

Senate Bill 525

By: Senators Robertson of the 29th, Dixon of the 45th, Albers of the 56th, Harbin of the 16th, Hickman of the 4th and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 11 of Title 15 the Official Code of Georgia Annotated,
2 relating to general provisions relative to the juvenile code, so as to require the recording of
3 all proceedings under the juvenile code; to establish the right of parties to obtain a full and
4 complete record of proceedings under the juvenile code; to establish the right of the
5 Department of Human Services to obtain a full and complete record of proceedings under the
6 juvenile code in which it has been permitted to participate by the juvenile court; to provide
7 for related matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Article 1 of Chapter 11 of Title 15 the Official Code of Georgia Annotated, relating to
11 general provisions relative to the juvenile code, is amended by revising Code Section
12 15-11-17, relating to conduct of hearings generally and applicability of Title 24, as follows:
13 "15-11-17.

14 (a) All hearings under this chapter shall be conducted by the court without a jury. Any
15 hearing may be adjourned from time to time within the discretion of the court.

16 (b) Except as otherwise provided, all hearings shall be conducted in accordance with
17 Title 24.

18 (c) All proceedings under this chapter Proceedings shall be recorded by stenographic notes
19 or by electronic, mechanical, or other appropriate means capable of accurately capturing
20 a full and complete record of all words spoken during the proceedings.

21 (d) A juvenile court judge, an associate juvenile court judge, a judge pro tempore of the
22 juvenile court, or any person sitting as a juvenile court judge may conduct hearings in
23 connection with any proceeding under this chapter in any county within the judicial circuit.
24 When a superior court judge sits as a juvenile court judge, hearings in connection with any
25 proceeding under this chapter may be heard before such judge in any county within the
26 judicial circuit over which the judge presides."

27 **SECTION 2.**

28 Said article is further amended by revising Code Section 15-11-19, relating to rights of
29 parties to proceedings, as follows:

30 "15-11-19.

31 (a) A party has the right to be present, to be heard, to present evidence material to the
32 proceedings, to cross-examine witnesses, to examine pertinent court files and records, and
33 to appeal the orders of the court; provided, however, that the court shall retain the
34 discretion to exclude a child from any part or parts of any proceeding under Article 3 of
35 this chapter if the court determines that it is not in such child's best interests to be present.
36 An attorney for an excluded child shall not be excluded from the proceedings.

37 (b) A person afforded rights under this chapter shall be advised of such rights at that
38 person's first appearance before the court.

39 (c) An individual shall have the right to the full and complete record of any proceeding
40 under this chapter to which such individual is a party and shall not be required to obtain or
41 produce a court order to receive any such full and complete record.

42 (d) The department shall have the right to the full and complete record of any proceeding
43 under this chapter in which the court has allowed its participation and such department
44 shall not be required to obtain or produce a court order to receive any such full and
45 complete record."

46 **SECTION 3.**

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