

Safely Surrendered Babies

(Revised 06/13/25)

[Related Policies](#)

[Forms](#)

[Resources](#)

[Background](#)

[Definition](#)

[Safe Surrender Sites](#)

[Reporting Requirements](#)

[Safe Surrender Site Staff Requirements](#)

[Hospital Births](#)

[Safe Surrender vs. Voluntary Relinquishment](#)

[Gathering Information](#)

[Special Projects Codes](#)

[Assignments](#)

[Investigation Procedures](#)

[Procedure for Reclaimed Baby](#)

[Non-Surrendering Parent or Relative Requests Custody](#)

[Naming a Safely Surrendered Baby](#)

[Sealing a Birth Certificate](#)

[Alignment with SET](#)

Related Policies

Additional information can be found in the following policies:

- Birth Parent/ Voluntary Relinquishment Referral and Initial Contact
- CI - Procedures
- Health and Education Passport
- Medical Treatment/Medical Releases
- Transferring a Case to PPAU

Forms

The following forms are referenced in this policy:

- 02-18 Birth Parent/Voluntary Relinquishment Referral
 - 04-24C Order Authorizing Examination and Treatment – Court
 - [ICWA-020](#) Parental Notification of Indian Status
 - [SOC 861](#) “Safely Surrendered Baby” Medical Questionnaire (English)
 - [SOC 861 \(SP\)](#) “Safely Surrendered Baby” Medical Questionnaire (Spanish)
 - [SOC 861 \(CH\)](#) “Safely Surrendered Baby” Medical Questionnaire (Chinese)
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Forms (Continued)

- [SOC 861 \(RS\)](#) “Safely Surrendered Baby” Medical Questionnaire (Russian)
- [SOC 880](#) Safely Surrendered Baby Report to CDSS
- [VS 20](#) Sworn Statement
- VS-136 Certificate of Finding of Unknown Child or Safely Surrendered Baby (available only by hospital request to the state)

Resources

The Resources below are all referenced in this policy and can be viewed for further information:

- [ACIN I-01-21](#)
- [AB 1048](#)
- [CDSS – Safely Surrendered Baby Program](#)
- [Health and Safety Code, section 1255.7](#)
- Safe Arms for Newborns
- [Penal Code section 11165.13](#)
- [WIC section 361.3](#)
- [WIC 388](#)
- [WIC 827](#)

Background

California law states, in part, that no parent or other person who has lawful custody of a minor child **72 hours** old or younger who has not suffered abuse or neglect may be prosecuted for child abandonment if he or she voluntarily surrenders physical custody of the child to personnel at a safe surrender site. Per [Penal Code section 11165.13](#), an infant’s positive toxicology screen at the time of delivery is not, in and of itself, a sufficient basis for reporting child abuse and/or neglect. However, if one or more additional factors indicate risk to the baby, a child abuse and/or neglect report must be made to Office of Child Safety (OCS).

The intent of the law is to encourage safe and healthy births, provide freedom from prosecution, and maintain confidentiality for the surrendering individual. Furthermore, the law was intended to prevent newborn harm and avoid infant deaths resulting from abandonment in unsafe locations.

The purpose of this policy is to provide guidelines for processing referrals and cases involving babies surrendered at designated safe surrender sites. The California Department of Social Services (CDSS) has established a website related to [Safely Surrendered Babies](#) that contains helpful information and FAQs.

CDSS is required to report to the Legislature regarding whether the Medical Questionnaire (SOC 861) was offered and then accepted or declined by the surrendering parent, pursuant to [AB 1048](#).

For frequently asked questions on Safe Surrenders refer to [ACIN-I-01-21](#).

Definition

An infant is considered to be safely surrendered if **ALL** of the following apply:

- Is 72 hours old or younger,
- Is voluntarily surrendered by a parent or an individual with lawful custody,
- Is surrendered to personnel on duty at a designated safe surrender site, and
- Has not suffered abuse and/or neglect.

