

## **APPENDIX**

### Guidelines for Maintaining a Juvenile Court Docket for the Council of Juvenile Court Judges of Georgia

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### **JUVENILE DOCKET SHEET INSTRUCTIONS**

Uniform Juvenile Court Rule 3.2 requires that each juvenile court clerk keep a juvenile docket book. The juvenile docket book must contain a completed Form JUV-16 for each new case referred to the court. Rule 3.1(a) requires the clerk to follow the instructions below in completing the docket forms and maintaining the docket book.

The clerk shall make the docket book available for review by a representative of the Council of Juvenile Court Judges upon the Council's request. In lieu of maintaining a juvenile docket book and making such available to the Council for review, the clerk may furnish the Council, upon the Council's request, with the same data as that on the uniform docket by means of computer tape or other electronic means in a record format approved by the Council of Juvenile Court Judges.

#### Docket Entries

##### 1. Case Number

A. Procedure. Enter the case number assigned by the court for each child referred to the juvenile court by way of a complaint in the appropriate space at the top right hand corner of the docket page. A case is opened when an offense or a group of offenses are referred to the court against or on behalf of the child on the same day by the same referring entity. A case contains all offenses arising out of the same conduct, transaction, or event within

the same jurisdiction, regardless of the number of offenses involving the same child. A case is opened to resolve any postdispositional motion.

#### B. Specific Information and Examples.

- (1) Several children who participate in one or more offenses together should be counted separately. Make a separate case entry for each child. Each child is assigned a separate case number.
- (2) Multiple offenses within the same case must be docketed. For example, Adam Smith is charged with two counts of burglary. One docket sheet should be filled out completely listing all information pertinent to count one, #101-A. The next case entry on the docket sheet should contain all information pertinent to count two, #101-B. It is not necessary to duplicate the preliminary information for count two; however, it is important to enter the relevant dates for each count on the docket sheet.
- (3) In deprivation and custody cases involving more than one child, separate case entries and case numbers are assigned for each child even though the children are listed on the same petition. This enables one to track individual case dispositions on each child in the docket book.
- (4) Violations of probation are considered new cases and complete dispositional information must be provided on the docket sheet. Always assign new case numbers rather than assigning the same number as the case from which the offense originated.
- (5) It is not necessary to inform the Council of a termination of probation order. This is not considered a new case.
- (6) Postdispositional motions for contempt constitute a new case. Predispositional motions for contempt do not constitute a new case.
- (7) A judicial review of a deprived case constitutes a new case. A judicial citizen review panel review of a deprived case does not constitute a new case, but an appeal of a judicial citizen review panel report constitutes a new case.

2. Name. Enter the full name of the child in the following order: last name, first name, and middle name.

3. Address. Enter the child's complete address.

4. Race. Mark the appropriate box.

5. Age. Enter the age of the child as shown on the complaint form

6. Date of Birth ("DOB"). Enter the child's date of birth. This information is extremely important. The child's current age is calculated by subtracting the DOB from the date the complaint was filed.

7. Sex. Mark the appropriate box.

8. Complaint. The complaint includes proceedings against or on behalf of a child, regardless of whether a petition has been filed.

A. Procedure. Enter the written description of the offense and reference the relevant code section of the Official Code of Georgia, local ordinance or federal statute.

B. Example. Theft by taking O.C.G.A. §16-8-2.

9. Type of Case.

A. Procedure. Mark the appropriate box which classifies the case type. All cases must be classified as one of the following case types: 1) delinquency; 2) unruly; 3) deprivation; 4) termination of parental rights; 5) special proceedings; or 6) traffic. If the "delinquency" box is checked, also indicate whether the offense is a felony or misdemeanor.

B. Case Type Classifications.

(1) The following occurrences will result in the opening of a delinquency case:

- a. A complaint alleging delinquency is filed.
- b. A Georgia Natural Resources/Game and Fish Division Notice of Summons is filed.
- c. A delinquency case is received from the superior court by superior court order or transfer by the district attorney pursuant to §15-11-28(b)(2)(B) for either adjudication or disposition.
- d. A delinquency case is received from another juvenile court (within Georgia or another state) for disposition. O.C.G.A. §15-11-87, §15-11-88.
- e. A delinquency case is received from another juvenile court (within Georgia or another state) for supervision of probation. O.C.G.A. §15-11-87, §15-11-90.
- f. A case alleging delinquency is received from another juvenile court for adjudication.
- g. A petition to modify/vacate a previous order arising out of a delinquency case is filed. O.C.G.A. §15-11-40.
- h. A motion to extend commitment arising out of a delinquency case is filed. O.C.G.A. §15-11-70.
- i. A motion to extend probation arising out of a delinquency case is filed. O.C.G.A. §15-11-58(o).

