Rules and Regulations of the State of Georgia

Department 105 GEORGIA DEPARTMENT OF COMMUNITY SUPERVISION

Current through Rules and Regulations filed through November 6, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapters 105-1 entitled "Administration" and 105-2 entitled "Misdemeanor Probation Oversight Unit" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Chapter 105-3 entitled "Family Violence Intervention Program" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.

Rules 105-2-.03, .05, .06, .07, .08, .10, .11, .12, .14, .17 amended. F. Jan. 3, 2019; eff. Jan. 23, 2019.

Rules 105-2-.03, .05, .07, .11 through .15 amended. F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rules 105-3-.03 through .13 amended. F. Feb. 23, 2026; eff. Mar. 15, 2026.

Cite as Ga. Comp. R. & Regs. R. dept. 105, ADMINISTRATIVE HISTORY

Chapter 105-1. ADMINISTRATION.

Rule 105-1-.01. Transfer of Power, Duties, Functions.

All rules and regulations in effect upon the transfer of power, duties and functions to the Board of Community Supervision that specifically relate to Georgia Department of Corrections probation supervision, Board of Pardons and Parole community supervision, Department of Juvenile Justice probation supervision and reentry for Class A or B Designated Felony juvenile probationers, County and Municipal Probation Advisory Council, Governor's Office of Transition, Support, and Reentry shall remain in effect until adoption of new rules and regulations under the Board of Community Supervision.

Cite as Ga. Comp. R. & Regs. R. 105-1-.01
Authority: O.C.G.A. § 42-3-2.
History. Original Rule entitled "Transfer of Power, Duties, Functions" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Chapter 105-2. MISDEMEANOR PROBATION OVERSIGHT UNIT.

Rule 105-2-.01. Name and Address.

The Misdemeanor Probation Oversight Unit (MPOU) of the Department of Community Supervision shall regulate entities and individuals that provide probation supervision services and administer laws and rules related to misdemeanor probation. The MPOU is located at 2 Martin Luther King, Jr. Drive, S.E., Balcony Level, East Tower, Atlanta, Georgia 30334.

Cite as Ga. Comp. R. & Regs. R. 105-2-.01
Authority: O.C.G.A. §§ 42-3-3, 43-3-5.
History. Original Rule entitled "Name and Address" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.02. Purpose and Authority.

The Misdemeanor Probation Oversight Unit (MPOU) is authorized to register misdemeanor probation entities and individuals, conduct audits to determine compliance, and investigate potential violations of laws and/or rules. There shall be a director of the Misdemeanor Probation Oversight Unit who shall be appointed by the Commissioner. The director shall oversee the Unit and have authority, with the concurrence of the Commissioner, to impose sanctions for violations and to otherwise carry out the laws and rules in regard to misdemeanor probation supervision.

Cite as Ga. Comp. R. & Regs. R. 105-2-.02
Authority: O.C.G.A. § 42-3-3.
History. Original Rule entitled "Purpose and Authority" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.03. Definitions.

(a) "Commissioner" means the Commissioner of the Department of Community Supervision.

(b) "Director" shall mean the director of Misdemeanor Probation Oversight for the Department of Community Supervision.

(c) "Entity Director" shall mean the director of a probation entity.

(d) "Governing Authority" shall mean the elected body of any county or municipality or consolidated government with statutory power to enter into written contracts with corporations, enterprises or agencies to provide public services.

(e) "Individuals" shall mean any entity director, owner, agent, probation officer, administrative employee, intern, or volunteer that provides services for a probation entity.

(f) "Probationer" shall mean any misdemeanor offender sentenced by a court and assigned probation for supervision, counseling, financial collections of any kind, and compliance with any other court-ordered condition.

(g) "Probation Entity", "Provider Entity, or Entity" shall mean any private corporation, private enterprise, or private agency contracting to provide misdemeanor probation supervision services and/or county, municipality, or consolidated government probation office contracting to provide misdemeanor probation supervision services.

(h) "Probation Officer" shall mean any private, public, governmental officer, that provides supervision of probationers.

(i) "Service Agreement" shall mean any contracts between the governing authority and the chief judge to provide probation services for that governmental district.

(j) "Judicial officer" shall mean any person employed or providing service to a court.

(k) "Owner" shall mean the owner of a private probation entity with access to probation records.

(l) "Pay Only" shall mean any case that does not have any special conditions or restitution except for fine and surcharge collection unless otherwise noted on the sentence.

(m) "Regular probation fee or ordinary supervision fee" shall mean the contracted amount that shall be collected by the provider solely for probation supervision.

Cite as Ga. Comp. R. & Regs. R. 105-2-.03
Authority: O.C.G.A. § 42-3-3.
History. Original Rule entitled "Definitions" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.
Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.04. Rule Registration.

All probation entities or individuals are required to submit registration to and be approved by MPOU, as well as re-register as often as necessary to maintain current, up-to-date information. Registration is required to be approved prior to engaging in or providing services to a court and shall be made in such detail as MPOU may require. The failure or refusal to register or re-register as required shall subject the probation entity or individuals to sanctions provided in these rules.

(a) The following shall be ineligible for registration:

1. Any applicant whose registration approval has ever been revoked for falsifying probation entity records.

2. Any applicant whose registration approval has been revoked for any other reason within the 5 year period prior to application will not be approved to operate a new probation entity.

3. Any applicant who has a history of non-compliance with requirements as evidenced by at least 3 previous notices of noncompliance, suspension(s) or administrative fine(s).

Cite as Ga. Comp. R. & Regs. R. 105-2-.04
Authority: O.C.G.A. §§ 42-8-109.3, 42-8-109.4.
History. Original Rule entitled "Registration" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.05. Probation Entity Registration and Approval Requirements.

No probation entity may operate without first registering and being approved by MPOU as set forth herein.

(a) Registration application. All registration applications must be submitted as required and approved by MPOU, and must be truthful, accurate, and complete.

(b) Initial approval. After receipt of a completed registration evidencing that all owners and/or the entity director have met the qualifications set forth by law and in these rules and that other probation entity requirements are met, MPOU shall approve the probation entity. MPOU shall respond within 15 business days with approval of registration, a deficiency statement, or a notice that additional time is required. Applicants shall have 10 days to cure deficiencies. If deficiencies are not cured within the 10 days, the registration application shall be deemed denied.

(c) Ongoing approval. Once initially approved, a probation entity shall remain approved as long as it remains in compliance with applicable laws and rules. MPOU may require that certain documents and information be updated on a periodic basis to verify continuing compliance with requirements. Such documents shall include, but not be limited to, financial records as they pertain to the assessment, collection, and disbursement of court-ordered monies, contract renewal or termination information, employee training records, criminal history record information, insurance information (private probation entities only), and updated court listings/contracts.

(d) Additional information for verification. MPOU may require any applicant or approved probation entity to submit additional information or verification that is reasonably related to making a determination regarding initial approval or continued compliance with requirements.

(e) Compliance with Immigration Act: All owners and/or entity directors must comply with the 2011 Immigration Act per OCGA § 50-36-1. All owners and/or entity directors are required to submit a lawful presence affidavit at the request of MPOU.

(f) Non-transferability of registration approval. Approval of a probation entity is not transferable. Application for new (initial) registration approval must be submitted and approved prior to any change in probation entity ownership or control. All new owners, entity directors, or agents must meet the requirements set forth by law and these rules.

(g) Validity of registration approval. All registration approvals issued pursuant to the laws and regulations are valid only so long as the entity director and/or owner of record is actively engaged in the operation of a probation entity. In the event the director and/or owner of record ceases to be actively engaged in the operation of a probation entity, MPOU must be notified. Inactivity of a probation entity for a period of 3 months shall cause the entity's registration to lapse. Application may be made to MPOU for an extension of time, which may be granted at the discretion of MPOU.

(h) Voluntary withdrawal of registration. Any owner and/or entity director may voluntarily withdraw their registration for operation as a misdemeanor probation provider by submitting notice to MPOU; provided, however, that said probation entity does not have any pending complaints, investigations, or MPOU action. Notice of Withdrawal of Registration may be submitted via certified mail to the principal address of MPOU noted in Rule 105-2-.01 or by specific direction of the Director of MPOU.

(i) No probation entity may use any name like, or deceptively similar to, a name used by any other probation entity in this state. No probation entity may use the word "state" in any part of its name as to suggest that it is owned, operated, or endorsed by the State of Georgia.

(j) Governmental Entities and their individuals shall adhere to POST requirements if they choose to operate as a POST approved entity pursuant to OCGA 35-8-1, et. seq.

Cite as Ga. Comp. R. & Regs. R. 105-2-.05
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.3, 50-36-1.
History. Original Rule entitled "Probation Entity Registration and Approval Requirements" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.
Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.06. Individual Registration and Approval Requirements.

No individual will provide services to probation entities without first registering and being approved by MPOU as set forth herein.

(a) Registration application. Registration applications for all individuals are required to be submitted as required and approved by MPOU, and must be truthful, accurate, and complete.

(b) Initial approval. After receipt of a completed registration evidencing that all individuals have the qualifications set forth by law and these rules and that other requirements are met, MPOU shall respond within 15 days with approval of registration, denial, or deficiency statement. Applicants shall have 10 days to cure deficiencies. If deficiencies are not cured within the 10 days, the registration application shall be deemed denied.

(c) Ongoing approval. Once initially approved individuals shall remain approved as long as they remain in compliance with applicable laws and rules. MPOU may require that certain documents and information be submitted on a periodic basis to verify continuing compliance with requirements.

(d) Additional information for verification. MPOU may require any applicant or approved individuals to submit additional information or verification that is reasonably related to making a determination regarding initial approval or continued compliance with requirements.

(e) Non-transferability of registration approval. Approval of individuals is not transferable. Application for new (initial) registration approval must be submitted prior to any change of an individual which must meet the requirements set forth in these rules.

(f) Validity of registration approval. All registration approvals issued pursuant to the laws and regulations are valid only so long as the individual of record is actively engaged in the operation of a probation entity. In the event the individual of record ceases to be actively engaged in the operation of a probation entity, MPOU must be notified.

Cite as Ga. Comp. R. & Regs. R. 105-2-.06
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.3, 42-8-109.4.
History. Original Rule entitled "Individual Registration and Approval Requirements" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.

Rule 105-2-.07. Limitations on Who Can Operate or be Employed by a Probation Entity.

(a) No probation entity nor any individuals of such entities shall engage in any other employment, business, or activity which interferes or conflicts with the duties and responsibilities under contracts authorized in this article.

(b) No probation entity nor its individuals shall have personal or business dealings, including the lending of money, with probationers under their supervision.

(c) No probation entity nor its individuals, shall own, operate, have any financial interest in, be an instructor at, or be employed by any private entity which provides drug or alcohol education services or offers a DUI Alcohol or Drug Use Risk Reduction Program certified by the Department of Driver Services.

(d) No probation entity nor its individuals shall specify, directly or indirectly, a particular DUI Alcohol or Drug Use Risk Reduction Program, FVIP, or any program that has financial gain for the entity or individuals, which a probationer may or shall attend, on or after January 1, 2022, if certification expires or unless authorized by court order or service agreement. This paragraph shall not prohibit furnishing any probationer, upon request, with the names of certified DUI Alcohol, Drug Use Risk Reduction Programs or FVIP. Any person violating this paragraph shall be guilty of a misdemeanor.

(e) No judicial officer, probation officer, law enforcement officer, or other officer or employee of a court; no person who owns, operates, or is employed by a probation entity and no professional bondsman or agent or employee thereof shall specify, directly or indirectly, a particular provider center which the person may or shall utilize when required. This subsection shall not prohibit any judicial officer, probation officer, law enforcement officer, or other officer or employee of a court; owner or entity director of a probation entity; or professional bondsman or agent or employee thereof from furnishing any person, upon request, the names of certified provider centers.

(f) No probation entity or its individuals or professional bondsman or agent or employee thereof shall be authorized to own, operate, or be employed by or as a provider entity.

(g) No probation entity or its individuals shall own or control any finance business or lending institution which makes loans to probationers under its supervision.

(h) No probation officer or individual shall simultaneously act as an interpreter for any judicial proceedings.

(i) All probation individuals must report secondary employment or volunteer obligations to the Entity Director for approval.

(j) No individual shall direct, own, or be an employee, agent, intern, or volunteer of a probation entity if the individual or individual's spouse would pose an actual, potential, or apparent conflict of interest due to the existence of a fiduciary, business or personal relationship with any probationer or due to the existence of any other relationship that would place the individual in a position to exert undue influence, exploit, take undue advantage of or breach the confidentiality of any probationer. Further, judicial officers, individual employees, or any spouse thereof, shall not direct, own, or be an employee, agent, intern, or volunteer of a private probation entity.

(k) The failure to adhere to any of the limitations in (a) through (j) above shall subject the probation entity or individual to sanctions as provided in these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.07
Authority: O.C.G.A. §§ 42-8-109, 42-8-109.1, 42-8-109.4, 42-8-114, 19-13-10.
History. Original Rule entitled "Limitations on Who Can Operate or be Employed by a Probation Entity" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.
Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.08. Service Agreements.

(a) Private and Governmental Probation Service Agreement. All owners and/or entity directors are required to enter into a written service agreement with the local governing authority for each court that it plans to provide misdemeanor probation supervision services to. Each service agreement must be approved by the chief judge of each such court. A signed copy of each service agreement must be filed and maintained current with MPOU prior to providing probation supervision services. Probation entity service agreements must minimally contain the following information and must be filed and maintained current with MPOU:

1. Description of the extent of services to be rendered by the probation entity to include scope of work;

2. Individual qualifications which meet or exceed the statute;

3. Criminal records checks completed on all individuals in accordance with laws and these rules;

4. Policies and procedures for individual training;

5. Private Probation Entities Only-Liability Insurance ($1 Million) and Bonding of staff (at least $25,000);

6. Staffing levels and standards of supervision, including the type and frequency of contacts, and staff to probationer ratio;

7. Collection procedures for handling court-ordered fines, fees, and restitution;

8. Procedures for handling indigent probationers, pay only cases, and consecutive sentences;

9. Revocation procedures and circumstances;

10. Reporting and record keeping procedures;

11. Default and contract termination procedures with specific expiration date not to exceed 5 years unless authorized by statute; and

12. A schedule of probation fees and charges assessed to the probationers supervised by the probation entity. The schedule should include all fees required by law or these rules.

(b) Service agreements are required to meet the standards in these rules and O.C.G.A. 42-8-101 by January 1, 2018. Service agreements in existence prior to December 31, 2017 must be in compliance with laws and rules in effect prior to that time.

(c) The failure to adhere to the Service Agreement standards shall subject the probation entity or individuals to sanctions as provided in these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.08
Authority: O.C.G.A.§§ 42-8-106.1, 42-8-107, 42-8-109.3, 17-14-8, 42-8-109.4, 42-8-103, 42-8-102.
History. Original Rule entitled "Service Agreements" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.

