




December 23, 2021

**Child Welfare Services Manual Transmittal No. 2021- 06**

**To:** County Departments of Family and Children Services  
DFCS District Directors  
DFCS Regional Directors  
State Office Staff

**From:** Candice Broce, Director   
Georgia Division of Family and Children Services

**Re:** Child Welfare Policy Manual: Chapter 20: Special Circumstances

**Purpose**

The purpose of this Child Welfare Services Manual Transmittal (CWSMT) is to announce the new Chapter 20: Special Circumstances in the Child Welfare Policy Manual. The policies in this chapter were relocated from policy 5.7 Investigations: Special Circumstances. In addition, special circumstances policies in Chapter 3: Intake and other sections of the manual were updated to align with the Chapter 20.

**Discussion**

The Georgia Division of Family and Children Services (DFCS) is responsible for ensuring the safety, permanency, and wellbeing of children served. DFCS recognizes that sound policies support the framework for providing effective child welfare services. To that end, DFCS continually reviews and makes responsive changes to the Child Welfare Policy Manual to assure continued alignment with federal and state laws, organizational changes, shifts in best practice and socio-cultural factors affecting children and families served.

Special circumstances are unique situations outlined in federal and/or state law that requires DFCS' assessment and intervention. While some special circumstances involve allegations of child abuse, many do not. However, each special circumstance requires specific actions to ensure child safety, well-being and/or permanency. The creation of Chapter 20: Special Circumstances provides comprehensive guidance through dedicated policy sections for each type of special circumstance. The following highlights some of the updates:

## **Chapter 20: Special Circumstances**

### 20.0 Introduction to Special Circumstances

1. Provides an overview of situations DFCS classifies as a special circumstance.

### 20.1 Child Withdrawn from Public School

1. Incorporates provisions for completing an assessment to determine if the reason a child was withdrawn from public school was to avoid educating the child. This information was previously located in policy 3.28 Intake: Non-Incident Request Types.
2. Includes contact information for the Georgia Department of Education (GaDOE) to determine if a Home Study Program Declaration of Intent Form has been filed.

### 20.2 Juvenile or Superior Court (No Maltreatment)

1. Incorporates provisions for when DFCS is ordered by Juvenile or Superior court to complete certain actions and there are no accompanying allegations of maltreatment.
2. Requires consultation with the Special Assistant Attorney General (SAAG) to discuss the findings and recommendations for the court.
3. Requires findings and recommendations be submitted in writing to the court.
4. Includes practice guidance on the types of situations DFCS may be asked to assess by the court when maltreatment is not alleged.

### 20.3 Child In Need of Services (No Maltreatment)

1. Incorporates provisions for assessing the child in need of services (CHINS) and family functioning to determine the root cause(s) leading to the unwanted behaviors or situations and identify needed services. This information was previously in the discontinued policy 5.7 Investigations: Special Circumstances.
2. Adds a requirement to adhere to confidentiality provisions, including the Health Insurance Portability and Accountability Act (HIPAA).
3. Adds a requirement to analyze DFCS history to ensure a thorough assessment of family functioning.
4. Adds a requirement to observe the physical home environment to determine if it is safe and appropriate to meet the needs of the CHINS.
5. Adds a requirement to document the CHINS assessment in the family functioning assessment (FFA), detailed purposeful contacts are not required.
6. Adds a requirement to include a copy of the FFA with the written report of findings to the court.
7. Adds a requirement to make a recommendation regarding the need for continued child welfare services.
8. Removes the requirement to complete the Present Danger Assessment as this assessment no longer exists.
9. Adds procedures for enhanced supervisor oversight of the CHINS assessment.
10. Includes practice guidance on the purpose of the CHINS law and how to document a CHINS (No Maltreatment) case.

