-care standards through legislation.
Reestablishment of the right of courtesy of a husband in his wife's estate.
Probate law.
Guardianship law.

Josephine Stafford, Chairman
Mildred Akerman
Juanita Gibson
Beth Johnson