

**IN THE JUVENILE COURT OF TROUP COUNTY
STATE OF GEORGIA**

**ADMINISTRATIVE ORDER
ESTABLISHING LOCAL RULE**

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) **USE OF RESTRAINTS ON JUVENILES**
) **IN COURT PROCEEDINGS**
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This Court finds that the indiscriminate use of shackles and restraints on children in the courtroom is a violation of a child's right to due process and is antithetical to the juvenile court goal of rehabilitation and treatment. Therefore, the practice of indiscriminately shackling detained children in court, irrespective of the child's age, height, weight, gender, pending offense, history of violence, threat to public safety, or risk of flight shall be prohibited and replaced with a local rule as set forth below that provides reasonable guidelines for determining on a case by case basis when the use of restraints are permissible.

ORDER

IT IS HEREBY ORDERED that the practice of the indiscriminate use of restraints on children in the courtroom shall be prohibited and replaced with a local rule that establishes guidelines for the use of said restraints on a case by case basis.

IT IS FURTHER ORDERED that instruments of restraint shall not be used on a child during a court proceeding and must be removed prior to the child's appearance before the court unless the court finds both that:

1. The use of restraints is necessary to prevent physical harm to the child or another person;
2. The child has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a substantial risk of inflicting physical harm on him or herself or others as evidenced by recent behavior; or
3. There is a founded belief that the child presents a substantial risk of flight from the courtroom; and

There are no less restrictive alternatives to restraints that will prevent flight or physical harm to the child or another person, including but not limited to, other non-visible restraints or the presence of court personnel or law enforcement.

SO ORDERED this ____ day of _____, 2015.

Honorable Michael Key
Judge, Troup County Juvenile Court



**IN THE JUVENILE COURT OF TROUP COUNTY
STATE OF GEORGIA**

In the Interest of:

FILE #:
CASE #:
SEX:
DOB:

ORDER FOR THE USE OF RESTRAINTS IN COURTROOM

WHEREAS a request has been made to the court that the child in the above-styled case be restrained in the courtroom, this court inquired into the matter, hearing from both the State and the child through the child's attorney.

This Court finds that the following factors support the request to restrain the child:

- | | |
|--|---|
| <input type="checkbox"/> child's age | <input type="checkbox"/> child's history of violence |
| <input type="checkbox"/> child's size | <input type="checkbox"/> child's history of disruptive courtroom behavior |
| <input type="checkbox"/> child's gender | <input type="checkbox"/> child's risk of flight/escape |
| <input type="checkbox"/> nature of child's pending charges | |

This Court further finds that:

- The use of restraints is necessary to prevent physical harm to the child or another person.
- The child has a history of disruptive courtroom behavior that has placed others or the child in potentially harmful situations.
- The child presents a substantial risk of inflicting physical harm on him or herself or others as evidenced by recent behavior.
- The child presents a substantial risk of flight from the courtroom

AND that there are no less restrictive alternatives that will prevent flight or physical harm to the child or another person.

IT IS HEREBY ORDERED that the child in the above-styled case shall be restrained in the courtroom.

SO ORDERED this ____ day of _____, 2015.

Honorable Michael Key
Judge, Troup County Juvenile Court

**IN THE JUVENILE COURT OF TROUP COUNTY
STATE OF GEORGIA**

**ADMINISTRATIVE ORDER
ESTABLISHING LOCAL RULE**

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**USE OF RESTRAINTS ON PARENTS
IN COURT PROCEEDINGS**

This Court finds that the indiscriminate use of shackles and restraints on parents in dependency cases antithetical to the juvenile court goals and principles. Therefore, the practice of indiscriminately shackling parents in dependency cases in court, irrespective of the parent's height, weight, gender, pending offense, history of violence, threat to public safety, or risk of flight shall be prohibited and replaced with a local rule as set forth below that provides reasonable guidelines for determining on a case by case basis when the use of restraints are permissible.

ORDER

IT IS HEREBY ORDERED that the practice of the indiscriminate use of restraints on parents in dependency cases in the courtroom shall be prohibited and replaced with a local rule that establishes guidelines for the use of said restraints on a case by case basis.

IT IS FURTHER ORDERED that instruments of restraint shall not be used on a parent in a dependency case during a court proceeding and must be removed prior to the parent's appearance before the court unless the court finds both that:

1. The use of restraints is necessary to prevent physical harm to the parent or another person;
2. The parent has a history of disruptive courtroom behavior that has placed others in potentially harmful situations or presents a substantial risk of inflicting physical harm on him or herself or others as evidenced by recent behavior; or
3. There is a founded belief that the parent presents a substantial risk of flight from the courtroom; and

There are no less restrictive alternatives to restraints that will prevent flight or physical harm to the parent or another person, including but not limited to, other non-visible restraints or the presence of court personnel or law enforcement.

SO ORDERED this 21st day of December, 2016, to be effective January 1, 2017.

Honorable R. Michael Key
Judge, Troup County Juvenile Court

**IN THE JUVENILE COURT OF TROUP COUNTY
STATE OF GEORGIA**

In the Interest of:

FILE #:
CASE #:
SEX:
DOB:

ORDER FOR THE USE OF RESTRAINTS IN COURTROOM

WHEREAS a request has been made to the court that the parent of the child in the above-styled case, _____, be restrained in the courtroom, this court inquired into the matter, hearing from all parties, directly or through their respective attorneys, and the Sheriff's Department.

This Court finds that the following factors support the request to restrain the parent:

- | | |
|---|--|
| <input type="checkbox"/> parents risk of flight/escape | <input type="checkbox"/> parent's history of violence |
| <input type="checkbox"/> parent's size | <input type="checkbox"/> parent's history of disruptive courtroom behavior |
| <input type="checkbox"/> parent's gender | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> nature of parent's pending charges | |

This Court further finds that:

- The use of restraints is necessary to prevent physical harm to the parent or another person.
- The parent has a history of disruptive courtroom behavior that has placed others or the child in potentially harmful situations.
- The parent presents a substantial risk of inflicting physical harm on him or herself or others as evidenced by recent behavior.
- The parent presents a substantial risk of flight from the courtroom
- Other: _____

AND that there are no less restrictive alternatives that will prevent flight or physical harm to the parent or another person.

IT IS HEREBY ORDERED that the parent of the child in the above-styled case shall be restrained in the courtroom.

SO ORDERED this ____ day of _____, 2017.

Honorable Michael Key, Judge, Troup County Juvenile Court