#### 20.4 Safe Place for Newborns

1. Incorporates provisions for using Safe Place for Newborns to assist mothers in crisis to safely relinquish their newborn babies to protect newborns from endangerment by providing mothers an alternative to abandonment. This policy has been relocated from 5:10 Investigations: Safe Place for Newborns.
2. Adds a requirement to afford all rights under the Indian Child Welfare Act (ICWA) to any Indian child subject to the Safe Place for Newborns.
3. Adds a requirement to adhere to confidentiality provisions, including HIPAA.
4. Adds a procedure to secure background information from the birth parents (when their identity is known) and inform them of the provisions of the Adoption Reunion Registry.
5. Removes a procedure for the completion of the FFA as it is not required in such cases.
6. Includes practice guidance regarding when a diligent search is applicable in safe place for newborn cases.

#### 20.5 Infants Prenatally Exposed to Substances (No Maltreatment)

1. Incorporates provisions for assessing the health and developmental needs of infants identified as affected by prenatal substance exposure, and the health and substance use disorder treatment needs of parent(s) and their families.
2. This policy section has been relocated from 5.12 Investigations: Infants Prenatally Exposed (No Maltreatment Alleged) and has been renamed.
3. Adds a note that this type of special circumstance focuses solely on infants prenatally exposed to substances that were legally prescribed and used as prescribed by the mother during pregnancy.
4. Adds to Forms and Tools:
  - a. HIPAA Notice of Privacy Practices (English and Spanish)
  - b. Notice of Case Record Information Available to Parents/Guardians (English and Spanish)

#### 20.6 Voluntary Placement Agreement

1. Incorporates provisions for the use of a voluntary placement agreement (VPA) to assist families experiencing a short-term crisis by providing foster care services for a time-limited period (90 calendar days) without court action. The information was previously in the discontinued policy 5.7 Investigations: Special Circumstances. Some information from policy 10.2 Foster Care: Placement of a Child via Voluntary Placement Agreement was also moved to this policy section for consistency.
2. Adds a requirement to afford all rights under ICWA to any Indian child subject to a VPA to promote the stability and security of Indian Tribes and their families, including:
  - a. Making active efforts to prevent unnecessary removal of the child from his/her home, prior to the execution of the VPA.
  - b. Information that must be clearly specified in the VPA involving an Indian child.
  - c. Executing the VPA after a ten-day waiting period after the birth of the child.
  - d. Recording before a court of competent jurisdiction and certified by the judge or the court, any request for a VPA involving an Indian child.

- e. VPA must be recorded and certified by the court prior to DFCS assuming physical or legal custody of an Indian child.
- f. Providing the required ICWA notifications of the VPA involving an Indian child.
- 3. Adds a requirement to adhere to confidentiality provisions, including HIPAA.
- 4. Adds a requirement to analyze DFCS history to ensure a thorough assessment of family functioning.
- 5. Adds procedures for enhanced supervisor oversight of the VPA.
- 6. Updates Forms and Tools:
  - a. Replaces the Voluntary Placement Agreement (VPA) to Place Child in Foster Care with the Voluntary Agreement to Place a Child in Foster Care (Authorization).
  - b. Replaces the Termination of Voluntary Placement Agreement (VPA) to Place Child in Foster Care with the Voluntary Agreement to Place a Child in Foster Care (Termination).

### 20.7 Voluntary Surrender of Parental Rights

- 1. Incorporates provisions for using a voluntary surrender of parental rights when a parent wishes to place their child, who is not in foster care, for adoption when ending the parent-child relationship is in the child's best interest. This information was previously in the discontinued policy 5.15 Investigations: Voluntary Surrender of Parental Rights.
- 2. Adds a requirement to afford all rights under ICWA to any Indian child subject to voluntary surrender of parental rights, including:
  - a. Efforts to determine any child or family Indian heritage and tribal membership.
  - b. Making active efforts to prevent unnecessary removal of the child from his/her home, prior to the execution of the voluntary surrender of parental rights.
- 3. Adds a requirement to make reasonable efforts to prevent the voluntary surrender of parental rights.
- 4. Updates procedures for enhanced supervisor oversight of the voluntary surrender of parental rights.

