

Senate Bill 236

By: Senators Stephens of the 51st, Lee of the 29th and Zamarripa of the 36th

**AS PASSED SENATE****A BILL TO BE ENTITLED****AN ACT**

1 To amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to  
 2 juvenile proceedings, so as to provide for additional placement options; to change certain  
 3 provisions regarding definitions; to change certain provisions regarding reunification efforts;  
 4 to change certain provisions regarding child placement following termination orders; to  
 5 provide for related matters; to provide an effective date; to repeal conflicting laws; and for  
 6 other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile  
 10 proceedings, is amended by striking paragraph (5) of Code Section 15-11-2, relating to  
 11 definitions, and inserting in its place the following:

12 "(5) 'Custodian' means:

13 (A) A person ~~a person~~, other than a parent or legal guardian, who stands in loco  
 14 parentis to the child or a person to whom legal custody of the child has been given by  
 15 order of a court, ~~and who has the rights and duties provided in Code Section 15-11-13;~~

16 or

17 (B) A public or private agency or other private organization licensed or otherwise  
 18 authorized by law to receive and provide care for a child to which legal custody of the  
 19 child has been given by order of a court."

20 **SECTION 2.**

21 Said chapter is further amended by striking paragraph (2) of subsection (a) of Code Section  
 22 15-11-55, relating to disposition of deprived child, and inserting in its place the following:

23 "(2) Subject to conditions and limitations as the court prescribes, transfer temporary legal  
 24 custody to any of the persons or entities described in this paragraph. Without limiting the  
 25 generality of the foregoing, such conditions and limitations shall include a provision that

1 the court shall approve or direct the retransfer of the physical custody of the child back  
 2 to the parents, guardian, or other custodian either upon the occurrence of specified  
 3 circumstances or in the discretion of the court. Any such retransfer of physical custody  
 4 may be made subject to such further conditions and limitations as the court prescribes,  
 5 including supervision for the protection of the child. The persons or entities to whom or  
 6 which temporary legal custody may be transferred shall include the following:

7 (A) Any individual including a putative father who, after study by the probation officer  
 8 or other person or agency designated by the court, is found by the court to be qualified  
 9 to receive and care for the child;

10 (B) An agency or other private organization licensed or otherwise authorized by law  
 11 to receive and provide care for the child;

12 (C) Any public agency authorized by law to receive and provide care for the child; or

13 (D) An individual in another state with or without supervision by an appropriate officer  
 14 under Code Section 15-11-89; ~~or.~~

15 Except for dispositions pursuant to paragraph (1) of subsection (a) of Code Section  
 16 15-11-66 and Code Section 15-11-67, before transferring temporary legal custody in an  
 17 order of disposition under this paragraph a reasonably diligent search for a parent or  
 18 relative of the child or other persons who have demonstrated an ongoing commitment to  
 19 the child shall be conducted by the court and the Department of Human Resources. Such  
 20 search shall be completed within 90 days from the date on which the child was removed  
 21 from the home. During such 90 day period, the child may be placed in the temporary  
 22 legal custody of the Department of Human Resources or any other appropriate entity or  
 23 person; or"

### 24 SECTION 3.

25 Said chapter is further amended by striking subsections (b), (d), (i), (k), (l), and (o) of Code  
 26 Section 15-11-58, relating to reunification efforts, and inserting in their place new  
 27 subsections (b), (d), (i), (k), (l), and (o), respectively, to read as follows:

28 "(b) Within 30 days of the date a child who is placed in the custody of the Department of  
 29 Human Resources is removed from the home and at each subsequent review of the  
 30 disposition order, the Division of Family and Children Services of the Department of  
 31 Human Resources must submit a written report to the court which shall either include a  
 32 case plan for a reunification of the family or include a statement of the factual basis or  
 33 bases for determining that a plan for reunification is not appropriate. Such report shall  
 34 become a discrete part of the case record in a format determined by the Division of Family  
 35 and Children Services of the Department of Human Resources and shall be made available

1 to the parents or guardian of the foster child. The contents of the report shall be determined  
2 at a meeting to be held by the Division of Family and Children Services of the Department  
3 of Human Resources in consultation with the judicial citizen review panel, if one is  
4 designated by the court for such purpose, and the parents and children, when available. The  
5 parents shall be given written notice of the meeting at least five days in advance and shall  
6 be advised that the report will be submitted to ~~become an order of the court~~ for  
7 consideration to become an order of the court. The report submitted to the court shall also  
8 contain any dissenting recommendations of the judicial citizen review panel, if applicable,  
9 and any recommendations of the parents, if such are available."

