



North Carolina Department of Health and Human Services Division of Social Services

325 North Salisbury Street • MSC 2408 • Raleigh, North Carolina 27699-2408
Courier # 56-20-25

Michael F. Easley, Governor
Carmen Hooker Odom, Secretary

Sherry S. Bradsher, Director
(919) 733-3055

March 7, 2007

Dear County Director of Social Services:

ATTENTION: Child Welfare Program Administrators and Supervisors

SUBJECT: Safe Surrender and Relinquishment

In January 2007, the policy titled "[Safe Surrender](#)" was incorporated into the Children's Services Manual Volume I, Chapter VIII, Section 1411. This policy was written to comply with the Infant Homicide Prevention Act of 2001 ([SL 2001-291](#)). The Infant Homicide Prevention Act is commonly referred to as the Safe Surrender Law. There is a website dedicated to providing information about Safe Surrender at <http://www.safesurrender.net/>.

A Safe Surrender of an infant by their parent is not to be confused with a parent that gives birth to their infant at a health care facility or with an attending practitioner and expresses their written intent to relinquish all rights to the child. Relinquishment is defined in [N.C.G.S. § 48-1-101](#) as the voluntary surrender of a minor to an agency for the purpose of adoption.

Though a county Department of Social Services may be involved in accepting a parent's relinquishment for the purpose of placing the infant for adoption, there is no cause for that parent's intent alone to require a CPS assessment. Also, there is no need to notify law enforcement in these situations as to whether the child is a missing person.

The purpose of Safe Surrender is to allow a parent the ability to voluntarily give their infant **under the age of seven days** to an adult, as provided in [N.C.G.S. § 7B-500](#) (b) and (d), while expressing no intent to return for the infant. That parent shall not be prosecuted for the abandonment of that infant. The parent is not required to provide their identity. The adult to whom the child was delivered shall immediately notify the county Department of Social Services or a local law enforcement agency.

As a result of the CPS report made alleging that the child has been surrendered through the Safe Surrender process, the director of the county Department of Social Services shall accept the report as dependency. Any other allegations that may exist based on the Structured Intake screening of that report shall also be assessed. The director shall immediately initiate a CPS assessment and take appropriate steps to secure an order

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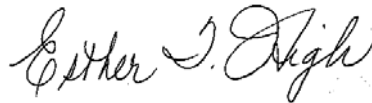
for non-secure custody of the child. All Safe Surrender assessments shall include a request for law enforcement to investigate whether the juvenile is a missing child through the NC Center for Missing Persons and other national and State resources. The county DSS shall document reasonable efforts to locate both parents. All other Structured Decision Making forms shall be completed prior to a case decision.

Safe Surrender policy states that if a parent is identified, efforts should be made to counsel the parent about the relinquishment of the child for the purpose of adoption and the benefits of completing the relinquishment on behalf of the child to prevent the legal course of an adjudication and termination of Parental rights (TPR) to free the infant for adoption.

In the near future, the Division of Social Services will be working with the Public Affairs Office on ways to provide more public awareness on Safe Surrender. Please collaborate with your local health care providers to educate each other on any issues or questions that may arise.

Should you have any questions regarding this letter, please feel free to contact your Children's Program Representative or the Family Support and Child Welfare Services Section at (919) 733-4322.

Sincerely,



Esther T. High, Acting Chief
Family Support and Child Welfare Services

EST/erz

cc: Sherry Bradsher
Jo Ann Lamm
Sarah Barham
Children's Program Representatives
Family Support and Child Welfare Services Team Leaders
Local Business Liaisons
Work First Representatives

FSCWS-16-07