- j. Any postdispositional motion arising out of a delinquency case is filed excluding motions for contempt.
- (2) The following occurrences will result in the opening of an unruly case:
- a. A complaint alleging unruly conduct is filed.
  - b. An unruly case is received from another juvenile court (within Georgia or another state) for disposition. O.C.G.A. §15-11-87, §15-11-88.
  - c. An unruly case is received from another juvenile court (within Georgia or another state) for supervision of probation/supervision. O.C.G.A. §15-11-87, §15-11-90.
  - d. A case alleging unruly conduct is received from another juvenile court for adjudication.
  - e. A petition to modify/vacate a previous order arising out of an unruly case is filed. O.C.G.A. §15-11-40.
  - f. A motion to extend commitment arising out of an unruly case is filed. O.C.G.A. §15-11-70.
  - g. A motion to extend probation arising out of an unruly case is filed. O.C.G.A. §15-11-58(o).
  - h. Any postdispositional motion arising out of an unruly case is filed excluding motions for contempt.
- (3) The following occurrences will result in the opening of a deprivation case:
- a. A complaint alleging deprivation is filed or on motion of the court.
  - b. A petition to modify/vacate a previous order arising out of a deprivation case is filed. O.C.G.A. §15-11-40.
  - c. A motion to modify/extend custody arising out of a deprivation case is filed. O.C.G.A. §15-11-58.
  - d. Any postdispositional motion arising out of a deprivation case is filed excluding motions for contempt.
  - e. A deprivation case is received from another juvenile court. O.C.G.A. §15-11-29, §15-11-30.5.
- (4) The following occurrences will result in the opening of a termination of parental rights case:
- a. A petition for termination of parental rights is filed. O.C.G.A. §15-11-94.

- b. A petition to modify/vacate a previous order arising out of a termination of parental rights case is filed. O.C.G.A. §15-11-40.
  - c. Annual review by the court to determine what efforts have been made to assure the child's adoption. O.C.G.A. §15-11-103(d).
  - d. Any postdispositional motion arising out of a termination of parental rights case is filed excluding motions for contempt.
- (5) The following occurrences will result in the opening of a special proceedings case:
- a. An application to marry is filed. O.C.G.A. §15-11-28(a)(2)(A).
  - b. An application to enlist in the military is filed. O.C.G.A. §15-11-28(a)(2)(A).
  - c. An application to seal a child's record is filed or on court's own motion. O.C.G.A. §15-11-79.2.
  - d. An application to unseal a child's previously sealed record is filed. O.C.G.A. §15-11-79.2.
  - e. A petition for waiver of the parental notification requirement for an abortion is filed. O.C.G.A. §15-11-112.
  - f. The court orders a child committed to a mental health facility. O.C.G.A. §15-11-149.
  - g. A petition for access to law enforcement records is filed. O.C.G.A. §15-11-79.
  - h. An application for the appointment of a guardian is filed.
  - i. Any postdispositional motion for contempt order is filed. Predispositional contempt actions do not constitute a new case. O.C.G.A. §15-11-5.
  - j. An application for protective order is filed or on court's own motion. O.C.G.A. §15-11-11.
  - k. A petition to modify/vacate a previous order is filed. O.C.G.A. §15-11-40.
  - l. A case is transferred to juvenile court pursuant to §15-11-28(c) for determination or investigation of custody or support.
  - m. A petition for return of personal property is filed.
  - n. A request for research is filed.
  - o. A petition for legitimation is filed.
  - p. A legitimation petition is transferred to the juvenile court by order of the superior court.
  - q. A petition to proceed against a parent or guardian pursuant to O.C.G.A. §20-2-766.1 is filed by a local school board. O.C.G.A. §15-11-28(a)(2)(E).

r. A request for dissolution of a temporary guardianship is received upon transfer from a probate court. O.C.G.A. §29-4-4.1.

