



Kids Matter

Child Protection and Advocacy Law Section

Fall 2025

From the Chair

By: Laurie M. Thomas Williams

Chair, Child Protection & Advocacy Section



As we embrace the fall season, I hope this message finds you well and taking a moment to reflect and recharge. Our Section has had a dynamic and engaging year so far, and I remain grateful for your continued commitment

to protecting and advocating for Georgia's children and families.

Membership and Governance

As of this writing, we have 537 active members. We hit an all-time high of 560 members last Bar year, a testament to your dedication and the value of this community. As you complete your State Bar renewals, please double-check that you've rejoined the Child Protection & Advocacy Section and encourage your colleagues to do the same. Every renewal helps us fund scholarships, programming, and outreach to advance child welfare across Georgia.

Following our January 2025 elections, I continue to serve as Chair, with Tonya Boga as Vice Chair, Randee Waldman as Treasurer, and Jill Roth as Secretary. Our Executive Committee is already working hard to ensure a strong and productive Bar year (July through June). Please be on the lookout for announcements about nominations and elections for the next Bar year in upcoming email blasts.

CLE and Training Initiatives

We are actively planning several CLE programs and training opportunities for the 2025–2026 Bar year. Be

on the lookout for an email blast with announcements and registration details coming soon. We hope you'll join us and invite colleagues in the field to participate.

Outreach

We were proud to support the Youth and Law Summit, held on April 19, 2025, themed "The Power of CommYOUity – I Am Because We Are... Stronger When We CommYOUinate Respectfully and Responsibly." CPAS presented an interactive session on respectful and responsible communication, with a focus on identifying and understanding recent changes in the law and the real-world impact of our words. The program was well received, and the youth were highly engaged throughout the discussion. A special thank you to Quintin Lewis for co-presenting with me and to Jill Roth for managing our resource table, which featured materials from GA Appleseed and other community partners.

In addition, CPAS proudly sponsored the 23rd Annual GAWL Girl Scout Project, where Girl Scouts participated in a mock trial and engaged with judges and legal professionals in a hands-on courtroom experience. I had the privilege of serving on the legal careers panel alongside several inspiring women in our field. CPAS Executive Committee Member Anissa Patton assisted in designing and administering the program, and CPAS Secretary Jill Roth served as coach for the winning team. Check out the newsletter for more details and photos from this impactful event.

Judge Willie Lovett Jr. Award

We were honored to present the Judge Willie Lovett Jr. Award at the State Bar Annual Meeting this June. This award continues to recognize and celebrate outstanding

service in the child welfare system and community. Congratulations to this year's recipient, Douglas County Juvenile Court Judge Talia Johnson Nurse, for her unwavering commitment to justice and the well-being of Georgia's children.

A heartfelt thank you to the Judge Lovett Award Committee for ensuring another successful presentation of this meaningful honor. Check out the newsletter for photos and more highlights from the event.

Legislative and Policy Work

Our Legislative Committee is preparing an article to update members on the legislative process.

Get Involved – Committee Sign-Up Now Open

If you're looking for a way to get more involved in our Section's efforts, we welcome you to join a committee—whether it's CLE planning, outreach programming, youth engagement, legislation, or the newsletter committee. We especially need help with expanding outreach across the state. Use this form to sign up and let us know your interests: <https://forms.gle/BkgKWZ5fXycw69u17>

Newsletter and Communications – We Need Your Help!

While our Kids Matter newsletter has featured incredible contributions from our members and scholarship recipients, we would love to receive more article contributions from our members. We are also actively seeking a co-editor to support Jill Roth and the Newsletter Committee. If you're interested in helping shape our Section's voice and spotlight the work we're doing across the state, please email me or Jill Roth to get involved. This is a great opportunity to help elevate stories, share resources, and keep our members connected.

Looking Ahead

Even as we move into the fall, our work does not slow down. I encourage each of you to contribute in any way you can - submit an article, mentor a young attorney, speak at a CLE, or join a committee. Thank you for your unwavering dedication to this important work. Wishing you all a productive, fulfilling, and restorative fall season.

Warmly,
Laurie M. Thomas Williams, Esq.

Seeking Co-Editor For Newsletter

*By: Jill Roth
Secretary, Child Protection & Advocacy Section*



Greetings—Many thanks to Amber Walden for her recent service as editor of Kids Matter. I have volunteered to serve as interim editor and am looking for a passionate and collaborative CPAS member to join me as co-editor of the newsletter.

This is a meaningful opportunity to spotlight the work of our members, share timely updates in child protection and advocacy, and build a stronger, more connected community.

If you enjoy writing, editing, or shaping content – and care deeply about child protection and advocacy –I'd love to work with you. Whether you are a seasoned attorney or a law student eager to get involved, your voice and perspective are welcome and appreciated.

Please reach out to me or Laurie Thomas Williams if you're interested or have any questions about the role. Let's make something impactful – together!

**If you are interested in
publishing an article,
please reach out to
Jill Roth, Editor
Jill.Roth@cobbcounty.gov**

Inside This Issue

FROM THE CHAIR.....	1
SEEKING CO-EDITOR FOR NEWSLETTER.....	2
SECTION EXECUTIVE COMMITTEE.....	4
2025-2026 EXECUTIVE COMMITTEE JUDICIAL DISTRICT REPRESENTATIVES.....	4
ACCESSING CHILD WELFARE AND JUVENILE JUSTICE POLICIES.....	5
GEORGIA GENERAL ASSEMBLY 2025 LEGISLATIVE SESSION UPDATE.....	5
CASE LAW UPDATE.....	8
YLD UPDATE.....	11
GIRLS LEAD IN THE LAW.....	13
A SUMMARY OF THIS YEAR'S ANNUAL MEETINGS AND CPAS CLE.....	14
SPOTLIGHT ON ANISSA PATTON.....	14
THE HONORABLE TALIA JOHNSON NURSE.....	15
2025 ANNUAL YOUTH AND THE LAW SUMMIT.....	16
GATE CITY BAR ASSOCIATION AWARDS R. PRESTON HERNDON SERVICE.....	16
GAULT CENTER SOUTHERN REGION SUMMIT.....	17
STATEWIDE YOUTH JUSTICE CONVENING.....	17
ANNOUNCEMENTS AND UPCOMING EVENTS.....	17