[Health and Safety Code, section 1255.7\(j\)](#) defines lawful custody as, “the physical custody of a minor 72 hours old or younger accepted by a person from a parent of the minor, who the person believes in good faith is the parent of the minor, with the specific intent and promise of affecting the safe surrender of the minor.”

Safe Surrender Sites

Approved Safe Surrender sites in San Diego County include most hospitals and many fire departments.

A current list of Safe Surrender sites can be found at [Safe Arms for Newborns](#).

Reporting Requirements

OCS must report immediately to CDSS each child surrendered under the Safely Surrendered Baby (SSB) Law (Health and Safety Code 1255.7) using form [SOC 880](#). In addition, OCS must report all known identifying information concerning the baby (except personal identifying information pertaining to the parent or individual who surrendered the baby) to the California Missing Children Clearinghouse (CMCC) at 1(800) 222-FIND (3463) and National Crime Information Center (NCIC) within 24 hours of obtaining temporary custody of the baby (Health and Safety Code, section 1255.7). Once the Hotline SW finishes gathering the information and generating the referral, the Hotline SW will call CMCC to report the surrendered baby and document it in the Contact Notebook.

NOTE: The California Missing Children Clearinghouse (CMCC) enters the report into the California Unidentified Persons System, which automatically forwards the record to the National Crime Information Center (NCIC). Therefore, **reporting the surrendered baby to the CMCC fulfills the county’s requirement to report this information to both agencies pursuant to Health and Safety Code section 1255.7(e)**. When making this report to CMCC, statute requires the county staff to provide all known identifying information concerning the child, except personal identifying information pertaining to the parent or individual who surrendered the child.

Safe Surrender Site Staff Requirements

Staff at an approved Safe Surrender Site will:

- Contact the Child and Family Well-Being Department Child Abuse Hotline as soon as practically possible but no later than within **48 hours** from the date and time of taking custody of a safely surrendered baby. (HSC 1255.7).
 - If the biological parents are members of a Native American Tribe and the safe surrendered baby is eligible for enrollment in a Tribe, the baby is entitled to additional services and protections to include placement with extended family and Tribe notification. Parents who are surrendering a baby that are members of a Tribe should complete the [ICWA-020](#) Parental Notification of Indian Status form.
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**Safe Surrender
Site Staff
Requirements
(cont.)**

- Place a coded, confidential ankle bracelet on the newborn with an assigned SSB number.
- Make a good faith effort to provide the parent or person surrendering the baby with a duplicate of the coded, confidential ankle bracelet
- Provide, or make a good faith effort to provide, the parent or person surrendering the baby a medical questionnaire (SOC 861) in their preferred language and ask the person to complete the questionnaire at the site or mail in the completed questionnaire at a later date. Completion of the questionnaire is done at the parent's convenience and is completely voluntary. An envelope must be provided to the surrendering individual if they choose to use the return mail option.
- Advise the parent or person surrendering the baby that they have up to 14 days from the date the child was surrendered to reclaim the child. If they choose to do so, they may present the uniquely coded ID bracelet and/or SSB number that was offered to the surrendering individual at the time of the safe surrender. Parents may contact the local San Diego Child Abuse Hotline at 858-560-2191.
- Ensure that the baby undergoes a medical screening examination and that any necessary medical care is provided.
- Provide OCS with any medical information pertinent to the baby's health, including, but not limited to, information obtained pursuant to the medical information questionnaire (Safely Surrendered Baby Medical Questionnaire - SOC 861) that has been received by or is in the possession of the safe surrender site. [W&IC 16501(3)(b)]

Individuals accepting a safe surrender baby will ensure that any personal identifying information that pertains to a parent or individual who surrenders a baby is confidential and shall be exempt from disclosure by the child protective services or county agency. Any personal identifying information that pertains to a parent or individual who surrenders a baby shall be redacted from any medical information provided to the county agency providing child welfare services. [California Public Records Act (Division 10 – commencing with Section 7920.000) of Title 1 of the Government Code].

