

SEP 01 2026

CLERK SUPERIOR COURT

SUPERIOR COURT OF FORSYTH COUNTY
STATE OF GEORGIA

ADMINISTRATIVE ORDER NO. 26- 07

IN RE: FORSYTH COUNTY CHILD FATALITY REVIEW COMMITTEE

The Court enters this Order to restate the composition and responsibilities of the Forsyth County Child Fatality Review Committee under current law. O.C.G.A. § 19-15-3(a)(1) requires each county to establish a local review committee and requires the chief superior court judge of the circuit in which the county is located to establish a review committee composed as provided in that subsection. Because the Bell-Forsyth Judicial Circuit is composed solely of Forsyth County, the Committee serves as the local review committee for Forsyth County. The Committee is charged with reviewing the deaths described in O.C.G.A. § 19-15-3(e) to identify opportunities for intervention and to make recommendations for measures to prevent future deaths in similar incidents.

Internal Operating Procedure 99-1, entered April 26, 1999, reconstituted the Child Fatality Review Subcommittee as it had existed prior to the creation of the Bell-Forsyth Judicial Circuit. The child fatality review body has continued in existence and continues to meet and perform the duties assigned to local review committees under Georgia law.

The statutory membership and continuing duties of local child fatality review 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 Fatality Review Committee (the "Committee") is hereby continued and restated as the local review committee for Forsyth County pursuant to O.C.G.A. § 19-15-3. 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. § 19-15-3(a)(1), the Committee shall be composed of, but not limited to, the following members:
 - a) County Medical Examiner or Coroner;
 - b) District Attorney for the Bell-Forsyth Judicial Circuit or his or her designee;

- c) Forsyth County Department of Family and Children Services representative;
- d) Local Law Enforcement representative;
- e) Sheriff or County Police Chief or his or her designee;
- f) Juvenile Court representative;
- g) County Public Health Department representative;
- h) County Mental Health representative or Local Hospital representative; and
- i) Local School System representative.

Each member or representative presently serving in such capacity shall continue to serve unless and until a successor is selected, designated, or appointed in accordance with applicable law.

Nothing in this Order shall preclude the inclusion of additional members consistent with O.C.G.A. § 19-15-3(a)(1).

3. **Designations for Forsyth County.** Forsyth County does not operate a county police department and is served by a coroner rather than a county medical examiner.

Accordingly:

- a) the member identified in Paragraph 2(a) of this Order shall be the Forsyth County Coroner; and
- b) the member identified in Paragraph 2(e) of this Order shall be the Sheriff of Forsyth County or his or her designee.

If Forsyth County's governmental structure changes with respect to a county medical examiner or county police department, the Committee's membership shall be adjusted as necessary to remain consistent with O.C.G.A. § 19-15-3(a)(1).

4. **Chairperson and Vacancies.** The District Attorney for the Bell-Forsyth Judicial Circuit or his or her designee shall serve as chairperson of the Committee and shall preside over all meetings, as required by O.C.G.A. § 19-15-3(a)(2). If the membership of the Committee fails to fill a vacancy, the Chief Superior Court Judge shall appoint a person to fill the vacancy, as provided by O.C.G.A. § 19-15-3(c).

5. **Deaths Eligible for Review.** In accordance with O.C.G.A. § 19-15-3(e), deaths eligible for review by the Committee are all deaths of children ages birth through 17 resulting from:

- a) sudden death when an infant is in apparent good health, including sudden infant death syndrome, sudden unexplained infant death, and sleep related infant death;

- b) any unexpected or unexplained conditions;
- c) unintentional injuries;
- d) intentional injuries;
- e) sudden death when the child is in apparent good health;
- f) any manner that is suspicious or unusual;
- g) medical conditions when unattended by a physician, except that a person shall not be deemed to have died unattended when the death occurred while the person was a patient of a hospice licensed under Article 9 of Chapter 7 of Title 31;
- h) serving as an inmate of a state hospital or a state, county, or city penal institution;
or
- i) child abuse.

6. Notification of Child Deaths. The following provisions of O.C.G.A. § 19-15-3 govern the notification and reporting of child deaths and are set forth herein for the guidance of Committee members and the agencies they represent:

- a) It shall be the duty of any law enforcement officer, medical personnel, or other person having knowledge of the death of a child to immediately notify the coroner or medical examiner of the county wherein the body is found or death occurs, as required by O.C.G.A. § 19-15-3(f).
- b) If the death of a child occurs outside the child's county of residence, the medical examiner or coroner in the county where the child died shall notify the medical examiner or coroner in the county of the child's residence, as required by O.C.G.A. § 19-15-3(g).
- c) When the Forsyth County Coroner receives a report regarding the death of any child, he or she shall, within seven days of receiving notice of the child's death, send notification and a preliminary report containing all available information to the chairperson of the review committee for the county or circuit in which the child resided at the time of death, as required by O.C.G.A. § 19-15-3(h).