10 "(d) If the submitted report contains a proposed plan for reunification services, and no  
11 hearing is requested as provided in this Code section, the court shall enter a dispositional  
12 order or supplemental order incorporating all elements of the plan for reunification services  
13 which the court finds essential to reunification of the child with his or her family,  
14 specifying what must be accomplished by all parties before reunification of the family can  
15 be achieved. If the report contains a plan for reunification services, a copy of the report  
16 must be transmitted to the parents at the same time the report is transmitted to the court,  
17 along with written notice that the report will be ~~made the order of~~ considered by the court  
18 without a hearing unless, within five days from the date the copy of the report was  
19 received, the parents request a hearing before the court to review the report. The Division  
20 of Family and Children Services of the Department of Human Resources shall provide the  
21 custodian of the child, the foster parents of the child, and any preadoptive parents or  
22 relatives providing care for the child with a copy of those portions of the court approved  
23 plan that involve the permanency goal and the services to be provided to the child. The  
24 provisions of subsection (p) of this Code section concerning notice, opportunity to be  
25 heard, authority of the court, and content of the court's order are applicable to proceedings  
26 under this subsection."

27 "(i)(1) ~~If, after a judicial hearing in which the court finds that reunification is not in the~~  
28 ~~best interests of the child and custody is granted to a relative, the custody order shall~~  
29 ~~remain in effect until the child's eighteenth birthday unless modified following a petition~~  
30 ~~for modification by a party pursuant to Code Section 15-11-40. Within 36 months of the~~  
31 ~~custody order and every 36 months thereafter, a probation officer, judicial citizen review~~  
32 ~~panel established by the court, or other person or agency designated by the court shall,~~  
33 ~~after study or review, submit a report to the court addressing whether the relative with~~  
34 ~~custody continues to be qualified to receive and care for the child. A copy of the report~~  
35 ~~shall be mailed to the parents at their last known address. If the court has entered an order~~  
36 ~~finding that reasonable efforts to reunify a child with his or her family would be~~

1 detrimental to the child in accordance with subsection (h) of this Code section and if the  
 2 court finds that referral for termination of parental rights and adoption is not in the best  
 3 interest of the child, the court may, upon proper petition, enter a custody order which  
 4 shall remain in effect until the child's eighteenth birthday:

5 (A) Placing the child in the custody of a relative of the child if such a person is willing  
 6 and, after study by the probation officer or other person or agency designated by the  
 7 court, is found by the court to be qualified to receive and care for the child;

8 (B) Placing the child in the custody of any nonrelative individual who, after study by  
 9 the probation officer or other person or agency designated by the court, is found by the  
 10 court to be qualified to receive and care for the child;

11 (C) Placing the child in the custody of a suitable individual custodian in another state  
 12 pursuant to the provisions of Code Section 15-11-89; or

13 (D) In the case where the court has found a compelling reason that a placement  
 14 pursuant to subparagraph (A), (B), or (C) of this paragraph is not in the child's best  
 15 interest, placing the child in the custody of an agency or organization licensed or  
 16 otherwise authorized by law to receive and provide care for the child which is operated  
 17 in a manner that provides such care, guidance, and control as would be provided in a  
 18 family home as defined in the court's order.

19 Such order may be modified following a petition for modification by a party or upon  
 20 motion of the court pursuant to Code Section 15-11-40.

21 (2) A probation officer, judicial citizen review panel established by the court, or other  
 22 person or agency designated by the court shall, after study or review, submit a report to  
 23 the court addressing whether the custodian to whom custody of a child has been given  
 24 pursuant to this Code section continues to be qualified to receive and care for the child  
 25 within:

26 (A) Thirty-six months of an order placing a child in the custody of a relative pursuant  
 27 to subparagraph (A) of paragraph (1) of this subsection and every 36 months thereafter;  
 28 or

29 (B) Twelve months of an order placing a child in the custody of a nonrelative, an  
 30 out-of-state custodian, or an agency or organization licensed or otherwise authorized  
 31 by law to receive and provide care for the child pursuant to subparagraph (B), (C), or  
 32 (D) of paragraph (1) of this subsection and every 12 months thereafter.