**The State Bar
has three offices
to serve you.**

HEADQUARTERS

104 Marietta St. NW
Suite 100
Atlanta, GA 30303
404-527-8700
800-334-6865
Fax 404-527-8717

SOUTH GEORGIA OFFICE

244 E. 2nd St.
Tifton, GA 31794
229-387-0446
800-330-0446
Fax 229-382-7435

COASTAL GEORGIA OFFICE

18 E. Bay St.
Savannah, GA 31401
912-239-9910
877-239-9910
Fax 912-239-9970

Section Executive Committee

Officers

Laurie Thomas Williams, Chair

lmthomaslaw@gmail.com

Tonya Boga, Vice Chair

tonya.boga@gmail.com

Jill Roth, Secretary

jill.roth@cobbcounty.gov

Randee Waldman, Treasurer

rwaldm2@emory.edu

JP Berlon, Immediate Past Chair

jpberlon@gmail.com

Members-at-Large

Hon. Stephanie Burton
sburton@eighthdistrict.org

Ira Foster
lfoster.macon@glsp.org

Leslie Gresham
greshamlawgroup@gmail.com

Hon. Michelle Harrison
mharrison@co.douglas.ga.us

Chris Hempfling
Hempfling.3@gmail.com

Afiya Hinkson
afiya@thehinksonfirm.com

Ira Sudman
Ira.Sudman@decal.ga.gov

Beth Morris
bmorris@hhhlawyers.com

Anissa Patton
anissa.patton@fultoncountyga.gov

Danielle Simpson
dsimpson@truancyproject.org

Stacey Suber-Drake
sdrake@doe.k12.ga.us

Elizabeth Bradley Turner
elizabeth@gafcp.org

Amber Walden
amber@floteservices.com

R. Michael Waller
mwaller@gaappleseed.org

Cindy Wang
cindy.wang@djj.state.ga.us

Hon. Kareem West
kareemwest@cobbcounty.gov

2025 - 2026 Executive Committee Judicial District Representatives

<u>JP Berlon</u>	1	Eastern, Ogeechee, Atlantic, Brunswick, Waycross
<u>Michael Waller</u>	2	Pataula, Dougherty, South Georgia, Tifton, Southern, Alapaha
<u>Ira Foster</u>	3	Chattahoochee, Macon, Houston, Southwestern
<u>Laurie Thomas Williams</u>	4	Stone Mountain, Rockdale
<u>Afiya Hinkson</u>	5	Atlanta (Fulton)

<u>Anissa Patton</u>	6	Coweta, Griffin, Towaliga, Flint, Clayton
Vacant	7	Douglas, Cobb, Paulding, Tallapoosa, Rome, Cherokee, Lookout Mtn, Conasauga
<u>Hon. Stephanie Burton</u>	8	Ocmulgee, Dublin, Middle, Oconee, Cordele
<u>Michelle Vereen</u>	9	Appalachian, Enotah, Mountain, Northeastern, Gwinnett, Bell-Forsyth, Blue Ridge
Vacant	10	Toombs, Augusta

If you are a CPAS member living in District 7 or 10 and interested in becoming a District representative, please reach out to [Laurie Thomas Williams](#).

Accessing Child Welfare and Juvenile Justice Policies

Child Welfare: The public can access all Department of Human Services' policies, (including the Division of Family and Children Services (DFCS)), by navigating to PAMMS (formerly ODIS): <https://pamms.dhs.ga.gov/>.

Once you have accessed this web page, click on "Division of Family and Children Services" on the left-hand side. On the next page, click "Child Welfare Services" on the left-hand side. This will take you to the landing page for the Child Welfare Policy Manual.

Juvenile Justice: The public can access the Department of Juvenile Justice's (DJJ) policies by navigating to: <http://public.powerdms.com/GADJJ/tree>.

If an attorney needs additional policies or related attachments, they may also reach out to Cindy Wang, General Counsel for DJJ's Office of Legal Services, at cindy.wang@djg.state.ga.us.

Georgia General Assembly 2025 Legislative Session Update

By: Jill Roth

During the 2025 legislative session, the Georgia General Assembly enacted several bills impacting child welfare and juvenile justice. Brief descriptions are included below - for more in-depth information, please visit: [GA 2025 Legislative Session - Full Breakdown](#)

HB 340 - Distraction-Free Education Act

By January 1, 2026, all Georgia public schools and school systems must implement policies that ban K–8 students from using personal electronic devices during the entire school day, provide secure storage methods for those devices, and set clear procedures for handling devices during off-site or school-sponsored activities such as field trips, transportation, and extracurricular events. Schools must also establish standardized emergency communication protocols ensuring that all such communication is managed through official school systems and coordinated by school personnel.

SB 110 – Revises Definition of Neglect and Reckless Conduct

Effective July 1, 2025, revises the definitions of “neglect” (O.C.G.A. § 15-11-2(48)) and “reckless conduct” (O.C.G.A. § 16-5-60) to limit subjective interpretations that could lead to unnecessary state interference in family life. Under the new standard, a parent’s conduct constitutes neglect only when it creates an imminent risk of harm and shows blatant disregard for that risk. The law replaces the requirement to provide “proper” care with “necessary” care—focusing on essentials like food, shelter, and clothing—and clarifies that allowing children to engage in age-appropriate, independent activities such as walking to school, playing outside, or running errands does not amount to neglect. It further provides that permitting such independence is not reckless conduct unless it meets the revised definition of neglect, reinforcing the importance of parental judgment and children’s healthy autonomy.

Ridge’s Law SB 259 – Independent Medical Evaluations

Effective May 12, 2025, amends O.C.G.A. § 15-11-131 to require physicians who take a child into temporary protective custody without a court order to promptly notify the child’s parents or guardians of the child’s location and their right to seek an independent medical evaluation or pediatric specialty consultation. Physicians must also report suspected abuse or neglect to DFCS and contact a juvenile court intake or law enforcement officer within 24 hours. A new section, O.C.G.A. § 15-11-131.1, establishes the parent or guardian’s right to obtain an independent or specialty medical evaluation—at their own expense unless prohibited by court order—with cooperation required from DFCS, law enforcement, and medical professionals. The law further provides that courts must consider these independent evaluations in dependency proceedings, though hearings cannot be delayed solely due to pending evaluation results.

