



State of Georgia
Juvenile Court of Forsyth County
Bell-Forsyth Judicial Circuit

875 LANIER 400 PARKWAY | SUITE 100 | CUMMING, GEORGIA | TELEPHONE (770) 781-3099

CHRISTOPHER W. WILLIS

PRESIDING JUDGE

**MEMORANDUM AND ACKNOWLEDGMENT CONCERNING PRIVATE DEPENDENCY
PETITIONS**

You have been provided with this dependency packet because you have expressed the desire to become the temporary custodian and/or guardian of a minor child that you believe to be in need of this Court's protection due to being abused or neglected or otherwise without his or her parent, guardian, or legal custodian.

Please complete the pleadings contained in this packet in their entirety and present them to the Clerk of the Forsyth County Juvenile Court for filing. The Clerk of Court will accept your pleadings and submit them to the Court for review and endorsement. If endorsed by the Court, your pleadings will be filed, and a hearing will be set within 30 days of the date of filing. **You will receive notice of the hearing via statutory electronic service to the email address you provide in your pleadings, so please ensure that all contact information is correct.**

You must file this Memorandum as part of your dependency pleadings. Please initial the following in order to confirm your understanding of each:

_____ **If the child is in immediate danger and/or at risk of imminent physical harm and needs to be removed from his/her home immediately, please contact law enforcement and/or the Forsyth County Division of Family and Children Services.** This court will not issue an emergency ex-parte custody order in a private dependency matter.

_____ Neither the Clerk of Court, the Judge's office, nor any other employee of the Forsyth County Clerk of Court, Court Administration, or Juvenile Court can provide you with any legal advice or assist you with the prosecution of your dependency matter.

_____ Dependency actions are complex and nuanced under Georgia and federal law and can be difficult for a layperson to navigate. **While you are entitled to represent yourself, you are strongly encouraged to obtain the assistance of an attorney.**

_____ You may be required to provide a statement of your prior history with Child Protective Services in all states, if any, and your Georgia and federal criminal background reports.

_____ The purpose of dependency matters in this Court is first and foremost to reunify families and, when aggravating factors do not exist, this Court's orders will support the reunification of children with their parents. Permanent custody is a remedy that is not legally available via a dependency matter. **Permanent custody disputes between parents or between parents and third parties should be filed in Superior Court and do not fall under the jurisdiction of Juvenile Court.**

_____ Parents/custodians of children who are the subject of dependency proceedings are entitled to representation by an attorney in dependency matters. If the parent/custodian cannot afford to hire an attorney, the court will provide an attorney for the parent/custodian who will be available to represent the parent/custodian at all stages of the proceedings.

_____ The Court will appoint each child who is the subject of a dependency action an Attorney and a Guardian ad Litem as required by law. By filing a Petition for Dependency, you are certifying that you will cooperate with all representatives appointed to represent the child(ren) for whom you are seeking protection.

_____ I affirm that this is not a custody dispute and that I support reunification efforts if reunification is found to be in the best interest of the child(ren).

_____ I affirm that the child(ren) are not in immediate danger but that I believe the child(ren) to be in an ongoing state of abuse or neglect.

_____ I understand the peril to my case should I proceed without an attorney.

_____ I understand that neither court staff nor the clerk's office can assist me or give me legal advice.

_____ I understand that my action cannot be heard until the parent(s)/custodian(s) and the child(ren) are properly served with this action according to law.

By placing my signature below, I affirm that I have read and understand this Memorandum.

PETITIONER
Print Name:
Date:

Sworn and subscribed
Before me this _____
Day of _____, 2019.

NOTARY PUBLIC

**IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA**

In the Interest of:

DOB: AGE: SEX: **CASE NO.:** _____

DOB: AGE: SEX: **CASE NO.:** _____

Minor child(ren) under the age of eighteen (18) years.

AFFIDAVIT REGARDING HOUSEHOLD MEMBERS

I, _____, hereby attest that the following information regarding members of the household in which I propose the child be placed by the Court is true and accurate to the best of my knowledge. I certify that I have listed each and every household member, including myself and any party to this case, below.

ADDRESS: _____

Name	Date of Birth	Relationship to child(ren)	Does this person have history with any state's Child Protective Services? (Y/N). If yes, list year, county/state.	Has this person had any criminal convictions? (Y/N) If yes, list charges and county/state in which they occurred.

Sworn to a subscribed before me
 this ____ day of _____, 2019.

 PETITIONER

 NOTARY PUBLIC

IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA

In the Interest of:

DOB: AGE: SEX: CASE NO.: _____

DOB: AGE: SEX: CASE NO.: _____

Minor child(ren) under the age of eighteen (18) years.

