

Senate Bill 401

By: Senators Kirkpatrick of the 32nd, Payne of the 54th, Kennedy of the 18th, Jackson of the 41st, Robertson of the 29th and others

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 the
2 juvenile code, so as to require each juvenile court to collect data on cases in which a child
3 alleged or adjudicated to be dependent is placed in foster care; to require that each such court
4 collect data for submission to the Administrative Office of the Courts to be incorporated into
5 the Georgia Juvenile Data Exchange; to specify what kind of data must be collected and
6 submitted; to require each such court to maintain a docket readily accessible by the parties
7 to a proceeding; to require the Administrative Office of the Courts to annually submit
8 de-identified data in a report organized by county to the General Assembly for the previous
9 calendar year; to provide that the petition to terminate parental rights be immediately filed
10 and docketed without delay when presented to the juvenile court clerk; to provide for related
11 matters; to repeal conflicting laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 **SECTION 1.**

14 Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the juvenile
15 code, is amended by revising subsection (d) of Code Section 15-11-64, relating to collection

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16 of information by juvenile court clerks, reporting requirement, and data collection, as
17 follows:

18 "(d) Pursuant to rules adopted by the Supreme Court of Georgia, on and after January 1,
19 2021, each clerk of the juvenile court shall collect data on all cases in which a child alleged
20 or adjudicated to be a child in need of services or a delinquent child is placed in foster care
21 and has also been alleged or adjudicated to be a dependent child and shall transmit such
22 data as required by such rules. ~~Such data shall include, at a minimum, the adherence on~~
23 ~~each case by the court to the time frames contained in Code Section 15-11-102."~~

24 SECTION 2.

25 Said chapter is further amended by adding a new Code section to read as follows:

26 "15-11-64.1.

27 (a) Each juvenile court shall collect data on all cases in which a child alleged or
28 adjudicated to be a dependent child is placed in foster care. Data collected shall be
29 electronically submitted by the clerk of the juvenile court, or the clerk of the superior court
30 performing the functions of the clerk of the juvenile court, in a form and format specified
31 by the Administrative Office of the Courts and incorporated into the Georgia Juvenile Data
32 Exchange or any such successor centralized data base maintained by the Administrative
33 Office of the Courts.

34 (b) Each juvenile court shall collect information as data elements for submission to the
35 Administrative Office of the Courts to be incorporated into the Georgia Juvenile Data
36 Exchange. Such information shall include, but is not limited to:

37 (1) Date upon which the child is placed in the legal custody of the department;

38 (2) Date upon which a dependency petition is filed;

39 (3) Date upon which an attorney for the child is appointed;

40 (4) Date upon which a guardian ad litem for the child is appointed;

41 (5) Date upon which the preliminary protective hearing is held;

- 42 (6) Date or dates upon which an adjudication hearing is initiated and completed and the
43 date the order is entered;
- 44 (7) Date or dates upon which a disposition hearing is initiated and completed and the
45 date the order is entered;
- 46 (8) Date of the initial review hearing;
- 47 (9) Date of any additional periodic review hearing;
- 48 (10) Date of the initial permanency hearing;
- 49 (11) Date or dates upon which any permanency plan hearing is initiated and completed
50 and the date the order is entered;
- 51 (12) Date upon which any order is entered, together with an identifier of said order;
- 52 (13) Date upon which the department files any written report, including, but not limited
53 to, a case plan;
- 54 (14) Date upon which any petition to terminate parental rights is filed;
- 55 (15) Date or dates upon which a hearing on a petition to terminate parental rights is
56 initiated and completed and the date the order is entered;
- 57 (16) Date upon which a child is returned to the custody of his or her parent, guardian, or
58 legal custodian pursuant to a protective order, if applicable;
- 59 (17) Date upon which any order of guardianship is entered;
- 60 (18) If applicable, the date upon which a child is returned to the custody of his or her
61 parent, guardian, or legal custodian without a protective order;
- 62 (19) Date upon which the department is relieved of legal custody of the child;
- 63 (20) The court's adherence on each case to the time limitations as required by Code
64 Sections 15-11-102, 15-11-301, and 15-11-322;
- 65 (21) In a termination of parental rights proceeding or a proceeding pursuant to Code
66 Section 15-11-102, the date upon which any order granting a continuance is entered,
67 together with a factual basis upon which such continuance is granted; and

68 (22) Such additional data as may be required pursuant to the rules adopted by the
69 Supreme Court of Georgia.

70 (c) Each juvenile court shall maintain a docket readily accessible by the parties to a
71 proceeding and shall utilize its local case management system to collect the required data
72 elements as provided in subsection (b) of this Code section. All such required data elements
73 shall be submitted through a regularly scheduled data upload into the Georgia Juvenile
74 Data Exchange at the maximum frequency allowed by local case management system
75 parameters; provided, however, that such upload shall occur no less than once per week.

76 (d) On or before April 15, 2025, and annually thereafter, the Administrative Office of the
77 Courts shall electronically submit the de-identified data collected, together with a
78 comprehensive, aggregated permanency report organized by county, to the General
79 Assembly for the previous calendar year. Copies of such data and such report shall be
80 electronically provided to the Lieutenant Governor, the Speaker of the House of
81 Representatives, the chairperson of the House Committee on Appropriations, the
82 chairperson of the Senate Appropriations Committee, the chairperson of the House
83 Committee on Juvenile Justice, and the chairperson of the Senate Children and Families
84 Committee."

85 **SECTION 3.**

86 Said chapter is further amended by revising subsection (b) of Code Section 15-11-280,
87 relating to termination of parental rights petition, style, contents, and putative father, as
88 follows:

89 "(b) The petition to terminate parental rights shall be made, verified, and endorsed by the
90 court as provided in Article 3 of this chapter for a petition alleging dependency
91 immediately filed and docketed without delay when presented to the clerk of the juvenile
92 court."

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SECTION 4.

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