



The Georgia Division of Family and Children Services (DFCS) announces an

## **ADMINISTRATIVE REVIEW Appeals Process for Caretaker's with substantiated Cases of Abuse and/or Neglect**

In the past, a child's legal caretaker who has been the subject of a substantiated case of abuse and/or neglect has been allowed to request an administrative review of the case findings. The administrative reviews were conducted internally with no independent external review of the findings. A change in this process has been made. All requests for an Administrative Review will now follow the outline below.

The Administrative Review process will afford a way for those who feel their substantiated case decision is unjust, to have a full review of their case, including a review by a qualified party external to DHS/DFCS.

### **New Process for Appeals Effective November 1, 2009**

The Division of Family and Children Services (DFCS) has established an Administrative Review process in which the substantiated caretaker can appeal any abuse or neglect decision from March 20, 1998 to the present. This process now includes two additional review levels.

The Administrative Review will occur on three levels:

First Level (as before):

- Conducted by the DFCS Regional Offices through a desk review.
- If the Regional Office disagrees with the original decision, the requestor will receive notification that the case decision will be changed.
- If the original case determination is upheld, the notification letter will include the Regional Office's findings.

Second Level (effective November 1<sup>st</sup>, 2009):

- If the requestor would like a second-level review, this level is conducted by an Administrative Review Officer (ARO) outside of DFCS.
- The requestor will be given the option of having a desk review or a face-to-face review.
- The ARO will issue a recommendation to either uphold or overturn the case decision.

Third Level (effective November 1<sup>st</sup> 2009):

- The Commissioner of the Department of Human Services or his/her designee will then review the recommendation and render a final written decision.
- The Commissioner's decision is final.

**If you would like any additional information about the Administrative Review appeal process, please contact your local DFCS office.**