Hospital Births

State policy permits the safe surrender of babies born in hospitals when:

- the birth mother, **by word or action**, indicates that she does not want to keep her baby,
- the birth mother is voluntarily surrendering physical custody of the child, and
- the baby is in the care of hospital personnel.

Hospital staff are to advise the mother that the preferred option continues to be [voluntary relinquishment](#), as provided under Family Code section 8700. If the birth mother chooses to voluntarily relinquish her baby and begins the adoption process but subsequently chooses safe surrender within 72 hours of birth, the baby may be considered “surrendered” and these policies and procedures would apply.

**Safe Surrender
vs Voluntary
Relinquishment**

This table describes the differences between Safe Surrender and Voluntary Relinquishment. Please see [Birth Parent/Voluntary Relinquishment Referral and Initial Contact](#) for more information.

Issue	Safe Surrender	Voluntary Relinquishment
Age of Child	Baby is 72 hours old or younger.	Child can be more than 72 hours old.
Confidentiality	Parent's identity will be anonymous.	Birth parent identifying information will be collected for CWS/CMS and agency staff, but will be kept confidential from adoptive parents unless the birth parent elects to waive confidentiality
Reclaiming Baby	There is a 14-day "cooling off" period. A parent or surrendering individual in possession of the baby's confidential SSB bracelet number can return within 14 days of surrender to reclaim the baby. See "Reclaiming the Baby" below.	A parent who voluntary relinquishes a child for adoption may elect to delay processing of final paperwork for a specified period time for up to 30 days.
Placement	CFWB will choose an adoptive home for the baby.	The birth parent can participate in the adoption process, including choosing an adoptive home.
Medical History	Child will not know their medical history unless the parent completes the Medical Questionnaire (SOC 861).	The birth parent can provide medical and family history information to the Adoptions SW. This information will be provided to the adoptive family.
Post Adoption Contract	There is no possibility of exchanging information with the adoptive family.	The birth parents may be able to exchange information with the adoptive family, if all parties agree.
Birth Father	The parent will not have to disclose information regarding the birth father.	The parent must disclose information regarding the birth father for notification purposes.

Gathering Information

When a report of a safely surrendered baby is received by the Hotline, the Hotline will proceed as follows:

Step	Action
1	<p>Prior to processing a referral in CWS/CMS, the Hotline SW will ask these specific questions to the RP:</p> <ul style="list-style-type: none"> • Did the birth mother, by word or action, indicate that she does not want to keep her baby? • Was the mother educated about safe surrender versus voluntary relinquishment? • Does the mother want to safely surrender physical custody of the child? What action did the mother take to demonstrate that they wanted to safely surrender the child? • Is the baby is in the care of hospital personnel or in the care of a Safe Surrender Site staff <p>If YES to all questions, ask if the parent wants to safely surrender or voluntarily relinquish their baby. Proceed to Step 2.</p> <p>If NO, ask them to call back once they have that information. (You can provide hospital staff the general information above.)</p>
2	<p>Is this a Safely Surrendered Baby?</p> <p>If YES, do not collect any identifying information regarding the birth parent. Proceed to Step 3.</p> <ul style="list-style-type: none"> • If NO (the parent wishes to voluntarily relinquish their child), STOP. Create a referral for Adoptions by filling out the 02-18 Birth Parent/ Voluntary Relinquishment Referral form per existing procedures outlined in the Birth Parent/ Voluntary Relinquishment Referral and Initial Contact policy. This does include the birth parent's identifying information.
3	<p>Prior to ending the call with the Safe Surrender Site Staff ask all of the following questions and document the responses in the screener narrative:</p> <ul style="list-style-type: none"> • Was the Medical Questionnaire form (SOC861) completed? (If hospital states they don't have it, e-mail them a copy of the questionnaire). The questionnaire may be declined, voluntarily filled out and returned at the time the baby is surrendered, or later filled out and mailed back to the hospital. If the parent refused to complete it, document this information in the Emergency Response Document (ERD).