AFFIDAVIT CONCERNING CHILD CUSTODY

Personally appeared before the undersigned attesting officer duly authorized to administer oaths, came _____ who, after being duly sworn, states as follows:

1.

My name is _____. This affidavit is made in connection with a Petition for Dependency I filed as to the above-named child(ren) in the Juvenile Court of Forsyth County.

2.

The name and present address of each child named in the above styled action are:

3.

In the past five (5) years, the child(ren) have resided at the following addresses and in the custody of the following persons:

4.

I have / have not participated as a party, witness, or in any other capacity in any other litigation concerning the custody of any child named above in this or any other state.

5.

I am / am not aware of any proceeding concerning custody of the above-named child(ren) pending in this or any other state.

6.

I do know / do not know of any person not a party to this proceeding who has custody of the child or claims to have custody or visitation rights with respect to the child.

7.

To the best of my knowledge, the county and state in which any proceeding identified in paragraphs 5 or 6 above was brought are as follows:

8.

I understand that I am under a continuing duty to inform the court if I become aware of any custody proceeding concerning the child(ren) in this or any other state at any time during these proceedings.

Further affiant sayeth not.

PETITIONER

Print Name:

Date:

Sworn and subscribed
before me this _____
day of _____, 2019.

NOTARY PUBLIC

COMPLAINT
IN THE JUVENILE COURT OF
FORSYTH COUNTY, GEORGIA

Child Name: _____ Case Number: _____

Name _____

AKA: _____ Email Address: _____ DOB: _____

Sex: _____ Lives _____

Child's _____ With: _____ Telephone: _____

Address _____

(Street) (Apt#) (City) (County) (State) (Zip)

Mother's _____ Telephone: Res.: _____

Name: _____ Email Address: _____

(include Mother's Maiden Name in Parentheses) Telephone: _____

Mother's _____

Address _____

(Street) (Apt#) (City) (County) (State) (Zip)

Father's _____ Telephone: Res.: _____

Name: _____ Email Address: _____

Telephone: _____

Father's _____

Address _____

(Street) (Apt#) (City) (County) (State) (Zip)

Legal Custodian's _____

Name: _____ Email Address: _____

Telephone: _____

Custodian's _____

Address _____

(Street) (Apt#) (City) (County) (State) (Zip)

Complaint: _____

(Code Section) (Misd/Fel) (Date of Offense)

Complaint: _____

(Code Section) (Misd/Fel) (Date of Offense)

Complaint: _____

(Code Section) (Misd/Fel) (Date of Offense)

Taken Into Custody _____ Yes () No ()

By Whom: _____

(Name) (Agency)

Placement of _____ Date: _____

Deprived Child _____ Time: _____

Person Notified _____ Date: _____

By: _____ Via: _____ Time: _____

Detained: _____ Yes () No () Place _____ Date: _____

Authorized by: _____ Detained _____ Time: _____

Released To: _____ Date: _____

Relation: _____ Time: _____

Co-Perpetrators: _____

(Name and Age)

Co-Perpetrators: _____

(Name and Age)

Victim's Name _____ Phone # _____

Victim's Address: _____

Victim's Name _____ Phone # _____

Victim's Address: _____

Name of Child _____

Give Complete Details of the Facts Underlying your Allegations and Complaints:

Investigating Officer: _____ P.D. Report # _____ Phone # _____

Complainant's	Complainant's
Name: _____	Address: _____

Signature(s): _____

Date: _____

Phone: _____

IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA

In the Interest of:

_____ CASE NO.: _____
DOB: AGE: SEX:

_____ CASE NO.: _____
DOB: AGE: SEX:

Minor child(ren) under the age of eighteen (18) years.

PETITION FOR DEPENDENCY

COMES NOW, Petitioner _____, and files this
Petition for Dependency pursuant to O.C.G.A. § 15-11-150, showing to the Court the following in
support thereof:

1.

The above-named minor child(ren) is/are of the name(s), age(s), and sex(es) as stated above.
The minor child(ren) currently reside(s) at _____
and are subject to this Court's jurisdiction. Venue is proper in this Court.

2.

The Mother of the above-named minor child(ren) is _____
who currently resides and can be served with a copy of this Petition at: _____

3.

The Father of the above-named minor child(ren) is _____
who currently resides and can be served with a copy of this Petition at: _____

4.

The Mother and the Father were / were not married at the time the child was born. The Mother and the Father are / are not currently married. If the Mother and Father have never been married, the Father has / has not legitimated the minor child in a Court of Law.

5.

The minor child is not currently in protective custody.

6.

