

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

In the Interest of:

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

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

**MOTION FOR DISCOVERY
(DEPENDENCY OR TERMINATION OF PARENTAL RIGHTS)**

COMES NOW, _____, _____ of/for the
above-named child(ren), by and through counsel and pursuant to O.C.G.A. § 15-11-170 and/or
O.C.G.A. § 15-11-264, and says the following in support of this Motion for Discovery (“Motion”):

1.

Request for Mandatory Discovery

O.C.G.A. §§ 15-11-170(a) and 15-11-264(a) provide for mandatory discovery in all cases
where dependency is alleged and/or termination of parental rights is sought. This Motion
constitutes a written request that _____ (“the Responding Party”)
produce the following to the Movant for inspection, copying or photographing:

- a. The names and telephone numbers of each witness likely to be called to testify at a hearing
by the Responding Party;
- b. A copy of any formal written statement made by the alleged dependent child(ren) or any
witness that relates to the subject matter concerning the testimony of the witness that the
Responding Party intends to call as a witness at the hearing;
- c. Except as otherwise provided in O.C.G.A. §§ 15-11-170(b) and 15-11-264(b), any scientific
or other report which the Responding Party intends to introduce at any hearing or that
pertains to physical evidence which the Responding Party intends to introduce at any
hearing;
- d. Any drug screen concerning the alleged dependent child(ren) or his or her or their parent,
guardian, or legal custodian;

- e. Any case plan concerning the alleged dependent child(ren) or his or her or their parent, guardian, or legal custodian;
- f. Any visitation schedule related to the alleged or dependent child(ren);
- g. Photographs and any physical evidence which the Responding Party intends to introduce at any hearing;
- h. Copies of any police incident reports regarding an occurrence which forms part or all of the basis of the petition; and
- i. Any other relevant evidence not requiring consent or a court order under subsection (b) of O.C.G.A. §§15-11-170 and 15-11-264.

2.

Acknowledgment of Mandatory Reciprocal Discovery

Pursuant to O.C.G.A. §§ 15-11-170(c) and 15-11-264(c), when a party requests mandatory discretionary discovery, it shall be the duty of such party to promptly make the following available for inspection, copying, or photographing to every other party:

- a. The names and last known addresses and telephone numbers of each witness to the occurrence which forms the basis of the Movant's defense or claim;
- b. Any scientific or other report which the Movant intends to introduce at a hearing or that pertains to physical evidence which the Movant intends to introduce at a hearing;
- c. Photographs and any physical evidence which the Movant intends to introduce at a hearing; and
- d. A copy of any written statement made by any witness that related to the subject matter concerning the testimony of the witness that the Movant intends to call as a witness.

As such, the Movant acknowledges his/her obligation to provide reciprocal discovery and hereby certifies that he/she has done and/or will do so pursuant to the time limitations set forth in O.C.G.A. §§ 15-11-170(d) and 15-11-264(d).

3.

Motion for Discovery

O.C.G.A. §§ 15-11-170(b) and 15-11-264(b) provide that upon presentation of a court order the following shall be made available for inspection, copying or photographing:

- a. Any psychological, developmental, physical, mental or emotional health, or other assessments of the alleged dependent child(ren) or his or her or their family, parent, guardian, or legal custodian;

- b. Any school record concerning the alleged dependent child(ren);
- c. Any medical record concerning the alleged dependent child(ren);
- d. Transcriptions, recordings, and summaries of any oral statement of the alleged dependent child(ren) or any witness, except child abuse reports that are confidential pursuant to O.C.G.A. § 19-7-5 and work product of counsel;
- e. Any family team meeting report or multidisciplinary team meeting report concerning the alleged dependent child(ren) or his or her or their parent, guardian or legal custodian;
- f. Supplemental police reports, if any, regarding an occurrence which forms part or all of the basis of the petition; and
- g. Immigration records concerning the alleged dependent child(ren).

As such, the Movant requests a court order directing the Responding Party to make all records in his/her/its possession and described above available to the Movant for inspection, copying, and photographing.

4.

Additional Requests for Discovery

Pursuant to O.C.G.A. §§ 15-11-170(h) and 15-11-264(h), the Movants request the court direct the Responding Party to make the following additional discovery available to the Movant for inspection, copying, and photographing:

- a. _____
- b. _____
- c. Any other and further information from the Responding Party's possession that, upon in-camera inspection of the Court, the Court deems relevant to the relief sought by any party in the above-styled action.

5.

The Movant certifies/certify that prior to filing this Motion for Discovery, the Movant made a written request for all discovery itemized above and the information was not produced pursuant to the timelines set forth in O.C.G.A. § 15-11-170(d) and 15-11-264(d).

WHEREFORE, the Movant respectfully requests that this Court order the Responding Party to produce the discovery detailed and enumerated herein or, as an alternative, and in relevant portion, that the Court conduct an in-camera inspection of the Responding Party's records and release the discovery enumerated herein to the Movant.

Respectfully submitted, this _____ day of _____, 20____.

PRINT NAME:

Attorney for the _____

Georgia Bar No. _____

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

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

CERTIFICATE OF SERVICE

This is to certify that I have this day served a true and correct copy of the above and foregoing Motion for Discovery upon each and every party to this matter, by hand delivery, electronic mail and/or US Mail, postage prepaid and properly addressed to the following locations:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Respectfully submitted this ____ day of _____, 20____.

PRINT NAME:

Attorney for the _____

Georgia Bar No. _____

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A Motion for Discovery having been filed by the _____ in the above-styled matter, all parties shall appear at the Forsyth County Juvenile Court, 875 Lanier 400 Parkway, Cumming, Georgia 30040, on the _____ day of _____, 20____, at ____:_____.m. to show cause why the prayers of the Movant should not be granted.

This _____ day of _____, 20_____.

JUDGE
Forsyth County Juvenile Court