Gathering
Information
(cont.)

Step	Action
3 (cont.)	<ul style="list-style-type: none"> • If the Medical Questionnaire form was completed, does it have any identifying information? <ul style="list-style-type: none"> ○ If there is identifying information, inform staff they must remove all identifying information before submitting it to CFWB. • Was the VS 136 completed? If not request they complete it immediately and submit it to the Hotline. <ul style="list-style-type: none"> ○ If the Safe Surrender Site staff asks where to request form, refer them to the CDSS Safely Surrender Site for the Order Kit Form. • What is the ID number on the baby's SSB identification bracelet? • Did the birth parent accept the bracelet ID number for the baby? • Has the surrender site provided the birth mother with specific information on how they can get in contact with CFWB if they wish to reclaim the child? <ul style="list-style-type: none"> • San Diego's child abuse hotline phone number is 858-560-2191 • Does the parent have any other children, and if so, are there any concerns or suspicions of child abuse or neglect of other children in the home? <ul style="list-style-type: none"> ○ If so generate a separate child abuse referral. All SSB information is confidential and WILL NOT be referenced in any other referral. Do not link the referrals as companion referrals and do not make any reference to the SSB in the other referral. • Are the biological parents members of an Indian Tribe? <ul style="list-style-type: none"> ○ If so generate a separate child abuse referral. All SSB information is confidential and WILL NOT be referenced in any other referral. Do not link the referrals as companion referrals and do not make any reference to the SSB in the other referral. <p>NOTES:</p> <ul style="list-style-type: none"> • Do NOT cross report to law enforcement. Even if the parent of a safely surrendered baby reveals their name verbally or on the medical questionnaire, do NOT enter it into CWS/CMS (Health and Safety Code, section 1255.7(d)(2)).
4	<p>Create a referral in CWS/CMS per existing procedures and:</p> <ul style="list-style-type: none"> • In the ID tab, the Hotline SW will enter the following information in the referral name text field: <ul style="list-style-type: none"> ○ SSB# (bracelet ID number for the baby), the date the baby was surrendered, and the baby's gender. <ul style="list-style-type: none"> ▪ For example: SSB#12345, 01/01/2024, baby girl <p>The Hospital or Fire Department address will be the common address for the referral.</p>

**Gathering
Information
(cont.)**

Step	Action
5	<ul style="list-style-type: none">• Create a child client notebook with the confidential ID bracelet number as the client name.• Create an allegation notebook with the allegation of “caretaker absence/incapacity.”• Complete SDM Hotline Tool.
6	Cross report to California Missing Children Clearing House.

**Special Projects
Codes**

Special Project Codes (SPC) must be entered for all Safely Surrendered referrals. The table below describes the actions the Hotline SW will complete to enter SPC for Safely Surrendered referrals.

Step	Action
1	<ul style="list-style-type: none">• From the Referral Management Section (green), click on the Special Projects grid.• Select the + button in the information grid. This will enable the Special Project drop-down list.
2	<p>In the “Special Project Name” field, click the down arrow to display the available list of Special Projects. Select “S-Safely Surrendered Baby” indicator. This will bring up a dialogue box.</p> <ul style="list-style-type: none">• Click the arrow and select the child client that has been surrendered.• If correct, click the “OK” button. Additional babies can be entered by clicking on the “+” for multiple births. <p>NOTE: When you select this option, the “Safely Surrendered Baby Information” frame appears, and additional fields become available for completion.</p>
3	<p>Enter the date and time the baby was surrendered in the “Start date” field on the Special Projects page. DO NOT enter an “end date.” CWS/CMS will populate it when appropriate.</p>

Special Projects
Codes (cont.)