SB 123 – Compulsory Attendance Law

Effective July 1, 2025, updates attendance laws by replacing the term “mandatory” with “compulsory” and creating a new code section (O.C.G.A. § 20-2-690.3) addressing chronic absenteeism. A student is deemed chronically absent if missing 10% or more of school days, whether excused or unexcused. Schools and districts with chronic absenteeism rates of 10% or higher must establish attendance review teams—composed of educators, staff, and parents—to meet monthly, review

individual cases, and develop intervention plans for affected students. No student may be expelled solely for absenteeism, and districts must adopt policies to identify and support students who are chronically absent or at risk. The law also clarifies that attendance responsibility lies with the parent or guardian (not others in the household) and requires parents to provide disciplinary and criminal background information upon school enrollment. Additionally, Student Attendance and Climate Committees (SACCs) must meet at least twice annually, with the Georgia Department of Education reporting biennially on county-level compliance, attendance, and discipline data beginning in 2026. [SB 123 Informational Fliers](#)

HB 268 – School Safety Bill – Apalachee Bill - Overview

Effective July 1, 2025, Georgia will implement a statewide school safety and threat reporting system that includes a 24/7 anonymous tip line, campus mapping, emergency alert systems, and wearable panic buttons for school staff. Law enforcement must notify schools when a student makes a credible threat of serious harm and enter the student into a statewide database maintained by GEMA. Schools must transfer student records, including disciplinary information, within five business days of enrollment, and parents are required to disclose disciplinary histories and participate in school conferences. The law funds student advocacy specialists to address mental health needs, with the DBHDD and DOE defining their roles and qualifications by December 31, 2025. It also permits prosecution of minors aged 13–16 as adults for terroristic acts upon a school and requires each public school to submit a behavioral threat assessment and safety plan by January 1, 2027. Additionally, local boards must implement PBIS and RTI programs in high-needs schools, ensure 95% of staff receive behavioral health training annually, and, beginning in the 2026–27 school year, provide suicide and youth violence prevention training for grades 6–12.

HB 268 – Comprehensive School Safety Bill - Apalachee Bill and Absenteeism

Georgia law now requires law enforcement officers to notify both the school and the child's parent or guardian when they take temporary custody of a school-age child found away from home and absent without a valid excuse. Schools must refer students to DFCS and the Regional Education Service Agency (RESA) if the

student is absent for 30 consecutive days without notice of withdrawal, transfer, or home study enrollment, or if a student aged 16 or older stops attending without completing the required withdrawal conference. DFCS must assess whether the withdrawal was an attempt to avoid education, ending the assessment once documentation of proper withdrawal or enrollment is provided. RESA must verify whether the student has enrolled in another school or home study program and ensure the timely transfer of educational records to the new school once enrollment is confirmed.

HB 268 – Parental School Involvement - Chronic Disciplinary Problem Students – Conference Enforcement for Parental Noncompliance 20-2-765-20-2-766.1

Georgia law requires that when a student is identified as a chronic disciplinary problem, the principal must notify the parent or guardian by phone and mail, invite them to observe the student in class, and request a conference to develop a behavioral correction plan. Before a chronically disruptive student may return from suspension or expulsion, the school must again request a parent conference. Schools may petition the juvenile court if a parent willfully fails to attend required meetings or authorize the release of student records; courts may order participation in corrective programs or impose fines up to \$500 for noncompliance. Additionally, HB 268 strengthens parental disclosure requirements at enrollment, mandating that parents of students entering grades above third disclose prior disciplinary history, suspensions, expulsions, adjudications of class A and B designated felonies, and provide certified critical records from the past 24 months. Receiving schools must notify parents upon obtaining transferred records, and parents may request copies or meetings to review and correct them within five school days.

HB 268 – Parental Involvement – Required Enrollment Disclosures, 20-2-670 – Provisional Enrollment

A student may be provisionally enrolled for up to ten school days only after the parent or legal custodian signs a document disclosing required disciplinary information, listing all schools attended in the past 24 months, and authorizing the immediate release of the student's critical records to the new school. If those records are not received promptly, the school may

place the student in temporary remote learning until the records arrive or a case management review is completed. If the student is later found ineligible for enrollment under state law, the school must dismiss the student until eligibility is restored.

HB 268 – Requires School Administrators to Tell Teachers about Student Disciplinary History, 20-2-671

HB 268 requires school administrators to notify all teachers assigned to a student that they may review confidential information indicating whether the student has been adjudicated for a class A or B designated felony, is identified as a chronic disciplinary problem, has an active behavioral correction plan, or is the subject of a report for a prohibited act under Georgia law. This information, transmitted from juvenile courts or other authorized sources, must be shared in compliance with statutory procedures and kept strictly confidential.

HB 268 – Comprehensive School Safety Bill - Amends 20-2-1181 – Disrupting Public Schools Statute

Requires local BOEs to develop progressive discipline system to be imposed on a child accused of violating the disrupting public school statute before initiating a complaint; the progressive discipline system shall include a requirement that when there is a credible accusation that an individual threatened, whether verbally, in writing, or otherwise, the death or serious injury to a group of individuals, who are, or will likely be, at or within a public school that such individual attends, or has attended, the school shall be authorized to temporarily assign such individual to remote learning and provide counseling to such individual and shall initiate an investigation into such violation. Upon completion of the investigation, the school may elect to reinstate the individual or impose relevant discipline.

HB 268 – New Offense of Terroristic Threat of a School, 20-2-1181.1

A terroristic threat of a school occurs when a person threatens to commit violence, release hazardous substances, or damage property with the intent to terrorize others, cause an evacuation, or in reckless disregard of those risks while on school property, a school bus, or at a school-sponsored event. The offense

is generally a misdemeanor, but it becomes a felony if the threat implies death or if someone suffers serious injury as a result—punishable by fines up to \$250,000 and imprisonment of 5 to 40 years. Cases involving minors fall under the exclusive jurisdiction of juvenile court.

HB 268 – New Offense of Terroristic Act Upon a School, 20-2-1181.1

A terroristic act upon a school is a new felony offense under the exclusive jurisdiction of superior court. It occurs when a person uses a weapon, flaming symbol, or hazardous (or simulated hazardous) substance, or shoots at an occupied or operating school vehicle, with the intent to terrorize others or cause an evacuation on school property, a school bus, or at a school-sponsored event. Conviction carries penalties of up to \$5,000 in fines and 1 to 10 years in prison, but if the act causes serious physical injury, the penalty increases to a fine of up to \$250,000 and 5 to 40 years in prison.

HB 268 – Add 3 Offenses to List of Exclusive Original Superior Court Jurisdiction Cases, 15-11-560

- Aggravated assault if committed with a firearm;
- Terroristic acts on a school in violation of Code Section 20-2-1181.1(c); and
- Attempted murder.

The Georgia General Assembly is scheduled to begin a new two-year session in January 2026. Bills introduced during the 2025 session that were not passed will carry over into the 2026 session.

