



Foster Care in Georgia: How the System Works

A plain-language guide for biological, foster, and kinship families · The Healing Home Approach™

When a child cannot safely stay at home, several people share one goal: the child's safety and, whenever possible, a path back home. This guide explains how Georgia's child welfare system works and what each person's rights and role are, so **biological parents, kinship caregivers, and foster (resource) parents** can all understand the whole picture. Read the parts that apply to you, and read the rest to understand the people you are working alongside.

What a "dependency" case means

In Georgia, an abuse or neglect case is called a **dependency** case (the word replaced "deprivation" in 2014). It is the legal name for a case where the court looks at whether a child has been hurt, not adequately cared for, or left without a safe caregiver. It is **not** a finding that a parent is a bad person. It is about whether the child is safe and what help the family may need.

How a case usually begins

Georgia routes all reports through one statewide line: the **Centralized Intake hotline, 1-855-422-4453 (1-855-GA-CHILD)**, answered 24 hours a day. The Division of Family and Children Services (DFCS) reviews the report and responds either through the **investigation** track or the **family support** track (services without a formal investigation). **Most reports do not lead to a child being removed**; many families are offered services and support instead.

The people in a case

Who	Their role
Biological parent	The child's parent or legal custodian; usually the person the case is about, with the goal of safe reunification.
Kinship caregiver	A relative or close family friend who may care for the child during the case.
Foster (resource) parent	A trained, approved caregiver who provides temporary care when the child cannot be with family.
The child	At the center of the case; their safety and best interest guide every decision.
Child's attorney and GAL	In Georgia, one appointed attorney usually serves as both the child's lawyer and the child's Guardian ad Litem (best-interest advocate).
CASA volunteer	A trained community volunteer who may serve as the child's Guardian ad Litem, or work alongside the attorney.
DFCS case manager	From the county DFCS; assesses safety, builds the plan, and reports progress to the court.
DFCS attorney	Brings the case to court on behalf of the agency.
Parent's attorney	Represents a parent, protects their rights, and speaks for them in court.
Juvenile Court judge	Hears the evidence in Juvenile Court and makes the legal decisions; there is no jury.

Two systems, and how Georgia courts are set up

Two systems run side by side. **DFCS** (part of the Department of Human Services) looks into concerns, places children when needed, and offers services. The **court** is where a judge makes the legal decisions. Georgia hears dependency cases in **Juvenile Court**, decided by a judge with **no jury**. If a parent disagrees with the judge's final decision, the appeal goes to the **Georgia Court of Appeals**.

How a child may be removed, and whether a court order is needed

A law enforcement officer or authorized officer of the court may remove a child who is in **imminent danger** if left in the home, even **without a prior court order**, and must promptly

notify the juvenile court and the parents. Before authorizing continued removal, the court must **consider reasonable alternatives** to taking the child into care. Safety is looked at **child by child**, so in some families one child may go home while another stays in care for a time.

What biological parents have the right to

Foster and kinship caregivers: knowing these rights helps you support the child and the case.

- **A lawyer.** Parents have the right to an attorney, and to a court-appointed attorney if the court finds they cannot afford one. The court must tell them this before the hearings. Being told “you don’t need a lawyer” is not the same as having no right to one.
- **Notice and a voice.** The right to be told about hearings and to attend them.
- **A case plan and a path home.** For most families the goal is to safely return the child home. Parents have the right to a written plan listing the steps to get there.
- **Visitation (family time).** The right to visits with their child, as set by the court.
- **To challenge a finding.** A decision that adds someone to the Child Abuse Registry can be challenged (see that section).

Reasonable efforts: In most cases DFCS must make reasonable efforts to prevent removal and to help reunify the family. In limited situations a court may find those efforts are not required.

Fathers: A father who is not married to the mother may need to **establish paternity** to be fully recognized in the case and to receive notice, counsel, and placement consideration. Ask the case manager or an attorney how to start.