Rule 105-2-.09. Requirements for All Probation Entities and Individuals.

All individuals who provide service to probationers, or has access to probation records, or who has telephone or face-to-face contact with probationers under Georgia supervision, or access to probationer data, is required to be registered and approved by MPOU, to sign a confidentiality statement agreeing to hold probation records confidential and to be maintained in the individual's personnel file, have a clear criminal record, and to meet the following specific requirements:

(a) Entity Directors and Owners Requirements. To be approved to operate a probation entity, owners and/or directors must have the qualifications set forth below. These qualifications must be demonstrated at the time of registration and at any other time reasonably requested by MPOU.

1. Initial Qualifications of Probation Entity. Upon application for registration approval to operate a probation entity, the applicant must include at least one employed person who is responsible for the direct supervision of probation officers. This supervisor shall have a minimum of 5 years' experience in one or a combination of the following: corrections counseling, parole officer, or probation officer. In its discretion, MPOU may approve experience not listed above.

2. Ongoing Qualifications of Probation Entities.

   (i) Maintain a clear criminal record;

   (ii) Ensure each individual completes continuing education;

   (iii) Maintain continued employment of probation officer supervisor and;

(iv) Adhere to all other requirements established in these rules.

3. Change of location. The owner and/or entity director must notify MPOU prior to any change in the location of the primary entity location or address.

4. Change of contact information. The owner and/or entity director must notify MPOU of any change in the probation entity's telephone number, email, or other pertinent contact information within 3 business days.

(b) Probation Officers Requirements. To be employed as a probation officer with a probation entity the following shall be required:

1. Initial Qualifications of Probation Officers.

(i) Be at least 21 years of age at the time of appointment;

(ii) Complete a standard 2 year college course of study or 90 quarter hours or 60 semester hours from an accredited institution or have four years of law enforcement experience as a certified peace officer or jurisdictional equivalent, at the time of appointment. Any private probation officer who was employed as of July 1, 1996 and who had at least 6 months of experience as a private probation officer, or any person employed as a probation officer by a county, municipality, or consolidated government as of March 1, 2006, shall be exempt from such college requirements. Documentation of education, law enforcement experience, and POST certification shall be maintained in the probation officer's personnel files;

(iii) Complete a 40 hour initial orientation program within 6 months of appointment, and 20 hour annual in-service continuing education training program, consisting of a curriculum approved by MPOU. Training documentation shall be maintained in the probation officer's file and;

(iv) Sign a statement co-signed by the probation entity director or his/her designee that the probation officer has received an orientation on these rules as well as operations guidelines relevant to the probation officer's job duties which shall be maintained in the probation officer's personnel files.

2. Ongoing qualifications of Probation Officers.

(i) Maintain a clear criminal record;

(ii) Ensure each individual completes continuing education and;

(iii) Adhere to all other requirements established in these rules.

3. Change of contact information. All probation officers must notify MPOU of any change in his/her address, telephone number, email, or other pertinent contact information within 3 business days.

(c) Administrative Employee, Agent, Intern, or Volunteer Requirements. To work with a probation entity in any capacity, the following shall be required:

1. Initial qualifications of Administrative Employee, Agent, Intern, or Volunteer.

(i) Be at least 18 years of age;

(ii) Sign a statement co-signed by the probation entity director or his/her designee that the administrative employee, agent, intern, or volunteer has received an orientation on these rules as well as operations guidelines relevant to the administrative employee, agent, intern, or volunteer's job duties which shall be maintained in administrative employee, agent, intern, or volunteer's personnel files;

(iii) High School diploma or equivalent and;

(iv) Complete a 16 hour initial orientation program within 6 months of appointment and 8 hour annual in-service continuing education training program, consisting of a curriculum approved by MPOU.

2. Ongoing qualifications Administrative Employee, Agent, Intern, or Volunteer.

(i) Maintain a clear criminal record;

(ii) Ensure each individual completes continuing education and;

(iv) Adhere to all other requirements established in these rules.

(d) The failure to adhere to the above requirements shall subject the probation entity or individual to sanctions as provided in these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.09
Authority: O.C.G.A. §§ 42-8-106.1, 42-3-10.
History. Original Rule entitled "Requirements for All Probation Entities and Individuals" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.10. Background Checks Required for All Individuals (directors and/or owners, probation officers, administrative employees, agents, interns, or volunteers).

All individuals of a probation entity are required to have a criminal background check completed by the Department of Community Supervision in accordance with O.C.G.A. § 35-3-34. MPOU may also require criminal records checks at any point during employment, registration, compliance audits, or complaints. MPOU shall report to the probation entity the results of the criminal background checks for all individuals associated with that probation entity.

(a) Probation entities are responsible for fingerprinting new individuals through GAPS within 10 days of hire.

(b) All individuals of a probation entity are required to report any arrests within 48 hours to MPOU and the director of the employing entity.

(c) No person may fill any of the positions listed above who has engaged in any of the following conduct:

1. Intentionally falsified, misrepresented, or omitted pertinent information while completing the employment application, preliminary interview questionnaires, polygraph or any other pre-employment document(s);

2. Deliberately made inaccurate, misleading, false, or fraudulent statements during the employment process;

3. Failed to meet required educational or professional licensing or certification (if applicable);

4. Has any felony conviction;

5. Has any outstanding misdemeanor or felony charge pending adjudication;

6. Has sufficient misdemeanor convictions to establish a pattern of disregard for the law;

7. Engaged in any crime of a serious or aggravated nature;

8. Convicted or plead nolo contendere within the past three (3) years for Driving Under the Influence of Drugs or Alcohol (DUI) or for any serious traffic offense, including, but not limited to: Fleeing or Attempting to Elude a Police Officer, Vehicular Homicide, Failure to Stop, Render Aid, or Leave Information, and Racing;

9. Has 5 or more convictions and/or pleas of nolo contendere within the past 2 years for any moving violations;

10. Ongoing criminal activity or history of criminal activity other than minor traffic offenses;

11. Completed first offender sentence for an offense that indicates a security risk;

12. Engaged in any illegal drug use within the past 12 months;

13. Any pattern of marijuana use that suggests un-rehabilitated substance abuse;

14. Any pattern of drug use, other than marijuana, that suggests unrehabilitated substance abuse within the past 3 years;

15. Illegal sale, distribution or manufacturing (to include growing) of any drug;

16. Deliberate association of a personal nature within the past year with persons who use illegal drugs in the presence of the applicant;

17. Use of any prescription drug or legally obtainable substance in a manner for which it was not intended and/or;

18. Under sanction by Peace Officer Standards and Training (P.O.S.T).

Cite as Ga. Comp. R. & Regs. R. 105-2-.10
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-107, 42-8-109.3, 42-8-109.4.
History. Original Rule entitled "Background Checks Required for All Individuals (directors and/or owners, probation officers, administrative employees, agents, interns, or volunteers)" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.

Rule 105-2-.11. General Probation Responsibilities.

In addition to meeting all other requirements, probation entities and individuals are responsible for the following:

(a) Providing services for the supervision, and collection of court-ordered fines of probationers assigned to the probation entity by the court in accordance with the service agreement;

(b) The actions of all employees carried out within the scope of employment, whether they are characterized as employees, agents, interns, volunteers, or independent contractors (Applicable to Entity owners/directors only);

(c) Prohibiting the solicitation of probationers for insurance, legal services, bail bonds, specific clinical evaluations or treatment providers, or any other product or service;

(d) Ensuring the quality of case management, case notes, case status, special conditions, and execution of all court orders in a professional and timely manner;

(e) Being accountable to the court in reporting the status of probation cases assigned to the probation entity for supervision;

(f) Prohibiting solicitation, and/or the requirement of advanced payment of probation supervision fees;

(g) Abiding by statute in reference to treatment of indigent probationers and revocation requirements per O.C.G.A. § 42-8-102;

(h) Abiding by statute in reference to pay only cases per O.C.G.A. § 42-8-103;

(i) Abiding by statute in reference to consecutive misdemeanor sentences per O.C.G.A. § 42-8-103.1(a)(b);

(j) Abiding by statute in reference to the tolling of misdemeanor sentences per O.C.G.A. § 42-8-105 and ;

(k) The failure to adhere to these responsibilities shall subject the probation entity or individuals to sanctions as provided in these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.11
Authority: O.C.G.A. §§ 42-3-3, § 42-3-6, 42-8-106.1, 42-8-102, 42-8-103, 42-8-103.1, 42-8-104, 42-8-105.
History. Original Rule entitled "General Probation Responsibilities" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.
Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.12. Training and Individual Development.

The primary objective of the MPOU training curriculum is to ensure that individuals receive sufficient training to enable them to provide probation services that are professional, competent and in compliance with all laws and the DCS rules. To satisfy the training requirements, entities shall develop a training plan designed to ensure timely completion and compliance with the training requirements imposed by these rules. Entity training plans are required to be submitted to MPOU for approval. The following training is required:

(a) Probation Officer Initial Orientation Training. All probation officers providing probation services are required to obtain 40 hours of initial orientation training as set forth below. Probation officers with evidence of satisfactorily completing a probation or parole officer basic course of training certified by the Georgia Peace Officer Standards and Training Council are exempt from the 40-hour initial orientation training requirement. Initial training of new probation officers shall be completed within the first 6 months from MPOU approved registration. All directors/owner must also complete the probation officer training if providing supervision services.

1. Probation Officer Orientation Requirements

(i) Overview of misdemeanor probation: A 10 hour block of instruction consisting of but not limited to the following topics, duties and activities

fundamental to general probation services: DCS/MPOU Rules, state laws, constitutional law & liabilities, introduction to MPOU & compliance review procedures, history of misdemeanor probation in Georgia, professionalism, ethics, and customer service;

(ii) Basic probation officer training: A 30 hour block of instruction consisting of but not limited to the following topics, duties, activities and operational practices fundamental to the performance of court services and case supervision: elements of basic supervision case documentation & caseload management, intake procedures, case file and records management and confidentiality, duties related to high liability matters such as tolling, "pay only" cases, indigency & financial hardships, consecutive cases, unique requirements associated with cases sentenced under the First Offender and Conditional Discharge statutes; supervision of common general and special conditions of probation such as community service, substance abuse screening, collection of court imposed financial obligations, special conditions involving clinical evaluations for substance abuse and/or mental health concerns which may require treatment, counseling, family violence intervention, risk reduction; actions related to probationer non-compliance such as violation response plans, violation of probation warrants, tolling orders, sentence modification orders, petitions for revocation, hearing preparation, testimony and courtroom protocol; entity operational policies, procedures and performance standards, personal safety, security and wellness, cyber security and data management.

(b) Probation Officer Annual In-Service. All probation officers are required to obtain 20 hours of annual in-service training. In-service training shall be completed on a calendar year basis. The initial orientation training hours completed during the first calendar year of employment shall also count towards satisfying the annual in-service training requirements for that same period.

1. Annual In-Service Training shall be on topics that relate to the criminal justice system, all topics, duties, and activities listed previously in this section, MPOU Rules, individual professional development, and/or the operation of the probation entity as approved by MPOU.

(c) Administrative Employee Agent, Intern, or Volunteer Initial Orientation Training. All Administrative Employee, Agent, Intern, or Volunteer are required to obtain 16 hours of initial orientation training.

1. Administrative Employee, Agent, Intern, or Volunteer Orientation Requirements

(i) Overview of misdemeanor probation: A 6 hour block of instruction consisting of but not limited to the following topics, duties and activities fundamental to general probation services: DCS/MPOU Rules, state laws,

constitutional law & liabilities, introduction to MPOU & compliance review procedures, history of misdemeanor probation in Georgia, professionalism, ethics, and customer service;

(ii) Basic probation services training: A 10 hour block of instruction consisting of but not limited to the following topics, duties, activities and operational practices commonly performed by individuals registered in the categories listed in this section; elements of basic probation office supervision duties such as: intake procedures, case file and records management and confidentiality, awareness of high liability matters such as tolling, "pay only" cases, indigency & financial hardships, consecutive cases; supportive role functions associated with common conditions of probation such as community service, substance abuse screening and collection of court imposed financial obligations; supportive role functions associated with actions related to probationer non-compliance such as violation response plans, violation of probation warrants, tolling orders, sentence modification orders, petitions for revocation hearings, hearing preparation, testimony and courtroom protocols; entity operational policies, procedures and performance standards, personal safety, security and wellness, cyber security and data management.

(d) Administrative Employee, Agent, Intern, or Volunteer Annual In-Service Training. All Administrative Employee, Agent, Intern, or Volunteer will obtain 8 hours of annual in-service training. In-service training shall be completed on a calendar year basis. The initial orientation training hours completed during the first calendar year of employment shall also count towards satisfying the annual in-service training requirements for that same period.

1. Annual In-Service Training shall be on topics that relate to the criminal justice system, all topics, duties, and activities listed previously in this section, MPOU Rules, individual professional development, and/or the operation of the probation entity as approved by MPOU.

(e) Training Responsibilities. The progress and completion of initial orientation and in-service training is required to be documented and maintained in the individual's files utilizing the forms approved by MPOU.

(f) Training Resources. Probation entities and individuals providing probation services may obtain training resource information from MPOU, local law enforcement agencies, local colleges and schools, and national professional associations such as the American Probation and Parole Association, Georgia Professional Association of Community Supervision, Community Corrections Association of Georgia, American Correctional Association, and/or credible sources approved by MPOU. All training resources must be approved by MPOU.

(g) Trainer Requirement. For internal trainers or use of external trainers not associated with agencies/associations as listed previously, the qualifications of the trainer should be established through academic achievements, certifications and/or extensive experience on the subject matter. The entity shall maintain a description of the course, the trainer's qualifications and contact information on file. External trainers not associated with agencies/associations as listed above must be approved by MPOU.

(h) The failure to adhere to these training requirements shall subject the probation entity and/or individuals to sanctions as provided in these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.12
Authority: O.C.G.A. § 42-8-106.1.
History. Original Rule entitled "Training and Individual Development" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.
Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.13. Probation Entity Reports.

All probation entities shall provide the judge and MPOU with a quarterly probation entity activity report in such detail as the judge and MPOU may require.

(a) Probation entity quarterly activity reports shall be submitted within 15 30 days after the close of each calendar quarter and shall be made utilizing forms approved by MPOU. Quarterly reports must be received by MPOU as follows: 1st quarter (Jan-March) due April 30th, 2nd quarter (April-June) due July 30th, 3rd quarter (July-Sept.) due October 30th, 4th quarter (Oct.-Dec.) due January 30th.

1. If the 30th day after the close of the quarter falls on a weekend or state or federal holiday, the quarterly report shall be submitted by the following business day. MPOU in its discretion shall allow for adjustments of due dates based on a case by case basis as long as the request for extension is received by MPOU in writing prior to the due date.