Voices for Georgia's Children is an organization that works to improve policies and systems that impact child wellbeing by advancing laws, policies and actions that improve children's lives. They conduct research and release reports and fact sheets, convene coalitions and hold events, and publish frequent newsletters to keep those interested up to date on the latest child-related policy and legislative initiatives. You can sign up to receive legislative and policy updates from Voices for Georgia's Children at [Voices for Georgia's Children](#).

You can also sign up to receive legislative updates from Emory University School of Law's Barton Child Law and Policy Center at [Barton Center](#).

Case Law Update

By: Jill Roth

Delinquency

Howard v. State, 909 S.E.2d 660 (2024). Howard entered plea in superior court to offenses of robbery by force, robbery by intimidation, and gang offenses. At the time the offenses were committed, Howard was 16. He was sentenced as a first offender. State later sought to revoke his probation. Howard raised lack of jurisdiction. Trial court revoked his probation. On appeal, state conceded superior court lacked jurisdiction to accept Howard's original plea and subsequent resentencing because he was a juvenile at the time of those offenses and those offenses were not on the list of offenses for which a juvenile may be charged as an adult under 15-11-560; therefore, judgments entered were a "mere nullity" according to 17-9-4. Vacated and remanded with direction.

Cooper v. State, 914 S.E.2d 800 (2025). Superior court had jurisdiction over defendant's prosecution even though defendant was reindicted more than 180 days after his arrest where the original indictment was returned within 118 days after his arrest. 17-7-50.1 "only requires that a true bill be returned on at least one charge that is within the jurisdiction of the superior court [within 180 days] for the court to retain jurisdiction."

Dependency

ITIO H.H., A24A1245 (Ga. Ct. of App. Feb. 25, 2025). Dependency petitions shall be verified in addition to being signed by the SAAG and endorsed by a court designee. Remanded to direct DFCS to verify the petition. All affidavits, petitions, answers, defenses, or other proceedings required to be verified or sworn to under oath shall be held to be sufficient when the same are sworn to before any notary public, magistrate, judge of any court, or any other officer of the state or county where the oath is made who is authorized by the laws thereof to administer oaths. 9-10-113.

ITIO M.B., A25A0059 (Ga. Ct. of App. April 7, 2025). Reversed trial court on recusal. Court failed to follow Juv. Ct. Rule 17 which requires that if a recusal motion on its face and assuming all alleged facts are true would satisfy the three requirements of the rule, then it must be handed off to another judge to handle. Judges can't oppose recusal motions no matter how false judge knows or believes the accusations to be.

ITIO D.B., A25A0616 (Ga. App. June 23, 2025). After a child in the home died by suicide, Fulton County DFCS filed two emergency ex parte petitions to remove his siblings, citing inadequate supervision and prior DFCS involvement. The first was denied, but the second request for removal was granted ex parte; the children were later returned at the preliminary protective hearing (PPH). The Court of Appeals held the case was not moot, as such removals are capable of repetition yet evade review, and found the current ex parte removal process constitutional, requiring only that remaining in the home is contrary to the child's welfare—not a finding of imminent danger. DFCS's affidavit cited ongoing safety concerns and a multi-year history of neglect. The court noted that the mother received all procedural protections, including a timely PPH. The majority upheld the statutory process as compliant with due process, while Judge McFadden dissented, arguing ex parte removals should be limited to "exceptional circumstances" to safeguard parental rights. All judges acknowledged that the removal exacerbated the tragedy following the child's death.

SIJS

ITIO J.T.S.S., 373 Ga. App. 300 (2024). Evidence showed minor who came from Guatemala and was placed with sister with parental consent was dependent as she was in Georgia without her parent, guardian, or legal custodian. Parental decision to place child with sister was not akin to a transfer of custody between parents and the Office of Refugee Resettlement. Trial courts must address SIJS findings when properly requested to do so.

Mendoza v. Mendoza Garcia, 374 Ga. App. 730 (2025). Trial courts must adjudicate SIJS findings when requested to do so but can find petitioner has failed to prove: 1) that reunification is not viable, or 2) that it would not be in the child's best interest to be returned to their country of origin. Trial court has discretion to find testimony "non-credible" and "non-persuasive."

TPR

ITIO G.N.N., A25A0686 (Ga. Ct. App. May 29, 2025). TPR. Clear and convincing evidence supported finding that mother abandoned child and that TPR was in child's BI. Mother admitted that she only visited with child on an irregular basis although she was supposed to visit him weekly, mother had not progressed with her reunification plan even though she knew successful

progress would result in child's return to her care but had instead discontinued counseling sessions, failed to pay child support, and refused to participate in drug screens and engage with representatives of DFCS, arrange inspections of her home, and mother herself testified that she was not arguing that child should be returned to her own care, but to the care of her extended family. G. N. N. was thriving in his foster home and returning him to mother and the resulting potential exposure to domestic violence would be harmful to his well-being. DFCS asserted that G. N. N.'s best interest would be to "find permanency in a safe and stable home" rather than lingering "in foster care waiting on [his] parents to comply" with the reunification plan.

ITIO J.K., A25A0637 (May 29, 2025). Vacating and remanding to juvenile court to explicitly address whether or how a permanency plan short of terminating mother's parental rights would expose children to continued dependency, as required prior to terminating mother's parental rights. A mother's inability to care for her children does not necessarily mean that her current relationship with them is detrimental, so as to warrant terminating her parental rights. Order terminating parental rights on basis of continued dependency must contain explicit findings supporting conclusion that continued dependency will cause or is likely to cause serious physical, mental, emotional, or moral harm to child; critically, evidence must show how each individual child will be harmed by status quo to degree necessary to justify terminating parental rights. While the juvenile court's detailed order appeared to comply generally with the requirements of Georgia law, it did not make *explicit, specific findings* about each of the children individually and whether they would suffer *individualized* harm from maintaining the uneasy status quo. To be sure, the court delineated several factual findings as to the mother and the children collectively and concluded that returning the children to the mother would be detrimental or harmful to them (which the mother appears to concede), but it did not make specific findings regarding whether each child *individually* would be harmed by remaining in their current placements. While the CoA questioned whether the mother would ever be able to regain custody of her children, it vacated and remanded for the trial court to make individualized findings, noting "... doing so is no mere formality." It ensures that a parent's fundamental, constitutional right to familial relations is safeguarded from arbitrary governmental interference

into the private realm of family life.