### 20.8 Short Term Emergency Care (Emergency or Illness)

- 1. Incorporates provisions for providing emergency care and supervision to a child without seeking a court order when the person who has physical and legal custody of the child is unable to provide care and supervision as a result of an emergency or illness. The information was previously in the discontinued policy 5.13 Investigations: Short Term Emergency Care.
- 2. Adds a requirement to adhere to confidentiality provisions, including HIPAA.
- 3. Adds a requirement to complete a diligent search to identify and locate persons who may be considered as a placement for the child while in foster care.
- 4. Adds a requirement to release the child to the person having custody at the time the Short Term Emergency Care (STEC) agreement was executed or the designated caregiver, at any time during the seven calendar days and upon terminating the STEC agreement.
- 5. Updates Forms and Tools:

- a. Replaces the DFCS Authorization to Accept Child for Emergency Care and Supervision (Short-Term Emergency Care) with the Emergency Care and Supervision of Child Without a Court Order (Authorization)
- b. Replaces the Termination of DFCS Responsibility for Emergency Care and Supervision (Short-Term Emergency Care) with the Emergency Care and Supervision of Child Without a Court Order (Termination)
- c. Adds Emergency Care and Supervision of Child Without a Court Order (Authorization) (Spanish)
- d. Adds Emergency Care and Supervision of Child Without a Court Order (Termination) (Spanish)
- e. Adds HIPAA Notice of Privacy Practices (English and Spanish)
- f. Adds Notice of Case Record Information Available to Parents/Guardians – (English and Spanish)

#### 20.9 Short Term Emergency Care (Human Trafficking)

- 1. Incorporates provisions for providing emergency care and supervision to a child without seeking a court order when the child is a victim of human trafficking (labor or sexual servitude). The information was previously in the discontinued policy 5.13 Investigations: Short Term Emergency Care.
- 2. Adds a requirement to adhere to confidentiality provisions, including HIPAA.
- 3. Adds a requirement to complete a diligent search to identify and locate persons who may be considered as a placement for the child while in foster care.
- 4. Adds a requirement to work in conjunction with the parent to contact the National Center for Missing and Exploited Children (NCMEC) to report that the child has been located when a missing person report was filed with NCMEC.
- 5. Adds a requirement to refer the child to an available victim assistance organization, as certified by the Criminal Justice Coordinating Council for comprehensive trauma-informed services to address sexual exploitation or trafficking for labor or sexual servitude.
- 6. Adds a requirement to release the child to the person having custody at the time the STEC agreement was executed or the designated caregiver, at any time during the seven calendar days and upon terminating the STEC agreement.
- 7. Updates Forms and Tools:
  - a. Replaces the DFCS Authorization to Accept Child for Emergency Care and Supervision (Short-Term Emergency Care) with the Emergency Care and Supervision of Child Without a Court Order (Authorization)
  - b. Replaces the Termination of DFCS Responsibility for Emergency Care and Supervision (Short-Term Emergency Care) with the Emergency Care and Supervision of Child Without a Court Order (Termination)
  - c. Adds Emergency Care and Supervision of Child Without a Court Order (Authorization) (Spanish)
  - d. Adds Emergency Care and Supervision of Child Without a Court Order (Termination) (Spanish)
  - e. Adds HIPAA Notice of Privacy Practices (English and Spanish)
  - f. Adds Notice of Case Record Information Available to Parents/Guardians (English and Spanish)

## 20.10 Temporary Protective Custody of a Child by a Physician

1. Incorporates provisions for conducting an investigation when a physician has taken temporary protective custody of the child without a court order and without the consent of the child's parent, guardian, or legal custodian. The information was previously in the discontinued policy 5.7 Investigations: Special Circumstances.
2. Adds procedures for enhanced supervisor oversight of the Special Circumstances Temporary Protective Custody of a Child by a Physician.