2. Failure to submit quarterly reports in a timely manner may result in sanctioning.

(b) The quarterly reports shall include the following:

1. Number of probationers under supervision;

2. The amount of fines, statutory surcharges, and restitution collected;

3. The amount of fees collected and the nature of such fees, including probation supervision fees;

4. Rehabilitation programming fees;

5. Electronic monitoring fees;

6. Drug or alcohol detection device fees;

7. Substance abuse or mental health evaluation or treatment fees if such services are provided directly or otherwise to the extent such fees are known;

8. Drug testing fees;

9. The number of community service hours performed by probationers under supervision;

10. A listing of any other service for which a probationer was required to pay to attend;

11. The number of probationers for whom supervision or rehabilitation has been terminated and the reason for the termination;

12. The number of warrants issued during the quarter and;

13. These reports shall be in such detail as MPOU may require.

    (i) Entities shall be given 90 days advance notice of changes in reporting requirements.

Cite as Ga. Comp. R. & Regs. R. 105-2-.13
Authority: O.C.G.A. §§ 42-8-108, 42-3-3.
History. Original Rule entitled "Probation Entity Reports" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.14. Probation Entity Records.

Each probation entity must maintain the following records for the period required by law at no less than three years and the records must be available and accessible for inspection by the affected county, municipality, consolidated government, the court, the Department of Audits and Accounts or MPOU upon request.

(a) Required records are as follows:

1. All written contracts or service agreements for probation services;

2. All court orders for all probationers assigned to the entity for supervision;

3. All accounting ledgers and related documents;

4. All payment receipts issued to probationers for all funds received;

5. All probation case history and management reports and documents;

6. All other documents pertaining to the case management of each probationer assigned to the entity for supervision;

7. The probation entity and individual applications for registration and supporting documents submitted to MPOU;

8. All training records and individual personnel files;

9. The registration approval issued to the probation entity and individuals by MPOU; and

10. All documents related to the case management of probationers to include but not limited to case history, accounting ledgers, and payment receipts must be retained for a period required by law after the probation case closes at no less than 3 years.

11. Pursuant to O.C.G.A § 42-8-109.2(b) (1) (A), "Any probationer under supervision shall be provided with a written receipt and a balance statement each time he or she makes a payment." All other reports, files, records, and papers of whatever kind relative to the supervision of probationers are declared to be confidential and shall be available only to the affected county, municipality, or consolidated government, or an auditor appointed by such county, municipality, or consolidated government, the judge handling a particular case, the Department of Audits and Accounts, the Department of Corrections, DCS, the State Board of Pardons and Paroles, or the Board.

12. All other reports, files, records, and papers of whatever kind relative to the supervision of probationers may also be disclosed to verified law enforcement agencies solely to perform law enforcement duties and responsibilities.

13. The foregoing reports, files, records, and papers of whatever kind relative to the supervision of probationers are not subject to disclosure pursuant to a subpoena.

14. All applicable reports, files, records, and papers of whatever kind relative to the supervision of probationers shall comply with all applicable laws and regulations pursuant to GA Records Act O.C.G.A § 50-18-90 et. seq.

Cite as Ga. Comp. R. & Regs. R. 105-2-.14
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.2.
History. Original Rule entitled "Probation Entity Records" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.

Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.15. Money Collection.

No probation entity or individual shall assess or collect from a probationer or disburse any funds, except as authorized by written order of the court, as authorized by the written service agreement, or as required by State law.

(a) A current schedule and priority of all probation fees, authorized through a service agreement, must be filed by the probation entity with MPOU and comply with applicable laws and rules.

(b) No probation entity or individual may offer any program services or components for an additional fee unless the fee is authorized by the probation entity's service agreement and has been ordered by the court, or as required by State law.

(c) It shall be the duty of the probation entity to collect and disburse funds and faithfully keep the records of accounts as required by the court, MPOU, and State law.

(d) No probation entity or individual shall require collection of probation supervision fees prior to providing services.

(e) The failure to adhere to any of these requirements in (a) through (d) above shall subject the probation entity and individuals to sanctions as provided in these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.15
Authority: O.C.G.A. §§ 42-8-106.1, 17-10-1.
History. Original Rule entitled "Money Collection" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Feb. 18, 2022; eff. Mar. 10, 2022.

Rule 105-2-.16. Transfer of Probation Supervision.

Probation case supervision may be transferred from one probation entity to another with the approval of the court of original jurisdiction and/or as provided by Interstate Compact.

(a) The Sending Probation Entity. The sending probation entity will be responsible for contacting the receiving probation entity and determining if the transfer is feasible. The sending probation entity shall provide the court of original jurisdiction with necessary information for consideration of the transfer.

(b) Approval of the Transfer. Upon approval of the transfer, the sending probation entity will instruct the probationer in writing as to where and when to report to the receiving probation entity and will forward a case management package to the receiving probation

entity. The package should include: a copy of the sentence, a copy of all case history information and a statement of financial obligations and collections to date.

(c) Transfer of Cases Involving Financial Collections. When a case is transferred from one probation entity to another, the sending probation entity remains responsible for the collection of all original fines, fees and surcharges, with the exception of monthly probation supervision fees unless otherwise ordered by the court.

(i) Monthly probation fees collected and retained by the sending probation entity shall not exceed an amount equal to the number of months that the probationer was actually supervised. As of the date of transfer, monthly probation supervision fees shall be collected and retained by the receiving probation entity.

(ii) The sending probation entity will remain responsible for the collection of all other financial obligations and is responsible for instructing the probationer regarding forwarding scheduled financial payments back to the original probation entity unless otherwise ordered by the court.

(d) Probation Violations by Transferred Probationers. When violations occur during supervision by the receiving probation entity, it is the responsibility of the receiving probation entity to investigate and report back to the sending probation entity in order for the court of original jurisdiction to be informed unless otherwise ordered by the court.

(e) If the probationer fails to report or the case is determined to be unacceptable to the receiving probation entity, the receiving probation entity should contact the sending probation entity in an effort to resolve the problem. If the situation cannot be resolved, the case management package should be returned to the sending probation entity with sufficient documentation of the problem and the original sending probation entity should inform the court of original jurisdiction of the situation unless otherwise ordered by the court.

(f) If probation violations occur subsequent to a transfer, the sending probation entity and the court of original jurisdiction retains responsibility to pursue appropriate follow-up action unless otherwise ordered by the court.

(g) Sentence Expiration. When the terms of the probation sentence expire for a transferred probationer, the receiving probation entity will forward a brief confirmation report back to the original sending probation entity confirming that probation supervision has been terminated. In accordance with court policy, the sending probation entity shall inform the court that probation supervision has been terminated.

(h) Transfer of Probation Supervision Into and Out of State. Probation case supervision will be transferred from a probation entity to a probation office or probation entity between states according to the requirements of the Interstate Compact for Adult Offender Supervision.

(i) All probation entities and individuals shall abide by the Interstate Compact statute O.C.G.A. § 42-9-81.

Cite as Ga. Comp. R. & Regs. R. 105-2-.16
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.2, 42-9-81.
History. Original Rule entitled "Transfer of Probation Supervision" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.17. Notification of Probation Entity Sales, Mergers or Acquisitions.

In the event a probation entity becomes associated with another corporation, enterprise or agency, or becomes consolidated with another government, whether through acquisition, merger, sale or any other such transaction, that probation entity shall inform MPOU of such change within 10 days after the transaction. The written notice shall include the names, addresses and telephone numbers of all primary parties, the effective date of the merger or sale or consolidation, and the nature of the business relationship of the new probation entity. A violation of any provision contained in the applicable statute may result in a breach of contract for all probation services rendered.

(a) All parties must be approved by MPOU to provide misdemeanor probation supervision services prior to the merger, sale or any other such transaction.

(b) Probation entities must adhere to rule 105-2-.08 and have an approved service agreement prior to providing probation services.

(c) Failure to obtain such approval shall subject the entity to sanctions provided by these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.17
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.3.
History. Original Rule entitled "Notification of Probation Entity Sales, Mergers or Acquisitions" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.
Amended: F. Jan. 3, 2019; eff. Jan. 23, 2019.

Rule 105-2-.18. Probation Entity Advertising and Solicitation.

Any probation entity that solicits business is required to meet the following requirements:

(a) Any advertisement must contain the full name of the probation entity;

(b) No probation entity may advertise in any manner that is false or misleading, nor may any advertisement make any false or misleading claim and;

(c) No Probation entity may use the logo or the seal of the State of Georgia in any advertising or on any probation entity stationary or correspondence.

Cite as Ga. Comp. R. & Regs. R. 105-2-.18
Authority: O.C.G.A. §§ 10-1-372, 10-1-421, 42-8-106.1, 50-3-8.
History. Original Rule entitled "Probation Entity Advertising and Solicitation" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.19. Audits, Inspections, Investigations, and Probation Entity Monitoring.

MPOU is authorized and empowered to conduct audits, inspections, and investigations of probation entities and individuals to determine and monitor compliance with requirements.

(a) Audits and inspections may be conducted at any site, location, or place, and may be initiated any time during operating or other reasonable hours, of such probation entity in order to assess compliance with requirements.

(b) MPOU is authorized and empowered to conduct investigations to determine whether any probation entity or individual requirements have been, or are being violated. Such investigations may be conducted at any site, location, or place, may be initiated any time during operating or other reasonable hours, may continue during a pending administrative action initiated by MPOU, and may involve any person who may have information related to an alleged or suspected violation by a probation entity. Investigations may be initiated by MPOU, at its discretion, when it suspects actual or potential noncompliance with requirements on the part of a probation entity or individual, or when any person alleges facts which, if true, likely would constitute a violation of the law or these rules.

(c) Consent to entry and access. A registration application or the approval by MPOU constitutes consent by the registration applicant and the owner/director of the premises for MPOU representatives to enter the premises for the purpose of conducting an audit, inspection, investigation, or monitoring.

(d) MPOU representatives must be allowed immediate entrance and access to the probation entity premises and to sources of information determined by MPOU to be pertinent to making a full compliance determination. This information includes, but is not limited to: all individuals, all parts of the premises, probationers records, and any document(s) related to the initial or continued registration approval of a probation entity or individual.

(e) MPOU additionally shall have the authority to require the probation entity or individual to provide any relevant documents including originals where available or photocopies or portions thereof. This authority extends to documents to which confidentiality or privilege otherwise would attach.

(f) Cooperation with inspection. Probation entities and individuals must cooperate with any inspection or investigation by MPOU and must provide, without delay, any information reasonably requested by MPOU.

Cite as Ga. Comp. R. & Regs. R. 105-2-.19
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.3.
History. Original Rule entitled "Audits, Inspections, Investigations, and Probation Entity Monitoring" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.20. Enforcement of Probation Entity Requirements.

MPOU in addition to other sanctions shall have the authority to deny, suspend, and revoke the registration approval of a probation entity for noncompliance with any applicable laws or rules. MPOU shall also have the authority to revoke existing registration if an entity fails or refuses to adhere to registration requirements. Additionally, it shall have the authority to issue a written reprimand or assess administrative fines in addition to other sanctions against any probation entity or individual for noncompliance with requirements. In considering which sanction to impose, MPOU shall consider the history of compliance, the seriousness of the violations, whether the probation entity, or individual voluntarily reported problems giving rise to any violation, and whether good faith efforts were exhibited to correct areas of noncompliance prior or subsequent to their discovery by MPOU.

(a) In addition to any other sanction, probation entities or individuals may be sanctioned for any of the following:

1. Knowingly making misleading, deceptive, untrue, or fraudulent representation in obtaining certification, fulfilling reporting requirements, or in the operations of an entity or individual, or knowingly engaging in fraud or deceit or making false statements in any matter required by law or these rules;

2. Failing or refusing to provide MPOU with meaningful access to the probation entity premises, individuals, probationers records, including refusing to provide MPOU with documents reasonably necessary to making a compliance determination;

3. Changing ownership of a private probation entity in order to avoid or avert the denial, revocation, or suspension of registration;

4. Altering or falsifying any probation entity or individual records;

5. Failing or refusing to remit required reports as outlined in these rules;

6. Failing to demonstrate adherence to and satisfaction of the requirements, qualifications, or standards required by law or by these rules; probation entity or

individual requirements or violating any law relating to the operation of a probation entity;

7. Failing or refusing to abide by, or comply with, any order or directive issued by MPOU pursuant to its authority as provided by law or by these rules and regulations;

8. Failing or refusing to properly supervise its probation officers, agents, or individual employees to the detriment of the public;

9. Engaging in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public, to a court, or to persons under the supervision of the entity or the individual;

10. Violating or attempting to violate any law, constitutional provision, rule, or regulation of this state, any other state, the United States, or any other lawful authority relating to the supervision of probationers or the operations of an entity or individual that engages in such supervision;

11. Committing any act or omission which is indicative of bad moral character or untrustworthiness;

12. Being terminated by a court or governing authority for disciplinary reasons and/or;

13. Committing any act or omission that MPOU finds to be contrary to the spirit of these rules and regulations or contrary to the public good.

Cite as Ga. Comp. R. & Regs. R. 105-2-.20
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.3.
History. Original Rule entitled "Enforcement of Probation Entity Requirements" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.21. Sanctions that May Be Imposed.

When the Misdemeanor Oversight Unit Director finds that a violation of laws or these rules has taken place, the Director may take any one or more of the following actions:

(a) Administer a reprimand to the entity or individual.

(b) Suspend for a fixed period of time the entity or individual's certification or authorization to do business, to engage in a specific activity as part of the business, or to supervise probationers.

(c) Limit or restrict any authorization, certificate, or approval that has been previously approved by the MPOU.

(d) Impose a fine or violations fee against the probation entity or individual in an amount not to exceed $5,000 per violation.

(e) Impose any of the above sanctions but withhold enforcement of such sanctions and place the probation entity or individual on probation for a definite period of time under such conditions as may be imposed by the MPOU Director. Upon violation of any of the terms of probation, as determined by the MPOU Director, the original sanctions shall immediately take effect.

(f) MPOU shall notify all courts served by the probation entity of any sanction imposed upon the probation entity for violating these rules and regulations.

(g) MPOU Director shall have the authority to take emergency action against a probation entity or individual to immediately suspend its registration approval if MPOU finds that the public health, safety, or welfare imperatively requires emergency action.

Cite as Ga. Comp. R. & Regs. R. 105-2-.21
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.3.
History. Original Rule entitled "Sanctions that May Be Imposed" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.22. Procedures for Imposition of Sanctions.

Upon a finding that a violation has occurred, MPOU shall send a letter by certified mail to the probation entity or individual, specifically noting the alleged violations.

(a) The probation entity or individual shall have 15 days from the date of such letter in which to submit any additional documents or other evidence in response to the allegations.

