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**ORANGE COUNTY SOCIAL SERVICES AGENCY  
CFS OPERATIONS MANUAL**

**Effective Date:** January 28, 1993  
**Revised Date:** May 17, 2007

**Number:** A-0201

## **Emergency Response to Adoption Planning Requests**

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**Purpose** To provide guidelines for emergency response (ER) investigations regarding newborn children whose parent indicates the desire to pursue a plan of adoption.

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**Approved** This policy was originally approved by the Director of Children and Family Services (CFS) under the title of "Adoption Planning Requests from Hospitals" on January 28, 1993. The current policy was approved by Michael Riley, Ph.D., Director of CFS, on May 17, 2007. *Signature on file.*

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**Background** The Orange County Child Abuse Registry (OC CAR) receives calls from hospitals that a parent has given birth to a child and has requested that the child be placed for adoption. OC CFS has established guidelines to ensure that protection issues are addressed and to avoid unnecessary Juvenile Court intervention when possible.

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**Legal Mandates**

- [Welfare and Institutions Code \(WIC\) Section 300](#)
- [WIC Section 305.6](#)
- [Family Code Section 8700](#)
- [Family Code Section 8815](#)
- [Penal Codes Section 11165.7 and 11166](#)

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## Policy

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### WIC Section 300

CFS will make every effort to avoid disrupting the family unnecessarily or intruding inappropriately into family life.

### ER Investigation

ER investigations for newborn children whose parent has requested adoption are to be completed utilizing the guidelines outlined in CFS Policy and Procedure (P&P) [Abuse Investigations–Practice Guidelines \(A-0412\)](#). This includes obtaining information about the condition of the newborn child, interviewing the parent(s) and all verbal siblings, and conducting an assessment of the family’s home environment.

**Exception:** When there are no siblings and the newborn child is released for adoption without further CFS intervention, a home visit to the birth parent’s home is not necessary.

### No Protection Issues

After completion of the ER investigation, when no protection issues are identified, the assigned Senior Social Worker (SSW) is to provide resources to the parent as requested and close the referral. For further direction on closing a referral, refer to CFS P&P [Abuse Investigations–Findings, Documentation, and Cross Reporting \(A-0305\)](#).

### Protection Issues

When protection issues are identified and the parent has indicated a desire to have the newborn child adopted or has initiated adoption planning, the SSW will confirm the parent’s decision to pursue adoption and determine whether a plan for adoption is already in place.

**Note:** The SSW is to consult with an ER/Child Abuse Services Team (CAST) Senior Social Services Supervisor (SSSS) for further direction when there is question about the parent’s intent to pursue adoption.

### Plan for Adoption

When the parent indicates that she has initiated adoption planning, the SSW is to verify the adoption plan. The SSW is to:

- Contact the attorney or adoption agency who is representing the prospective adoptive parent(s) or the birth parent(s) for the purposes of the adoption and obtain written documentation of the representation and written documentation that a petition for adoption will be filed
- Obtain a completed copy of the Health Facility Minor Release Report, also known as the AD 22. [See Health Facility Minor Release Report (AD 22) section below for further information]

**Note:** If the SSW is either unable to contact the attorney or adoption agency reportedly representing the prospective adoptive parent(s) or the birth parent(s), or unable to verify representation, the SSW is to consult with an ER/CAST SSSS to determine whether a hospital hold will be placed on the newborn child.

Per WIC § 305.6, the SSW is not responsible to interview or investigate the suitability of the prospective adoptive parent(s). However, if release to the prospective adoptive parent(s) poses an immediate danger to the newborn child's health or safety, the SSW is to take steps to ensure the child's safety, including implementing a protective intervention when necessary (e.g., if the prospective adoptive parent arrives at the hospital and is intoxicated, etc.). For further direction on intervention options, refer to CFS P&P [Abuse Investigations–Protective Interventions \(A-0414\)](#).

**No Plan for Adoption**

When protection issues are identified and the parent indicates that she would like the newborn child to be adopted but has not initiated adoption planning, the SSW will provide the parent with the names and phone numbers of adoption agencies in OC. The SSW will request that the parent contact one of the agencies to respond to the hospital and initiate adoption planning.

The following agencies provide adoption planning services in OC:

- Bethany Christian Services
- Holy Family Services
- Kinship Center
- Nightlight Christian Adoptions

A representative from the agency will talk with the parent about her desire to have the child adopted. The SSW will consult with the representative and determine whether the parent has decided to pursue adoption through the agency. If so, the SSW will obtain a completed copy of the AD 22 from hospital staff.

