

SEP 01 2026

A. J. Allen
CLERK SUPERIOR COURT

IN THE SUPERIOR COURT OF FORSYTH COUNTY
STATE OF GEORGIA

ADMINISTRATIVE ORDER NO. 26- 06

IN RE: FORSYTH COUNTY CHILD ABUSE PROTOCOL COMMITTEE

The Court enters this Order to restate the composition and responsibilities of the Forsyth County Child Abuse Protocol Committee under current law. O.C.G.A. § 19-15-2(a) requires each county, except as provided in O.C.G.A. § 19-15-2(b)(3), to establish a protocol for the investigation and prosecution of alleged cases of child abuse, and O.C.G.A. § 19-15-2(b)(1) requires the chief superior court judge of the circuit in which the county is located to establish a protocol committee as provided in O.C.G.A. § 19-15-2(c) and to appoint persons to fill any vacancies on the protocol committee.

The Bell-Forsyth Judicial Circuit is composed solely of Forsyth County. The membership provisions of O.C.G.A. § 19-15-2(c)(1) therefore apply to the Forsyth County Child Abuse Protocol Committee.

The Superior Court established the Forsyth County Child Abuse Protocol Committee by Internal Operating Procedure 99-1, entered April 26, 1999. The Committee has continued in existence since that date and has met and performed its duties, and each of the individuals, agencies, and entities identified in this Order is presently represented on the Committee.

The statutory membership and continuing duties of protocol committees have changed materially since Internal Operating Procedure 99-1 was entered. The Court therefore finds it appropriate to restate the Committee's composition and responsibilities under current law.

Accordingly, **IT IS HEREBY ORDERED** as follows:

1. **Continuation and Restatement.** The Forsyth County Child Abuse Protocol Committee (the "Committee") is hereby continued and restated as the protocol committee for Forsyth County pursuant to O.C.G.A. § 19-15-2. Nothing in this Order shall be construed to imply that the Committee ceased to exist, or that any act of the Committee was invalid, between entry of Internal Operating Procedure 99-1 and entry of this Order.
2. **Statutory Membership.** In accordance with O.C.G.A. § 19-15-2(c)(1), each of the following shall designate a representative to serve on the Committee. Each representative

presently serving in such capacity shall continue to serve unless and until a successor is designated.

- a) Sheriff of Forsyth County;
- b) Forsyth County Department of Family and Children Services;
- c) District Attorney for the Bell-Forsyth Judicial Circuit;
- d) Presiding Juvenile Court Judge;
- e) Chief Magistrate;
- f) Forsyth County Board of Education;
- g) County Mental Health Organization serving Forsyth County;
- h) Chief of Police of the City of Cumming, as the chief of police of the largest municipality in Forsyth County;
- i) County Public Health Department serving Forsyth County; and
- j) Coroner or County Medical Examiner.

3. **County Police Department.** Forsyth County does not operate a county police department. The designation described in O.C.G.A. § 19-15-2(c)(1)(H) is therefore presently inapplicable. If Forsyth County hereafter establishes a county police department, the chief of police of such department shall designate a representative to serve on the Committee.
4. **Center Representatives.** A representative of a local child advocacy center, if one exists in or serves Forsyth County, shall serve on the Committee as provided by O.C.G.A. § 19-15-2(c)(3), and a representative of a sexual assault center, if one exists in or serves Forsyth County, shall serve on the Committee as provided by O.C.G.A. § 19-15-2(c)(4). Each representative presently serving in such capacity shall continue to serve unless and until a successor representative is designated by the applicable center. The Court requests that each such center provide the information described in Paragraph 9 of this Order.
5. **Citizen or Advocacy Group Representative.** Pursuant to O.C.G.A. § 19-15-2(c)(5), the Chief Judge shall designate a representative from a local citizen or advocacy group which focuses on child abuse awareness and prevention to serve on the Committee. Such designation shall be made in writing and filed with the Circuit Court Administrator of the Bell-Forsyth Judicial Circuit and shall remain effective until the Chief Judge designates a successor in writing.
6. **Additional Members.** The Committee may appoint such additional members as are necessary and proper to accomplish the purposes of the Committee, as authorized by O.C.G.A. § 19-15-2(d).