(b) After consideration of the allegations and any additional evidence received from the probation entity or individual, the Director, with the concurrence of the Commissioner, shall determine what, if any, sanction shall be appropriate for each violation. Once the determination is made, the MPOU will notify the probation entity and/or individual, by certified mail, setting forth the violations found to exist and the sanctions imposed. The letter shall also inform the violator of the right to review by the Board of Community Supervision.

(c) Within 10 days of receiving the sanctions notice, the probation entity or individual may request review by the Board of Community Supervision. If the violator does not seek review the sanction will be final. Except for emergency sanctions under Rule 105-2-21(g), if the violator seeks Board review, the sanction will be stayed until the Board reviews the sanction and acts on the sanction as provided in subsection (f) below.

(d) It is the responsibility of all probation entities to maintain their mailing address current and up-to-date with MPOU as any and all correspondence will be sent to the address on file.

(e) If the probation entity or individual requests review of the sanction imposed by the MPOU Director, the record, including any materials submitted by the probation entity or individual, shall be forwarded to the Board of Community Supervision for review. The request for review should be made in writing and addressed to the MPOU Director.

(f) The Board of Community Supervision shall review the sanction imposed and affirm the sanction, alter the sanction, or remand the matter to the Director.

(g) If the Board affirms the sanction or imposes an alternative sanction, notice of the sanction shall be sent to the probation entity or individual sanction by certified mail. The entity or individual against whom the sanction has been imposed may appeal as provided by O.C.G.A § 42-3-10.

Cite as Ga. Comp. R. & Regs. R. 105-2-.22
Authority: O.C.G.A. §§ 42-8-106.1, 42-8-109.2, 42-3-10.
History. Original Rule entitled "Procedures for Imposition of Sanctions" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.23. Severability.

In the event that any rule, sentence, clause or phrase of any of these rules and regulations may be construed by any court of competent jurisdiction to be invalid, illegal, unconstitutional, or otherwise unenforceable, such determination or adjudication shall in no manner affect the remaining rules or portions thereof. The remaining rules or portions thereof shall remain in full force and effect, as if such rule or portions thereof so determined, declared, or adjudicated invalid or unconstitutional were not originally a part of these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.23
Authority: O.C.G.A. §§ 42-3-2, 42-3-3, 42-3-6, 42-8-106.1.
History. Original Rule entitled "Severability" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Rule 105-2-.24. Filing of Complaints.

All probation entities and individuals affiliated with misdemeanor probation supervision are expected to conduct themselves in a professional manner and adhere to all applicable statutes and regulations. Citizens may file a complaint with MPOU. All complaints will be investigated and remain confidential until the investigation is completed.

(a) MPOU shall open an investigation and notify the probation entity and/or the individual of the investigation in writing. A copy of the complaint or summary of the complaint shall

be sent to the probation entity and/or individual. Identifying information of complainants may be redacted.

(b) The MPOU shall develop procedures and forms, as needed, for the acceptance of complaints from members of the public regarding conduct of entities or individuals subject to these rules.

Cite as Ga. Comp. R. & Regs. R. 105-2-.24
Authority: O.C.G.A. § 42-8-106.1.
History. Original Rule entitled "Filing of Complaints" adopted. F. Jan. 25, 2017; eff. Feb. 14, 2017.

Chapter 105-3. FAMILY VIOLENCE INTERVENTION PROGRAM.

Rule 105-3-.01. Name and Address.

The Board of Community Supervision, in partnership with the Georgia Department of Community Supervision and the Georgia Commission on Family Violence, adopted these rules governing family violence intervention programs. The Board of Community Supervision is located at 2 Martin Luther King, Jr., Drive, Suite 866 - East Tower, Atlanta, Georgia 30334.

Cite as Ga. Comp. R. & Regs. R. 105-3-.01
Authority: O.C.G.A. §§ 19-13-10; 19-13-14(a),(d)& (e); 19-13-17 ; 19-13-34(a)(4) & (9) .
History. Original Rule entitled "Name and Address" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.

Rule 105-3-.02. Purpose and Authority.

These rules shall be known as the Rules for Family Violence Intervention Programs. The purpose of the rules is to provide for the administration and certification of Family Violence Intervention Programs and Facilitators by the Department of Community Supervision through standards developed by the Georgia Commission on Family Violence and to provide for the enforcement of certification and program requirements and for the inspection and investigation of such programs and staff, by the Department of Community Supervision through the Georgia Commission on Family Violence. These rules are adopted and published in accordance with the Official Code of Georgia Annotated O.C.G.A. § 19-13-10, et seq. These rules shall remain in effect until adoption of new rules and regulations under the Board of Community Supervision.

Cite as Ga. Comp. R. & Regs. R. 105-3-.02
Authority: O.C.G.A. §§ 19-13-10; 19-13-14(d)& (e); 19-13-17 ; 19-13-34(a)(4) & (9) .
History. Original Rule entitled "Purpose and Authority" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.

Rule 105-3-.03. Definitions.

(1) "Candidate" means an individual who has been ordered or self-referred to complete a Family Violence Intervention Program and is currently attempting to enroll.

(2) "Certification fee" means the fee assessed by the Commission to process and consider an application for FVIP Provider or Facilitator certification.

(3) "Class" means a group of participants simultaneously participating in a Family Violence Intervention Program with a Commission-certified Facilitator.

(4) "CJCC" means the Criminal Justice Coordinating Council.

(5) "Commission" means the Georgia Commission on Family Violence. The Georgia Commission on Family Violence is administratively attached to the Department of Community Supervision.

(6) "Community Task Force on Family Violence" means a community-based family violence task force that is supported by and working in collaboration with the Commission.

(7) "'Dating violence" is a pattern of abusive behaviors, including emotional, physical, sexual, and financial abuse, used to exert power and control over a dating partner. It can be present in any dating relationship, whether serious or casual, short-term or long-term, monogamous or not.

(8) "Department" means the Georgia Department of Community Supervision.

(9) "Domestic violence" refers to a pattern of abusive conduct or acts committed by an intimate partner or family member to gain and maintain power and control over another. Forms of abuse include but are not limited to physical violence, emotional, psychological, economic, sexual, or verbal abuse, coercive control, stalking, and/or threats of harm against an intimate partner or family member. For purposes of these Rules, the term 'domestic violence' shall be used to encompass acts of family and dating violence as those terms are defined in Georgia Code Sections 19-13-1 et seq and 19-13A-1 et. seq.

(10) "Facilitator" means a Family Violence Intervention Program group leader who is certified pursuant to these Rules.

(11) "Facilitator Trainee" means a person who is in the process of completing the Facilitator certification requirements and who has completed FVIP Basics.

(12) "Family violence" means commission of one (1) or more of the following acts between past or present spouses, parents of the same child, parents and children, stepparents and stepchildren, foster parents and foster children, or persons living or formerly living in the same household: Battery, Simple Battery, Simple Assault, Assault, Stalking, Criminal Damage to Property, Unlawful Restraint, Criminal Trespass, or any felony.

(13) "Family Violence Intervention Program" or "FVIP" means any program that is certified pursuant to these Rules.

(14) "Family" or "household member" means past or present spouses, parents of the same child(ren), parents and child(ren), stepparents and stepchild(ren), foster parents and foster child(ren), or persons living or formerly living in the same household.

(15) "Intake Orientation" refers to the process that initiates a participant's enrollment into FVIP classes.

(16) "Intimate partner" refers to a current or former spouse, domestic or dating partner, significant other, boyfriend, or girlfriend, or individuals between whom a current pregnancy exists.

(17) "Late" means arriving at or joining a class after the scheduled start time, including after any allowed grace period.

(18) "Monitor" means an agent of the Commission trained and authorized to observe and audit FVIP Facilitators, programs, class content, and the administrative and/or programmatic requirements of FVIPs, and who can report deficiencies.

(19) "Participant" means a person who is enrolled in a Family Violence Intervention Program.

(20) "Person" means any individual, agent, representative, governing or operating authority, board, organization, partnership, agency, association, corporation, or other entity, whether public or private.

(21) "Program Owner" or "Provider" means the named person designated on the FVIP certification or application for certification who owns or who has a controlling interest in an FVIP, whose purpose is to offer classes to rehabilitate family violence offenders.

(22) "SOP" or "Standard Operating Procedure" means the Department's procedural guidance for performing and complying with the requirements, tasks, or operations set forth in the Rules for Family Violence Intervention Programs.

(23) "Trainer" means a person providing Commission-approved training that may be credited toward the training and continuing education requirements for FVIP Facilitators and Providers.

(24) "Victim" means the family member, household member, or intimate partner against whom a participant has committed, or is committing, acts of domestic violence.

(25) "Victim liaison" means a victim advocate who works in a CJCC-certified domestic violence program, or a Commission-approved community-based domestic violence organization that primarily serves victims of domestic violence, or an experienced victim advocate who is an employee or independent contractor of the FVIP, and who has received Commission-approved domestic violence victim safety training, and has adequate training and experience to monitor victims' safety interests during participants' enrollment in FVIP.

Cite as Ga. Comp. R. & Regs. R. 105-3-.03
Authority: O.C.G.A. § 19-13-13(a).
History. Original Rule entitled "Definitions" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.04. Certification Required.

(1) Any person who owns or operates an FVIP or facilitates FVIP classes in Georgia must be certified by the Commission pursuant to the requirements set forth in these rules. The failure or refusal to apply for and maintain certification shall subject the person, including a previously certified Provider or Facilitator, to sanctions or further action as provided in these rules and under the laws of the state of Georgia. All applications for certification and recertification must be submitted to the Commission as required, and must be truthful, accurate, and complete.

(2) **Limitations on eligibility for FVIP Provider and Facilitator Certification:**

(a) No person shall be certified who has been charged, indicted, or convicted of domestic violence in any state within the five (5) years preceding initiation of the certification process (i.e., enrollment in FVIP Basics) unless the applicant provides proof of successfully completing a certified FVIP class at least two (2) years prior to initiating the process for certification.

(b) No person shall be certified who is actively under any form of community supervision, administrative or otherwise, by any law enforcement agency or county, state, or federal authority, or who has a matter pending in any criminal court. This includes but is not limited to misdemeanor or felony probation, pre-trial diversion, or parole.

(c) No person shall own, direct, facilitate, or employ any supervisor or director of an FVIP program if their position poses an actual, potential, or apparent conflict of interest. Nor shall any person own, direct, facilitate, or employ any supervisor or director of any program where there exists any relationship that would place the owner, director, supervisor, Facilitator, or employee in a position to exert improper influence, exploit, or take undue advantage of any participant.

Cite as Ga. Comp. R. & Regs. R. 105-3-.04
Authority: O.C.G.A. §§ 19-13-13(a) & (b), 19-13-14(d).
History. Original Rule entitled "Certification Required" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.05. Certification Requirements for Family Violence Intervention Program Facilitators.

(1) **Initial Facilitator Certification Requirements.**

(a) **Facilitator Training Requirements.** Applicants shall provide proof of completing the following training requirements within two (2) years of applying for certification:

1. **FVIP Informational Session.** An applicant for an FVIP Facilitator certification must attend an Informational Session and submit a signed authorization for the Commission to conduct background checks necessary during the certification period, including an initial background check required prior to enrolling in FVIP Basics. The informational session does not count toward the training requirements set forth in this section.

(i) **Background Check Requirement**. Applicants for certification who have completed the Informational Session must complete an initial background check and receive approval before enrolling in FVIP Basics. All applicants shall submit to a comprehensive background check, including criminal history, the Georgia Protective Order Registry, and the Department of Motor Vehicles driving history record. The Commission may request additional background checks at any point during the certification period. Failure to comply with or submit to any request for a background check may result in a temporary suspension of certification until the request is satisfied. All background checks will be conducted by the Department. The Commission shall provide the background check findings at the request of the applicant or Facilitator.

(b) **Facilitator Training Requirements**.

1. Completion of Commission-delivered FVIP Basics training;

(i) Applicants must attend "FVIP Basics," a fourteen (14) hour Commission-delivered training. FVIP Basics must be completed prior to beginning all other training and class participation requirements.

2. Applicants must complete twenty (20) hours of Commission-approved training. These training hours must be pre-approved by the Commission.

3. Community Task Force and Coordinated Community Response Requirements.

(i) Applicants must attend six (6) meetings hosted by a Community Task Force on Family Violence, the Commission, Family Connections, or other Commission-approved domestic violence community meeting;

(ii) Applicants shall complete twenty (20) hours of community awareness or other coordinated community response to domestic violence for the purpose of engaging in local domestic violence awareness, response, or advocacy. The following activities may satisfy this requirement. Pre-approval from the Commission is required for activities not listed.

(I) Attend a domestic violence community meeting or event;

(II) Complete a domestic violence civil (e.g., TPO) or criminal court calendar observation;

(III) Participate in a Department of Community Supervision ride-along with a Domestic Violence Liaison Officer;

(IV) Meet with a victim liaison at a CJCC-Certified family violence agency; or

(V) Volunteer at a domestic violence advocacy program.

(c) **FVIP Class Participation Requirements.** Applicants shall provide proof of completing the following participation requirements within two (2) years of applying for certification.

1. Twelve (12) classes as a participant observer in a certified FVIP. A Facilitator Trainee may participate in an FVIP class as an observer after completing fourteen (14) hours of FVIP Basics training as outlined in 105-3-.05(1)(b)(1)(i) and only with a certified Facilitator.

2. Twelve (12) classes of direct contact as a Co-Facilitator Trainee with a certified Facilitator. A Facilitator Trainee may participate as a Co-Facilitator Trainee after completing the FVIP Basics and participant observer requirements outlined in 105-3-.05(1)(b)(1)(i) and 105-3-.05(1)(c)(1).

(d) **Recommendation Letter(s).** Applicants shall submit a letter of recommendation from each certified Facilitator with whom the applicant completed their direct Facilitator Trainee requirements.

(e) **Facilitator Educational Requirements.** Facilitators must have a four (4) year college degree or two (2) years of experience in group facilitation, course instruction, delivering training, or counseling.

(f) **Acknowledgement of Adherence to Principles of Practice.** A signed acknowledgment of the Principles of Practice must be submitted to the

Commission upon certification and recertification, and the Facilitator shall prominently display them in the program facility in which they are facilitating. Facilitators shall make the Principles of Practice accessible at all times during virtual FVIP classes. Each Facilitator Trainee and certified Facilitator shall adhere to the following Principles of Practice.

1. FVIP Providers and Facilitators are advocates for victims of domestic violence who work to hold participants accountable for their acts of domestic violence. The highest priorities of FVIP Providers and Facilitators are the safety, rights, and confidentiality of victims.

2. FVIP Providers and Facilitators advocate that offenders of domestic violence be held accountable. FVIP Providers and Facilitators should never collude with participants to minimize, tolerate, or justify abusive and unacceptable behavior.

3. FVIP Providers and Facilitators consult with victim advocates to ensure quality programming.

4. FVIP Providers and Facilitators consistently act and communicate in ways that do not perpetuate discriminatory behavior, attitudes, or bias. FVIP Providers and Facilitators treat all with dignity.

