

Parental Rights Georgia

Last Updated: April 2023

Question	Answer
Does the state allow for termination or limitation of parental rights when a child is born from rape?	Yes
Does the state require a conviction for the sexual offense to terminate or limit the rapist's parental rights?	No
May the state terminate or limit parental rights when there was a sexual assault that led to the birth of the child, but no conviction?	Yes
What parental rights can be terminated or limited?	All parental rights
Are there any exceptions to the termination or limitation of a rapist's parental rights?	Reinstatement of Parental Rights – if rights had been terminated but child not placed with adoptive family within 3 years the parent whose rights have been terminated may petition court for reinstatement
What other rights may be impacted by terminating a rapist's parental rights?	N/A
What is the procedure for termination or limitation of parental rights in these circumstances?	Victim must petition the court
What proof do you have to show to terminate or limit the rapist parent's parental rights?	Clear and convincing evidence that the rapist parent caused his child to be conceived as a result of having nonconsensual sexual intercourse with the biological mother of his child or when the biological mother is less than ten years of age.
Are there any time limits for when a petition must be filed to terminate or limit the rapist parent's rights?	N/A
Does the law apply to both adult victims and underage victims?	Yes

Does the law have any exceptions for married or co-habiting victims?	N/A
Can a court require the rapist parent to pay child support after parental rights have been terminated?	N/A
Statutory Citations	Ga. Code § 19-8-10 (2021) When surrender or termination of parental rights not required Ga. Code § 19-8-11 (2021) Ga Code Ann., § 15-11-323. Reinstatement of parental rights