7. **Chairperson and Vacancies.** The Committee shall have a chairperson elected from its membership in accordance with O.C.G.A. § 19-15-2(b)(2). Any chairperson elected by the Committee and serving on the effective date of this Order shall continue to serve until a successor is elected. If no duly elected chairperson is serving on the effective date of this Order, or if the office of chairperson becomes vacant, the Chief Judge shall designate a member of the Committee to give notice of and preside over a meeting for the purpose of electing a chairperson, and the Committee shall elect a chairperson from its membership at that meeting. The chairperson may be a Committee member who is independent of those identified in O.C.G.A. § 19-15-2(c)(1), as provided by O.C.G.A. § 19-15-2(d). The chairperson shall be responsible for ensuring that the written protocol procedures are followed by all agencies, as provided by O.C.G.A. § 19-15-2(d). The Chief Judge shall appoint people to fill any vacancies on the Committee, as provided by O.C.G.A. § 19-15-2(b)(1).
8. **Continuing Duties.** The Committee shall perform all duties imposed by O.C.G.A. § 19-15-2, including, without limitation:
- a) adopting and maintaining the written protocol, filing it with the Division of Family and Children Services of the Department of Human Services and the Office of the Child Advocate for the Protection of Children, and furnishing a copy to each agency in Forsyth County handling the cases of abused children, as required by O.C.G.A. § 19-15-2(e);
 - b) meeting at least semiannually for the purpose of evaluating the effectiveness of the protocol and appropriately modifying and updating the same, as required by O.C.G.A. § 19-15-2(g);
 - c) filing the updated protocol with the Division of Family and Children Services of the Department of Human Services and the Office of the Child Advocate for the Protection of Children no later than September 1 of each year, as required by O.C.G.A. § 19-15-2(g);
 - d) issuing the report required by O.C.G.A. § 19-15-2(i) no later than July 1 of each year and transmitting that report to the county governing authority, the fall term grand jury of the judicial circuit, the Office of the Child Advocate for the Protection of Children, and the Chief Superior Court Judge;
 - e) adopting or amending the protocol as required by O.C.G.A. § 19-15-2(h), which requires the protocol to (i) specify the circumstances under which law enforcement officers shall and shall not be required to accompany investigators from the Forsyth County Department of Family and Children Services when those investigators investigate reports of child abuse, taking into consideration the need to protect the alleged victim and the need to preserve the confidentiality of the report, (ii) establish joint work efforts between the law enforcement and

investigative agencies in child abuse investigations, (iii) describe measures which can be taken within Forsyth County to prevent child abuse, and (iv) specify procedures to be adopted by the Committee to ensure that written protocol procedures are followed; and filing and furnishing the adoption or amendment as required by that subsection;

- f) maintaining the written sexual abuse and sexual exploitation section of the protocol required by O.C.G.A. § 19-15-2(k), and filing and furnishing that section as required by that subsection; and
- g) ensuring compliance with the requirement of O.C.G.A. § 19-15-2(j) that each member of the Committee receive appropriate training within 12 months after his or her appointment. The Office of the Child Advocate for the Protection of Children is charged by that subsection with providing such training. For purposes of documenting compliance with this Order, the chairperson shall maintain records reflecting each member's compliance with the training requirement.

9. **Written Designations.** To enable the Court to maintain a current record of Committee membership and to exercise its authority under O.C.G.A. § 19-15-2(b)(1) to fill vacancies, each individual, agency, and entity required by Paragraph 2 of this Order to designate a representative shall provide the name, title, and contact information of its designated representative in writing to the Circuit Court Administrator of the Bell-Forsyth Judicial Circuit within 60 days after entry of this Order, and shall promptly provide written notice of any subsequent change in designation. The Court requests that each center identified in Paragraph 4 of this Order provide the same information within the same period, and that the chairperson provide the name, title, and contact information of the representative serving pursuant to Paragraph 5 and of any additional member appointed pursuant to Paragraph 6.
10. **Agency Participation and Enforcement.** If any designated agency fails to carry out its duties relating to participation on the Committee, the Chief Superior Court Judge may issue an order requiring the participation of such agency. Failure to comply with such order shall be cause for punishment as for contempt of court, as provided by O.C.G.A. § 19-15-2(c)(6).
11. **Confidentiality; Meetings and Records.** The following provisions of law govern the meetings, information, and records of the Committee and are set forth herein for the guidance of Committee members and the agencies they represent. Nothing in this Paragraph shall be construed to enlarge, limit, or modify the provisions of O.C.G.A. §§ 19-15-5 and 19-15-6.