INTO G.T.G.M., A25A0241 (Ga. Ct. App. May 16, 2025). The Court of Appeals reversed the termination of parental rights (TPR), finding the juvenile court failed to make specific factual findings showing that returning the child to his mother—or continuing their relationship—would cause serious harm. The lower court's reliance on "foster care drift" and the mother's incomplete case plan was insufficient, as orders must explicitly link facts to conclusions of harm. The record lacked evidence that the mother's instability posed a concrete threat to the child's well-being, or that ongoing contact would be harmful. Notably, the mother had no substance abuse or mental health issues, was deemed suitable to parent her newborn, and DFCS failed to perform a bonding assessment. Without clear and convincing evidence of likely serious harm, the TPR could not stand.

ITIO R.E.M.B., A24A1448 (Ga. Ct. of App. March 3, 2025). TPR. Hot car case. Mother complied with some case plan requirements but had no contact with child due to bond restrictions for several months. Mother failed to pay child support, had unresolved mental health issues (not taking meds) and could not demonstrate basic parenting skills. She failed to regularly attend therapy and was observed during supervised visits struggling to appropriately parent child. Child had special needs mother incapable of meeting. Inconsistent visitation. In foster care nearly two years, started out non-verbal, not potty-trained, and biting; two years in behaviors improved and foster family wished to adopt. COA found 15-11-310(a)(3) and (5) grounds present and TPR was in child's BI.

ITIO M.J.E.B., 374 Ga. App. 303 (2025). Placement post TPR. Competing petitions for adoption by two out of state relatives. Court kept children in DFCS custody while acknowledging that one of the relatives was the intended placement for DFCS. Trial court has broad authority to weigh evidence and make best interest findings even where two placements are appropriate. Court considered all pertinent factors and did not abuse discretion in choosing one relative over other as preferred placement.

Legitimation/Custody/Child Support/Adoption
Sheppard v. Milsap, 374 Ga. App. 480 (2025). The Court of Appeals upheld the father's legitimation

but reversed the award of joint legal custody, noting that establishing a legal relationship is distinct from granting custody and decision-making authority to a parent with minimal contact. The Court also vacated and remanded the child support award, finding the trial court relied only on the father's unverified testimony that he earned \$1,500 monthly. Under O.C.G.A. § 19-6-15 and Uniform Superior Court Rule 24.2, parties must provide reliable income documentation—such as tax returns or pay stubs—and completed financial affidavits and worksheets. On remand, the trial court must require proper documentation, review income from the father's business account, and recalculate child support, including each parent's pro rata share of the child's health insurance costs.

Pierce v. Bailey, A24A1838 (Ga. Ct. of App. March 7, 2025). Mother surrendered rights to great grandparents for purposes of adoption. Foster parents filed dueling adoption petition. FPs lacked standing to challenge the adoption. 19-8-15 permits a “family member” to object to an adoption and finds that a FP does not meet that definition. It must be a blood relative.

Motions for New Trial/Appeals

ITIO A.H., A24A1803 (Ga. Ct. App. Feb. 24, 2025). Biological father appealed order granting permanent guardianship to maternal grandparents. DFCS argued no standing because he was serving a life sentence and could not parent child himself; COA found he had standing as his rights had not been terminated, and as an “aggrieved” party with the right to appeal a judgment. BF argued trial court failed to make requiring findings pursuant to 15-11-240. COA found that because mother consented to the permanent guardianship, there was no need for the court to assess returning child to mother's custody.

ITIO L.A.D.H., 910 S.E.2d 235 (2024). Remanded TPR to trial court due to trial court's failure to hold a hearing on the parents' motions for new trial. Motions were timely filed. Right to hearing on MNT is well-settled, codified in 5-5-40, and required by due process under the Constitution. Failure to conduct MNT hearing is never harmless error.

ITIO M.R.S., 321 Ga. 521 (May 6, 2025). Remanded for the Court of Appeals to consider mother's claim that trial court erred in denying her motion for an out-of-time appeal.

Rodgers v. Rodgers, 374 Ga. App. 455 (2025). Pursuant to 5-6-35(a)(2), a party seeking appellate review in a domestic relations case must follow discretionary appeal procedures. However, under 5-6-34(a)(11), a party is entitled to appeal directly from “[a]ll judgments or orders in child custody cases awarding, refusing to change, or modifying child custody.” Where an appeal is from a child custody case, the appellate courts will look to the issue raised on appeal to determine whether direct appeal is permitted. Mother argued appellate jurisdiction based on the trial court's refusal to modify custody; however, she did not challenge any custody rulings on appeal, rather she challenged the court's finding that the children were “deprived” and the court's termination of the custody hearing and transfer of the case to juvenile court. Because mother was not challenging the custody ruling on appeal, she was not entitled to direct appeal.

Onyemobi v. Onyemobi, A25A0570, Ga. App. (May 29, 2025). The Court of Appeals dismissed the appeal for using the wrong procedure, clarifying that when a child custody ruling is made within a divorce case, it must be appealed by discretionary application under O.C.G.A. § 5-6-35(a)(2), not by direct appeal under 5-6-34(a)(11). A divorce action is not itself a custody proceeding—custody issues are ancillary to the dissolution of marriage. Therefore, even if custody is addressed in the order, appeals from such rulings in divorce cases must follow the discretionary appeal process, and if the order is interlocutory, the interlocutory appeal requirements of § 5-6-34(b) also apply.

Heyman v. Heyman, 374 Ga. App. 784 (2025). Discusses differences in requests for MNT based on “general grounds” and those based on “newly discovered evidence.” The motion for new trial procedure outlined in O.C.G.A. § 5-5-23 is more mechanical — and more stringent — than the “general grounds” motion for new trial standard. By failing to evaluate wife's argument based upon the “general grounds” in this case, the trial court imposed a more difficult standard than was appropriate. As a result, the CoA vacated the trial court's order denying wife's motion for new trial and remanded the case to the trial court to allow it the opportunity to apply the “general grounds” analysis. Also, the filing of MNT acts as supersedeas unless otherwise ordered by the court; therefore, a party may not be held in contempt for violating the underlying order so long as the MNT remains pending. Similarly, a notice of appeal will act as

supersedeas in civil cases. Court may modify visitation rights during a contempt proceeding but not custody rights. Modification of decision-making authority is tantamount to custody modification.