5. FVIP Providers and Facilitators are not legal advocates or witnesses on behalf of participants and shall use caution when responding to requests for assessments, impressions, opinions, information, or testimony. FVIP Providers or Facilitators will not state or imply that program completion will result in non-abusive behaviors or victim safety.

6. Anger management programs, couples counseling, and psychotherapy are not appropriate interventions for domestic violence and may place the victim at heightened risk. Ending violence and abuse and prioritizing victims' safety takes precedence over efforts to save relationships.

7. Educational group sessions must be the primary approach to domestic violence intervention. However, though not as substitutes for FVIP, Providers may determine that participants would benefit from additional interventions, separately, including but not limited to substance abuse treatment, addiction treatment, mental or behavioral health treatment, parenting classes, or individual therapy, provided only in addition to participation in FVIP. The FVIP Provider may notify the appropriate court or referral source of any recommendation in such instances.

8. FVIPs alone do not create accountability. FVIP Providers and Facilitators collaborate with community partners and participate in a larger coordinated community response to domestic violence.

(g) **Acknowledgment of Adherence to Code of Ethics.** Each Facilitator Trainee and certified Facilitator shall adhere to the following Code of Ethics and submit a signed copy upon certification and recertification.

1. I will make victim safety my first priority in working with participants who engage in acts of domestic violence. I will make participant accountability my second priority.

2. I will collaborate with domestic violence victim advocates to design and inform my FVIP work to ensure quality programming.

3. I will provide truthful, accurate, and complete statements to the criminal justice system, victim liaisons, the Department, the Commission, and other community partners.

4. I will report to the referring agency and victim liaison any recent additional acts of domestic violence admitted to by an FVIP participant, when such reporting will not further endanger any victim or witness. Through consultation with the victim liaison, I will report to all appropriate legal authorities any suspected neglect and/or abuse of a child or protected adult.

5. I will report to the Commission any apparent violations of the Rules for Family Violence Intervention Programs that I observe or become aware of while certified as an FVIP Provider or Facilitator.

6. I will conduct myself in my personal and professional life in a manner consistent with the principles of nonviolence, and I will abide by a drug-free lifestyle. I will immediately notify the Program Owner and the Commission if I am arrested or convicted of any misdemeanor or felony.

7. I will avoid personal, professional, or business relationships that conflict with the interests of the FVIP and those it serves. I will not accept gifts, services, or benefits that impair my integrity or the integrity of the agency, or that might invite special considerations.

8. I will avoid the appearance of impropriety. I will not engage in any behavior that I would be unwilling to disclose fully to my colleagues, legal authorities, and the public. I will not engage in sexual or romantic activities with participants, victims, or their family members for at least two (2) years after our last professional contact. Even at that time, I will not engage in such behaviors that could reasonably contribute to the suffering of any person(s) or the impairment of the FVIP efforts.

9. I will fully explain all program rules and policies, fee payment, enrollment, program standards, discharge, and completion requirements to participants. I will consistently apply program rules to all participants.

10. I will treat all program participants and the victims of their violence fairly. I will not discriminate on the basis of actual or perceived race, class, age, religion, educational attainment, ethnicity, national origin, handicaps, sex, gender identity, sexual orientation, or economic condition. To the best of my ability, I will work to ensure that all persons have equal access to FVIP resources and services.

(h) **Notice Requirement.** Facilitators shall immediately notify the Commission of any of the occurrences listed below. Additional documentation shall be provided upon the Commission's request. Failure to provide the Commission with timely notice and/or requested documentation will result in the temporary suspension of the Facilitator's certification. The Commission may temporarily suspend certification pending final resolution or disposition of the pending matter.

1. At any point during or while seeking certification, Facilitators shall provide the Commission documentation and details of any of the following:

(i) Conviction, guilty plea, or nolo contendere plea for any felony or misdemeanor.

(ii) Adjudication of guilt withheld for a felony or misdemeanor, including First Offender Act and conditional discharge sentencing.

(iii) Current charges of a violation of law, not including minor traffic offenses, are subject to a fine of less than $500.

(I) Notice of Arrest Requirement. Once certified, Facilitators shall report an arrest to the Commission within three (3) business days of their release from custody.

(iv) Reports to the Department of Family and Children's Services for child abuse or neglect.

(v) Protective orders issued against them or bond conditions resulting from an arrest.

(I) Notice of Temporary Protection Order Respondent Requirement. Once certified, Facilitators shall report to the Commission any temporary protection order, including dating violence or stalking orders, of which they are a respondent by the next business day after service of the order.

(vi) A finding of domestic violence made in divorce, custody, or visitation proceedings.

(vii) Any sanctions and revocations imposed by any professional licensing boards.

(viii) Any formal complaints or civil action filings, in which they are a named defendant, alleging conduct involving sexual harassment or misconduct, or retaliation, or involving conduct of dishonesty, fraud, or theft, or where allegations of domestic violence or abuse.

(i) **Initial Facilitator Certification Schedule and Fees.** The Commission will review Facilitator certification applications on an ongoing basis. Each applicant must submit a nonrefundable $150.00 certification fee with their application. The Commission will prorate certification fees to the nearest January 1.

(2) **Recertification Requirements for Family Violence Intervention Program Facilitators.**

(a) Once certified, a Facilitator certification shall remain active for two (2) years from the prorated January 1 certification date as long as the Facilitator remains in compliance with applicable laws and rules. The failure or refusal to maintain certification while facilitating FVIP classes shall subject the Facilitator to sanctions provided in these rules.

(b) **Training and Community Engagement Requirements.** Each applicant shall submit to the Commission a completed application and all required documentation showing completion of the following recertification requirements:

1. Training and community engagement requirements must be completed between January - December annually for each year of the certification period. Facilitators shall provide proof of completing the following requirements when applying for recertification:

(i) Applicants for recertification must complete twelve (12) hours of Commission-approved training annually, a total requirement of twenty-four (24) hours of training in the two (2) year certification period. Once the training hours requirement is met, up to six (6) hours in excess of the required training hours accrued in a certification period may roll over and apply toward the next recertification period only, after which they shall expire.

(ii) Attend three (3) meetings of the Community Task Force on Family Violence or other coordinated community response to domestic violence annually (a total of six (6) meetings during the certification period). If no such body exists, the applicant shall attend other

domestic violence community meetings or related events, provided the applicant receives the Commission's approval before attending.

(c) **Recertification Schedules and Fees.**

1. Facilitators shall complete and submit the required application and documents to the Commission by January 1 biannually. Each recertification applicant will be required to submit a nonrefundable $100 recertification fee with their application.

2. **Late fee**. A $100 late fee will be assessed for certified Facilitators who submit the recertification application within thirty (30) calendar days after January 1, and the Facilitator's certification will be suspended.

3. **Reinstatement fee.** If recertification requirements are met more than thirty (30) calendar days but within sixty (60) days from January 1, there will be an additional shall be reinstated upon payment of an additional $200 reinstatement fee.

4. **Certification expiration.** After sixty (60) calendar days beyond the recertification date, the certification will expire. A Facilitator may apply to reinstate an expired certification within two (2) years of the previous recertification start date if such Facilitator provides proof of completing the required twenty-four (24) hours of continuing education and participation in six (6) Community Task Force on Family Violence meetings. If approved, previously assessed fees, plus a $200 expired-status processing fee, must be paid prior to reinstatement.

5. **Initial certification required.** Beyond two (2) years from the recertification date, a previously certified Facilitator must apply for certification by meeting the initial certification requirements as a new Facilitator.

SCHEDULE OF RECERTIFICATION FEES FOR FAC ILITATORS	
Due Date	**Amount**
January 1st biannually (every two (2) years)	$100 non-refundable application fee **Total: $100**
Within thirty (30) calendar days after January 1	$100 non-refundable application fee

	+ $100 late fee **Total: $200**
Between thirty (30) and sixty (60) calendar days of January 1.	$100 non-refundable application fee + $100 late fee + $200 reinstatement fee **Total: $400**
Reinstating expired certification after sixty (60) days of January 1 for up to two years of the recertification date.	$100 non-refundable application fee + $100 late fee + $200 reinstatement fee + $200 expired status processing fee **Total: $600**

(3) **Notice of Approval or Denial of Facilitator Certification and Recertification.**

(a) **Period of Review.** Upon receipt of all required application materials and fees, the Commission will undertake a review to determine whether the Facilitator meets the requirements for certification or recertification. The Commission will notify the applicant within thirty (30) calendar days of receipt of the application materials whether the application is approved, denied, incomplete, or requires additional time to process.

(b) **Notice of Approval.** If the Commission determines all certification or recertification requirements have been satisfied as set forth by law and in these rules, the Commission shall certify or recertify the Facilitator. The Commission will notify the Facilitator of their initial certification via electronic mail at the email address provided in the application, unless notice via certified mail is requested in writing upon submission of the application. The Commission will notify the Facilitator of their recertification in the Commission-designated reporting system.

(c) **Notice of Denial.** If the Commission determines that certification or recertification requirements have not been satisfied, the Commission will advise the applicant or Facilitator who was denied initial certification or recertification, in writing, of the reasons for denying the application via the email address provided in the

application. An applicant will have ten (10) business days from the date of the Commission's notification of denial to submit additional documentation, correct deficiencies, or otherwise remedy the application as may be required by the Commission to reconsider. If the applicant again fails to satisfy all certification or recertification requirements upon reconsideration, the application shall be denied. The Commission will notify the applicant of their application status via electronic notification unless certified mail is requested in writing with the application upon submission.

(d) Denials may be appealed by following procedures required by law and these rules.

(e) It is the responsibility of applicants and Facilitators to submit and maintain their current mailing address and email address with the Commission, as any and all correspondence will be sent using the information on file.

Cite as Ga. Comp. R. & Regs. R. 105-3-.05
Authority: O.C.G.A. §§ 19-13-11, 19-13-13(b), 19-13-14(a) & (e), 19-13-17.
History. Original Rule entitled "Certification Requirements for Family Violence Intervention Program Facilitators" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.06. Certification Requirements for Family Violence Intervention Program Owners..

(1) **Initial FVIP Certification.**

(a) **Program Owner Certification Training Requirements.**

1. **FVIP Informational Session.** An applicant for a Program Owner certification must attend an Informational Session and submit a signed authorization for the Commission to conduct background checks as may be necessary during the certification period, including an initial background check that is required prior to enrolling in FVIP Basics. The informational session may not be applied to the training requirements set forth in this section.

(i) **Background Check Requirement**. Applicants for certification who have completed the Informational Session must complete an initial background check and receive approval before enrolling in FVIP Basics. All applicants shall submit to a comprehensive background check, including criminal history, the Georgia Protective Order Registry, and the Department of Motor Vehicles driving history record. The Commission may request additional background checks at any point during the certification period. Failure to comply with or

submit to any request for a background check may result in a temporary suspension of certification until the request is satisfied. All background checks will be conducted by the Department. The Commission shall provide the background check findings at the request of the applicant or Program Owner.

2. **Completion of Commission-delivered FVIP Basics training.**

   (i) Applicants must attend "FVIP Basics," a fourteen (14) hour Commission-delivered training. FVIP Basics must be completed prior to beginning all other training and class participation requirements.

(b) **Judicial Circuit Requirement**. Program owners seeking certification shall submit one (1) application and must indicate each judicial circuit in which the FVIP will operate. Programs must list all judicial circuits they will service in their certification applications.

(c) **Mission Statement Requirement.** Each applicant shall submit, as part of their application, their program's mission statement or a statement of intent that addresses the role of the FVIP in their organization.

(d) **Background, History & Experience.** Each applicant shall submit information on the program owner's background and experience addressing domestic violence.

(e) **Disclosure of Businesses and Ownership Ventures.** Applicant shall disclose any other businesses or ownership ventures, or any partners, co-owners, investors, or other affiliates with whom the applicant shares, whether legally or financially, a substantial joint business interest or with whom a material business relationship exists.

(f) **Locations & Class Schedules.** Each applicant shall submit the addresses for all program locations, proposed class schedules, and assigned certified Facilitators.

(g) **Class Fees.** Each applicant shall submit a written class fee schedule and an indigent fee reduction plan for participants declared indigent by the court. A copy of the fee schedule and the indigent fee reduction plan must be provided to all referral sources in every judicial circuit where the program will operate.

(h) **General Liability Insurance.** Each applicant shall submit proof of a current general liability insurance policy of at least $1,000,000. Liability insurance shall be maintained throughout the certification period. However, applicants who are governmental entities seeking certification to operate as FVIP Providers may request a waiver of this requirement.

(i) **Victim Liaison Requirement.** Applicants shall submit proof of a current contractual or employment agreement with a victim liaison upon certification or recertification. FVIPs must employ or contract with a victim liaison at all times during their certification. The victim liaison shall be a CJCC-certified domestic violence program, Commission-approved community-based victim services program, or Commission-approved domestic violence victim advocate. FVIPs must notify the Commission of any change in the victim liaison. Guidelines for hiring or contracting a victim liaison may be found in the Department SOP.

1. An FVIP may initiate contact with victims of domestic violence only through the victim liaison except under circumstances where the FVIP staff has a legal duty to warn the victim of reasonably imminent perceived or apparent danger. All FVIP contact with victims shall be in accordance with the Department SOP.

(j) **Acknowledgment of Adherence to Principles of Practice.** A signed acknowledgment of the Principles of Practice must be submitted to the Commission upon application for certification and recertification. FVIPs shall ensure the Principles of Practice are prominently displayed in the program's facility, including all locations in which the program operates, and shall ensure that the Principles of Practice are accessible or visible at all times during classes, including virtual class(es). Each Facilitator Trainee and certified Facilitator shall adhere to the following Principles of Practice.

1. FVIP Providers and Facilitators are advocates for victims of domestic violence who work to hold participants accountable for their acts of domestic violence. The highest priorities of FVIP Providers and Facilitators are the safety, rights, and confidentiality of victims.

2. FVIP Providers and Facilitators advocate that offenders of domestic violence be held accountable. FVIP Providers and Facilitators should never collude with participants to minimize, tolerate, or justify abusive and unacceptable behavior.

3. FVIP Providers and Facilitators consult with victim advocates to ensure quality programming.

4. FVIP Providers and Facilitators consistently act and communicate in ways that do not perpetuate discriminatory behavior, attitudes, or bias. FVIP Providers and Facilitators treat all with dignity.

5. FVIP Providers and Facilitators are not legal advocates or witnesses on behalf of participants and shall use caution when responding to requests for assessments, impressions, opinions, information, or testimony. FVIP Providers will not state or imply that program completion will result in non-abusive behaviors or victim safety.

6. Anger management programs, couples counseling, and psychotherapy are not appropriate interventions for domestic violence and may place the victim at heightened risk. Ending violence and abuse and prioritizing victims' safety takes precedence over efforts to save relationships.

