

Child Protective Services – Introduction

2101.2 Legal Basis

The legal provision of protective services is possible through federal and state laws. Federal laws and regulations are linked with federal funds to provide services, and Georgia must comply with these laws as a prerequisite to receiving CAPTA (Child Abuse Prevention and Treatment Act) funds which provide Georgia funding for CPS programs in Georgia. The more applicable federal and state laws are:

Federal

- Social Security Act of 1935 as amended, and implemented in the CFR (Code of Federal Regulations). Part 200 - Title XX;
- Child Abuse Prevention and Treatment Act of 1996 as amended, and implemented by 45 CFR 1340;
- Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272);
- Adoption and Safe Families Act of 1997 (P.L. 105-89);
- Child Abuse Prevention, Adoption, and Family Services Act of 1988 (P.L. 100-294);
- Family Preservation and Family Support Services, Omnibus Budget Reconciliation Act of 1993; P.L. 103-66.

State*

- "Children and Youth Act", O.C.G.A. 49-5-1;
- Parent and Child Additional Identification and Reporting Procedures for Abused Children, O.C.G.A. 19-7-5;
- Confidentiality of Records Concerning Reports of Child Abuse and Neglect, O.C.G.A. 49-5-40;
- Juvenile Court Code of Georgia, O.C.G.A. 15-11-1;
- Local child abuse protocol committee, O.C.G.A. 19-15-2;
- Child abuse fatality sub-committee, O.C.G.A. 19-15-3.

*Internet site for Georgia laws: www.legis.state.ga.us