

| Appendix G: Dependency Case System Flow

Under OCGA §15-11-2(11), a dependent child is one found by the court to have been abused or neglected and in need of the court's protection, placed for care or adoption, or one without a parent, guardian, or legal custodian. These cases originate with and are filed by Georgia DFCS.

DFCS is responsible for investigating reports of child abuse, neglect, and abandonment to determine if intervention is necessary to ensure a child's safety and well-being. When DFCS determines that a child needs protection, they may file a complaint with the juvenile court to initiate a dependency case. DFCS caseworkers assess the family's situation, develop a **case plan**, and provide services to help address the issues that led to the child's dependency to preserve the family whenever possible. If the court determines that a child is dependent, DFCS is responsible for placing the child in a safe environment, such as with relatives, in foster care, or in congregant care/group home. DFCS works with the court and other parties to establish a permanency plan for the child, including reunification with the family, guardianship, adoption, or another planned permanent living arrangement. Throughout the juvenile dependency process, DFCS caseworkers provide ongoing support, monitoring, and services to the child and family, and they report to the court on the family's progress and the child's well-being. DFCS collaborates with other professionals, GALs, CASAs, and mental health experts to ensure that the child's needs are met and that the court has the information necessary to make informed decisions. In cases where reunification is not possible or not in the child's best interests, DFCS may recommend terminating parental rights and pursuing alternative permanency options, such as placement with kin or adoption.⁵⁰⁸

Dependency Case Decision Points

There are 10 case decision points in the dependency process in Georgia.⁵⁰⁹

- » **1** Intake
- » **2** Investigation
- » **3** Safety Assessment
- » **4** Preliminary Protective Hearing
- » **5** Adjudication Hearing
- » **6** Disposition Hearing
- » **7** Case Plan Development
- » **8** Periodic Reviews
- » **9** Permanency Hearing
- » **10** Case Closure

Throughout the process, various decisions are made regarding the child's safety, placement, visitation, and the services provided to the child and family. The goal is to ensure the child's safety, well-being, and permanency while working toward reunification with the family whenever possible.

When Georgia's juvenile code was updated in 2013, the law was changed to require that dependent children be represented by an attorney and a GAL. Legal representation by an attorney for a dependent child was not always a common practice before this change.⁵¹⁰ Together, GALs, CASAs, child attorneys, and social workers ensure that the child's best interests remain the primary focus throughout the juvenile dependency process. They advocate for the child's needs and work collaboratively to develop and implement plans prioritizing their safety, well-being, and permanency.^{511,512}

» 1 Intake

DFCS receives a report of suspected child abuse, neglect, or abandonment.

» 2 Investigation

DFCS investigates the allegations to determine if there is evidence of abuse, neglect, or abandonment.⁵¹³

» 3 Safety Assessment

DFCS assesses the child's immediate safety and determines whether the child can remain safely in the home or needs to be removed from the home.

» 4 Preliminary Protective Hearing

If the child is removed, a hearing is held within 72 hours to determine if there is probable cause for the removal and if the child should remain in DFCS custody.

» 5 Adjudication Hearing

Within 10 days of the preliminary protective hearing, an adjudication hearing is held to determine if the child is dependent (abused, neglected, or abandoned).

» 6 Disposition Hearing

If the child is found to be dependent, a disposition hearing is held to determine the child's placement, and the services needed for the child and family.

» 7 Case Plan Development

DFCS develops a case plan outlining the services and actions needed to address the issues that led to the dependency case.⁵¹⁴

» 8 Periodic Reviews

The court conducts periodic reviews (usually every six months) to assess the progress made toward the case plan goals and the child's well-being.⁵¹⁵

» 9 Permanency Hearing

Within 12 months of the child's removal (nine months for children under the age of seven), a permanency hearing is held to determine the long-term plan for the child (reunification, adoption, guardianship, or another planned permanent living arrangement).⁵¹⁶

» 10 Case Closure

The dependency case is closed when the child achieves permanency through reunification, adoption, guardianship, or another planned permanent living arrangement or when the child ages out of the system.

The dependency process intends to ensure the safety and well-being of children while prioritizing family preservation and reunification with the goal of keeping families together and preventing the need for removal. If a removal occurs, a case plan is developed for regaining custody. When reunification is not possible or not in the child's best interests, the court may move toward terminating parental rights. This step permanently severs the legal relationship between parent and child, freeing the child for adoption. The termination of parental rights can have significant emotional and psychological consequences for the child and parents. It is typically seen as a last resort after exhausting other efforts.⁵¹⁷

See **Figure G.1.** on p. 113 for the Dependency Case Flow Process.

FIGURE G.1. DEPENDENCY CASE FLOW PROCESS