7. Educational group sessions must be the primary approach to domestic violence intervention. However, Providers may find participants would benefit from additional interventions separately, including but not limited to substance abuse treatment, addiction treatment, mental or behavioral health treatment, parenting class, or individual therapy, but only in addition to participation in an FVIP. The FVIP Provider may notify the appropriate court or referral source of any recommendation in such instances.

8. FVIPs alone do not create accountability. FVIP Providers and Facilitators collaborate with community partners and participate in a larger coordinated community response to domestic violence.

(k) **Acknowledgment of Adherence to Code of Ethics.** FVIP Providers and applicants for certification shall adhere to the following Code of Ethics and submit a signed copy upon certification and recertification.

1. I will make victim safety my first priority in working with participants who engage in acts of domestic violence. I will make participant accountability my second priority.

2. I will collaborate with domestic violence victim advocates to design and inform my FVIP work to ensure quality programming.

3. I will provide truthful, accurate, and complete statements to the criminal justice system, victim liaisons, the Department, the Commission, and other community partners.

4. I will report to the referring agency and victim liaison any recent additional acts of domestic violence admitted to by an FVIP participant, when such reporting will not further endanger any victim or witness. Through consultation with the victim liaison, I will report to all appropriate legal authorities any suspected neglect and/or abuse of a child or protected adult.

5. I will report to the Commission any apparent violations of the Rules for Family Violence Intervention Programs that I observe or become aware of while certified as an FVIP Provider or Facilitator.

6. I will conduct myself in my personal and professional life in a manner consistent with the principles of nonviolence, and I will abide by a drug-free

lifestyle. I will immediately notify the Program Owner and the Commission if I am arrested or convicted of any misdemeanor or felony.

7. I will avoid personal, professional, or business relationships that conflict with the interests of the FVIP and those it serves. I will not accept gifts, services, or benefits that impair my integrity or the integrity of the agency or might invite special considerations.

8. I will avoid the appearance of impropriety. I will not engage in any behavior that I would be unwilling to disclose fully to my colleagues, legal authorities, and the public. I will not engage in sexual or romantic activities with participants, victims, or their family members for at least two (2) years after our last professional contact. Even at that time, I will not engage in such behaviors that could reasonably contribute to the suffering of any person(s) or the impairment of the FVIP efforts.

9. I will fully explain all program rules and policies, fee payment, enrollment, program standards, discharge, and completion requirements to participants. I will consistently apply program rules to all participants.

10. I will treat all program participants and the victims of their violence fairly. I will not discriminate on the basis of actual or perceived race, class, age, religion, educational attainment, ethnicity, national origin, handicaps, sex, gender identity, sexual orientation, or economic condition. To the best of my ability, I will work to ensure that all persons have equal access to FVIP resources and services.

(l) **Notice Requirement.** Program owners shall immediately notify the Commission of any of the occurrences listed below. Documentation shall be provided upon the Commission's request. Failure to provide the Commission with timely notice and/or requested documentation will result in a temporary suspension of the FVIP's certification status. The Commission may temporarily suspend certification pending final resolution or disposition of the pending matter.

1. At any point during certification or while seeking certification, Program Owners shall provide the Commission documentation and details of any of the following:

   (i) Conviction, guilty plea, or nolo contendere plea for any felony or misdemeanor.

   (ii) Adjudication of guilt withheld for a felony or misdemeanor, including First Offender Act and conditional discharge sentencing.

(iii) Current charges of a violation of law, not including minor traffic offenses, are subject to a fine of less than $500.

(I) Notice of Arrest Requirement. Once certified, the Program Owner shall report an arrest to the Commission within three (3) business days of their release from custody.

(iv) Reports to the Department of Family and Children's Services for child abuse or neglect.

(v) Protective orders issued against them or bond conditions resulting from an arrest.

(I) Notice of Temporary Protection Order Respondent Requirement. Once certified, the Program Owner shall report to the Commission any temporary protection order, including dating violence or stalking orders, of which they are a respondent by the next business day after service of the order.

(vi) A finding of domestic violence made in divorce, custody, or visitation proceedings.

(vii) Any sanctions and revocations imposed by any professional licensing boards.

(viii) Any formal complaints or civil action filings, in which they are a named defendant, alleging conduct involving sexual harassment or misconduct, or retaliation, or involving conduct of dishonesty, fraud, or theft, or where allegations of domestic violence or abuse.

(m) **Coordinated Community Response Participation Requirement.** Program Owners shall participate in a Community Task Force on Family Violence and be a part of the coordinated community response to domestic violence. Evidence of program owners attending two (2) coordinated community response meetings annually shall be submitted to the Commission upon recertification.

1. To satisfy this requirement, upon Commission approval, applicants may:

(i) Attend a Family Connections or other family or domestic violence community meeting or event;

(ii) Complete a domestic violence civil or criminal court calendar observation; or

(iii) Meet with a victim liaison at a CJCC-Certified family violence agency.

(n) **Program Certification Schedule and Fees.** Each applicant will be required to submit a $250.00 nonrefundable certification fee with their application. The Commission will prorate certification fees from the application submission date to the nearest January 1.

1. Fee Schedule for Multiple Judicial Circuits and Virtual-Statewide.

Certification Application Fee (One judicial circuit location).	$250
Additional Judicial Circuit Locations	$50 for each additional judicial circuit
Online Classes	$100

(2) **Recertification Requirements for Family Violence Intervention Program Providers.**

(a) Recertification Required. Once certified, an FVIP shall remain certified for two (2) years, provided the program complies with applicable laws and rules. Recertification every two (2) years is required for FVIPs to continue to hold FVIP classes. Any program that operates, by actively advertising, offering, receiving payment for, or conducting intake sessions or FVIP classes while failing to maintain a current certification or during any period of suspension, expiration, or revocation once notice has been given by the Commission pursuant to these rules, shall be subject to sanctions, injunctions, actions and/or fines available to the Department under these rules and applicable laws of this state.

(b) Required Documentation for Program Recertification. The Commission requires that certain documents and information be updated and made available upon request to verify continuing compliance with these rules at any time during the certification period. Such documents and information may include: program locations, class schedules, class fees, indigent fee reduction plans, proof of general liability insurance, valid victim liaison contract or employment agreement, evidence of participation in two (2) meetings annually of the local Community Task Force on Family Violence (a total of four (4) meetings at recertification), a Commission-approved program curriculum, and a signed acknowledgements of adherence to the Principles of Practice agreement and the Code of Ethics.

(c) **Recertification Schedules and Fees.**

1. Program owners shall complete and submit the required application and documents to the Commission by January 1 biannually (every two (2)

years). A nonrefundable $250.00 recertification fee must be submitted with the application.

2. **Late fee**. A $100 late fee will be assessed for applications submitted within thirty (30) calendar days after the January 1 recertification due date. A $100 late fee will be assessed to certified Providers who submit the recertification application within thirty (30) calendar days after January 1st.

3. **Reinstatement fee**. After thirty (30) calendar days of the recertification due date, the FVIP Provider's certification will be suspended. If recertification requirements are met in more than thirty (30) calendar days but within sixty (60) days from January 1, the Provider's certification will be reinstated upon payment of all accrued fees plus a $200 reinstatement fee.

4. **Certification expiration.** After sixty (60) calendar days, the Provider's certification will expire. The FVIP must cease offering classes and wait until the next certification period, January 1. The Commission will coordinate the transfer of participants, remove the Provider from the list of available programs, and send a notice to all referral sources. To be reinstated, all previously assessed fees, plus a $200 expired-status processing fee, must be paid.

5. **Initial certification required.** After certification has expired for more than two (2) years, previously certified Providers may not seek recertification. They must apply for certification by meeting the requirements for certifying as a new Provider.

SCHEDULE OF RECERTIFICATION FEES FOR FVIP PROVIDERS	
Due Date	**Amount**
January 1st (every two (2) years)	$250 non-refundable application fee Total: $250
Within thirty (30) calendar days after January 1	$250 non-refundable application fee + $100 late fee Total: $350
After thirty (30) calendar days and within sixty (60) calendar days of January 1.	$250 non-refundable application fee + $100 late fee + $200 reinstatement fee Total: $550

If recertification requirements are met, reinstating from expired status after sixty (60) days of January 1 of the initial recertification period year.	$100 non-refundable application fee + $100 late fee +$200 reinstatement fee + $200 expired status processing fee Total: $600

(3) **Notice of Approval or Denial of FVIP Certification and Recertification.**

(a) **Period of Review.** Upon receipt of all required application materials and fees, the Commission will undertake a review to determine whether the Provider has met the requirements for certification or recertification. The Commission will notify the applicant within thirty (30) calendar days of receipt of the application materials whether the application is approved, denied, incomplete, or requires additional time to process.

(b) **Notice of Approval.** If the Commission determines all program certification or recertification requirements have been satisfied as set forth by law and in these rules, the Commission shall certify or recertify the program. The Commission will notify the program of its initial certification via electronic mail at the email address provided in the application unless notice via certified mail is requested in writing when the application is submitted. The Commission will notify the program of its recertification via the Commission-designated reporting system.

(c) **Notice of Denial.** If the Commission determines all program certification or recertification requirements have not been satisfied, the Commission will advise the applicant in writing of the reasons for denying the application. Applicants will be notified via the email address provided in the application. An applicant will have ten (10) business days from the date of the Commission's notification of denial to submit additional documentation, correct any deficiencies, or otherwise remedy the application as may be required by the Commission to reconsider. If the applicant again fails to demonstrate compliance with all certification or recertification requirements, the application shall be denied. The Commission will notify the applicant of their recertification status via the designated notification system unless certification or recertification notice via certified mail is requested in writing when the application is submitted.

1. Denials may be appealed by following the procedures required by law and these rules.

(d) It is the responsibility of applicants and program owners to submit and maintain their current mailing address and email address with the Commission, as any and all correspondence will be sent using the address information on file.

(4) **Certification Nontransferable.** A program owner's certification is nontransferable. If program ownership changes and the new program owner is not certified, the new owner must submit an authorization for the Commission to conduct a background check. Following a satisfactory background check, the Commission may issue a provisional certification to allow the program to continue operating pending the new program owner completing the certification requirements and becoming certified within six (6) months. If the requirements for certification are not met or the new program owner fails to submit a complete application for initial certification, the program must discontinue operations and transfer any existing participants to other programs. The Commission may exercise its discretion in granting written requests for an extension of a provisional certification.

(5) **Prohibition on Multiple Program Ownership.** Any person or entity may not simultaneously own, in whole or in part, more than one certified FVIP. Failure to comply with this will result in penalties that may include an administrative fine, revocation of certification, and program discontinuation.

Cite as Ga. Comp. R. & Regs. R. 105-3-.06
Authority: O.C.G.A. §§ 19-13-11, 19-13-13(a) & (b), 19-13-14(a), (d) & (e), 19-13-17.
History. Original Rule entitled "Certification Requirements for Family Violence Intervention Program Owners" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.07. Procedure and Class Requirements.

(1) **Program Intake Orientation Requirements.**

(a) Certified Facilitators or authorized program staff will conduct an intake orientation with candidates. The intake orientation shall not count toward the twenty-four (24) class requirement. The intake orientation must include reviewing previous incidents of abuse, identifying the source of referral, and obtaining the victim's contact information.

(b) Certified Facilitators or authorized program staff shall require candidates to provide copies of any police reports (if available), protection orders, sentence or probation conditions, and any other court orders related to their case prior to starting FVIP classes.

(c) Certified Facilitators or authorized program staff may not use clinical, behavioral, or mental health assessment tools to evaluate candidates for appropriateness or fitness to participate in FVIP classes. This includes intake questions that could give a diagnostic impression. This does not prohibit program staff or Facilitators from contacting the referral source when a participant may not be appropriate for FVIP. Guidance for appropriate intake assessments may be found in the Department SOP.

(d) Certified Facilitators or authorized program staff may not use evaluation tools or clinical assessments, such as those indicated in paragraph 105-3-.07(1)(c), to predict or formulate a professional statement of opinion, whether written or verbal, on a candidate's or participant's future use of or propensity for violence.

(e) Certified Facilitators or authorized program staff shall assess candidates for accessibility requirements under state law and make available any reasonable accommodations that may be necessary for the candidate to fully participate in the classes.

(f) A Victim Contact Request Form must be sent to the victim liaison within five (5) calendar days of a participant's enrollment in the FVIP. Requirements for this form can be found in the Department SOP.

(2) **Participant Fee Requirements.**

(a) FVIPs shall not charge participants a fee that exceeds $60.00 per class or $120.00 for the orientation and/or intake process.

(b) Each FVIP will be assessed a $20.00 fee for each newly enrolled participant that is payable to the Commission within thirty (30) calendar days of receiving an invoice. The Program shall enter the participant into the Commission-designated reporting system by the tenth (10) day of the month following the month in which the participant enrolled.

(c) A participant who re-enrolls in an FVIP after being previously terminated by that FVIP, and while subject to the same referral source or court order, will be treated as a newly enrolled participant, and the program shall be assessed a $20.00 fee for the participant payable to the Commission within thirty (30) calendar days of receiving an invoice. The FVIP shall enter the participant into the reporting system by the tenth (10) day of the following month upon the participant's re-enrollment.

(d) FVIPs may accept prepayment from participants for classes. FVIPs shall maintain a written policy for prepayment, which should be displayed and readily accessible to candidates and participants. The policy should include provisions explaining prepayment, refunds, late payments, and nonpayment. A prepayment policy must include a provision for refunding any unused portion of prepayments in the event of a participant's transfer or termination from the program. The Commission may void any provision of an FVIP's payment policy if it is deemed unreasonably excessive or unduly burdensome.

(e) Indigent fee reduction sliding scales must be included in the participant fee policies shared with participants at intake orientation.

(3) **Participant Contract Requirements.**

(a) FVIPs shall require each participant to sign a contract before being permitted entry into the program. The contract must require the participant to agree to the following:

1. Immediately stop all violence and abuse towards the victim and others, and disclose to the program owner any new incidents of violence or abuse while enrolled;

2. While enrolled in FVIP, refrain from being in possession of or maintaining in the place of residence any firearms while subject to a court order, community supervision, or by other operation of law that expressly prohibits possession;

3. Respect any effort by the victim to leave the relationship;

4. Fully comply with the terms of a court order or order of protection in effect during the period of the participant's enrollment;

5. Attend twenty-four (24) ninety (90) minute group classes at the rate of one (1) class per week, arrive on time, participate regularly, pay all required fees, and complete all assignments;

6. Complete the program where the participant originally enrolled unless a transfer to another FVIP is approved by the court, other referral source, or the Commission, or is otherwise required;

7. Be drug and alcohol-free during all classes;

8. Acknowledge that FVIPs are not bound by confidentiality and may release information to the victim liaison, referring courts, law enforcement, Commission staff and monitors, the Department, the Board of Pardons and Paroles, and others;

9. Acknowledge the FVIP's policies regarding the following: duty to warn, mandatory reporting requirements, victim contact obligations, and consequences of breaking the FVIP's participant contract.

