

What information is needed to determine if my newborn is an Indian child?

The parents' names, dates of birth, and any tribal affiliation need to be provided so that tribes may determine if your newborn is eligible for membership in a tribe.

For more information you can find contact information for tribes here:

<https://www.bia.gov/bia/ois/dhs/icwa>.

What happens after I surrender my newborn?

Whoever receives your newborn will contact CPS to take custody of the newborn and place them in a foster or adoptive home. A court process starts right away to terminate your parental rights to the newborn. This process moves quickly since the identity of the parents is not known.

What should I do if I change my mind about surrendering my newborn?

You should contact the CPS agency in the county where you surrendered your newborn. This must be done before your parental rights are terminated by the court, so if you change your mind, you should contact CPS right away.

What will happen when I contact CPS?

Before the newborn can be returned to you, you must prove you are the newborn's parent. A genetic test can prove that you are the parent.

The CPS agency will require you to take several steps before the newborn may be returned to you. This may include meeting with a CPS professional who will ask you for information to make sure the newborn will be safe in your care. A court will make the final decision about the newborn returning to your care.

Information Hotlines:

Maternal and Child Health Hotline provides information and links to services for pregnant and postpartum women and for children.

1-800-722-2295

Safe Place for Newborns provides information on Safe Haven laws and crisis support.

1-877-440-2229

An informational video with Safe Haven information for parents can be found by using the QR code below or at the following link:

https://youtu.be/Wo9Whq_j8Gs?is=LHR-XDPRIZVZzduT.



The Department of Children and Families is an equal opportunity employer and service provider. If you have a disability and need to access services, receive information in an alternate format, or need information translated to another language, please call the Division of Safety and Permanence at (608) 266-8787. Individuals who are deaf, hard of hearing, deaf-blind or speech disabled can use the free Wisconsin Relay Service (WRS) – 711 to contact the department.

SAFE HAVEN INFORMATION FOR PARENTS



**DIVISION OF SAFETY AND
PERMANENCE**

What is the Safe Haven law?

The Safe Haven law (also known as newborn relinquishment) allows a parent to anonymously surrender an unwanted newborn. As long as the newborn is less than 30 days old, and shows no signs of abuse or neglect, a parent may do so anonymously without fear of arrest or prosecution.

Why does Wisconsin have the Safe Haven law?

Every state in the country has a Safe Haven law. Safe Haven laws provide an option to protect newborns from unsafe abandonment. Safe Haven is a way to protect your newborn with no shame and no blame.

Who can I safely relinquish my newborn to?

You can give your newborn to a law enforcement officer, emergency medical services practitioner or hospital staff member. You can also call 911 if you cannot travel to a Safe Haven location. Or you can use a Newborn Infant Safety Device if one is available in your area.

Do I have to give my name?

No. You have the right to remain anonymous.

Will anyone ask me questions?

The person who takes custody of your newborn may ask you questions about your newborn's age, any medical history, and whether your newborn is an Indian child.

Am I required to provide any information about myself?

No. You have the right to remain anonymous and will be able to surrender your newborn if you decide not to provide any information. You cannot be forced to provide any information. You can provide information about your medical and social history while still remaining anonymous.

Why am I being asked about my social and health history?

Since the Safe Haven process is anonymous, your newborn will not know anything about their birth family's health history or their social history, other than what you choose to provide. Any information you provide will help the adults in your newborn's life make decisions about how best to support their health and well-being as they grow. It will also help ensure your newborn receives the care they need and help keep them connected to their culture. Knowing about their social history will help your newborn gain a sense of belonging as they grow.

Do I need to provide the information about my medical history and my heritage now?

No, there is a form you can complete. You can ask for a printed copy of the form from the person you give your newborn to, or you can find the document online: <https://dcf.wisconsin.gov/files/forms/pdf/2316.pdf>. Once completed, it should be provided to the county Child Protective Services (CPS) in the county where the child was surrendered.

Who will get the information I provide?

Any information you share is confidential. Access is limited to individuals who need the information for specific purposes, such as a doctor to diagnose or treat your newborn.

Why are cultural connections important?

Cultural connections are important for everyone because they provide a sense of belonging and help people build a positive identity. Staying connected to traditions, family, and heritage can also support a person's emotional and physical well-being throughout their lifetime.

Why do people need to know if my newborn is an Indian child?

An Indian child is entitled to specific legal protections in circuit courts under the Indian Child Welfare Act (ICWA).

How does ICWA benefit my newborn?

This law helps ensure your newborn can stay connected to their tribe, culture, and community.

What is the benefit for my newborn if I provide this information?

Individuals who are enrolled members of an Indian tribe may have access to certain benefits, as well as being socially and culturally connected to their tribe and clan. If your newborn is able to be a member of a tribe, they and future generations could potentially receive these benefits (*depending on each tribe*):

- A right to own, inherit, or lease Indian property.
- Assistance such as health care, education, housing, employment, behavioral/mental health services.
- Federal rights, privileges, and protections.
- A right to participate in tribal governance and leadership.