Self-Executing Custody Provisions

Hether v. Campbell, 374 Ga. App. 320 (2025). CoA reversed self-executing provision modifying custody in the event the mother moved out-of-state. The trial court had explicitly found mother's move was not a material change in circumstances affecting the children's welfare. "Self-executing change of custody provisions allow for an 'automatic' change in custody based on a future event without any additional judicial scrutiny." Scott v. Scott, 276 Ga. 372, 373, 578 S.E.2d 876 (2003). "Provisions that do not take account of the best interests of the child at the time of a triggering event are utterly devoid of the flexibility necessary to adapt to the unique variables that arise in every case, variables that must be assessed in order to determine what serves the best interests and welfare of a child." Bankston v. Warbington, 332 Ga. App. 29, 34 (2), 771 S.E.2d 726 (2015). Our Supreme Court has held that "any self-executing change of custody provision that fails to give paramount import to the child's best interests in a change of custody as between parents must be stricken as violative of Georgia public policy." Lester v. Boles, 335 Ga. App. 891, 892 (1), 782 S.E.2d 53 (2016) (citing Dellinger v. Dellinger, 278 Ga. 732, 733 (1), 609 S.E.2d 331 (2004). Compare Bodne v. Bodne, 277 Ga. 445 (2003) (trial court did not abuse its discretion in changing primary physical custody of children due to relocation of primary parent where trial court found a material change in circumstances affecting the children's welfare and engaged in best interest analysis).

Child Custody - Service by Publication – Certificate of Publication – Jurisdiction/Venue

Ogundana v. Ogundana, A25A0180 (Ga. App. May 29, 2025). Father brought child custody action in Cobb County against mother. He sought permission to serve by publication which was granted. Mother learned of suit and filed a verified answer in Cobb, swearing that she resides in Fulton and requesting action be transferred because jurisdiction and venue were not proper in Cobb. Mother had 60 days from date trial court ordered service by publication to file answer; however, time does not begin to run until proof of service is filed. Time for filing answer never ran because clerk

never filed certificate certifying publication; therefore, mother's answer was timely. Complaints for legal or physical custody must be tried in the county where the defendant resides per GA Constitution. Vacated and remanded with direction to transfer to Fulton Superior Court.

YLD Update

By: Danielle Simpson

Creating Connections:

How the YLD and CPAS Are Joining Forces to Protect Georgia's Children

The Young Lawyers Division (YLD) of the State Bar of Georgia is leading the charge in shaping the future of child advocacy. Through the revitalization of the YLD Child Protection and Advocacy Committee (CPAC), young lawyers are finding meaningful ways to serve Georgia's most vulnerable children – and forging lasting partnerships to expand their impact.

Formerly known as the YLD Advocates for Students with Disabilities, the committee was renamed to reflect a broader mission: empowering attorneys who champion the rights of children not only in schools but across every corner of the child welfare system.

One of the most impactful initiatives of the year was a virtual CLE panel hosted in October, designed to inspire new attorneys to engage in pro bono child welfare work. With the support of the Child Protection and Advocacy Section (CPAS), this event reached over 50 attendees and featured speakers from the Office of the Child Advocate, Georgia Appleseed, the Safety Valve Project, the Truancy Intervention Project (TIP), and Kids in Need of Defense (KIND). These leading advocates shared critical insights into how lawyers—especially young lawyers—can make real, lasting change in the lives of children.

In May, the committee turned its focus to another vital group: the caregivers who work on the front lines of child welfare every day. The "May the Wellness be with You: Caring for the Caregivers" event brought volunteers together to assemble and deliver wellness care packages to over 100 frontline professionals across 10 organizations in 7 counties.

This effort was a collaborative success led by the Child Protection and Advocacy Committee, the Community

Service Projects Committee, and the Women in the Profession Committee. Volunteers brought time, heart, and hands-on support to this initiative—and the result was a powerful show of appreciation to those who support children every single day.

Outgoing YLD President Kenneth Mitchell celebrated the committee's success, sharing:

"I am truly inspired by the incredible work the YLD Child Protection and Advocacy Committee is doing this year. Their efforts highlight the leadership and passion of our dedicated co-chairs – Ashley Horton, Danielle Simpson, and Zipporah Tillman. The work being done is a powerful reminder of the critical role child welfare plays across the state in ensuring the safety, stability, and well-being of Georgia's most vulnerable children."

As part of a growing partnership, CPAS President Laurie Thomas extended a standing invitation for a YLD CPAS committee chair to serve on the CPAS Executive Committee, deepening the bridge between seasoned child advocates and the next generation of legal leaders.

The incoming YLD President is Veronica Cox. She steps into her presidential year with a bold vision: to celebrate the YLD by spotlighting service, expanding outreach, and empowering young lawyers across Georgia. A graduate of UGA and Mercer Law, Veronica has dedicated over 7 years to the YLD, previously serving as Legal Food Frenzy Co-Chair, Treasurer, Secretary, and President-Elect.

Veronica currently serves as a Trial Attorney at the EEOC and lives in Smyrna with her husband, two daughters, and two big dogs. Her deep passion for public service is matched by her commitment to building strong leadership within the YLD.

What began as a committee refresh has become a movement for impact. With powerful partnerships, dedicated leadership, and opportunities for service at every turn, the YLD's Child Protection and Advocacy Committee is proving that young lawyers can—and will—be the difference in the lives of Georgia's children.

Together, the YLD and CPAS are not just creating connections.

They are building a legacy.



MAYA
First year attorney

RUBY
Practicing law for 30+ years

Find your people.

Georgia Lawyers Helping Lawyers (LHL) is a confidential peer-to-peer program that provides colleagues who are suffering from stress, depression, addiction or other personal issues in their lives, with a fellow Bar member to be there, listen and help.

If you are looking for a peer or are interested in being a peer volunteer, visit www.GeorgiaLHL.org for more information.

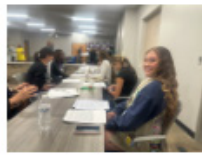
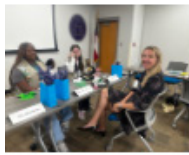
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Girls Lead in the Law

By: Anissa Patton

On June 16 and 17, 2025, the Georgia Association for Women Lawyers and the GAWL Foundation in partnership with the Girl Scouts of Greater Atlanta presented the 23rd Annual “Girls Lead in Law” program at the Fulton County Juvenile Court. This two-day program provides Girl Scouts with invaluable insight into opportunities for women in legal careers. This year, more than 20 Girl Scouts participated from various troops throughout metro Atlanta. The Girl Scout participants toured courtrooms and met with Juvenile Court judges. Additionally, the Girl Scouts engaged a panel of seasoned attorneys and a panel of judges and hearing officers with deep probing questions about their career treks. When they weren’t touring or speaking with panelists, the Girl Scouts were hard at work under the tutelage of GAWL volunteers on their mock trial characters and scripts. The mock trial packet was developed by a GAWL volunteer and came with evidence and costumes that were provided by GAWL members and volunteers. This year’s mock trial was loosely based on the story of Goldilocks and the Three Bears. With the Hon. Elizabeth Ann Higgins-Brooks presiding and the parents serving as jurors, the culmination of all of the participants hard work resulted in a verdict of “Not Guilty.”



