



INDIANA DEPARTMENT OF CHILD SERVICES	
CHILD WELFARE POLICY	
Chapter 4: Assessment	
Section 34: Abandoned and Safe Haven Infants	
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POLICY OVERVIEW

Indiana law requires the Indiana Department of Child Services (DCS) to assume the care, control, and custody of a child who is designated as abandoned or a safe haven infant. [Back to Top](#)

PROCEDURE

Abandoned Infants

DCS will assume the care, control, and custody of an infant who is less than 12 months of age whose parent, guardian, or custodian has knowingly or intentionally left an infant in:

1. An environment that endangers the infant's life or health; or
2. A hospital or medical facility, and has no reasonable plan to assume the care, custody, and control of the infant.

For abandoned infants, the Family Case Manager (FCM) will:

1. Arrange for emergency placement of the infant;

Note: This initial placement may not be considered a long-term or adoptive placement for the infant, unless approved by the Deputy Director of Field Operations or ordered by the court.

2. Ensure the Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults has been contacted within 48 hours to determine if the infant has been reported missing;
3. Conduct a diligent search and complete the Affidavit of Diligent Inquiry (ADI) form to locate either of the infant's parents or other family members. See policies 5.06 Locating Absent Parents and 5.23 Diligent Search for Relatives/Kin and Case Participants for additional guidance;
4. Ensure the DCS Staff Attorney is aware of the abandoned infant and work with DCS legal to complete and file all documents necessary for court proceedings. See policy 6.02 Filing a Child in Need of Services (CHINS) Petition for additional guidance;
5. Be prepared to submit an ADI form or an update as to the progress toward completion of the ADI form to the court at the time of the Detention/Initial Hearing;
6. Forward a copy of the Preliminary Inquiry (PI) to the FCM Supervisor for review and approval;
7. Attend the scheduled Detention/Initial Hearing; and

8. Document the infant's placement and all information gathered during the assessment in the case management system.

The DCS Staff Attorney will ensure the DCS Chief Counsel is aware of the abandoned infant and complete all necessary court documents.

Safe Haven Infants

The Safe Haven Law allows a parent to surrender their newborn child to an emergency medical services provider. The parent's identity is protected; and the parent will not receive a substantiation for abandonment or neglect regarding the relinquishment if the parent acts within 30 calendar days of the child's birth, and the child is not harmed.

DCS will assume the care, control, and custody of an infant, who is or who appears to be no more than 30 days old, immediately after receiving notice that an individual has:

1. Knowingly or intentionally left the infant with an emergency medical services provider; or
2. Left the infant with medical staff after delivery; or
3. Dialed 911 due to extenuating circumstances and remained with the infant until an emergency medical services provider took custody of the infant; or
4. Placed the infant in a newborn safety device; and
5. The individual did not express an intent to return for the infant.

For safe haven infants, the FCM will:

1. Arrange for emergency placement of the child in foster care;

Note: The initial placement may not be considered a long-term or adoptive placement for the child, unless approved by the Deputy Director of Field Operations or ordered by the court.

2. Contact the Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults within 48 hours to determine if the child has been reported missing;
3. Ensure the DCS Staff Attorney is aware of the safe haven infant and work with DCS legal to complete and file all documents necessary for court proceedings. See policy 6.02 Filing a CHINS Petition for additional guidance;
4. Forward a copy of the PI to the FCM Supervisor for review and approval;
5. Attend the scheduled Detention/Initial Hearing;
6. Meet with the multi-disciplinary team within five (5) business days of the child's emergency placement to determine the appropriate placement and permanency plan for the child. The team should include but not limited to the following members:
 - a. Court Appointed Special Advocate (CASA) or Guardian Ad Litem (GAL),
 - b. DCS Local Office Director (LOD) or designee,
 - c. Regional Manager (RM),
 - d. FCM Supervisor,
 - e. Adoption Liaison (if appropriate),
 - f. FCM, and
 - g. Regional Foster Care Specialist (RFCS).

7. Provide the multi-disciplinary team's recommendation to the DCS LOD (if not included in

- the multi-disciplinary team) and the DCS Staff Attorney; and
8. Document the placement and all information gathered during the assessment in the case management system.

For abandoned and safe haven infants, the FCM Supervisor will:

1. Assist the FCM with completing the required court documents, as necessary;
2. Confirm the Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults has been contacted within 48 hours;
3. Attend the multi-disciplinary team meeting for safe haven infants; and
4. Ensure all actions taken and any deviation from best practice is documented in the case management system.

For abandoned and safe haven infants, the DCS Staff Attorney will:

1. Ensure the DCS Chief Counsel is aware of the abandoned and safe haven infant;
2. File a petition alleging that the abandoned infant or safe haven child is a CHINS and ask the court to hold a Detention/Initial Hearing no later than the next business day after the child is taken into custody; and
3. Ensure the juvenile court receives the recommendation of the multi-disciplinary team regarding placement for a safe haven infant.

Note: The CHINS petition must include a request for the court to make findings of Best Interests/Contrary to the Welfare (BI/CW), Reasonable Efforts to Prevent Removal (RE), and Placement and Care (PC) responsibility to DCS.

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RELEVANT INFORMATION

Definitions

Emergency Medical Services Provider

IC 16-41-10-1 defines an emergency medical services provider as:

1. Firefighter;
2. Law Enforcement Officer;
3. Paramedic;
4. Emergency Medical Technician;
5. Physician;
6. Nurse; or
7. Other person who provides emergency medical services in the course of the other person's employment.

Forms and Tools

- [Affidavit of Diligent Inquiry \(ADI\) \(SF 54778\)](#)
- [Assessment of Alleged Child Abuse or Neglect \(SF 113\) \(311\)](#)
- [Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults](#)
- [Preliminary Report of Alleged Child Abuse or Neglect \(SF 114\) \(310\)](#)
- [Taking Custody of a Child Without Verbal Consent or Written Court Order: Description of Circumstances \(SF 49584\)](#)

Related Policies

- [5.06 Locating Absent Parents](#)
- [5.23 Diligent Search for Relatives/Kin and Case Participants](#)

- [6.02 Filing a CHINS Petition](#)

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LEGAL REFERENCES

- [IC 10-13-5: Indiana Clearinghouse for Information on Missing Children and Missing Endangered Adults](#)
- [IC 16-41-10-1: "Emergency medical services provider" defined](#)
- [IC 31-34-2.5: Emergency Custody of Certain Abandoned Children](#)

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PRACTICE GUIDANCE- DCS POLICY 4.34

Practice Guidance is designed to assist DCS staff with thoughtful and practical direction on how to effectively integrate tools and social work practice into daily case management in an effort to achieve positive family and child outcomes. Practice Guidance is separate from Policy.

N/A

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