7. Continuing Duties. The Committee shall perform all duties imposed by O.C.G.A. § 19-15-3, including, without limitation:

- a) reviewing deaths meeting the criteria set forth in O.C.G.A. § 19-15-3(e) to identify opportunities for intervention and to make recommendations for measures to prevent future deaths in similar incidents, as provided by O.C.G.A. § 19-15-3(a)(1);

- b) convening, through its chairperson, every 30 days to review reports received pursuant to O.C.G.A. § 19-15-3(h) and to investigate the circumstances of all child deaths meeting the criteria for review under O.C.G.A. § 19-15-3(e), as required by O.C.G.A. § 19-15-3(i);
- c) when it is unclear whether a case meets the criteria for review, requesting consultation from the Georgia Bureau of Investigation as appropriate for clarification and guidance, with the final determination as to whether the case meets the statutory criteria remaining with the Committee, as provided by O.C.G.A. § 19-15-3(i);
- d) obtaining and considering the medical, investigative, agency, and other information required or authorized by O.C.G.A. § 19-15-3(i), and, when necessary, obtaining from a Superior Court Judge a subpoena to compel the production of documents or attendance of witnesses upon the finding required by O.C.G.A. § 19-15-3(i)(3);
- e) completing each required review and preparing a report of the child's death within 90 days, weekends and holidays excluded, following the first meeting held after receipt of the County Medical Examiner's or Coroner's report, and including in such report the information and findings required by O.C.G.A. § 19-15-3(j);
- f) transmitting a copy of a completed report within 15 days following its completion to the District Attorney when the report concludes that the child died as a result of a circumstance identified in O.C.G.A. § 19-15-3(k); and
- g) issuing an annual report no later than July 1 of each year which specifies the number of reports received from a County Medical Examiner or Coroner pursuant to O.C.G.A. § 19-15-3(h) during the preceding calendar year and the number of child fatality review reports prepared by the Committee during that period; publishing such annual report at least once annually in the legal organ of Forsyth County or on a publicly available website, with the expense of such publication paid by Forsyth County; and transmitting a copy of the annual report to the Georgia Child Fatality Review Panel no later than July 15 of each year, as required by O.C.G.A. § 19-15-3(l).

8. Written Designations. As an administrative requirement of this Order, to enable the Court to maintain a current record of Committee membership and to exercise its authority under O.C.G.A. § 19-15-3(c) to fill vacancies, each agency, office, and entity represented on the Committee pursuant to Paragraphs 2 and 3 of this Order shall provide the name, title, and contact information of its member, representative, or designee 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

representation. The Court requests that the chairperson provide the same information for any additional member serving pursuant to Paragraph 2 of this Order.

9. **Agency Participation and Enforcement.** The duties of a designated agency relating to participation on the Committee include attendance of an agency representative at annual training, as provided by O.C.G.A. § 19-15-3(d). The Georgia Child Fatality Review Panel is charged with providing training and written materials to local review committees to assist them in carrying out their duties, as provided by O.C.G.A. § 19-15-4(h)(7). If any designated agency fails to carry out its duties relating to participation on the Committee, including attendance of an agency representative at annual training, the Chief Superior Court Judge of the Bell-Forsyth Judicial Circuit, or any Superior Court Judge who is a member of the Georgia Child Fatality Review Panel, shall 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. § 19-15-3(d).
10. **Confidentiality; Meetings and Records.** The following provisions of law govern the meetings, information, records, and reports 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) **Committee reports public after removal of identifying information.** Reports of the Committee made pursuant to O.C.G.A. § 19-15-3 are public records and shall be released upon request, but shall be released only after expunging all information which would permit identification of the deceased or abused child, any family member of the child, any alleged or suspected perpetrator of abuse upon the child, or any reporter of suspected child abuse. O.C.G.A. § 19-15-6(b).
 - c) **Statistical compilations.** Statistical compilations of data by the Committee which contain no information permitting identification of any person are public records. O.C.G.A. § 19-15-6(c).
 - d) **Confidentiality of other 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).

- e) **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).
 - f) **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).
 - g) **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.
 - h) **Disclosure necessary to perform Committee duties.** Members of the Committee, persons attending a Committee meeting, and persons presenting information to the Committee may release information to government agencies as necessary for the purpose of carrying out assigned review committee duties. O.C.G.A. § 19-15-6(h).
 - i) **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).
 - j) **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).
11. **Prior Order.** Internal Operating Procedure 99-1 is superseded to the extent that it reconstituted or governed the Child Fatality Review Subcommittee referenced therein. Nothing in this Order governs the Forsyth County Child Abuse Protocol Committee, which is separately governed by O.C.G.A. § 19-15-2.

12. Effective Date. This Order shall be effective immediately upon entry.

SO ORDERED, this 1st day of September 2026.



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