## **Chapter 1: Administration**

### 1.6 Indian Child Welfare Act (ICWA) and Transfer of Responsibility for Placement and Care to a Tribal Agency

1. Adds requirements outlining the limitations on VPAs and voluntary surrenders involving Indian children.
2. Updates the requirement for VPAs and voluntary surrenders involving Indian children to be recorded before a court of competent jurisdiction and certified by the judge or the court.
3. Notes that active efforts are required for VPAs and voluntary surrenders.
4. Adds procedures for the recording and certification of voluntary consents before the judge or court of competent jurisdiction.
5. Updates Forms and Tools:
  - a. Indian Child Welfare Act Notification to Secretary of the Interior
  - b. Indian Child Welfare Act Notification to Tribe Leader

## **Chapter 3: Intake**

All intake policies updated the CPS Intake Communication Center (CICC) titles from Social Services Case Manager (SSCM) to Centralized Intake Specialist and Social Services Supervisor (SSS) to Centralized Intake Specialist Supervisor.

### 3.1 Receiving Intake Reports

1. Removes language detailing Georgia SHINES instructions on intake reports opened in error.
2. Updates Practice Guidance:
  - a. Adds information on Child Abduction Response Team (CART), including how it is activated and how DFCS may be notified of a CART.
  - b. Removes Military Law Enforcement and Family Advocacy Programs, as the information is in policy 3.25 Intake: Intake Sharing Information with Law Enforcement, District Attorney or Military.
3. Removes from Forms and Tools the Georgia SHINES Job Aid - Entering Intakes.

### 3.4 Intakes Involving Substance Abuse, Prenatal Abuse or Fetal Alcohol Spectrum Disorder (FASD)

1. Previously titled 3.7 Intake: Intakes Involving Substance Use or Abuse, Prenatal Exposure, Prenatal Abuse or Fetal Alcohol Spectrum Disorder.
2. Removes information regarding Prenatal Exposure with No Maltreatment as it is included in policy 3.18 Intake: Special Circumstances: Intakes Involving Prenatal Exposure (No Maltreatment).

3. Notes that intakes involving prenatal exposure with no allegation of child abuse shall be assessed and processed as a Special Circumstance Prenatal Exposure (No Maltreatment).
4. Specifies additional information to gather when prenatal abuse or substance use/abuse is alleged.
5. Adds practice guidance on the impact of caregiver substance and/or alcohol use or abuse on children.

### [3.7 Intakes Involving Sex Trafficking / Sexual Servitude](#)

1. Removes information regarding Short Term Emergency Care (Human Trafficking) as it is in policy 3.22 Intake: Special Circumstances Intakes Involving Short Term Emergency Care (Human Trafficking).
2. Updates the entities that are notified upon receipt of an intake report involving known or suspected victims of sex trafficking to include the Care Coordination Treatment Unit (CCTU).

### [3.12 Intakes Involving Other Distinct Types of Intake Reports](#)

1. This policy was discontinued as the information is now incorporated into other policy sections.

### [3.14 Special Circumstance Intakes Involving Child Withdrawn from Public School](#)

1. This new policy section addresses intakes involving a child withdrawn from public school, previously located in policy 3.28 Intake: Non-Incident Request Types.
2. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance Child Withdrawn from Public School. Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
3. Adds a procedure to classify the intake report as a special circumstance school withdrawal in Georgia SHINES.
4. Adds to Forms and Tools Georgia SHINES Job Aid: Recording School Withdrawal – No Maltreatment Alleged.

### [3.15 Special Circumstance Intakes Involving Juvenile or Superior Court \(No Maltreatment\)](#)

1. Previously titled 3.11 Intake: Intakes Involving Juvenile or Superior Court with Non-Maltreatment Alleged.
2. Removes information regarding CHINS as it is in policy 3.16 Intake: Special Circumstance Intakes Involving Child in Need of Services (No Maltreatment).
3. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance Juvenile or Superior Court (No Maltreatment Alleged). Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
4. Updates procedures on gathering information from the reporter.

5. Updates practice guidance to distinguish between a special circumstance no maltreatment intake report and reports that must be assessed for maltreatment.
6. Removes from Forms and Tools:
  - a. Georgia SHINES Job Aid: Entering Intakes
  - b. Georgia SHINES Job Aid: Recording Children in Need of Supervision (CHINS) Cases in SHINES

### 3.16 Special Circumstance Intakes Involving Child in Need of Services (No Maltreatment)

1. This new policy section addresses CHINS, previously located in policy 3.11 Intakes: Intakes Involving Juvenile or Superior Court with Non-Maltreatment Alleged.
2. Notes that when there is an open child welfare case involving the family, the current SSCM and SSS must be notified of the CHINS Intake Report to assess the needed DFCS intervention, instead of initiating a new special circumstance.
3. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance CHINS (No Maltreatment). Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
4. Updates procedures on gathering information from the reporter.
5. Adds practice guidance on CHINS involving schools.