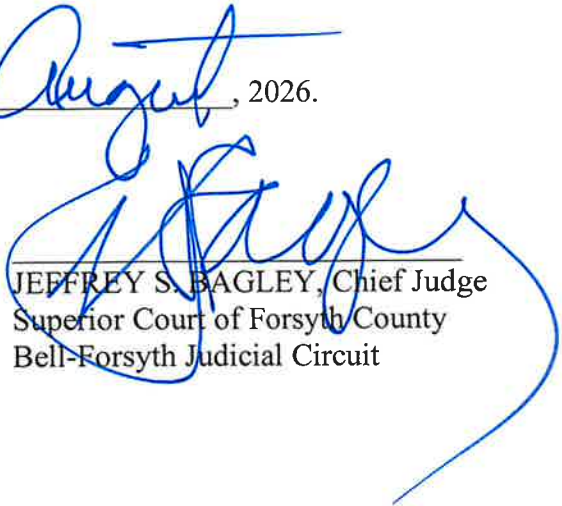
- a) **Meetings closed.** A meeting of the Committee in the exercise of its duties shall be closed to the public and shall not be subject to Chapter 14 of Title 50, relating to open meetings. O.C.G.A. § 19-15-5(a).
- b) **Confidentiality of information and records.** Except as otherwise provided in O.C.G.A. § 19-15-6, information acquired by and records of the Committee shall be confidential, shall not be disclosed, and shall not be subject to Article 4 of Chapter 18 of Title 50, relating to open records, or to subpoena, discovery, or introduction into evidence in any civil or criminal proceeding. O.C.G.A. § 19-15-6(f).
- c) **Duty of nondisclosure; penalty.** Members of the Committee shall not disclose what transpires at any Committee meeting other than a meeting made public by O.C.G.A. § 19-15-5, nor disclose any information the disclosure of which is prohibited by O.C.G.A. § 19-15-6, except to carry out the purposes of Chapter 15 of Title 19. Any person who knowingly violates O.C.G.A. § 19-15-6(d) shall be guilty of a misdemeanor. O.C.G.A. § 19-15-6(d).
- d) **Testimony.** A person who presents information to the Committee, or who is a member of the Committee, shall not be questioned in any civil or criminal proceeding regarding that presentation or regarding opinions formed by or confidential information obtained by that person as a result of serving as a member. Such person is not prohibited from testifying regarding information obtained independently of the Committee, and in any proceeding in which the testimony of a member is offered, the court shall first determine the source of the witness's knowledge. O.C.G.A. § 19-15-6(e).
- e) **Immunity.** As provided by O.C.G.A. § 19-15-6(g), a member of the Committee shall not be civilly liable or subject to criminal prosecution for any disclosure of information made by such member as authorized by that Code section.
- f) **Records public under other law.** Records and other documents which are made public records pursuant to any other provision of law shall remain public records notwithstanding their being obtained or considered by the Committee. O.C.G.A. § 19-15-6(a).
- g) **Deceased child in state custody or foster care.** Notwithstanding any other provision of law, information acquired by and documents, records, and reports of the Committee applicable to a child who at the time of his or her death was in the custody of a state department or agency or a foster parent shall not be confidential and shall be subject to Article 4 of Chapter 18 of Title 50, relating to open records. O.C.G.A. § 19-15-6(i).

12. **Prior Order.** Internal Operating Procedure 99-1 is superseded to the extent that it established, identified the membership of, or governed the Forsyth County Child Abuse Protocol Committee. Nothing in this Order governs the Forsyth County Child Fatality

Review Committee, which is separately governed by O.C.G.A. § 19-15-3, or the sexual assault protocol committee for the Bell-Forsyth Judicial Circuit, which is separately governed by O.C.G.A. § 15-24-2.

13. **Effective Date.** This Order shall be effective immediately upon entry.

SO ORDERED, this 27th day of August, 2026.


JEFFREY S. BAGLEY, Chief Judge
Superior Court of Forsyth County
Bell-Forsyth Judicial Circuit