Step	Action
4	<p>Click "Bracelet ID Enter No." The "Enter Bracelet ID Number" dialogue box will open.</p> <ul style="list-style-type: none"> Enter the number on the baby's bracelet that identified the baby at the hospital. When entered correctly, click "OK." This Medical Record Number is then populated on the ID Number page of the baby's Client notebook. Enter the name of the parent/surrendering individual as "Mother Unknown" or "Father Unknown" or simply "Unknown." <p>NOTE: All identifying information that pertains to a parent or individual who surrenders a child is confidential. If this information is inadvertently provided to OCS by the safe surrender site, it must not be entered anywhere in CWS/CMS (Health and Safety Code, section 1255.7(d)(2)).</p>
5	<p>Click on the arrow that will display a drop-down list of possible relationships to the baby.</p> <ul style="list-style-type: none"> Indicate the relationship of the surrendering adult to the baby, if known. If the relationship is not known, select "Unable To Identify."
6	<p>Select one of the four options under the heading "Parent/Custodian Given ankle bracelet ID information?":</p> <ul style="list-style-type: none"> "Yes. When the "yes" option button is selected, it indicates the parent/custodian was given the opportunity to receive the ankle bracelet ID number for the child client who was surrendered. "No" "Attempted," or "Unknown" <p>NOTE: If no options are selected, it defaults to "Unknown."</p>
7	<p>Select the appropriate button that answers this question, "Parent/Custodian Provided Medical Questionnaire?" The options are:</p> <ul style="list-style-type: none"> Completed and Returned Immediately Completed and Mailed Back Provided/Never Returned Declined Unknown
8	<p>The "Date Questionnaire Returned" field is only enabled when either option button named below is selected:</p> <ul style="list-style-type: none"> "completed and returned immediately," or "completed and mailed back"

Special Projects
Codes (cont.)

Step	Action
9	<ul style="list-style-type: none">Record the date and time that the facility contacted OCS. If no date is entered, the system will default to the date and time the initial referral was saved to the CWS/CMS databaseOnce all the information is entered, the Safely Surrendered Baby information will automatically populate in the following sections:<ul style="list-style-type: none">Client notebook, ID pagePlacement notebook, Child Removal pageCase Management notebook, Special Projects page.
10	<ul style="list-style-type: none">Fill out SOC 880 by downloading and completing the form from the following link: https://www.cdss.ca.gov/cdssweb/entres/forms/english/soc880.pdfE-mail it to the CDSS Child Welfare Policy and Program Development Bureau at ssb@dss.ca.gov and document it in the Contact Notebook.
11	<p>On the Child Removal Info page, there is a frame entitled, “Removed By.” This is for recording that either law enforcement or an OCS staff person took the baby into custody.</p> <ul style="list-style-type: none">Click on the “Safely Surrendered Baby” radio button which will enable the field, “Receiver of the Safely Surrendered Baby.”Enter the name of the staff person who placed the safely surrendered baby into protective custody. When a parent surrenders a baby, they surrender custody to the designated safety surrendered site but only Law Enforcement or OCS can place a baby into protective custody.

NOTE: The ID page in the Child Client Notebook has a single check box located under the “confidentiality” frame on the right side of the page. This check box is auto-populated if the client child is identified as a Safely Surrendered Baby (SSB) child on the Special Projects Page. This checkbox is not available in adult client notebooks.

Other information to know about the Special Project/Safely Surrendered Babies Page:

- If the SSB Special Project information is deleted and the other data fields still contain information, an error message will be displayed in a dialogue box stating: “If yes is selected, then all the associated SSB information will be deleted.” “If no is selected, the system will not delete the information.”
- When an SSB referral is closed with a reason of “**Open A New Case**” or “**Child Already In Case,**” the system will automatically populate the Special Project Information for each Referral Client who has a SSB into the client case.
- When this information is viewed from the Case Notebook, it will be “Read Only.” Any modifications can only be made from the “Referral” screen.
- The “Closed Case/Referral Update” privilege would provide the user the ability to update these pages for closed cases and referrals.

Assignments

The Hotline SW will assign safe surrender referrals to Centralized Assignment Team (CAT) for Court Intervention using the zip code of the safe surrender site where the infant was surrendered (ie. hospital or fire department location).