### 3.17 Special Circumstance Intakes Involving Safe Place for Newborns

1. Re-numbers the policy section to 3.17 from 3.6. The policy title remains the same.
2. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance Safe Place for Newborns. Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
3. Adds a requirement to assign the Intake Assessment for immediate response, except when the child is eligible for inpatient admission and not medically ready for discharge then it may be assigned a 24hr response.

### 3.18 Special Circumstance Intakes Involving Prenatal Exposure (No Maltreatment)

1. This new policy section addresses intakes involving prenatal exposure with no maltreatment, previously in policy 3.7 Intake: Intakes Involving Substance Use or Abuse, Prenatal Exposure, Prenatal Abuse, or Fetal Alcohol Spectrum Disorder.
2. Adds a procedure for inquiring if the child and/or parent have or is believed to have Indian heritage.
3. Specifies additional information to gather when prenatal exposure no maltreatment is alleged.
4. Adds practice guidance on examples of intake reports that should or should not be assigned as a special circumstance prenatal exposure (no maltreatment).



### 3.19 Special Circumstance Intakes Involving Voluntary Placement Agreements (VPA)

1. This new policy section addresses VPA, previously in policy 3.12 Intake: Intakes Involving Other Distinct Types of Intake Reports.
2. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance VPA. Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
3. Adds a requirement to notify the county department within two hours of receipt of the assigned intake report.
4. Updates procedures for gathering information from the reporter regarding the VPA request.
5. Adds procedures for the Centralized Intake Specialist Supervisor oversight of the Special Circumstance intake assessment.
6. Adds practice guidance on when DFCS may use a VPA.

### 3.20 Special Circumstance Intakes Involving Voluntary Surrender of Parental Rights

1. This new policy section addresses voluntary surrender of parental rights, previously in policy 3.12 Intake: Intakes Involving Other Distinct Types of Intake Reports.
2. Notes that a new intake report for voluntary surrender of parental rights is not required when the biological and/or legal parent has an active child welfare case.
3. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance Voluntary Surrender of Parental Rights. Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
4. Adds a requirement to notify the county department within two hours of receipt of the assigned intake report.
5. Adds procedures for the Centralized Intake Specialist Supervisor oversight of the Special Circumstance intake assessment.
6. Adds practice guidance on distinguishing a voluntary surrender of parental rights from abandonment.

### 3.21 Special Circumstance Intakes Involving Short Term Emergency Care (Emergency or Illness)

1. This new policy section addresses STEC for emergency or illness, previously in policy 3.12 Intakes Involving Other Distinct Types of Intake Reports.
2. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance Short Term Emergency Care (Emergency or Illness). Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
3. Adds a requirement to notify the county department within two hours of receipt of the assigned intake report.

4. Updates procedures on gathering information from the reporter regarding the STEC.
5. Adds procedures for the Centralized Intake Specialist Supervisor oversight of the Special Circumstance intake assessment.
6. Adds practice guidance on DFCS ability to use STEC.

### 3.22 Special Circumstance Intakes Involving Short Term Emergency Care (Human Trafficking)

1. This new policy section addresses STEC for human trafficking, previously in policy 3.12 Intake: Intakes Involving Other Distinct Types of Intake Reports and 3.9 Intake: Intakes Involving Sex Trafficking/Sexual Servitude.
2. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance Short Term Emergency Care (Human Trafficking). Notes that such intake assessments must be processed and assessed in accordance with policies 3.1 Intake: Receiving Intake Reports and 3.2 Intake: Making an Intake Decision.
3. Adds a requirement to notify the county department within two hours of receipt of the assigned intake report.
4. Updates procedures on gathering information from the reporter to include specific questions related to human trafficking.
5. Adds procedures for the Centralized Intake Specialist Supervisor oversight of the Special Circumstance intake assessment.
6. Adds practice guidance on human trafficking, labor trafficking, coercion, commercial sex act, debt bondage, involuntary servitude, and severe forms of trafficking in persons.