A Summary of This Year's Annual Meeting and CPAS CLE

By: Chris Hempfling

This year's Child Protection and Advocacy Section's Annual Meeting and Continuing Legal Education was held on January 22, 2025. Unfortunately, due to inclement weather, the program was held virtually instead of in-person as it was originally planned. Even with the modified format, the program brought together legal professionals throughout the state dedicated to improving outcomes for children in our juvenile justice and child welfare systems.

Following the Section's annual meeting, the CLE began with an overview of professionalism and appellate case law presented by Melissa Carter and Christopher Church of the Barton Child Law and Policy Center at Emory University School of Law. Melissa and Christopher provided attendees key insights into recent appellate decisions impacting child welfare and discussed best practices for effective advocacy.

A panel on effective representation in delinquency proceedings followed, featuring Quintin Lewis, the Honorable Renata Turner, and Randee Waldman. The panel was moderated by Afiya Hinkson who guided the discussion through topics that covered fair representation, the intersection of delinquency and child welfare, and the implementation of best practices in dependency proceedings.

The afternoon concluded with a panel on dependency proceedings, with insights from the Honorable Renata Turner, Jennifer Cline, Angela Tyner, Amber Walden, and Anissa Patton. During this panel, attendees gained valuable insights into effectively advocating for a child's best interest, stakeholder collaboration, and unique considerations for cases involving older youth or immigrant families.

If you were unable to attend this year's CLE, a recording of the program will be posted to the Child Protection and Advocacy Section website located on the State Bar of Georgia website. We hope you will be able to attend next year's Annual Meeting and CLE.

Spotlight on Anissa Patton, Winner of the 8th Annual Willie Lovett Award

By: Jill Roth



On January 22, 2025, at the Child Protection & Advocacy Law Section's Annual Meeting, the 8th Annual Willie Lovett Award was presented to CPAS Executive Committee member Anissa Patton. The award is given to a State Bar of Georgia Child Protection & Advocacy Section member that has demonstrated outstanding service and dedication to child advocacy, as well as outstanding service in a non-law related community service organization.

Ms. Patton currently serves as Supervising Attorney in the Fulton County Office of the Child Attorney. One of the first National Association of Counsel for Children certified Child Welfare Legal Specialists in the state of Georgia, Ms. Patton has more than 20 years of legal experience serving a wide variety of roles related to child and protection advocacy, including stints as a prosecuting attorney, a state agency attorney, and an assistant public defender in juvenile courts. She has also served as a volunteer judge for teen court and an adjunct professor at Herzing University.

As a member of the Executive Committee of the Child Protection & Advocacy Section of the State Bar (CPAS),

Ms. Patton serves on several committees, always volunteering her time and knowledge in support of her community. She serves as the CPAS representative for the 6th Judicial District, which includes Coweta, Griffin, Clayton, Flint, and Towaliga County. Ms. Patton is a team player, always willing to lend a hand and to take on additional responsibilities.

Ms. Patton has conducted dozens of continuing legal education courses and has given lectures on a wide variety of child welfare topics, including LGBTQ+ advocacy. As the Georgia Indian Child Welfare Act (ICWA) expert for the Judicial Council of Georgia - Administrative Office of the Courts, Ms. Patton has travelled across the state educating the legal community about the requirements of ICWA.

Ms. Patton is an active member of several civic organizations and bar associations, including the Alumni Board of Davidson College, the Advisory Board of Directors for the Howard Warner-Newnan Coweta Boys and Girls Club, and the National Coalition of 100 Black Women, MECCA Chapter.

Ms. Patton has a passion for mentoring. In fall 2021, Ms. Patton developed the Msaada Mentorship Program in collaboration with staff from Davidson College's Office of Alumni and Family Engagement and the Matthews Center for Career Development. Msaada, which in Kiswahili means to be of help, matches Black students who identify as female with Black alumnae based upon the student's field of interest, professional aspirations, and career goals. Mentors commit to participate for at least one year, providing mentees with consistent career guidance, insight into their career field, networking opportunities, and professional encouragement. She serves as Director of Education and Training for the Rare Pearls of Coweta Mentoring Program and has served as a mentor with the Little Ladies of the National Coalition of 100 Black Women since 2022.

Ms. Patton has been recognized for her exceptional service to the field numerous times. In 2018, she received the Willie J. Lovett, Jr. Award for Outstanding Service to Children from the Fulton County Juvenile Court. In 2019, she received the Chief Justice P. Harris Hines Child Advocacy Award for Outstanding Attorney from the Georgia Supreme Court's Committee on Justice for Children. In October 2020, Ms. Patton was recognized by the American Bar Association as the Fearless Children's Lawyer of the Month for her advocacy for LGBTQ+ youth in foster care. In 2021, she received

the John W. Kuykendall Award for Community Service from her alma mater, Davidson College.

Ms. Patton exemplifies excellence and professionalism as an attorney and is active in professional and non-law related community service organizations. She serves as an example of the values Judge Lovett held dear. Please join me in thanking Ms. Patton for her outstanding service and dedication to the protection and advocacy of children!

The Honorable Talia Johnson Nurse: 2025 Willie Lovett Award Recipient

By: Tonya C. Boga



[Pictured: State Bar Past President Ivy N. Cadle, Judge Talia Johnson Nurse, EC Member Ira Foster, Justice Charles J. Bethel]

We are thrilled to announce that the recipient of the **2025 Willie Lovett Award for Advancing the Field of Juvenile Law** is **The Honorable Talia Johnson Nurse**, Associate Judge of the Juvenile Court of Douglas County! This prestigious award was presented at the annual State Bar Meeting in June.

Judge Johnson Nurse's distinguished career and unwavering commitment to child protection make her an exceptionally deserving honoree. Appointed to the bench on December 30, 2019, Judge Johnson Nurse is a twenty-year member in good standing of the Georgia Bar Association and a dedicated member of our Child Protection & Advocacy Law Section. Her expertise is further underscored by her certification as a child welfare law specialist through the National Association of Counsel for Children and her training in Trust-Based Relational Intervention (TBRI) from the Karyn Purvis

Institute of Child Development at Texas Christian University.

Before her judicial appointment, Judge Talia Johnson Nurse spent a decade as the sole owner of the Law Office of Talia J. Nurse, LLC, where she passionately represented parents and children in dependency and delinquency cases, advocating fiercely as a Guardian Ad Litem. Always seeking to refine her skills, Judge Johnson Nurse is at the forefront of emerging trends impacting juveniles. She was the driving force behind the piloting of an adultification bias training program for judges, developed by the Georgetown Law Center on Gender Justice and Opportunity. This critical training aims to combat biases that lead to harsher outcomes for Black girls within the criminal justice system.