Secondary assignment will be given to the Permanency Planning Assessment Unit (PPAU) (see [Transferring a Case to PPAU](#)).

Investigation Procedures

When assigned to investigate a Safely Surrendered Baby (SSB) referral, the SW will:

- Contact PPAU immediately to coordinate placement in a concurrent home.
- Notify the Specialty Placement unit by email.
- Check the [Special Projects tab](#) in CWS/CMS to ensure that the “**Parent/Custodian Provided with a Questionnaire**” field is appropriately completed. If not completed or marked “unknown,” follow up with the first responders at the hospital or fire station to verify if a medical questionnaire (SOC 861) was in fact offered and completed and accurately document that information in the [SSB Special Projects tab](#).
- If medical questionnaire was completed, request copy for file.
- Verify and correctly input information regarding the confidential coded ankle bracelets into CWS/CMS.
- Ensure that health information, including information on the SOC 861 regarding the baby is entered into the [Health and Education Passport](#) (HEP).
- Determine if the VS-136 was completed and a copy has been received. If a copy is not on file, then the SW will:
 1. contact the safe surrender site to ask if the VS-136 was completed; if the safe surrender site reports it was completed, request a copy of the form.

If the VS-136 was not completed, then contact the San Diego County Office of Vital Records and Statistics by phone at 619-692-5733 or email to begin process of filing. The SW will follow existing policies regarding [CI - Procedures](#), with these noted exceptions/differences:

- Notice to parent(s) of Detention Hearing is **NOT** applicable.
 - Parent/Relative Search efforts are **NOT** required.
 - Obtain Order Authorizing Examination and Treatment – Court (04-24C) from court at the Detention Hearing or per existing policy in [Medical Treatment/Medical Releases](#).
 - Contact County Counsel (CC) regarding appropriate recommendation set to use for Detention Hearing Report.
 - After Disposition, case will transfer to PPAU.
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Procedure for Reclaimed Baby

The law allows for a **14-day “cooling off” period from the time of surrender**. Because safely surrendering a baby in and of itself is not a basis for reporting child abuse or neglect, the person who safely surrendered the baby may request to reclaim their baby. When a parent (or other individual) who surrendered custody of a baby contacts the Child Abuse Hotline to reclaim the baby within the 14-day time limit, the SW will follow the procedure outlined in the table below. For ease of reading, the term “parent” will be used.

**Procedure for
Reclaimed
Baby (cont.)**

NOTE: If a surrendering individual seeks custody of the baby after the 14-day “cooling off” period, consult with County Counsel.

The Hotline SW will follow the steps below when a parent is requesting to reclaim the surrendered baby:

Step	Action
1	<ul style="list-style-type: none">Request the ID Bracelet number from the parent wishing to reclaim the baby. <p>NOTE: A person possessing the ID bracelet matching that of a surrendered baby does not automatically prove the right to custody. Custody rights will be determined by CFWB after investigating all the facts.</p> <ul style="list-style-type: none">Search for the referral containing that ID bracelet number in its name.Request the following information (The parent is not required to provide any information):<ul style="list-style-type: none">parent’s identifying informationthe baby’s name and DOB (if not already entered)the name and location of the hospital or site where the baby was surrendered (if not already entered). <p>NOTE: If the name was provided only via the medical questionnaire, then the parent’s name cannot be entered in CWS/CMS. But if the parent voluntarily provides identifying information to CFWB, then the SW is permitted to enter it into CWS/CMS.</p>
2	<ul style="list-style-type: none">In the “Reclaim Information” frame, click on the “+” button to activate the grid “Attempted Reclaim By,” grid.Enter the appropriate data in the “Attempted Reclaim By” and “Relationship” fields. If left unchanged, the date and time will populate to the current date and time.
3	<ul style="list-style-type: none">For the selected reclaim episode, enter the name of the parent attempting to reclaim the baby, if provided.Click the arrow and select the appropriate relationship to the baby or select “unable to identify.”
4	<ul style="list-style-type: none">Give the parent the names and phone numbers of the ER/CI SW and PSS and advise the parent to contact the SW immediately.Notify the ER SW, ER PSS, and Hotline PSS about the parent contacting the Hotline to reclaim the baby.Follow policies and procedures re: attaching clients, making secondary assignments to Search/Merge, etc..