33 (3) Whenever a child is placed in the custody of an agency or organization licensed or  
 34 otherwise authorized by law to receive and provide care for the child pursuant to  
 35 subparagraph (D) of paragraph (1) of this subsection, such agency or organization shall  
 36 be charged with the responsibility of notifying the court within ten days in the event its

1 license is placed on probation, suspended, revoked, or surrendered and, in such event, the  
2 court shall conduct a judicial review within ten days of such notification to determine  
3 whether another placement should be made for the child."

4 "(k) Except as otherwise provided by law, an order of disposition placing a deprived child  
5 in foster care under the supervision of the Division of Family and Children Services of the  
6 Department of Human Resources shall continue in force for 12 months after the date the  
7 child is considered to have entered foster care or until sooner terminated by the court. For  
8 the purposes of this Code section, the date the child is considered to have entered foster  
9 care shall be the date of the first judicial finding that the child has been subjected to child  
10 abuse or neglect, or the date that is 60 days after the date on which the child is removed  
11 from the home, whichever is earlier. All cases of children in foster care in the custody of  
12 the Division of Family and Children Services of the Department of Human Resources shall  
13 be initially reviewed within 90 days of the entering of the dispositional order but no later  
14 than six months following the child's placement and shall be conducted by the juvenile  
15 court judge, by an associate juvenile court judge or judge pro tempore, or by judicial citizen  
16 review panels established by the court, as the court directs, meeting such standards and  
17 using such procedures as shall be established by court rule by the Supreme Court of  
18 Georgia, with the advice and consent of the Council of Juvenile Court Judges. At the time  
19 of each review of every case of a child in foster care in the custody of the Division of  
20 Family and Children Services of the Department of Human Resources, a representative of  
21 the Division of Family and Children Services shall notify the court whether such division  
22 intends to proceed with the termination of parental rights at that time. If such division  
23 indicates that it does not intend to petition for the termination of parental rights at that time,  
24 the court may appoint a guardian ad litem and charge such guardian with the duty of  
25 determining whether termination proceedings should be commenced. In the event the  
26 review is conducted by judicial citizen review panels, the panel shall transmit its report,  
27 including its findings and recommendations and those of such division, along with such  
28 division's proposed revised plan for reunification or other permanency plan, if necessary,  
29 to the court and the parents within five days after the review. Any party may request a  
30 hearing on the proposed revised plan in writing within five days after receiving a copy of  
31 such plan. The Division of Family and Children Services of the Department of Human  
32 Resources shall provide the custodian of the child, the foster parents of the child, and any  
33 preadoptive parents or relatives providing care for the child with a copy of those portions  
34 of the report of the judicial citizen review panel that involve the recommended permanency  
35 goal and the recommended services to be provided to the child. Following such initial  
36 review, additional periodic reviews shall be held at six-month intervals. ~~The foster parents,~~

1 ~~if any, of a child and any preadoptive parent or relative providing care for the child shall~~  
2 ~~be provided with notice of and an opportunity to be heard in any review or hearing to be~~  
3 ~~held with respect to the child, except that this provision shall not be construed to require~~  
4 ~~that any foster parent, preadoptive parent, or relative providing care for the child be made~~  
5 ~~a party to such a review or hearing solely on the basis of such notice and opportunity to be~~  
6 ~~heard. The provisions of subsection (p) of this Code section concerning notice, opportunity~~  
7 ~~to be heard, authority of the court, and content of the court's order are applicable to~~  
8 ~~proceedings under this subsection.~~

9 (1) If no hearing is requested or scheduled by the court on its own motion, the court shall  
10 review the proposed revised plan and enter a supplemental order incorporating a revised  
11 plan as part of its disposition in the case. In the event that a hearing is held, the court shall,  
12 after hearing evidence, enter a supplemental order incorporating all elements that the court  
13 finds essential in the proposed revised plan. The provisions of subsection (p) of this Code  
14 section concerning notice, opportunity to be heard, authority of the court, and content of  
15 the court's order are applicable to proceedings under this subsection. The judge's  
16 supplemental order shall be entered within a reasonable time from the conclusion of the  
17 hearing or expiration of the time for the hearing to be requested and shall also provide one  
18 of the following:

19 (1) That the child return to the home of his or her parents, legal guardian, or custodian  
20 with or without court imposed conditions;

21 (2) That the child continue in the current custodial placement and that the current  
22 placement is appropriate for the child's needs; or

23 (3) That the child continue in the current custodial placement but that the current  
24 placement plan is no longer appropriate for the child's needs and direct the department  
25 to devise another plan within available resources. The new plan must be submitted within  
26 ten days for court approval. Copies of any court approved revised plan shall be furnished  
27 to all parties. The Division of Family and Children Services of the Department of Human  
28 Resources shall provide the custodian of the child, the foster parents of the child, and any  
29 preadoptive parents or relatives providing care for the child with a copy of those portions  
30 of the court approved revised plan that involve the permanency goal and the services to  
31 be provided to the child.

