

XXXI. RELATIVE CUSTODY REVIEW

A. Code Sections: O.C.G.A. § 15-11-58(i)

B. Uniform Juvenile Court Rule: None

C. Procedure

After a judicial finding that reunification is not in the best interest of a child and custody is granted to relative until the child's eighteenth birthday, the court shall cause a study or review to be conducted by a person or agency designated by the court. The resulting report must address whether the relative with custody continues to be qualified to receive and care for the child. The report should be submitted to court in writing and a copy of the report shall be mailed to the parents at their last known address.

The Code Section lists probation officers and judicial citizen review panels as possible designees to conduct the study, but the court may designate any qualified person or agency that agrees to conduct the study.

At a minimum, the person or agency conducting the study should:

1. Visit the relative's home, see and communicate with the child to verify that the child is thriving in the placement.
2. Verify the safety and appropriateness of the residence and neighborhood for the child.
3. Verify that there is sufficient income to support the child.
4. Verify that the child has sufficient medical and dental care and is covered by appropriate medical insurance.
5. Verify the general health of the family members.
6. Verify the child's attendance and progress at school.
7. Understand the composition of the household. List the names, birthdates and relationships. Are the custodians (if more than one) still living together?
8. Check criminal records of adults in household.
9. Verify that there have been no founded reports to DFACS of child deprivation.
10. Verify childcare arrangements if necessary.

After considering the report, if the court is satisfied that the relative with custody continues to be qualified to receive and care for the child, the court should enter an order to that effect in the record.

If after considering the report, the court is not satisfied that the relative with custody continues to be qualified to receive and care for the child, the court should identify the parties to the matter and summons them to court to address those issues at a hearing.

IN THE JUVENILE COURT OF _____ COUNTY
STATE OF GEORGIA

In the interest of:)	File No.
)	
)	Case No.
)	
A Minor Child)	DOB: Age:
)	Sex:
_____)	

ORDER FOR REPORT PURSUANT TO O.C.G.A. 15-11-58(i)

An order modifying custody of the above-referenced child to _____ (name of relative) was entered pursuant to O.C.G.A. Section 15-11-58 (i) on _____. Pursuant to the terms and provisions of the said Order, _____ was designated by this Court to study and review whether relative named above continues to be qualified to receive and care for the child, and to thereafter reduce the findings of the study and review to a written report to be submitted to this Court on or before _____.

This Order will supplement the Order referenced above and will provide a further notice and reminder of the due date of the above-described report. The person or agency conducting the study and review should perform the following tasks as part of the study and review and address with specificity the following issues in the report:

1. Visit the relative's home, see and communicate with the child to verify that the child is thriving in the placement; in the event that the child has moved out of the county or out of state and such a home visit is not possible by the evaluator, the evaluator should seek such visit and communication through a sister agency (such as CASA or a local DFACS agency);
2. Verify the safety and appropriateness of the residence and neighborhood for the child;
3. Verify that there is sufficient income to support the child (describe the sources and amount of income available and used for the child);
4. Verify that the child has sufficient medical and dental care and is covered by appropriate medical insurance (described if there is insurance, the carrier, and the coverage; provide the names of the treating physicians);
5. Verify the general health of the family members;

6. **Verify the child's attendance and progress at school (obtain latest school records if possible);**
7. **Understand the composition of the household. List the name, birth dates and relationships of others living in the household. Are the custodians (if more than one) living together? If not, has the existing custodian provided an explanation for the separation; does the custody order need to be modified accordingly?);**
8. **Check the criminal records of the adults in the household;**
9. **Verify that there have been no founded reports of DFACS of child deprivation;**
10. **Verify childcare arrangements if necessary; and**
11. **Provide a certification in the report that the person preparing the report has forwarded a copy of the report of the last known address of the parents, and to the child advocate attorney, guardian ad litem or CASA representing the child in the case and the DFACS agency previously having temporary legal custody of the child.**

The failure to produce the report in the time set forth above shall result in the issuance of a citation to show cause why the person so obligated did not comply with this Order. A finding that there was a willful failure to abide by this Court order may subject the parties obligated hereunder to any remedies available to this Court for contempt.

SO ORDERED this the _____ day of _____, _____.

_____, JUDGE
JUVENILE COURT OF _____ COUNTY