**Procedure for
Reclaimed
Baby (cont.)**

When the ER/CI SW receives a request to reclaim a baby, they first determine if a petition has been filed or not and then follow the steps listed in the [procedures table](#).

If...	Then...
a petition has not been filed...	<p>The hospital will:</p> <ul style="list-style-type: none"> Return the baby to the parent if the health practitioner believes the baby was not a victim of abuse or neglect. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> Contact OCS if they believe the infant has been a victim of abuse or neglect or may be at risk of abuse or neglect.
a petition has been filed...	<p>The assigned SW will:</p> <ul style="list-style-type: none"> Complete all steps listed in the ER/CI SW procedures table for reclaiming a baby. Request that the Juvenile Court dismiss the petition and order the release of the baby unless there is reasonable cause to believe doing so would place the baby at risk of abuse or neglect.
A petition has been filed, an assessment completed, and evidence shows that a child would be at risk if released to a parent	<p>The SW will file an amended petition, including additional risk and safety issues for the child. Clear and convincing evidence of detriment to the child is needed in order to NOT return the child. The minor's attorney may disagree with the parent's request to dismiss the petition and return the baby to them and ask for a hearing. The SW may also recommend returning the child to the parent with Family Maintenance or Voluntary Services.</p>

The assigned SW will complete all of the following steps when processing a parent's request to reclaim a baby.

Step	Action
1	Consult with CC and discuss next steps with ER PSS
2	<p>Immediately schedule a face-to-face contact with the parent. At the visit:</p> <ul style="list-style-type: none"> Verify the identity of the parent. Verify that the numbers on both the parent's and the baby's bracelets match exactly.

**Procedure for
Reclaimed
Baby (cont.)**

Step	Action
2 (cont.)	<ul style="list-style-type: none">• If the baby was surrendered by someone other than the parent or if there is reason to suspect that the person attempting to reclaim the baby is not the parent, then consult with a PSS and CC to determine next steps (e.g., paternity/maternity testing, etc.).• Assess for any safety concerns/threats and risk.
3	<ul style="list-style-type: none">• Document the contact in the Contact Notebook.• Change the baby's name to the name provided by the parent.• Immediately schedule a Child and Family Team (CFT) meeting.• If the outcome of the CFT is to recommend dismissal of the petition, contact CC to discuss.• If there is a need for a Jurisdiction/Disposition Hearing Report, include the parent's statements regarding his/her wish to care for the baby.
4	<ul style="list-style-type: none">• For the Reclaim date, click the date field twice to enter in the current date or click the arrow to select a date from the calendar.• Additional comments may be entered for the selected reclaim episode as appropriate.• Check the "Successful Reclaim" box if the parent is successful in reclaiming the baby.
5	<ul style="list-style-type: none">• If the petition is dismissed, follow existing procedures for closing the referral/case.• If the petition is not dismissed, request SW discretion to release the baby to the parent pending the next hearing and follow all court orders and OCS case management policy

**Non-
Surrendering
Parent or
Relative
Requests
Custody**

If an alleged biological father or relative comes forward requesting custody of a baby who has been safely surrendered by the mother, paternity or genetic testing can be requested in court to establish paternity or relationship. If the SW is contacted by an alleged father or a relative requesting placement, the SW will contact County Counsel (CC) to set a Special Hearing as soon as possible to provide this information to the court and proceed with paternity or relationship determination via testing or other means.

It is also possible that a father could surrender a baby and the mother comes forward requesting placement, in which the same procedure will be used to establish maternity.