What kinship caregivers should know

Within **30 days** of a removal, DFCS must make a **diligent search** for relatives and others close to the child, notify them in writing, and file proof with the court, and it must keep searching after that. Georgia gives a **preference to placing a child with relatives** (kinship care) when it is in the child’s best interest. A relative may begin caring for the child while becoming approved, and DFCS offers supports and a Guide for Relative Caregivers to help.

What foster (resource) parents should know

Foster parents provide **temporary** care and, in most cases, support the goal of reunification. Georgia has a **Foster Parents Bill of Rights**, which includes being treated with respect, receiving training, being kept informed about the child, and a grievance process. As a matter of practice, foster parents are usually given notice of hearings and a chance to be heard. The **reasonable and prudent parent standard** lets foster parents make everyday, age-appropriate decisions, such as sleepovers, sports, field trips, and camps.

Siblings and older youth

Georgia works to **place siblings together** when it is safe and in their best interest. **Older youth have a say** in their own case. And youth do not simply age out at 18: through **extended care youth services**, young people can remain in DFCS care **up to age 21** while in school or working. The Independent Living Program and Chafee provide support, and Georgia’s transition effort is called **Connected by 21**.

While a child is in care: school and health

Children in foster care keep important supports. Under federal law, a child can usually **stay in their same school** when it is in their best interest, with transportation arranged. Children in care receive **Medicaid**, in Georgia through a managed-care program called **Georgia Families 360°**, and young people who age out of foster care can keep Medicaid up to age 26. It helps to ask the case manager about school stability and health appointments early.

The hearings, in order

- **Preliminary protective hearing.** The first court date after a removal, held within 72 hours of the child being placed in foster care. The judge decides whether the child stays in care and checks reasonable efforts. If the child is not returned, a dependency petition is filed within 5 days.
- **Adjudication.** Held within 10 days of the petition if the child is in care. The judge decides, by clear and convincing evidence, whether the child is dependent.
- **Disposition.** The judge decides where the child lives and approves the plan.

- **Permanency plan hearing.** Within 9 months of the child entering foster care, the court sets the permanent goal: return home, custody or guardianship with a relative, or adoption.
- **Termination of parental rights (TPR).** Decided only if the child cannot safely return home, by clear and convincing evidence.

Who comes to the hearings

Parents should attend every hearing: dress neatly, arrive early, and bring any important information written down. The child is represented by the **child's attorney and Guardian ad Litem**, and children are usually **not required to attend**, especially younger ones, though a judge can ask for a child to be present. Foster and kinship caregivers may receive notice and be heard. Juvenile Court hearings are generally **closed to the public** to protect the child's privacy. If anyone is told to bring the children, it is fair to ask which children and why.

How the child is represented

Georgia is unusual in two ways. First, **every child in a dependency case is appointed an attorney**, and that right **cannot be waived**. Second, that same attorney usually also serves as the child's **Guardian ad Litem (GAL)**, the best-interest advocate, switching off the GAL role only if a conflict arises between what the child wants and what the attorney believes is best. A **CASA** volunteer may serve as the GAL whenever possible, or work alongside the attorney. Not every case has a CASA.

Family Team Meetings

Along with court, DFCS holds **Family Team Meetings (FTM)**, where the family, relatives, supports, and the agency come together to build a plan and make key decisions, such as placement and permanency. If you are invited, it is fair to ask what will be decided and whether you may bring a support person.

The Child Abuse Registry

Georgia keeps a **Child Abuse Registry**. A person's name can be added when DFCS **substantiates** a case of abuse or neglect. DFCS must **mail notice** and the **right to a hearing** to challenge the finding, held through the Office of State Administrative Hearings. Act quickly: the deadline to ask for that hearing is stated in the notice you receive.

A few things that are unusual about Georgia

The child's lawyer is also the Guardian ad Litem. One appointed attorney usually serves both roles, separating them only if a conflict arises.

Every child gets an attorney, and that right cannot be waived, which is stronger than many states.