32 In the event that the judicial citizen review panel determines that the parents have  
33 unjustifiably failed to comply with the ordered plan designed to reunite the family and that  
34 such failure is significant enough to warrant consideration of termination of parental rights,  
35 the panel may make a recommendation to the guardian ad litem of the child, the Division  
36 of Family and Children Services of the Department of Human Resources, and the intake

1 officer of the court that a petition for termination of parental rights should be prepared. Any  
 2 such party or officer of the court shall file a petition if, upon examination, they find  
 3 sufficient evidence. In the event that no guardian ad litem has been appointed when the  
 4 judicial citizen review panel recommends that a petition to terminate parental rights be  
 5 filed, the court shall have the authority to appoint a guardian ad litem who shall have the  
 6 duty to determine whether termination proceedings should be commenced."

7 "(o)(1) With respect to each child in the custody of the Department of Human Resources,  
 8 a permanency hearing shall be held no later than 30 days after the Division of Family and  
 9 Children Services of the Department of Human Resources has submitted a written report  
 10 to the court which does not contain a plan for reunification services as provided in  
 11 subsection (j) of this Code section, or no later than 12 months after the child is considered  
 12 to have entered foster care, whichever comes first. Thereafter, a permanency hearing  
 13 shall be held not less frequently than every 12 months during the time the child continues  
 14 in the custody of the Department of Human Resources. A permanency hearing may be  
 15 held by the court at the time of the hearing on a motion to extend custody permitted by  
 16 subsection (n) of this Code section. The provisions of subsection (p) of this Code section  
 17 concerning notice, opportunity to be heard, authority of the court, and content of the  
 18 court's order are applicable to proceedings under this paragraph.

19 ~~(1)~~(2) At the time of the permanency hearing, the Division of Family and Children  
 20 Services of the Department of Human Resources shall submit for the court's  
 21 consideration a report recommending a permanency plan for the child which shall include  
 22 whether and, if applicable, when the child shall be returned to the parent or parents;  
 23 referred for termination of parental rights and adoption; referred for legal guardianship;  
 24 placed permanently with a fit and willing relative; or, in the case where the division has  
 25 provided a compelling reason that ~~one~~ none of the foregoing options would ~~not~~ be in the  
 26 best interest of the child, placed in another planned permanent living arrangement. The  
 27 report shall include documentation of the steps to be taken by the Division of Family and  
 28 Children Services of the Department of Human Resources to finalize the permanent  
 29 placement of the child. When the permanency plan recommended is referral for  
 30 termination of parental rights and adoption, such report shall include child specific  
 31 recruitment efforts such as the use of state, regional, and national adoption exchanges,  
 32 including electronic exchange systems. The provisions of subsection (p) of this Code  
 33 section concerning notice, opportunity to be heard, authority of the court, and content of  
 34 the court's order are applicable to proceedings under this paragraph.

35 ~~(2)~~(3) The permanency hearing may be conducted as the court directs by the juvenile  
 36 court judge or by an associate juvenile court judge or judge pro tempore. The court may

1 also direct that the permanency hearing be conducted by a judicial citizen review panel  
 2 established by the court in the manner provided in subsection (k) of this Code section,  
 3 unless the permanency hearing is one required under subsection (j) of this Code section  
 4 as a result of a recommendation that reunification services are not appropriate. The  
 5 judicial citizen review panel may conduct its hearing in the same manner as it conducts  
 6 a case review under subsection (k) of this Code section. The provisions of subsection (p)  
 7 of this Code section concerning notice, opportunity to be heard, authority of the court,  
 8 and content of the court's order are applicable to proceedings under this paragraph.

