

Senate Bill 131

By: Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Black of the 8th, Kirk of the 13th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,
2 relating to general provisions for the Juvenile Code, so as to provide that adoption
3 proceedings be stayed while an appeal of an order to terminate parental rights is pending; to
4 clarify the court's duties to a case while an appeal is pending; to provide for related matters;
5 to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to
9 general provisions for the Juvenile Code, is amended by revising Code Section 15-11-35,
10 relating to appeals, as follows:

11 "15-11-35.

12 In all cases of final judgments of the juvenile court, appeals shall be taken to the Court of
13 Appeals or the Supreme Court in the same manner as appeals from the superior court.
14 However, no such judgment or order shall be superseded or modified except in the
15 discretion of the trial court; rather, the judgment or order of the court shall stand until
16 reversed or modified by the reviewing court. The appeal of an order granting a petition to
17 terminate parental rights shall stay an adoption proceeding related to the child who is the
18 subject of such order until such order becomes final by the conclusion of appellate
19 proceedings or the expiration of the time for seeking such review. Except for proceedings
20 in connection with an adoption, the court shall continue to conduct hearings and issue
21 orders in accordance with this chapter while an appeal in a case is pending."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.