### 3.23 Special Circumstance Intakes Involving Temporary Protective Custody of a Child by Physician

1. This new policy section addresses intakes involving temporary protective custody of a child by a physician, previously in policy 3.12 Intake: Intakes Involving Other Distinct Types of Intake Reports.
2. Adds a requirement to assign the Intake Assessment for immediate response, except when the child is eligible for inpatient admission and not medically ready for discharge it may be assigned a 24hr response.
3. Adds a requirement to screen-out Intake Assessments when the information gathered does not meet the criteria for a Special Circumstance Temporary Protective Custody of a Child by Physician. Notes that such intake assessments must be assessed in accordance with policy 3.2 Intake: Making an Intake Decision.
4. Adds a requirement to notify the county department within two hours of the assigned intake report.
5. Updates procedure on gathering information from the reporting physician.
6. Adds procedures for Centralized Intake Specialist Supervisor oversight of the Special Circumstance intake assessment.
7. Adds practice guidance regarding the Terrell Peterson Act.

### 3.28 Information and Referrals

1. This new policy section addresses information and referrals (I&R), previously in policy 3.28 Intake: Non-Incident Request Types.
2. Notes that Intake Assessments with alleged child abuse shall not be processed as an I&R and shall be assessed in accordance with policy 3.1 Intake: Receiving Intake Reports.
3. Adds practice guidance on examples of situations that meet the I&R criteria.

### 3.29 Request for Courtesy Interviews

1. This new policy section addresses courtesy interviews, previously located in policy 3.28 Intake: Non-Incident Request Types.
2. Notes that courtesy requests involving a child in another state's custody shall go through ICPC.
3. Notes that requests for courtesy interviews that do not meet the criteria for a Courtesy Interview must be assessed in accordance with policy 3.1 Intake: Receiving Intake Reports.
4. Adds a requirement to adhere to confidentiality provisions, including HIPAA.
5. Updates procedures on gathering information from the requesting state agency.
6. Updates procedures for the County Department, including contacting the requesting state agency, analyzing DFCS history, explaining confidentiality and HIPAA.
7. Adds practice guidance on courtesy requests between Georgia counties.
8. Adds to Forms and Tools:
  - a. HIPAA Notice of Privacy Practices (English and Spanish)
  - b. Notice of Case Record Information Available to Parents/Guardians (English and Spanish)

### 3.30 Non-Incident Request Types (DJJ, ICPC, PAD and PFC)

1. Previously titled 3.28 Intake: Non-Incident Request Types.
2. Removes information on I&R, courtesy interviews and child withdrawn from public school as they now have separate policy sections.
3. Adds procedures for when to stage progress from Intake to Post Foster Care (PFC).
4. Adds to Forms and Tools Georgia SHINES Job Aid: Stage Progressing Case Intake to PAD.

The following policy sections of Chapter 3: Intake have no policy content changes however they were re-numbered as follows:

- 3.6 Intakes Involving Family Violence, Domestic Violence or Intimate Partner Violence
- 3.8 Intakes Involving Unaccompanied Homeless Youth
- 3.9 Intakes Involving a DFCS or Child Placing Agency (CPA) Foster or Adoptive Home
- 3.10 Intakes Involving a Foster Care Kinship Placement
- 3.11 Intakes Involving Residential and Non-Residential Facilities
- 3.12 Intakes Involving Public or Private Non-Residential Schools and Overnight Camps
- 3.13 Intakes Involving Child Death, Near Fatality, Serious Injury (CDNFSI)

## **Chapter 5: Investigations**

The following policies have been discontinued and incorporated into Chapter 20 Special Circumstances:

5.7 Special Circumstances

5.10 Special Circumstances: Safe Place for Newborn

5.12 Special Circumstances: Infants Prenatally Exposed (No Maltreatment Alleged)

5.13 Short Term Emergency Care

5.15 Voluntary Surrender of Parental Rights

## **Chapter 10: Foster Care**

### **10.2 Placement of a Child via Voluntary Placement Agreement**

1. Requires verifying that a VPA was properly executed.
2. Updates requirements and procedures for VPAs that are subject to ICWA.
3. Adds requirements and procedures for the revocation (termination) of the VPA and return of a child following receipt of a written request to terminate the VPA.
4. Adds a requirement for written notification to the parent(s), guardian(s), or legal custodian(s) to accept physical and legal custody of the child within 14 calendar days, when DFCS determines that foster care placement is no longer warranted.
5. Adds a requirement for the county director's approval to extend the VPA.
6. Adds procedures for monitoring the VPA to ensure it does not exceed the allowable timeframe.
7. Adds procedures to prepare for the child's return home.
8. Adds procedures for determining whether to grant an extension of a VPA.
9. Updates procedures for enhanced supervisor oversight of the VPA.
10. Adds to practice guidance:
  - a. Missing child or youth during a VPA
  - b. DFCS request to terminate the VPA

## **Chapter 17: Legal**

### **17.12 Voluntary Surrender of Parental Rights**

1. Adds a requirement to adhere to ICWA for any Indian child subject to a voluntary surrender of parental rights, including:
  - a. Information that must be clearly specified on forms used to execute the voluntary surrender of parental rights involving an Indian child.
  - b. Informing an Indian parent/custodian of their right to revoke the voluntary surrender of parental rights any time prior to a decree of termination or adoption.
  - c. Executing the voluntary surrender of parental rights after a ten-day waiting period after the birth of the Indian child.
  - d. Providing the required ICWA notifications of the voluntary surrender of parental rights involving an Indian Child.
  - e. Recording and certifying before the court the voluntary surrender of parental rights prior to assuming physical or legal custody of an Indian child.
2. Removes a requirement to petition Juvenile Court to acknowledge the voluntary surrender of parental rights and place the child in the permanent custody of DFCS

- for the purpose of adoption within three business days following the expiration of the revocation period.
3. Adds a requirement to petition Juvenile court to terminate the parental rights of the surrendered parent(s) and place the child in the permanent custody of DFCS for the purpose of adoption:
    - a. When all parents (biological and legal) voluntarily surrendered their parental rights to DFCS, submit the termination packet to the SAAG within five business days following the expiration of the revocation period. Provides an exception for an Indian child to submit within five business days following the court recording and certifying the voluntary surrender.
    - b. When there is a remaining parent(s) who has not voluntarily surrendered, submit the termination packet to the SAAG when DFCS is prepared to terminate on the remaining parent(s).
  4. Adds a requirement to prepare the parent(s) and child for the adoption including securing background information and informing of the provisions of the Adoption Reunion Registry.
  5. Updates procedures for enhanced supervisor oversight of the voluntary surrender.
  6. Removes from practice guidance information regarding:
    - a. Properly executed voluntary surrender of parental rights being as legally valid as a termination court order
    - b. Adoption Assistance
    - c. Evaluator
    - d. ICWA protections after a decree of adoption is entered
  7. Updates the following Form and Tools:
    - a. Acknowledgement of Surrender of Rights (English and Spanish)

### **Implementation**

This policy update is effective upon the release of this manual transmittal and is available on the Online Directives Information System (ODIS) at <http://odis.dhs.ga.gov/>.

This policy update is effective upon the release of this manual transmittal and is available on the Online Directives Information System (ODIS) at <http://odis.dhs.ga.gov/>. Regional and County Leadership shall provide opportunities for staff to review and discuss the updated policy to ensure implementation. Please refer to policy [1.3 Administration: Access, Distribution and Review of Child Welfare Policies](#) for the applicable requirements and procedures for policy review.

Please direct questions regarding this policy release to the Field Program Specialist in your region. Regional staff shall submit questions to the Policy and Regulations Unit at [PPPDUnit@dhs.ga.gov](mailto:PPPDUnit@dhs.ga.gov).