9 (A) ~~In the event that the permanency hearing is conducted by a judicial citizen review~~  
 10 ~~panel, the~~ The panel shall transmit its report, including its findings and  
 11 recommendations and those of the Division of Family and Children Services, to the  
 12 court and the parties within five days after such hearing. The report of the judicial  
 13 citizen review panel shall include all the elements required in paragraphs ~~(4)~~ (5) and ~~(5)~~  
 14 (6) of this subsection. Any party may request a hearing on the proposed permanency  
 15 plan by submitting a request in writing within five days of receiving a copy of such  
 16 plan. If a hearing is not requested, the court shall review the proposed permanency plan  
 17 and enter a supplemental order incorporating all elements required by paragraphs ~~(4)~~  
 18 (5) and ~~(5)~~ (6) of this subsection that the court finds essential in the proposed  
 19 permanency plan. In the event a hearing before the court is requested on the report  
 20 transmitted by the judicial citizen review panel, the court shall, after hearing evidence,  
 21 enter a supplemental order incorporating all the elements required in paragraphs ~~(4)~~ (5)  
 22 and ~~(5)~~ (6) of this subsection.

23 (B) If a permanency hearing is held before the court, the court shall, after hearing  
 24 evidence, enter a supplemental order incorporating all elements of the proposed  
 25 permanency plan required by paragraphs ~~(4)~~ (5) and ~~(5)~~ (6) of this subsection that the  
 26 court finds essential in the proposed permanency plan.

27 ~~(3)~~(4) The parents, the custodian of the child, the foster parents of the child, any  
 28 preadoptive parent or relative providing care for the child, and other parties shall be given  
 29 written notice of a permanency hearing at least five days in advance and shall be advised  
 30 that the permanency plan recommended by the Division of Family and Children Services  
 31 of the Department of Human Resources will be submitted to ~~become an order of the court~~  
 32 for consideration to become an order of the court. Procedural safeguards shall be applied  
 33 with respect to parental rights pertaining to the removal of the child from the home of his  
 34 or her parents, to a change in the child's placement, and to any determination affecting  
 35 visitation privileges of parents. The provisions of subsection (p) of this Code section  
 36 concerning notice, opportunity to be heard, authority of the court, and content of the

1 court's order are applicable to proceedings under this paragraph. ~~In addition, the foster~~  
 2 ~~parents, if any, of a child and any preadoptive parent or relative providing care for the~~  
 3 ~~child shall receive written notice of the permanency hearing at least five days in advance~~  
 4 ~~and shall be given an opportunity to be heard; provided, however, that this provision shall~~  
 5 ~~not be construed to require a foster parent, preadoptive parent, or relative caring for the~~  
 6 ~~child to be made a party to the hearing solely on the basis of such notice and opportunity~~  
 7 ~~to be heard.~~

8 ~~(4)~~(5) The permanency plan incorporated in the court's order shall include whether and,  
 9 if applicable, when the child shall be returned to the parent or parents, referred for  
 10 termination of parental rights and adoption, referred for legal guardianship, or placed  
 11 permanently with a fit and willing relative. If the court finds that there is a compelling  
 12 reason that it would not be in the child's best interests to be returned to the parent or  
 13 parents, referred for termination of parental rights and adoption, referred for legal  
 14 guardianship, or placed permanently with a fit and willing relative, then the court's order  
 15 shall document the compelling reason and provide that the child should be placed in  
 16 another planned permanent living arrangement as defined in the court's order. The  
 17 provisions of subsection (p) of this Code section concerning notice, opportunity to be  
 18 heard, authority of the court, and content of the court's order are applicable to  
 19 proceedings under this paragraph.

20 ~~(5)~~(6) The court or judicial citizen review panel which conducts the permanency hearing  
 21 shall determine, as a finding of fact, whether the Division of Family and Children  
 22 Services of the Department of Human Resources has made reasonable efforts to finalize  
 23 the permanency plan which is in effect at the time of the hearing. Further, the court or  
 24 the judicial citizen review panel, if applicable, shall determine as a finding of fact  
 25 whether, in the case of a child placed out of the state, the out-of-state placement continues  
 26 to be appropriate and in the best interest of the child and, in the case of a child who has  
 27 attained the age of 14, shall determine the services needed to assist the child to make a  
 28 transition from foster care to independent living. Such findings of fact shall be made a  
 29 part of the report of the judicial citizen review panel to the court and any supplemental  
 30 order entered by the court. The provisions of subsection (p) of this Code section  
 31 concerning notice, opportunity to be heard, authority of the court, and content of the  
 32 court's order are applicable to proceedings under this paragraph.

