

XVI. TIME LIMITATIONS

Child Taken Into Custody

Probable Cause Hearing¹

Detention Hearing

Delinquent: 72 hours
Unruly: 72 hours
Deprived: 72 hours
O.C.G.A. §15-11-49(c)

IF RELEASED

Filing of a Petition

Delinquent: 30 days
Unruly: 30 days
Deprived: 30 days
O.C.G.A. §15-11-49(b)

Adjudicatory Hearing

Delinquent: 60 days
Unruly: 60 days
Deprived: 60 days
O.C.G.A. §15-11-39(a)

Dispositional Hearing

Delinquent: No time limit
Unruly: No time limit
Deprived: Reasonable period
O.C.G.A. §15-11-65(a)

IF DETAINED

Filing of a Petition

Delinquent: 72 hours
Unruly: 72 hours
Deprived: 5 days
O.C.G.A. §15-11-49(e)

Adjudicatory Hearing

Delinquent: 10 days
Unruly: 10 days
Deprived: 10 days
O.C.G.A. §15-11-39(a)

Dispositional Hearing

Delinquent: 30 days
Unruly: 30 days
Deprived: No time limit
O.C.G.A. §15-11-65(a)

¹In *A.M. v. Martin et al.*, an unpublished 1998 opinion written by Judge Julie E. Carnes for the United States District Court for the Northern District of Georgia, the court held that juveniles taken into custody without an arrest warrant must be provided with a probable cause determination within 48 hours, *including* weekends and holidays. The state must demonstrate that extraordinary circumstances exist before a juvenile may be detained on a warrantless arrest for more than 48 hours without a probable cause hearing.