

**IN THE JUVENILE COURTS OF THE TIFTON JUDICIAL CIRCUIT
STATE OF GEORGIA**

§
§ **STANDING ORDER FOR CHILD**
§ **ATTENDANCE AT**
§ **JUVENILE PROCEEDINGS IN THE**
§ **TIFTON JUDICIAL CIRCUIT**
§

ORDER

This Order creates a standing order pertaining to all juvenile dependency or CHINS proceedings filed in any juvenile court within the Tifton Judicial Circuit.

O.C.G.A. §15-11-19(a) establishes that a child is a party to juvenile proceedings involving him or herself and thus has a right to be present and fully participate in said proceedings unless the court determines that being present is not in the child's best interests. O.C.G.A. §15-11-45(d)(3) and §15-11-181(b)(3) further confirm a child's right to be present at various stages of juvenile proceedings. As a result, it is necessary that custodians of children for which a CHINS or dependency proceedings have been initiated ensure that said children attend all court proceedings arising therefrom unless otherwise directed by this court.

Notwithstanding, this court finds that it would likely harm young children if they were to attend court proceedings that they did not or could not understand only to be frightened or confused by said proceedings.

THEREFORE IT IS HEREBY ORDERED, as follows:

1. All children ages twelve (12) years of age and older shall be produced at all hearings, reviews or other court proceedings involving or pertaining to said children.
2. All children ages eight (8) years of age to eleven (11) years of age shall not be produced at any of the aforementioned proceedings unless the child's attorney, guardian ad litem, or CASA requests the child's presence *in writing* to the child's

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James J. Row
Clerk Superior Court, Irwin County
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custodian not less than forty-eight hours in advance of any such proceedings and copied to all parties and the court. For purposes of this Order, the term *writing* shall include email or text communication.

3. All children seven (7) years of age and younger shall be excluded from proceedings unless a request for attendance is made by the child's attorney, guardian ad litem or CASA, and the court determines that attendance at the proceedings will not harm the child.
4. In any proceeding, a child's attorney may waive a child's presence at any proceeding should the child's attorney determine it to be in the child's best interest that his or her presence be waived.
5. Should circumstances arise in any case that would render a child's attendance at court harmful to the child and should the child's attendance not be waived, the child's custodian, attorney, guardian ad litem or CASA may request from the court an order relieving the custodian from the responsibility of producing the child at the pending proceeding. Examples of circumstances in which attendance could result in harm to the child include, but are not limited to, problems arising from child's mental health, emotional health, behaviors and/or educational needs. Said request shall be made in a timely manner, in writing, and shall include all pertinent parties.
6. All of the foregoing provisions shall apply in each case unless otherwise ordered by this court, and the court retains discretion to change these provisions on a case by case basis to ensure that the best interests of any child under the jurisdiction of this court is maintained and that all such children are protected from harm.
7. All custodians of children under the jurisdiction of this court are hereby order to comply with the provisions of this Order, and any failure to do so may result in said party being found in contempt of this court's order and subject to any penalty the court may impose.

SO ORDERED this 12th day of May, 2014.



RENDER M. HEARD, JR.

Judge, Juvenile Courts of the Tifton County Juvenile Court