33 ~~(6)~~(7) A supplemental order of the court adopting the permanency plan must be entered  
 34 within 30 days after the court has determined that reunification efforts will not be made  
 35 by the Division of Family and Children Services of the Department of Human Resources,  
 36 if applicable, or within 12 months after the child is considered to have entered foster care,



1 person related to the child by blood or marriage or with a member of the child's extended  
2 family if such a person is willing and, after study by the probation officer or other person  
3 or agency designated by the court, is found by the court to be qualified to receive and care  
4 for the child, if the court determines such placement is most appropriate for the child. A  
5 ~~thorough search for a suitable family member shall be made by the court and the~~  
6 ~~Department of Human Resources in attempting to effect this placement.~~ A placement  
7 effected under this paragraph shall be conditioned upon the family member who is given  
8 permanent custody or who is granted an adoption of the child agreeing to abide by the  
9 terms and conditions of the order of the court. ~~A placement shall be made under the terms~~  
10 ~~of this paragraph only if such a placement is in the best interest of the child.~~

11 (2) If no placement of the child is effected under paragraph (1) of this subsection, the  
12 court may ~~make any of the following dispositions:~~ commit the child to the custody of the  
13 Department of Human Resources or to a licensed child-placing agency willing to accept  
14 custody for the purpose of placing the child for adoption ~~or, in the absence of an~~  
15 ~~adoption, in a foster home, or,~~ if the court determines such placement is most appropriate  
16 for the child.

17 (3) If no placement of the child is effected under paragraph (1) or (2) of this subsection,  
18 the court may commit the child to a suitable individual on the condition that the person  
19 becomes the guardian of the person of the child pursuant to the court's authority under  
20 Code Section 15-11-30.1, if the court determines such placement is most appropriate for  
21 the child.

22 (4) If no placement of the child is effected under paragraph (1), (2), or (3) of this  
23 subsection, the court may commit the child to the custody of the Department of Human  
24 Resources or to a licensed child-placing agency willing to accept custody for the purpose  
25 of placing the child in a foster home, if the court determines such placement is most  
26 appropriate for the child.

27 (5) If no placement of the child is effected under paragraph (1), (2), (3), or (4) of this  
28 subsection, the court may commit the child to the custody of an agency or organization  
29 authorized by law to receive and provide care for children which is operated in a manner  
30 that provides such care, guidance, and control as would be provided in a family home as  
31 defined in the court's order, if the court determines that such placement is most  
32 appropriate for the child.

33 (6) If no placement of the child is effected under paragraph (1), (2), (3), (4), or (5) of this  
34 subsection, the court may take other suitable measures for the care and welfare of the  
35 child.

1 (b) A placement may be made under the terms of this Code section only if the court finds  
 2 that such placement is in the best interest of the child.

3 ~~(b)(c)~~ The court shall transmit a copy of every final order terminating the parental rights  
 4 of a parent to the ~~Division of Family and Children Services Adoption Unit~~ Office of  
 5 Adoptions of the Department of Human Resources within 15 days of the filing of such  
 6 order.

7 ~~(c)(d)~~ The custodian has authority to consent to the adoption of the child, the child's  
 8 marriage, the child's enlistment in the armed forces of the United States, and surgical and  
 9 other medical treatment for the child.

10 ~~(d)(e)~~ If Except in those cases where the child was placed pursuant to paragraph (3) or (5)  
 11 of subsection (a) of this Code section, if a petition seeking the adoption of the child is not  
 12 filed within one year after the date of the disposition order, the court shall then, and at least  
 13 yearly thereafter as long as the child remains unadopted, review the circumstances of the  
 14 child to determine what efforts have been made to assure that the child will be adopted. The  
 15 court may then enter such orders as it deems necessary to further the adoption, including  
 16 but not limited to another placement. In those cases where the child was placed with a  
 17 guardian of the child's person pursuant to paragraph (3) of subsection (a) of this Code  
 18 section, the guardian shall report to the court in the same manner and at the same frequency  
 19 as is required for guardians of the person of minors appointed by the judge of the probate  
 20 court. In those cases where the child was placed pursuant to paragraph (5) of subsection (a)  
 21 of this Code section, the court shall, at least yearly thereafter as long as the child remains  
 22 subject to the jurisdiction of the court, review the circumstances of the child to determine  
 23 that placement in the family home-like setting continues to be in the child's best interests."

#### 24 **SECTION 6.**

25 This Act shall become effective on July 1, 2003.

#### 26 **SECTION 7.**

27 All laws and parts of laws in conflict with this Act are repealed.