Georgia calls these "dependency" cases, a term it adopted in 2014 in place of "deprivation."

An independent Office of the Child Advocate oversees DFCS and investigates complaints about child welfare.

If your family may have Native American heritage

Tell your case manager and the court **right away**. A federal law, the Indian Child Welfare Act (ICWA), may give your family added protections. It applies to a child who is a member of, or eligible for membership in, a federally recognized tribe, wherever the family lives; ICWA works best when raised early.

Language and special needs: Anyone in a case can ask for a free interpreter, and should tell the court or case manager early about any medical, medication, or disability needs for themselves or the child.

A few court words, in plain language

Dependency: Georgia's word for an abuse or neglect case; it replaced "deprivation" in 2014.

Adjudication: the hearing where the judge decides whether the child is dependent.

Disposition: the judge's decision about where the child lives and what the plan requires.

Guardian ad Litem (GAL): the person who represents the child's best interest; in Georgia this is usually the child's attorney or a CASA.

Permanency: the long-term plan for the child: home, a relative, or adoption.

The typical schedule

Stage	Typical timing in Georgia
Report and response	Call 1-855-GA-CHILD; DFCS responds with an investigation or the family support track.
Emergency removal	A child in imminent danger may be removed; the court and parents are notified promptly.
Preliminary protective hearing	Within 72 hours of the child being placed in foster care.
Adjudication	Within 10 days of the petition if the child is in care; clear and convincing evidence.
Disposition	The court decides where the child lives and approves the plan.
Permanency plan hearing	Within 9 months of the child entering foster care.
Termination of parental rights	Decided only if the child cannot safely return home; clear and convincing evidence.

Questions worth asking your case manager or attorney

- Is this an investigation or the family support track, and what does that mean for us?
- Is my child in care, and when is the preliminary protective hearing?
- How do I ask the court to appoint an attorney for me?
- Have relatives been searched for and notified, and can a relative be considered for placement?
- What is the case plan, and what specifically needs to change for the child to come home?
- If DFCS substantiated a finding against me, what is my deadline to ask for a hearing?

If you have a concern: the Office of the Child Advocate

Georgia has an **independent** Office of the Child Advocate (OCA) that oversees DFCS and **receives and investigates complaints** about how children in the child welfare system are treated, acting in an ombudsman role. It does not give legal advice or change court decisions, but it can look into concerns and recommend changes.

Phone: (404) 656-4200 · **Online:** oca.georgia.gov

Where to get help

Ask the court or your case manager how to reach your **court-appointed attorney**, **Georgia Legal Services**, and your **local CASA program**. To report concerns about a child's safety, call **1-855-422-4453 (1-855-GA-CHILD)**.

Georgia official sources (retrieved June 2026)

[O.C.G.A. 15-11-133 Emergency removal](#) · [O.C.G.A. 15-11-145 Preliminary protective hearing](#) · [O.C.G.A. 15-11-181 Adjudication](#) · [O.C.G.A. 15-11-103 Child's & parents' counsel](#) · [O.C.G.A. 15-11-104 Guardian ad Litem](#) · [O.C.G.A. 15-11-211 Relative search & notice](#) · [O.C.G.A. 15-11-232 Permanency plan](#) · [O.C.G.A. 15-11-320 Termination standard](#) · [O.C.G.A. 49-5-183 Child Abuse Registry appeal](#) · [O.C.G.A. 49-5-281 Foster Parents Bill of Rights](#) · [GA DFCS: How to report](#) · [GA Office of the Child Advocate](#) · [GA DHS: Connected by 21 \(extended care\)](#)

Please verify before you rely on this guide

This document is a **general educational overview only**. It is **not legal advice** and should not be treated as a statement of current law or of the facts of any case. Laws, policies, timelines, and phone numbers change, and they can be applied differently from one county, court, case manager, or family to the next. **Before you act on anything here, confirm it** with your county DFCS case manager, the court, or a licensed Georgia attorney. Reading this guide does not create an attorney-client or other professional relationship.