(6) The following occurrences result in the opening of a traffic case:

a. A uniform traffic citation is issued or a complaint alleging a traffic violation is filed. O.C.G.A. §15-11-73.

b. A petition to modify/vacate a previous order arising out of a traffic case is filed. O.C.G.A. §15-11-40.

### C. Examples

(1) A charge of burglary would be entered as:

delinquency       felony

(2) A truancy charge would be entered as:

unruly

(3) If the complaint is "violation of probation," the type of case is the same as that of the original offense. For example, if a child was placed on probation for truancy, an unruly offense, the violation of probation would also be classified as an "unruly" offense. If a child was placed on probation for criminal trespass, a misdemeanor, the violation of probation would be classified as delinquent - misdemeanor.

10. Referral Source. Enter the referral source for the complaint, such as Atlanta PD, DFCS, Parent, Court, etc. This information is also contained on the complaint form under "complainant."

11. Child's Attorney Type. Indicate the child's attorney type by checking the appropriate box.

12. Date of Bond, Type, Amount. If the court sets bond for the child, indicate the date, type, and amount. For example, Date: 01/10/91 Type: Cash Amount: \$150.00.

13. Date Complaint Received. Enter the date the complaint was physically received by the court.

14. Date Child Taken Into Custody. Enter the date that the child was physically taken into custody by law enforcement. If the child was not taken into custody, leave the space blank.

15. Date When and Location Where Child Was Detained or Placed. Enter the date the child was detained or placed, and place an "x" in the appropriate box:

RYDC,  Detention Home,  Foster Care,  Shelter Care,  Other.

16. Detention Hearing Date. If a detention hearing was held, enter the date.

17. Released To. If the child was taken into custody, enter the date and to whom the child was released, regardless of whether or not there was a detention hearing.

Example:       04/11/91 - Date child was taken into custody  
                  Released to - Joan DeWitt  
                  Relationship - Mother

18. Date Petition Filed. Enter the date the petition was filed in the clerk's office.

19. Date of Arraignment, If Held. Enter the date of the arraignment if applicable. If the court has a judicial process, other than a formal arraignment hearing, in which the child is informed of the charge(s) against him/her, his/her rights are explained, and a plea is entered, this can be considered an arraignment for practical purposes and the date of that proceeding should be entered.

Dismissed or Withdrawn Prior to Adjudication. If the case is dismissed or withdrawn prior to adjudication, enter the date.

20. Adjudicatory Hearing Date. Enter the date of the adjudicatory hearing.

21. Date of Disposition. Enter the date the court makes a final disposition. If the court orders that the child be placed on probation, enter the date the child is placed as the date of disposition. The case is legally closed since the court rendered a final disposition. In deprivation cases, do not hold the cases "open" until a termination order is given.

22. Offense Disposition. Check the appropriate box to indicate the offense disposition or court action for each offense.

A. If the case type is delinquency or unruly, the offense disposition will be one of the following:

- (1) Adjudicated - Check this option if the court finds the child committed the offense.
- (2) Amended/reduced - Check this option if the court amends or reduces the offense. For example, if the court reduces a charge of aggravated battery to battery, this option should be selected.
- (3) Dismissed - Check this option if the complaint or petition is dismissed for any reason prior to trial or the court finds at trial that the child is not delinquent or unruly. Check this option if the case is diverted.
- (4) Transferred to another juvenile court - Check this option if the court transfers the case to another juvenile court for trial.

(5) Transferred to superior court - Check this option if the court transfers the case to the superior court for trial.

(6) Informal adjustment - Check this box if the offense is disposed of informally and no petition is filed. If this option is selected, the "case disposition" will also be "informally adjusted."

B. If the case type is deprivation, the offense disposition will be one of the following:

(1) Adjudicated - Check this option if the court finds the child is deprived.

(2) Dismissed - Check this option if the court dismisses the case for any reason prior to trial or finds that the child is not deprived at trial.

(3) Order entered - Check this option if the court enters an order following a judicial review of a deprivation case or an appeal of a judicial citizen review panel report conducted pursuant to O.C.G.A. §15-11-58.

C. If the case type is termination of parental rights, the offense disposition will be one of the following:

(1) Granted - Check this option if the court grants the petition for termination of parental rights.