If not, the SSW will consult with an ER/CAST SSSS and proceed with placing a hospital hold, if deemed appropriate.

**Notification of Responsibility to Contact CAR**

**Note:** When protection issues are identified but the child is released for adoption pursuant to the AD 22, the SSW will inform the person receiving the child of their responsibility to contact OC CAR if the parent decides not to pursue the adoption.

For independent adoptions, the SSW will **strongly encourage** the prospective adoptive parent(s) and their attorney to contact OC CAR if the parent decides not to proceed with the adoption. The SSW will explain that if the birth parent(s) requests return of the child prior to adoption, the only recourse is to contact CAR to report the concern, per Family Code § 8815.

For agency adoptions, the SSW will confirm with the agency representative their duty as a mandated reporter to contact CAR if the birth parent(s) requests return of the child prior to adoption.

**The SSW is to document these advisements in the investigative narrative and in Child Welfare Services/Case Management System.**

**Confidentiality**

CFS does not have duty or authority to disclose information about the newborn child or the birth parent(s). The SSW will not provide any information to the prospective adoptive parent(s), their attorney, or adoption agency representatives, including information related to the child's medical condition or the child's family's prior CFS history.

**Health Facility Minor Release Report (AD 22)**

The AD 22 is a hospital form which relinquishes the newborn child to a prospective adoptive parent(s) or a licensed adoption agency for the child to be placed with a family that has been approved for adoption. When protection issues have been identified (e.g., positive toxicology screen, etc.), CFS will not release a child for adoption before obtaining a completed AD 22 signed by the birth parent and the prospective adoptive parent(s) or licensed adoption agency representative.

Per Family Code § 8700, either birth parent can sign the AD 22 in order to allow the newborn child to be released at the time of hospital discharge to prospective adoptive parent(s) or to a licensed adoption agency.

**Siblings** When protection issues have been identified and the newborn child is released for adoption pursuant to the completed AD 22, the SSW remains responsible for investigating the health and safety of all siblings and implementing protective intervention(s), when appropriate. [Refer to CFS P&P Abuse Investigations–Protective Interventions \(A-0414\)](#).

**Newborn Children with Dependent Siblings** In those situations where the newborn child has dependent siblings but the parent requests that the newborn child be placed for adoption and has signed an AD 22, the SSW will:

- Consult with the assigned SSW(s) on the dependent sibling's case(s) prior to closure of the referral
- Consult with an ER/CAST SSSS
- Obtain Program Manager approval prior to closing the referral

For further information on working with newborn children with dependent siblings, refer to CFS P&P [Newborn Children with Dependent Siblings \(A-0411\)](#).

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## References

**Hyperlinks** Users accessing this document by computer may create a direct connection to the following references by clicking on them.

- CFS P&P [Abuse Investigations–Practice Guidelines \(A-0412\)](#)
- CFS P&P [Abuse Investigations–Protective Interventions \(A-0414\)](#)
- CFS P&P [Abuse Investigations–Findings, Documentation, and Cross Reporting \(A-0305\)](#)
- CFS P&P [Newborn Children with Dependent Siblings \(A-0411\)](#)
- CFS P&P [Parentage \(G-0602\)](#)

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## Required Forms

**Online Forms** Required forms listed below may be printed out and completed, or completed online, and may be accessed by clicking on the link provided.

| Form Name | Form Number |
|-----------|-------------|
| None.     |             |

**Hard Copy  
Forms**

Required forms listed below must be completed in hard copy (including multi-copy NCR forms). ***For reference purposes only***, links are provided to view these hard copy forms, where available.

| <b>Form Name</b>  | <b>Form Number</b> |
|---|--------------------|
| <a href="#">Health Facility Minor Release Report</a><br>(Available at the hospital) | AD 22              |

**CWS/CMS  
Forms**

The following required forms may **only** be obtained in CWS/CMS. ***For reference purposes only***, links are provided to view these CWS/CMS forms, where available.

| <b>Form Name</b> | <b>Form Number</b> |
|------------------|--------------------|
| None.            |                    |

**Brochures**

Brochures to distribute in conjunctions with this procedure include:

| <b>Brochure Name</b> | <b>Brochure Number</b> |
|----------------------|------------------------|
| None.                |                        |

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