

Senate Bill 258

By: Senators Hatchett of the 50th, Anderson of the 24th, Albers of the 56th, Still of the 48th,
Ginn of the 47th 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 provide
3 for additional duties regarding legal representation of children and parents; to provide for an
4 annual report; to provide for related matters; to repeal conflicting laws; and for other
5 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 Code
10 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;

- 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) Provide periodic reports on the work of the Office of the Child Advocate for the
25 Protection of Children, including but not limited to an annual written report for the
26 Governor and the General Assembly and other persons, agencies, and organizations
27 deemed appropriate. Such reports shall include recommendations for changes in policies
28 and procedures to improve the health, safety, and welfare of children and shall be made
29 expeditiously in order to timely influence public policy;
- 30 (5) Support quality legal representation for parents and children in proceedings under
31 Article 3, 4, or 4A of this chapter by reviewing the quality of such legal representation,
32 utilizing measurement instruments as appropriate; establish state-wide performance
33 measures and standards, and responsibilities for attorneys representing parents or children
34 and for attorney guardians ad litem involved in proceedings under Article 3, 4, or 4A of
35 this chapter; establish training recommendations for attorneys representing parents or
36 children and for attorney guardians ad litem involved in proceedings under Article 3, 4,
37 or 4A of this chapter; ensure the provision and availability of high-quality, accessible
38 training for attorneys representing parents or children and for attorney guardians ad litem
39 involved in proceedings under Article 3, 4, or 4A of this chapter; and work cooperatively
40 with judicial districts to enhance the quality of legal representation. Beginning on
41 January 1, 2024, and on January 1 of each year thereafter, the advocate shall submit a
42 report to the Governor, the General Assembly, the Chief Justice of the Supreme Court,
43 and other persons, agencies, and organizations deemed appropriate by the advocate,

44 which will be focused on the quality of legal representation in proceedings under Article
45 3, 4, or 4A of this chapter and will provide recommendations to support high-quality legal
46 representation in proceedings under Article 3, 4, or 4A of this chapter;
47 (6) Establish policies and procedures necessary for the Office of the Child Advocate for
48 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.