(4) **Required Class Structure.**

(a) Each participant must attend a minimum of twenty-four (24) group classes. Participants may not attend more than one (1) class per week to accelerate program completion.

1. An FVIP may allow a participant to attend one (1) make-up or substitute class in the same week as the participant's regularly enrolled class. The participant must have an excused absence or approval to attend a make-up

class due to arriving late. In such instances, the make-up or substitute class attendance will not violate the one (1) week limitation. Providers must ensure the class ratio requirement is not violated to accommodate such requests.

(b) Classes shall be at least ninety (90) minutes and no greater than one hundred twenty (120) minutes in length. Administrative duties, including taking attendance and collecting fees, are prohibited during the ninety (90) minutes of instruction time. Breaks shall not be included in the ninety (90) minutes.

(c) If only one (1) certified Facilitator is present, the class shall not exceed ten (10) participants. Two (2) certified Facilitators are required to co-facilitate a class of more than ten (10) participants. Class size shall not exceed twenty (20) participants.

(d) Participants may not have more than three (3) absences. A participant must be terminated from the FVIP after the fourth absence. FVIP Provider owners may implement an excused absence policy in accordance with these rules. For an absence to be excused, the participant must immediately notify the FVIP Provider, Facilitator, or authorized program staff at the earliest possible time. Supporting documentation must be placed in the participant's file to mark the absence as excused. Participants may not exceed three (3) excused absences. Refer to the SOP for guidance on maintaining an excused absence policy.

1. The FVIP Provider shall notify the Victim Liaison and referral source within two (2) days or as soon as practicable of the participant's status after three (3) absences, whether excused or unexcused.

(e) Participants arriving late to class may remain in class but not receive credit, and no payment shall be charged to the participant or received by the FVIP. Participants who arrive late may be allowed to attend a make-up class for up to three (3) tardies. Each tardy after three (3) shall be recorded as one (1) absence.

(f) Transfer of a participant to another program will not be permitted unless written notice of the transfer request has been given to the Commission and the transfer has been approved by the court, other referral source, or the Commission. If approved, the transferring FVIP shall notify the victim liaison of the participant's transfer within four (4) calendar days. FVIPs who accept transferring participants must follow all procedures required of new participants.

1. If a program's certification has been suspended, revoked, or expired, a written request to the Commission for transferring participants is not required. The FVIP owner must immediately inform the Commission of all participants currently enrolled in the program at the time of suspension, revocation, or expiration. The FVIP must send the files of enrolled

participants to the Commission within three (3) business days following the notice of suspension, revocation, or expiration. The FVIP must provide any additional assistance or information requested for the transfer of the participants.

(g) All participants in a class must be of the same gender identity. Gender identity refers to the gender with which an individual self-identifies or the predominant gender they express.

(h) Current or former intimate partners, family, or household members are not allowed to participate in the same class.

(i) Participants may attend FVIP classes in person or online. Once enrolled in the 24-week program, participants should remain in the same class through completion. However, a Provider may authorize a participant to change their enrolled class to accommodate a different class format or schedule, provided the participant submits a written request. The request must include the current class the participant is enrolled in, the requested class, and the reason for the requested change. This information should be kept in the participant's file. The FVIP should notify the victim liaison and referral source of the change and the reason.

1. A Facilitator may initiate a request to transfer a participant from the online class format to an available in-person class within the same FVIP if the Facilitator determines that the participant is no longer suitable for online class participation or is not adhering to the guidelines for online classes. Providers should adjust the participant's fees, including prepaid fees, to reflect any cost differences resulting from the change in class format, if applicable.

(5) **Requirements for online FVIP classes.**

(a) Online FVIP classes must be conducted using an approved virtual platform. The approved platforms include Zoom, Microsoft Teams, Google Meet, GoTo Meeting, Skype, Cisco Webex, Jitsi Meet, Toasty, Lifesize, Jami, Talky, and Whereby. Any other platform requires prior Commission approval.

1. All platforms used must have features enabled that allow users to access video and audio capabilities. Facilitators and participants are required to keep their video feature enabled at all times during the class.

(b) Online FVIP classes must adhere to the same requirements and standards as in-person classes. The classes include at least ninety (90) minutes of instruction, excluding time for taking attendance or collecting payments.

(c) FVIP Facilitators must ensure that participants attending online FVIP classes are in a location and environment free from distractions throughout the class. Participants shall not be permitted to have anyone else in their company, and they must not be engaged in activities that would divide their attention.

(6) **Prohibited Class Activities.**

(a) FVIPs shall not give participants credit for anger management, DUI, or any other class for attending an FVIP class, nor shall an FVIP give participants FVIP class credit for attending an anger management, DUI, or any other class. An FVIP may recommend to the court or referral source that a participant may require treatment or programs in addition to or in lieu of FVIP. The program may also determine that the participant requires further evaluation concerning the participant's suitability for the FVIP due to mental and/or cognitive capacity.

(b) FVIPs, including owners, Facilitators, or other program staff, shall not seek, allow, or accept any personal favors or gifts from participants in lieu of class fees or attendance, or for any reason during the participant's active enrollment status in the program, except that items of nominal value are permitted, provided no promises, favors, assurances, or benefits are given to the participant in exchange.

(c) FVIPs shall not require or permit victims to attend or participate in the intake orientation process, class, or FVIP activities in any way. Participants in online classes shall not be permitted to have victims, children, or any other individuals present while in a class session at any time or for any reason. Refer to the Department SOP for guidance on online FVIP class management.

(d) FVIPs shall not permit participants to violate any FVIP rules, procedures, or participant contract requirements without escalating consequences up to and including termination from the program.

(7) **Criteria and Procedures for Program Completion.**

(a) Participants must complete a minimum of twenty-four (24) weekly classes that are ninety (90) minutes in length to complete an FVIP program.

(b) FVIPs shall not issue certificates to participants who have completed the program. However, FVIP Providers must comply with requests for a verification letter containing information such as the number of classes attended, termination, or completion to any requesting court or referral source, or the participant.

(c) Within four (4) calendar days of a participant's completion, FVIPs must notify all referral sources, including the courts, the Department (if applicable), the State Board of Pardons and Paroles (if applicable), and the victim (via the victim liaison).

(8) **Criteria and Procedures for Terminating a Participant or Denying Enrollment of a Candidate.**

(a) Participants and candidates shall be terminated and/or denied for enrollment by the program for the following reasons:

1. Participant or candidate is unwilling to sign the participant contract;

2. Participant or candidate is unwilling to sign the participant contract;

(i) Continued use of violence or abuse, including harassment and/or stalking, towards the victim, any family member, or current or former partner, FVIP staff, or FVIP participants;

(ii) Demonstrated unwillingness to change, by refusal to hear and act on feedback, blaming victims or external circumstances, or justifying abuse;

(iii) Attending class under the influence of alcohol or drugs. Participants who are reasonably suspected of being under the influence of alcohol and/or drugs will be asked to leave the class and will not receive credit for attendance, resulting in an absence. The Facilitator must document the circumstances that led to the participant's removal from class in the participant's file. If the participant is removed a second time for the same reason, the FVIP may terminate the participant's participation in the program. The Provider must notify the victim liaison and referral source within two (2) calendar days of the termination.

(iv) Refusal to refrain from being in possession of or maintaining in the place of residence any firearms while subject to a court order, community supervision, while enrolled in FVIP, or if expressly prohibited;

3. Upon the participant accumulating a fourth (4) absence from the class.

(b) If an FVIP has determined that a participant will be terminated, the FVIP will notify the victim liaison with a notice of intent to terminate two (2) calendar days prior to terminating the participant, when possible.

(c) If a participant is terminated due to violence or threats of violence, the FVIP shall immediately contact all referral sources, including the courts, the Department (if applicable), the State Board of Pardons and Paroles (if applicable), and the victim (via the victim liaison).

(d) If a participant is terminated for reasons other than violence or threats of violence, the FVIP shall notify all referral sources within two (2) calendar days following

the participant's termination, including the courts, the Department (if applicable), the State Board of Pardons and Paroles (if applicable), and the victim (via the victim liaison).

(e) If a participant is terminated, they are not eligible to receive credit for classes completed at the program they attended. Participants may not start a new program after being terminated without written permission from the referral source to re-enroll in FVIP.

Cite as Ga. Comp. R. & Regs. R. 105-3-.07
Authority: O.C.G.A. §§ 19-13-11, 19-13-13(a) & (b), 19-13-14(a), (d) & (e), 19-13-17.
History. Original Rule entitled "Procedure and Class Requirements" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.08. Reporting and Recordkeeping Requirements.

(1) **Monthly Reporting and Payment Requirements to the Commission.**

(a) FVIPs shall report to the Commission the following information by the tenth (10) day of the month through the Commission-designated reporting system:

1. New and updated locations where classes are being held.

2. Changes to the videoconferencing platform used for online classes.

3. New and updated class schedules, including the day, time, type of class, class format, and certified Facilitator(s) assigned to the class.

4. Participants must be entered into the reporting system by the tenth (10) day of the month following the participant's enrollment or re-enrollment in the program.

5. Participants who have completed, transferred, or been terminated from the program must be reported in the reporting system by the tenth (10) day of the following month. FVIPs must record the date of completion, transfer, or termination for each participant in the designated reporting system.

6. FVIPs must report if no new participants were enrolled in the previous month.

(b) The Commission will issue an invoice to FVIPs once a month. FVIPs shall submit payment to the Commission within thirty (30) calendar days of the issuance date on the invoice. If payment is not submitted within thirty (30) calendar days, late fees will be assessed as follows:

1. After forty-five (45) calendar days, a $30 late fee will be applied to the outstanding invoice.

2. After sixty (60) calendar days, the assessed late fee will increase to $60.

3. After ninety (90) calendar days and then at ninety (90) day intervals, the assessed late fee will increase to $90.

(2) **Recordkeeping Requirements.**

(a) The Program shall keep a record of the following for all participants for three (3) years. The Commission has the authority to review these documents upon request.

1. Participant Intake and Application Forms

2. Participant Assessment Forms

3. Victim Liaison Contacts & Notifications

4. Referral Contacts & Notifications

5. Participant Attendance Records

6. Participant Payment to the FVIP

7. Participant Reporting and Payment to the Commission

Cite as Ga. Comp. R. & Regs. R. 105-3-.08
Authority: O.C.G.A. §§ 19-13-13(a) & (b), 19-13-14(a), (d) & (e), 19-13-17.
History. Original Rule entitled "Reporting and Recordkeeping Requirements" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.09. Curriculum Requirements.

(1) All FVIPs shall maintain and comply with a Commission-approved written curriculum. Written curricula must follow an educational model and include content for weekly sessions. FVIPs shall make all written curriculum used for classes available to the Commission and victim liaisons upon request. Commission-approved curricula are included in the Department SOP. For approval, curricula must adhere to the following principles regarding domestic violence:

(a) Power and Control. Program topics must follow a model that identifies and challenges domestic violence as an overall system of any form of abuse where the participant chooses to use tactics of power and control over the victim.

(b) Beliefs and Social Context. Program topics shall consistently identify and challenge participants' personal beliefs and social contexts that support those beliefs and encourage the use of power and control tactics over the victim.

(c) Effects. Program topics shall consistently identify and hold the participant accountable for the harmful impacts of the participant's violence and abuse on their victims, including children.

(2) Curriculums shall address the following:

(a) Identification of all forms of abuse, including but not limited to physical, emotional, economic, verbal, technology, and sexual abuse, and/or stalking, against a current or former intimate partner or family member;

(b) Impact of domestic violence on the victim and the abuser, including short and long-term effects;

(c) Impact of domestic violence on children, including children who are abused and children who witness domestic violence, including short and long-term effects;

(d) Identification of domestic violence as primarily a learned behavior;

(e) Emphasis on the responsibility of the batterer for his or her violence and abuse;

(f) Identification of personal beliefs and societal and cultural values that legitimize and sustain violence and oppression, including sporadic and systematic acts of retribution and punishment;

(g) Alternatives to violence and controlling behaviors;

(h) Identification and promotion of relationship dynamics based on equality;

(i) Attempts to improve participants' ability to identify, articulate, and express emotions in a non-threatening manner;

(j) Promotion of accountability, self-examination, negotiation, and fairness;

(k) Strategies to help participants develop and improve their support systems, and aid and encourage a violence-free life;

(l) The relationship between substance abuse, mental illness, and domestic violence; and

(m) Identification of the behavioral, emotional, and physical cues that may precede escalating violence.

(3) The Commission acknowledges and recognizes the views of prevailing, accepted research and literature, which suggests that men and women often use violence differently and that effective interventions for men and women need to be structured differently. Most curricula are specifically designed for males who use violence against their female intimate partners. A different Commission-approved curriculum shall be used or developed by an FVIP providing classes to women who use violence against their male intimate partners. FVIPs shall make reasonable efforts to be inclusive while following the established curriculum guidelines and principles. This means providing class content that respects participants' diverse backgrounds, including differences in culture, sexual orientation, and/or gender identity. The Commission will consider approving any curriculum that includes content addressing common issues associated with domestic violence as long as the content is intended for educational purposes and is not delivered, intended, or promoted as treatment.

Cite as Ga. Comp. R. & Regs. R. 105-3-.09
Authority: O.C.G.A. §§ 19-13-13(a) & (b), 19-13-14(a), (d) & (e), 19-13-17.
History. Original Rule entitled "Curriculum Requirements" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.10. Prohibited Intervention Practices & Activities.

(1) The following intervention practices are specifically prohibited in FVIPs:

(a) Any intervention approach that blames the victim or suggests that the victim's actions or behavior are responsible for the participant's conduct;

(b) Any intervention approach that treats the violence as a mutually circular process, minimizes the responsibility of the participant, or does not state clearly that participants bear sole responsibility for their choices;

(c) Any couples, marriage, or family therapy, counseling, or treatment;

(d) Any intervention approach that excuses a participant's violence and behavior;

(e) Any approach that coerces, mandates, encourages, or otherwise brings about the victim's participation;

(f) Any anger management techniques or interventions that identify anger as the cause of domestic violence;

(g) Any theories or techniques that identify psychopathology or substance abuse on the part of either party as the primary cause of domestic violence;

(h) Any intervention or approach whose goal is to preserve the relationship and/or the family at the expense of safety for partners or family, or whose doctrines promote an unequal distribution of power in the relationship, which threatens the civil and human rights of the victim;

(i) Any intervention that provides any form of advocacy for the participant that places the victim, current or former intimate partner, or family member at risk. Any action or inaction by the FVIP that reduces the likelihood of a participant facing appropriate consequences for their abusive behavior, or that increases the participant's chances of gaining privileges that could harm their partner or family;

(j) Use of theories or techniques that identify poor impulse control as the primary cause of violence;

(k) Any approach that attempts to use containment methods in an attempt to de-escalate the violence; and

(l) Online, web-based programming operated by any person not duly certified by the Commission, including pre-recorded, self-paced, or non-instructor-led FVIP classes, is prohibited. Any online FVIP classes must be conducted in live sessions with at least one (1) Commission-certified Facilitator and in accordance with these rules.