(2) Denied - Check this option if the court denies the petition for termination of parental rights.

(3) Dismissed - Check this option if the petition for termination of parental rights is dismissed for any reason prior to trial. Example: petition is withdrawn by DFCS.

(4) Order Entered - Check this option if the court enters an order following an annual review by the court to determine what efforts have been made to assure the child's adoption pursuant to O.C.G.A. §15-11-103.

D. If the case type is special proceedings, the offense disposition will be one of the following:

(1) Granted - Check this option if the court grants the petition.

(2) Denied - Check this option if the court denies the petition.

(3) Dismissed - Check this option if the court dismisses the petition for any reason prior to hearing the petition on the merits.

E. If the case type is traffic, leave the offense disposition blank.

23. Case Disposition. Mark the appropriate box to indicate the type of disposition for each offense.

Informal Adjustment. Check this box if the case is informally adjusted and no petition is filed. An informal adjustment may include the following: (1) counsel and advice for a period of up to 90 days under O.C.G.A. §15-11-69 before a petition is filed; (2) warning; (3) reprimand; or (4) probation with no official court action.

Probation/Supervision. Check this box if probation or supervision with official court action is ordered by the judge. This box should also be marked if the judge orders restitution without ordering probation or supervision.

Probation - Detention under O.C.G.A. §15-11-66(b). Check this box if the court places the child on probation and further orders that the child be detained for up to 90 days in a YDC.

Detention under O.C.G.A. §15-11-66(b). Check this box if the court orders that the child be detained for up to 90 days in a YDC. Do not check this box if the court further orders that the child be placed on probation or be committed to DJJ.

Committed. Check this box if the child is committed to DJJ, regardless of whether the child is placed in a YDC or alternative placement with the exception that if the child is committed under the designated felony statute, check the box "Committed - Designated Felony".

Committed - Designated Felony. Check this box if the child is committed to DJJ as a designated felon. Enter the number of months of restrictive custody ordered by the court.

Committed - Detention under O.C.G.A. §15-11-66(b). Check this box if the child is committed to DJJ, and the court in addition orders the child detained for up to 90 days in a YDC.

Committed - DHR. Check this box if the child is committed to the Division of Mental Health as a mentally ill or mentally retarded child. This box should only be checked when the commitment is a final disposition of the case and not when the child is referred for evaluation.

Traffic Fine. Check this box if the court orders the child to pay a fine as the disposition for committing a traffic offense or a traffic related delinquency offense.

Dismissed. Check this box if the case was ultimately dismissed by the court. Examples: 1) If the court found the child delinquent but found that the child was not in need of rehabilitation and dismissed the case. 2) If the court held the disposition open for a period of time and eventually dismissed the case. 3) If the court diverted the case.

Custody Other. Check this box if custody is granted to a person or agency other than DFCS and indicate the name of the person or agency to whom custody is granted. If custody is granted to a person, specify his/her relationship to the child.

Custody to DFCS. Check this box if the court orders that the child be placed in the custody of the Department of Family and Children Services.

Transferred to other Juvenile Court. Check this box if final disposition is to transfer the case to another juvenile court. If the case is transferred to another juvenile court, enter the name of the court, e.g., Fulton County Juvenile Court.

Transferred to Superior Court. Check this box if the court orders that the case be transferred to the superior court.

Granted. Check this box in termination of parental rights or special proceedings cases only where the "offense disposition" was marked "granted" to indicate that the petition was granted by the court.

Denied. Check this box in termination of parental rights or special proceedings cases only where the "offense disposition" was marked "denied" to indicate that the petition was denied by the court.

Review Order Entered. Check this box if the court enters an order following a judicial review of a deprived case or an appeal of a judicial citizen review panel report pursuant to O.C.G.A. §15-11-58 or following an annual review to determine what efforts have been made toward a child's adoption pursuant to O.C.G.A. §15-11-103.

Appealed. Check whether or not the disposition was appealed and enter the date the notice of appeal was filed with the court.

Date of Remittitur. Enter date the remittitur is received if case is being appealed.

Findings. Enter the findings on appeal. Example: Affirmed in part.

Motions/Remarks. Enter pre-judgment or post-judgment motions or remarks which are pertinent to the case disposition.