The minor child is presently dependent as defined by O.C.G.A. § 15-11-2(22) in that the child is:

- Abused or neglected and is in need of the protection of the court;
- Has been placed for care or adoption in violation of law; and/or
- Is without his or her parent, guardian, or legal custodian.

7.

The child is a dependent child based upon the following grounds:

- Failure of the parent or custodian to provide proper parental care or control, subsistence, education as required by law, or other care or control necessary for the child(ren)'s physical, mental, or emotional health or morals
- Failure of the parent or custodian to provide the child(ren) with adequate supervision necessary for the child(ren)'s well-being
- Abandonment:
 - Failure, for a period of at least six months, to communicate meaningfully with the child(ren)
 - Failure, for a period of at least six months, to maintain regular visitation with the child(ren)
 - Leaving the child(ren) with another person without provision for his/her/their support for a period of at least six months
 - Failure, for a period of at least six months, to participate in any court ordered plan or program designed to reunite the child(ren)'s parent, guardian, or legal custodian with his or her child(ren)

- Leaving the child(ren) without affording means of identifying such child(ren) or his or her parent, guardian, or legal custodian; the identity of such child(ren)'s parent, guardian, or legal custodian cannot be ascertained despite diligent searching; AND a parent, guardian, or legal custodian has not come forward to claim such child(ren) within three months following the finding of such child(ren).
- Being absent from the home of the child(ren) for a period of time that creates a substantial risk of serious harm to the child(ren) left in the home
- Failure to respond, for a period of at least six months, to notice of child protective proceedings
- Other conduct indicating an intent to forgo parental duties or relinquish parental claims (please describe): _____

- The child(ren) suffered a physical injury as a result of the act or omission of the parent or custodian which was nonaccidental or is inconsistent with the explanation given for it
- Emotional abuse
- Sexual abuse or sexual exploitation
- Prenatal abuse
- The commission of an act of family violence as defined by O.C.G.A. § 19-13-1 in the presence of a child which the child was able to see or hear.

8.

The following factors apply to this case: (Mark all applicable. If none applicable, mark N/A)

- N/A
 - Educational Neglect
 - Medical Neglect
 - Unstable employment
 - Inadequate or unstable housing
 - Other:
 - Biological Father has not legitimated
 - Mental impairment of parent
 - Substance Abuse by parent/custodian
 - Incarceration of parent/custodian
-

10.

It is in the best interest of the child(ren) and the public that the proceedings be brought.

11.

It is in the best interests of the minor child(ren) to continue in the custody of the parent/custodian / be placed in the temporary custody of _____ pursuant to O.C.G.A. Sections 15-11-133(a) and 15-11-212(a)(2)(A). The proposed custodian has the following relationship with the child: _____.

WHEREFORE, Petitioner prays that:

- A. The Court find the child(ren) to be dependent as defined by O.C.G.A. § 15-11-2(22);
- B. The Court find that it is contrary to the welfare of the child(ren) to remain in the custody of his/her/their parent(s)/legal custodian(s);
- C. The Court place the child(ren) in the temporary legal and physical custody of _____ based upon a finding that said placement is in the best interests of the child(ren);
- D. The Court implement a reunification plan; or, if aggravating circumstances exist, the Court enter an order finding non-reunification to be in the best interests of the child(ren) and implementing an alternative permanency plan;
- E. Summons and Process issue;
- F. The Court schedule a hearing at which this Petition for Dependency is adjudicated; and
- G. The Court grant other and further relief as the Court deems equitable, just, and in the best interests of the child(ren).

Respectfully submitted this ____ day of _____, 2019.

Sworn to a subscribed before me
this ____ day of _____, 2019.

NOTARY PUBLIC

Petitioner
Print name:
Address:
Telephone Number:
Email address:

**IN THE JUVENILE COURT OF FORSYTH COUNTY
STATE OF GEORGIA**

In the Interest of:

DOB: AGE: SEX: **CASE NO.:** _____

DOB: AGE: SEX: **CASE NO.:** _____

Minor child(ren) under the age of eighteen (18) years.

VERIFICATION

Personally appeared before the undersigned, an officer duly authorized by law to administer oaths, _____, who, after being duly sworn, states under oath that he/she is legally competent to make this Verification and that the facts alleged in the attached Petition for Dependency are true and correct to the best of his/her knowledge.

This ____ day of _____, 2019.

PETITIONER

Print Name:

Sworn to a subscribed before me
this ____ day of _____, 2019.

NOTARY PUBLIC
My commission expires:

ENDORSEMENT

The filing of the above Petition is in the best interest of the minor child and the public and is therefore approved.

This ____ day of _____, 2019.

Court Designee