

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



September 17, 2003

ALL COUNTY INFORMATION NOTICE I-57-03

TO: ALL COUNTY WELFARE DIRECTORS
 CHIEF PROBATION OFFICERS
 ALL PUBLIC ADOPTION AGENCIES
 ALL CDSS ADOPTION DISTRICT OFFICES

REASON FOR THIS TRANSMITTAL

- State Law Change
 Federal Law or Regulation Change
 Court Order
 Clarification Requested by One or More Counties
 Initiated by CDSS

SUBJECT: SAFELY SURRENDERED BABY LAW – HOSPITAL BIRTHS

REFERENCE: ALL COUNTY INFORMATION NOTICE I-68-02; ALL COUNTY INFORMATION NOTICE I-66-02; ALL COUNTY LETTER NO. 02-01 (SAFELY SURRENDERED BABY); SENATE BILL 1368, CHAPTER 824, STATUTES OF 2000; ACIN I-14-01 (CHILD DEATHS); SENATE BILL 525, CHAPTER 1012, STATUTES OF 1999

The purpose of this All County Information Notice (ACIN) is to provide clarification on hospital births in which the birth parent requests the surrender of the newborn under the Safely Surrendered Baby (SSB) Law and to reaffirm that voluntary relinquishment remains the preferred option.

Since the implementation of the SSB Law, there have been cases in which mothers, after giving birth in a hospital, chose to use the Safely Surrendered Baby Law as a means of voluntarily surrendering custody of their newborns. While the SSB law does not specifically address hospital births, current State policy does allow for the safe surrender of babies born in hospitals when the parent specifically requests that the SSB Law be applied. As a result, these cases must be reported on the Child Welfare Services/Case Management System as SSB cases. The procedures for reporting SSB cases were provided in All-County Letter 02-01.

While we continue to encourage parents to safely surrender their newborns, instead of leaving them in unsafe places, we also want to reaffirm that in all cases in which a birth parent indicates that she is unable or unwilling to care for her baby, the preferred option continues to be voluntary relinquishment, as provided under Family Code Section 8700.

It is important that while the new mother is still in the hospital she is given adequate information about the options available to her. California Department of Social Services Adoption District Offices and Counties are encouraged to assure that information and services are readily available to assist birth parents in the voluntary relinquishment process. If the birth parent is receptive, counseling and other advisement services should be provided. While voluntary relinquishment is not the only alternative, it does offer the birth parent(s) an opportunity to participate in the adoption process. The birth parent(s) may be able to select the adoptive parents and identify them by name in a relinquishment document. Or, the birth parent may choose to allow the adoption agency to select the adoptive parents. In either case, the birth parent(s) may be able to meet prospective adoptive parents and determine the best placement for his or her child. If the adoptive parent(s) agree, the birth parent(s) may also participate in a Post-Adoption Contact Agreement, which allows the birth parent(s) contact with the child after the adoption is finalized.

If you have any questions regarding the voluntary relinquishment process, please contact the Child and Youth Permanency Branch staff at (916) 657-1858. Policy related questions specific to the Safely Surrendered Baby Law should be directed to the Child Welfare Policy and Program Development Bureau at (916) 445-2890.

Sincerely,

Original signed by Sylvia Pizzini

SYLVIA PIZZINI
Deputy Director
Children and Family Services Division

c: County Welfare Directors Association
Chief Probation Officers of California