In the event that one parent surrenders and the other parent comes forward to claim the child, it would still be possible for the surrendering parent to reclaim the baby within the 14-day reconsideration period. In the case that the 14-day period has passed, the surrendering parent cannot withdraw his or her surrender and reclaim the baby. However, the surrendering parent could file a [WIC 388](#) petition to seek custody or services on the grounds of changed circumstances or new evidence.

Non-Surrendering Parent or Relative Requests Custody (cont.)

This petition can only be filed after disposition in the dependency case. The changed circumstance would be that the surrendering parent had no intention of the other parent coming forward to gain custody and that given this circumstance the surrendering parent now wants to regain custody and/or obtain services. The surrendering parent would waive any right to anonymity if he or she comes forward in the dependency proceeding, but the general confidentiality of all child welfare proceedings ([WIC 827](#)) would apply.

If after genetic testing a relative wants to establish a relationship to the child and is requesting custody, it must be taken into consideration that the child has the right to be placed with relatives under [WIC section 361.3](#).

Naming a Safely Surrendered Baby

If surrendered at a hospital, hospital staff will file a Certificate of Finding of Unknown Child or Safely Surrendered Child (VS 136) in lieu of filing a birth certificate. If the birth parent provided a name for the child, the hospital may enter it on the VS 136. If the hospital filed a Certificate of Live Birth, ensure that the birth certificate is [sealed in court](#).

Initially, court documents and CWS/CMS will reflect the baby's name as "SSB #<confidential bracelet ID number>." However, if the parent **reclaims** the baby within 14 days, then the SW will change the baby's name in CWS/CMS to the name the parent has given the baby. But if the parent **does not reclaim** the baby within 14 days, then the SW will work with the Pre-Planning Assessment Unit (PPAU) to identify and detain an SSB with a concurrent family; and allow the concurrent family to choose a name for the child. This name can be used as an "Also Known As (AKA)" on future court documents. Coordinate with the concurrent parents to register the child's birth with the hospital birth registration office. If the hospital birth certificate clerk has already registered the child's birth, then ask what name they put on the VS 136 Certificate of Finding of Unknown Child or Safely Surrendered Child. If the hospital birth certificate clerk has not registered the child's birth, then provide them with the name that the concurrent parents want to name the child. If the hospital is not willing to register the birth, then the SW will need to register the birth with the San Diego County Office of Vital Records by preparing a VS 136.

Sealing a Birth Certificate

If the Safe Surrender site filed a Certificate of Live Birth, then the SW will need to request for the birth certificate to be sealed in court. Sealing the birth certificate will protect the birth parent's confidentiality and a new birth certificate application will be done after the VS 136 is completed and during the adoption process.

The assigned SW will complete the steps listed below to seal a birth certificate.

Step	Action
1	Contact CC to inform them that the Safe Surrender site filed a Certificate of Live Birth and the court will need to seal the birth certificate.
2	Contact the San Diego County Office of Vital Records and Statistics by phone at 619-692-5733 or email and request a VS-136. The SW will complete the VS-136 per instructions listed in the form.
3	Complete the VS 20 Sworn Statement.

Sealing a Birth Certificate (cont.)

Step	Action
4	Submit an ex-parte request to the court with the following language: <ul style="list-style-type: none">• “The California Department of Public Health is ordered to seal the original birth record of [minor name (or local registrant number) and DOB] which was established in error from the hospital and replace it with a Certificate of Finding of Unknown Child (VS 136) record.”
5	The SW will mail the Certified Court Order, VS 136, VS 20 (notarized or with a copy of a county worker badge), and a check for \$29 (payable to “CDPH – VR”) to: Attn: SAH (Confidential) California Department of Public Health Vital Records - Amendments PO Box 997410, M.S. 5105 Sacramento, CA 95899-7410

Alignment with SET

This supports SET [Value 4](#) by ensuring the Agency and our community partners have a shared vision for safety, permanency, and well-being. Additionally, this supports SET [Value 3](#) of valuing the most permanent option for the child including reunification, adoption, and guardianship.