In addition to her regular caseload, Judge Johnson Nurse jointly presides over Douglas County's Family Treatment Court and the CHANCE Court for adolescents. Through these vital programs, she focuses on helping families rebuild from the impact of substance use and mental illness and empowers young people to achieve their best selves.

Beyond the courtroom, Judge Johnson Nurse is a deeply engaged community leader. As an active member of the judicial section of the Gate City Bar Association, she dedicates her time to initiatives like reading to elementary school students during Read Across America Week and speaking at career day events. As a Silver Star and Life Member of Alpha Kappa Alpha Sorority, Inc., she has been instrumental in establishing the Legacy of Pearls Foundation, Inc. and the Preeminent Pearls Foundation, Inc., which provide scholarships to Georgia high school students and collect essential items for women and children in domestic violence shelters. Her impactful contributions earned her the 2024 Public Policy Award from the Coalition of 100 Black Women, Inc., Northwest Georgia Chapter.

Please join us in congratulating The Honorable Talia Johnson Nurse on this well-deserved recognition! Her dedication truly embodies the spirit of the Willie Lovett Award.

2025 Annual Youth and The Law Summit

By: Jill Roth



On April 19, 2025, Fulton County Juvenile Court, in partnership with the State Bar of Georgia Child Protection and Advocacy Section, Gate City Bar

Association, YouthSpark, Atlanta's John Marshall Law School, and Constangy, Brooks, Smith & Prophete, LLP, hosted the 18th Annual Youth and the Law Summit. The theme was "The Power of CommYOUity – I am because we are!" The event was well attended. Youth and parents participated in breakout sessions and a number of community resource providers attended so that youth could sign up for programs on the spot. CPAS Executive Committee Chair Laurie Thomas-Williams and EC Member Quintin Lewis engaged youth in a spirited discussion about the importance of carefully choosing the words we use.

Gate City Bar Association Awards R. Preston Herndon Service Award



[Pictured Karlise Y. Grier and Laurie Thomas Williams]

Child Protection and Advocacy Section member Karlise Grier received the R. Preston Herndon Service Award presented by the Gate City Bar Association.

Gault Center Southern Region Summit

By: Randee Waldman



[Pictured: Gault Center Southern Region Law Summit Georgia Attendees]

This June, CPAS provided support to the Gault Center's Southern Youth Defender Center Regional Summit in Asheville, North Carolina. 16 youth defenders from Georgia joined their colleagues from Florida, North Carolina, South Carolina, Tennessee, Louisiana, Mississippi and Alabama.

Statewide Youth Justice Convening

The Statewide Youth Justice Convening was held on November 7, 2024, at the Anderson Conference Center in Macon, Georgia. The Barton Clinic, DJJ and Voices for Georgia's Children participated in the event.

Announcements and Upcoming Events

The **2025-2029 Child and Family Services Plan (CFSP)** and the **2024 Annual Progress and Services Report (APSR)** is available for review. They can be found at [DFCS Federal Reviews and Plans](#). This site includes information on Georgia's child welfare plans, annual reports, federal reviews, state assessments, related resources, and the safety response system being piloted in Georgia.

Georgia Appleseed:

Reminder of the work Georgia Appleseed is doing through our FAIR (Fairness, Advocacy, and Individualized Representation) Project. We support children across Georgia facing **long-term suspension or expulsion** by providing **Community Advocacy Support (CAS)** and **direct legal representation** to help families navigate the tribunal process and advocate for alternatives to exclusionary discipline.

Inform families about the advocacy support Georgia Appleseed can provide. To make a referral you may do so by filling out the [FAIR Referral Form](#). Access our resources and training modules at www.TribunalHelp.org.

We appreciate your partnership and look forward to working with you to support Georgia's children and families. Please let us know if you have any questions or ideas for collaboration.

Tanesse Brown

Program Manager

Direct: (678) 426-4640

tbrown@gaappleseed.org | www.gaappleseed.org

The Summit: Georgia's Child Welfare Conference:

The Summit, Georgia's Child Welfare Conference, will take place December 3-5, 2025, at the Alpharetta Conference Center at the Hotel at Avalon. Hosted by the Georgia Office for the Child Advocate, Supreme Court of Georgia's Committee on Justice for Children, Georgia CASA, the Barton Center for Child Law and Policy, and the UGA Law CEASE Clinic, the event will bring together a diverse array of professionals involved in child protection and advocacy. [Click here to register!](#)

Child Protection and Advocacy Section Annual Meeting & CLE: Save the Date!

When: January 22, 2026, from 10 a.m.–2 p.m.

Where: State Bar of Georgia

What: Mark your calendars now to join the CPAS annual meeting and CLE!

Registration information will be distributed by the State Bar in late November 2025, and will be available on the CPAS website near the beginning of 2026. [Child Protection and Advocacy Section Website](#)

19th Annual Youth and the Law Summit

When: April 18, 2026, from 8:30 am to 2:00 pm

Where: State Bar of Georgia

What: Judge Renata Turner and the Fulton County Juvenile Court are hosting the 19th Annual Youth and the Law Summit. They typically host an audience of around 200 people, including youth, their parents, guests, and speakers who have a positive target message to encourage the youth in their future endeavors. The youth who attend are sometimes court-involved, or youth who may be participating in a program that is sponsored by Fulton County Juvenile Court or other agencies affiliated with the court. If you have any questions, please contact Faye Payne at faye.payne@fultoncountygga.gov.

Child Protection and Advocacy Section Scholarships

The Child Protection and Advocacy Section of the State Bar of Georgia will offer three scholarships in the amount of up to \$750 per scholarship each year. These funds may be used for either registration fees or travel expenses for an out-of-town conference or seminar related to child welfare or family law. The scholarships will be awarded to current members of CPAS who demonstrate both a need for financial assistance and the relevance of the content area of the conference or seminar to the work conducted by the attorney. Please click the following link to access the Scholarship Application: [Child Protection and Advocacy Section](#).

We all have to start somewhere.

The State Bar of Georgia values wellness in the legal profession, and we offer a variety of resources to help lawyers in their lives and practices. Visit lawyerslivingwell.org to read articles on wellness and access discounts to gym memberships and classes. Plus, learn about the following programs:

Lawyers Assistance Program
Lawyers Helping Lawyers
Suicide Awareness Campaign
SOLACE
#UseYour6

