

The Senate Special Judiciary Committee offered the following substitute to HB 168:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile proceedings, so as to change the qualifications for an associate juvenile court judge; to provide that the duration of certain orders in deprivation proceedings may be extended for longer periods under certain circumstances; to provide for other party's ability to file certain motions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to juvenile proceedings, is amended by revising subsections (a) and (b) of Code Section 15-11-21, relating to associate juvenile court judges, appointment and compensation, qualifications, conduct of hearings, and rehearing, as follows:

"(a) The judge may appoint one or more persons to serve as associate juvenile court judge in juvenile matters on a full-time or part-time basis. The associate juvenile court judge shall serve at the pleasure of the judge, and his or her salary shall be fixed by the judge with the approval of the governing authority or governing authorities of the county or counties for which the associate juvenile court judge is appointed. The salary of each associate juvenile court judge shall be paid from county funds. ~~Except as provided in subsection (b) of this Code section, an associate juvenile court judge shall be a member of the State Bar of Georgia or shall be a graduate of a law school; provided, however, that any person serving as a referee on July 1, 1983, shall be qualified for appointment thereafter to serve as an associate juvenile court judge.~~

(b) ~~In each county having a population of 75,000 or more according to the United States decennial census of 1990 or any such future census and which employs a full-time juvenile court judge, each~~ Each associate juvenile court judge ~~appointed after July 1, 1994,~~ shall have the same qualifications as required for a judge of the juvenile court as provided in subsection (e) of Code Section 15-11-18; provided, however, that any person serving as a

1 ~~referee on July 1, 1983~~ an associate juvenile court judge on July 1, 2007, shall be qualified
2 for appointment thereafter to serve as an associate juvenile court judge."

3 **SECTION 2.**

4 Said chapter is further amended by revising subsection (n) of Code Section 15-11-58, relating
5 to reasonable efforts regarding reunification of family, reports and plans, custody orders
6 when reunification found not to be in child's best interest, duration of orders, review of
7 determinations, hearings, and supplemental orders, as follows:

8 "(n) The court which made the order may extend its duration for one or more periods of
9 not more than 12 months if:

10 (1) A hearing is held upon motion of the Division of Family and Children Services of the
11 Department of Human Resources or any other party in interest as recognized by the court
12 prior to the expiration of the order;

13 (2) Reasonable notice of the factual basis of the motion and of the hearing and
14 opportunity to be heard are given to the parties affected; and

15 (3) The court finds by clear and convincing evidence that the extension is necessary to
16 accomplish the purposes of the order extended and is in the best interest of the child."

17 **SECTION 3.**

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