Cite as Ga. Comp. R. & Regs. R. 105-3-.10
Authority: O.C.G.A. §§ 19-13-13(a) & (b), 19-13-14(a) & (e), 19-13-17.
History. Original Rule entitled "Prohibited Intervention Practices and Activities" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.11. Requirements of Commission-Approved Training.

(1) **Approval of Training.** The Commission shall approve all training used to fulfill FVIP facilitators' training requirements for initial certification and recertification.

(2) **Training Application Process.** To be considered for approval to offer FVIP training, the following items shall be submitted to the Commission using the process designated in the Commission-created application. Applications must be received more than forty-five (45) calendar days before the first scheduled training.

(a) A completed and signed training proposal application form with all requested attachments;

(b) A detailed training agenda including a description of the training, learning objectives, the training's duration and number of parts/sessions, and training structure format (i.e., lecture, case study, interactive learning elements);

(c) A statement of the qualifications, biography, or curriculum vitae of the potential trainers and two (2) references or recorded samples that attest to the trainer's ability and experience;

(d) A training evaluation to be distributed to the training participants that meets the requirements outlined in the training application. Results must be made available to the Commission upon request;

(3) **Application Fees.** An application fee outlined in the application must be submitted with the application for approval. If no fee is being charged to training attendees, the applicant may request a fee waiver.

(4) **Observation Agreement.** All approved trainers must agree to allow Commission staff, its agents, and/or victim liaisons to observe and monitor the training at no cost.

(5) **Approval.** The Commission will approve training at its discretion, based on the training content and approval criteria detailed in the training application. Approval shall last for one (1) year from the date of written confirmation of approval from Commission, or the date of the purchase order for the training, whichever is later. Dates for approved training must be provided to the Commission no less than ninety (90) calendar days of the training.

(6) **Advertisement Disclaimer.** Training s approved by the Commission shall prominently display the following statement on their promotional material: "This training was approved by the Georgia Commission on Family Violence for __ training hours for FVIP Facilitators and/or Providers. The views, findings, conclusions, and recommendations expressed in this training are those of the trainer(s) and do not necessarily reflect the views of the Georgia Commission on Family Violence or the Department of Community Supervision."

(7) **Documentation.** A record of verified attendance must be sent to the Commission within thirty (30) calendar days following completion of the training event.

(8) **Withdrawal of Approval.** The Commission may withdraw training approval at any time at its discretion.

(9) **Trainer Continuing Education Hours.** No more than six (6) hours of the trainer's development and/or delivery of new Commission-approved training will count towards annual Facilitator continuing education.

Cite as Ga. Comp. R. & Regs. R. 105-3-.11
Authority: O.C.G.A. §§ 19-13-13(a) & (b), 19-13-14(a) & (e), 19-13-17.

History. Original Rule entitled "Requirements of Commission-Approved Training" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.12. Family Violence Intervention Program Monitoring.

(1) **Monitoring Site Visits.** FVIPs shall allow scheduled and unscheduled monitoring visits by Commission staff and/or designated monitors. Monitoring may consist of both administrative review and class observation. Monitoring visits may include audio recordings of FVIP classes to ensure program and Facilitator compliance with certification standards. Recordings may be conducted without prior notice.

(2) **Records of Personnel and Contract Workers.** FVIPs must maintain adequate documentation to ensure compliance with the minimum standards set forth in these rules. Programs and Facilitators shall allow Commission staff and/or designated monitors access to this documentation, even during an unscheduled monitoring visit. Programs must maintain personnel records for each FVIP employee and/or contract worker, except for the victim liaison.

(a) Each personnel file shall contain:

1. a copy of the facilitator's certification by the Commission,
2. the employee's and/or contract worker's name, address, email address(es), and phone number(s),
3. a signed job description,
4. a signed drug-free workplace policy statement,
5. a signed sexual harassment policy statement,
6. a signed violence-free lifestyle statement,
7. a signed employment contract (if applicable),
8. a verification of notice to the Commission of civil proceedings involving family violence and/or any criminal arrest (if applicable).

Cite as Ga. Comp. R. & Regs. R. 105-3-.12
Authority: O.C.G.A. §§ 19-13-13(a) & (b), 19-13-14(a), (d) & (e), 19-13-17.
History. Original Rule entitled "Family Violence Intervention Program Monitoring" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.13. Enforcement of Family Violence Intervention Program and Facilitator Requirements.

(1) The Department has the authority to deny, suspend, and revoke certification of an FVIP Provider and/or Facilitator for noncompliance with these rules. Additionally, the Department shall have the authority to issue a notice of deficiency, suspend classes and other FVIP-related services, and impose administrative fines on FVIP Providers and/or Facilitators for noncompliance with requirements.

(2) If an FVIP and/or Facilitator is found to be in violation of these rules, the Department may issue a notice of deficiency via certified mail and the email address provided by the FVIP Provider and/or Facilitator in the Commission-designated reporting system. The notice of deficiency will detail the Department's findings regarding the FVIP Provider's and/or Facilitator's rule violations. Within ten (10) business days of receiving the notice of deficiency, the FVIP Provider and/or Facilitator shall submit proof to the Department of compliance with the rules or provide a corrective action plan ("CAP") detailing the process and date on which they will achieve compliance. The Department will determine whether the provided proof of compliance or corrective action plan is sufficient. If the FVIP Provider and/or Facilitator fail to provide timely proof of compliance or a sufficient CAP, the Department may assess an administrative fine, and/or suspend or revoke the FVIP Provider's or Facilitator's certification.

(3) In its discretion, the Department may impose suspension or revocation of certification or assess an administrative fine against an FVIP Provider and/or Facilitator. In considering which to impose, the Department may consider, at a minimum, the FVIP Provider's and/or Facilitator's history of compliance, the seriousness of the violations, whether the FVIP Provider and/or Facilitator voluntarily reported problems giving rise to any violation, and whether the FVIP Provider and/or Facilitator undertook good faith efforts to correct areas of noncompliance prior or subsequent to their discovery by the Department. Additional considerations are listed in the Department SOP.

(4) **Grounds for denial, suspension, revocation of certification, or assessment of an administrative fine.** The Department may also base the denial, suspension, revocation of certification or assessment of an administrative fine upon notice of deficiency or noncompliance with a failure to follow program rules or requirements as listed in sections 105-3-.07, 105-3-.08, 105-3-.09 and 105-3-.10, or upon any of the following applicable grounds:

(a) Knowingly making any verbal or written false or misleading statement of material fact or omitting to state a material fact in connection with an application for certification or recertification or in connection with an inspection or investigation;

(b) Failing or refusing to provide Commission representatives with meaningful access to the FVIP premises, Facilitators, staff, participants, and/or records (including refusing to allow Commission representatives to obtain copies of documents reasonably necessary to reach a compliance determination;

(c) The applicant for certification or recertification having an overall poor record of compliance, including but not limited to denial of certification within the previous twelve (12) months, certification or licensure revocation at any time in the past in this or any other state, failure to complete certification requirements in a timely manner, or suspension within the previous two (2) years;

(d) Changing ownership of an FVIP to avoid or circumvent the denial, revocation, or suspension of certification;

(e) Altering or falsifying any personnel, participant, or program records;

(f) Failure or refusal by an FVIP Provider and/or Facilitator to remit to the Commission the required certification or participant fees as outlined in these rules; and

(g) Failing or refusing to comply with any of these rules, requirements, or violating any law relating to the operation of an FVIP.

(5) **Administrative fines.** The Department has the authority to assess an administrative fine, not to exceed $1,000.00 per violation, against any person, firm, or corporation that the Department determines to have violated any provision of Title 19, Chapter 13, Article 1A of the Official Code Georgia Code or any order, rule, or regulation promulgated thereunder. In determining the amount of the fine, the Department may consider the seriousness of the violation, whether the same or any other program requirement has been violated previously by the same program owner, director, or facilitator, and whether procedures designated to prevent the violation were in place and were followed.

(a) The Department shall have the authority to assess administrative fines for FVIP Providers and Facilitators as follows:

SCHEDULE OF ADVERSE ADMINISTRATIVE ACTIONS			
Level of Offense	**Description of Severity**	**Possible Adverse Action**	**Possible Administrative Fines**
Level 1	Violations of administrative policies or classroom procedures.	1st and 2nd Offense: - Notice of deficiency; - Suspension; - Fine	Up to $250.00 per violation

		3rd Offense: - Revocation	
Level 2	Violations that compromise victim safety or the integrity of the FVIP program.	1st and 2nd Offense: - Notice of deficiency; - Suspension; - Fine 3rd Offense: - Revocation	Up to $500.00 per violation
Level 3	Violations that severely compromise victim safety or the integrity of the FVIP program.	1st Offense: - Suspension; - Revocation; - Fine	Up to $1000.00 per violation

(6) **Effectuation of Suspension or Revocation.** If suspension or revocation of certification is imposed in accordance with the provision of Sec. 50-13-18 of the Georgia Administrative Procedures Act, the suspension or revocation becomes effective on the date indicated by the Department's order. Upon termination of any period of suspension, and upon a showing that the program has achieved full compliance with program requirements in addition to meeting any reinstatement requirements, the Department shall reissue the certification. However, nothing in these rules shall be construed to prevent the Department from denying program certification prior to any hearing on such action.

(7) **Suspension enforcement for FVIP Providers will be as follows:**

(a) Provider shall be removed from the Commission's website, certified FVIP list, and printed materials throughout the suspension term until it is completed and the Provider is duly reinstated.

(b) Suspend classes and/or intakes for a minimum of thirty (30) calendar days and a maximum of six (6) months.

(c) Notification by the Department to the local court administrator, Chief Superior Court Judge, Chief State Court Judge, Chief Magistrate Court Judge, Prosecutors'

Offices, the Department, Victim Liaison, the Community Task Force on Family Violence, and other referral sources of the FVIP Provider's suspension period.

(d) The reinstatement fee will be $150.

(8) **Suspension enforcement for FVIP Facilitators will be as follows:**

(a) Facilitator shall be removed from the Commission's website, certified FVIP list, and printed materials throughout the suspension term until it is completed and the Facilitator is duly reinstated.

(b) Suspend facilitating classes and/or conducting intakes for a minimum of thirty (30) calendar days and a maximum of six (6) months.

(c) Notification by the Department to the local court administrator, Chief Superior Court Judge, Chief State Court Judge, Chief Magistrate Court Judge, Prosecutors' Offices, the Department, Victim Liaison, the Community Task Force on Family Violence, and other referral sources of the FVIP Facilitator's suspension period.

(d) The reinstatement fee will be $100.

(9) **Revocation enforcement for FVIP Providers will be as follows:**

(a) FVIP shall be removed from the Commission's website, certified FVIP list, and printed materials throughout the revocation term until the Provider's Certification status is restored in good standing.

(b) Suspend classes and/or intakes for a minimum of six (6) months and a maximum of 18 months. FVIP Provider must immediately cease offering or advertising FVIP classes and shall not conduct new intakes until certification is restored. Existing participants must be transferred to a different FVIP.

(c) Notification by the Department to the local court administrator, Chief Superior Court Judge, Chief State Court Judge, Chief Magistrate Court Judge, Prosecutors' Offices, the Department, Victim Liaison, the Community Task Force on Family Violence, and other referral sources of the FVIP Provider's revocation and reason.

(d) The good-standing restoration fee for FVIP Providers will be $200.00. This fee will be assessed in addition to any previously assessed recertification fees.

(10) **Revocation enforcement for FVIP Facilitators will be as follows:**

(a) Facilitator shall be removed from the Commission's website, certified FVIP Facilitator list, and printed materials throughout the revocation term until the Facilitator's Certification is restored and in good standing.

(b) Suspend facilitating classes and/or conducting intakes for a minimum of six (6) months and a maximum of 18 months. The Facilitator may not facilitate class or conduct any new intakes until certification is restored.

(c) Notification by the Department to the local court administrator, Chief Superior Court Judge, Chief State Court Judge, Chief Magistrate Court Judge, Prosecutors' Offices, the Department, Victim Liaison, the Community Task Force on Family Violence, and other referral sources of the FVIP Facilitator's revocation and reason.

(d) The good-standing restoration fee for Facilitators will be $150.00. This fee will be assessed in addition to any previously assessed recertification fees.

(11) **Reapplying for certification after revocation.** Once a certification has been revoked, a Provider may not reapply for certification until eighteen (18) months from the date of the revocation. The revocation date is the date of receipt of the revocation letter or the date a revocation appeal is denied, whichever is later. Reapplying for certification shall be subject to the same procedures as if the Provider were applying for certification for the first time. However, the Department may consider past violations of these rules in deciding whether to approve or deny certification reinstatement.

Cite as Ga. Comp. R. & Regs. R. 105-3-.13
Authority: O.C.G.A. §§ 19-13-13(a) & (b), 19-13-17.
History. Original Rule entitled "Family Violence Intervention Program Monitoring" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.
Amended: F. Feb. 23, 2026; eff. Mar. 15, 2026.

Rule 105-3-.14. Applicability of Administrative Procedures Act.

All Enforcement actions resulting from the enforcement Chapter shall be administered in accordance with Chapter 13 of Title 50 of the Official Code of Georgia, the "Georgia Administrative Procedures Act." The Department shall notify the FVIP program and/or facilitator or program applicant of any intended enforcement action. Any such notice shall set forth the proposed action or actions and the factual and legal basis or bases therefor. An FVIP program and/or facilitator desiring a hearing in response to an enforcement action against it must make a request in writing and must submit the request to the Department no later than ten (10) calendar days from the date of receipt of any notice of intent by the Department to take an enforcement action.

Cite as Ga. Comp. R. & Regs. R. 105-3-.14
Authority: O.C.G.A. § 19-13-17.
History. Original Rule entitled "Applicability of Administrative Procedures Act" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.

Rule 105-3-.15. Severability.

In the event that any rule, sentence, clause or phrase of any of these rules and regulations may be construed by any court of competent jurisdiction to be invalid, illegal, unconstitutional, or otherwise unenforceable, such determination or adjudication shall in no manner affect the remaining rules or portions thereof. The remaining rules or portions thereof shall remain in full force and effect, as if such rule or portions thereof so determined, declared, or adjudicated invalid or unconstitutional were not originally a part of these rules.

Cite as Ga. Comp. R. & Regs. R. 105-3-.15
Authority: O.C.G.A. §§ 19-13-13(a)& (b); 19-13-17 .
History. Original Rule entitled "Severability" adopted. F. Dec. 3, 2018; eff. Dec. 23, 2018.