

Senate Resolution 161

By: Senators Hamrick of the 30th, Tate of the 38th, Kemp of the 46th, Unterman of the 45th and Harbison of the 15th

A RESOLUTION

- 1 Creating the Juvenile Code Rewrite Joint Study Committee; and for other purposes.
- 2 WHEREAS, the safety and welfare of Georgia's children are of paramount importance to the
3 members of the General Assembly; and
- 4 WHEREAS, in large measure, many issues affecting children in the judicial system are
5 contained in Chapter 11 of Title 15 of the Official Code of Georgia Annotated, sometimes
6 referred to as the Juvenile Code; and
- 7 WHEREAS, juvenile court judges, child advocate attorneys, juvenile public defenders and
8 attorneys who represent children, child welfare practitioners, and state policymakers have
9 acknowledged that the existing Juvenile Code is confusing, occasionally inconsistent, and
10 is in need of reorganization and reformation; and
- 11 WHEREAS, children, attorneys, advocates, and judges working in juvenile court face very
12 difficult issues in an area that is tremendously specialized; and
- 13 WHEREAS, the safety and welfare of Georgia's children will be best served by a
14 comprehensive, research based, best practices legal model that will simplify and govern
15 juvenile court practice and procedure; and
- 16 WHEREAS, the Juvenile Law Committee of the Young Lawyers Division of the State Bar
17 of Georgia has undertaken the project of rewriting the Juvenile Code; and
- 18 NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF
19 GEORGIA that there is created the Juvenile Code Rewrite Joint Study Committee to be
20 composed of:
- 21 (1) Three members appointed by the Senate Committee on Assignments, one of whom
22 shall be designated as the cochairperson;

1 (2) Three members appointed by the Speaker of the House of Representatives, one of
2 whom shall be designated as the cochairperson; and

3 (3) Six members appointed by the Governor who shall include two members of the
4 Juvenile Law Committee of the Young Lawyers Division of the State Bar of Georgia; two
5 members who have experience relating to child welfare and deprivation law; and two
6 members who have experience relating to juvenile justice.

7 The cochairpersons of the committee shall jointly agree upon the date and locations of all
8 meetings of the committee. The committee may be staffed by the project reporter employed
9 by the Juvenile Law Committee of the Young Lawyers Division of the State Bar of
10 Georgia.

11 BE IT FURTHER RESOLVED that the committee shall undertake a study of the conditions,
12 needs, issues, and problems mentioned above or related thereto including the statutory
13 scheme governing juvenile court practice and procedure, and recommend any action or
14 legislation which the committee deems necessary or appropriate. The committee may
15 conduct such meetings at such places and at such times as the cochairpersons may jointly
16 deem necessary or convenient to enable it to exercise fully and effectively its powers,
17 perform its duties, and accomplish the objectives and purposes of this resolution. The
18 legislative members of the committee shall receive the allowances provided for in Code
19 Section 28-1-8 of the Official Code of Georgia Annotated. Citizen members shall receive a
20 daily expense allowance in the amount specified in subsection (b) of Code Section 45-7-21
21 of the Official Code of Georgia Annotated as well as the mileage or transportation allowance
22 authorized for state employees. Members of the committee who are state officials, other than
23 legislative members, and state employees shall receive no compensation for their services
24 on the committee, but they shall be reimbursed for expenses incurred by them in the
25 performance of their duties as members of the committee in the same manner as they are
26 reimbursed for expenses in their capacities as state officials or employees. The funds
27 necessary for the reimbursement of the expenses of state officials, other than legislative
28 members, and state employees shall come from funds appropriated to or otherwise available
29 to their respective departments. All other funds necessary to carry out the provisions of this
30 resolution shall come from funds appropriated to the Senate and the House of
31 Representatives. The expenses and allowances authorized by this resolution shall not be
32 received by any member of the committee for more than five days unless additional days are
33 authorized. In the event the committee makes a report of its findings and recommendations,
34 with suggestions for proposed legislation, if any, such report shall be made on or before
35 December 31, 2005. The committee shall stand abolished on December 31, 2005.