

House Bill 403

By: Representatives Wiedower of the 119th, Reeves of the 34th, Gaines of the 117th,
Hutchinson of the 107th, Oliver of the 82nd, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 11 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated,
2 relating to the "Georgia Child Advocate for the Protection of Children Act," so as to revise
3 the duties of the Child Advocate for the Protection of Children and the Office of the Child
4 Advocate for the Protection of Children in regard to legal representation in dependency
5 proceedings; to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 11 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to
9 the "Georgia Child Advocate for the Protection of Children Act," is amended by revising
10 Code Section 15-11-743, relating to duties of advocate, as follows:

11 "15-11-743.

12 The advocate shall perform the following duties:

13 (1) Identify, receive, investigate, and seek the resolution or referral of complaints made
14 by or on behalf of children concerning any act, omission to act, practice, policy, or
15 procedure of an agency or any contractor or agent thereof that may adversely affect the
16 health, safety, or welfare of the children;

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- 17 (2) Refer complaints involving abused children to appropriate regulatory and law
18 enforcement agencies;
- 19 (3) Report the death of any child to the chairperson of the review committee, as such
20 term is defined in Code Section 19-15-1, for the county in which such child resided at the
21 time of death, unless the advocate has knowledge that such death has been reported by
22 the county medical examiner or coroner, pursuant to Code Section 19-15-3, and to
23 provide such committee access to any records of the advocate relating to such child;
- 24 (4) Support quality legal representation for parties involved in proceedings involving
25 Article 3, 4, or 4A of this chapter by reviewing the quality of such legal representation,
26 utilizing measurement instruments as appropriate; establishing state-wide performance
27 measures and standards, duties, and responsibilities for attorneys representing parties
28 involved in proceedings involving Article 3, 4, or 4A of this chapter; establishing
29 minimum training requirements for attorneys representing parties involved in proceedings
30 involving Article 3, 4, or 4A of this chapter; ensuring the provision and availability of
31 high-quality, accessible training for attorneys representing parties involved in
32 proceedings involving Article 3, 4, or 4A of this chapter; and working cooperatively with
33 judicial districts to enhance the quality of legal representation at the local level.
34 Beginning on January 1, 2022, and on January 1 of each year thereafter, the Office of the
35 Child Advocate for the Protection of Children shall submit a report to the Governor, the
36 General Assembly, the Chief Justice of the Supreme Court, and other persons, agencies,
37 and organizations deemed appropriate focused on the quality of legal representation in
38 proceedings involving Article 3, 4, or 4A of this chapter and provide recommendations
39 to support high quality legal representation in proceedings involving Article 3, 4, or 4A
40 of this chapter;
- 41 (5) Provide periodic reports on the work of the Office of the Child Advocate for the
42 Protection of Children, including but not limited to an annual written report for the
43 Governor and the General Assembly and other persons, agencies, and organizations

44 deemed appropriate. Such reports shall include recommendations for changes in policies
45 and procedures to improve the health, safety, and welfare of children and shall be made
46 expeditiously in order to timely influence public policy;
47 ~~(5)~~(6) Establish policies and procedures necessary for the Office of the Child Advocate
48 for the Protection of Children to accomplish the purposes of this article, including without
49 limitation providing DFCS with a form of notice of availability of the Office of the Child
50 Advocate for the Protection of Children. Such notice shall be posted prominently, by
51 DFCS, in DFCS offices and in facilities receiving public moneys for the care and
52 placement of children and shall include information describing the Office of the Child
53 Advocate for the Protection of Children and procedures for contacting such office; and
54 ~~(6)~~(7) Convene quarterly meetings with organizations, agencies, and individuals who
55 work in the area of child protection to seek opportunities to collaborate and improve the
56 status of children in Georgia."

57

SECTION 2.

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