



# WHAT TO PLAN FOR WHEN YOU ARE PREGNANT AT THE CALIFORNIA INSTITUTION FOR WOMEN



## Introduction

Legal Services for Prisoners with Children is based in San Francisco, California. We advocate for the human rights and empowerment of imprisoned people, their children, their family members, and people at risk for imprisonment. We focus on women in prison and their families, and we stress the importance of family unity during imprisonment and after release. One major way that we advance our goals is by providing information, trainings, and technical assistance to women in prison so that they may become stronger, more knowledgeable advocates for themselves and others.

This manual is designed specifically for pregnant women at the California Institution for Women in Corona, California. In it, we strive to answer many pregnant women's legal and practical questions about deciding to have a baby, making arrangements for the baby's care, and taking the first steps to preserve family unity while in prison. This manual will also be helpful for family members of these pregnant women and their advocates. The information in this manual was provided to us by staff at CIW, CDCR's Sacramento office, the Riverside CPS office and the Riverside County Regional Medical Center.

This manual is not intended to replace your lawyer. If you have a lawyer, ask him or her questions, share information, and tell him or her what you want for your family. The information in this manual is current as of January 2013. This manual is a snapshot in time of what we understand the current policies are. Please let us know if your experience differs from what we have been told are official policies.

## Abbreviations in this manual

<b>ACP</b>	Alternative Custody Program
<b>CDCR</b>	California Department of Corrections & Rehabilitation
<b>CIW</b>	California Institution for Women
<b>CPMP</b>	Community Prisoner Mother Program
<b>CPS</b>	Child Protective Services
<b>FSC</b>	Family Services Coordinator
<b>NPIF</b>	Newborn Placement Information Form
<b>OB</b>	Obstetrical
<b>RCRMC</b>	Riverside County Regional Medical Center

1540 Market St., Suite 490,  
San Francisco, CA 94102.

Phone: (415) 255-7036  
Fax: (415) 552-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)

## TABLE OF CONTENTS

What medical treatment should I expect when I am brought to prison? .....	3
Where will my baby be born? .....	4
Will someone help me make arrangements for my pregnancy and my baby? .....	5
What should I think about when I am choosing someone to take care of my baby while I am in prison? .....	6
When does Child Protective Services get involved? .....	8
What if I do not have anybody to choose as my baby's caregiver? .....	8
Can I request that someone be present when I give birth at the hospital? .....	8
What will happen when it is time for me to have my baby? .....	9
How will I get to the hospital?.....	10
What does the hospital social worker do? .....	10
What forms will I need to fill out at the hospital? .....	10
Will I be able to spend time with my baby? .....	11
What happens if my baby has special medical needs? .....	12
When will the hospital call CPS about my baby?.....	12
Is there anything that will automatically cause CPS to take my baby? .....	13
If CPS intervenes and takes my baby, what happens next?.....	13
What happens after I return to prison? .....	14
How do I make more formal legal arrangements for my baby? .....	15
What should I do to make sure my baby can visit me at CIW? .....	16
Final thoughts .....	17
Attachments: Newborn Placement Information Form	
CPMP Eligibility Form	
ACP Eligibility Requirements	
State Application for Birth Certificate	
Declaration of Paternity Sample	
Temporary Custody Agreement/Power of Attorney Form	
Written Consent for Minor Visitation Authorization Form	
Summary of New Anti-Shackling Law	

## **What medical treatment should I expect when I am brought to prison?**

### *Medical attention when you first arrive at CIW*

Urine tests for pregnancy are not given automatically. However, if you report that you might be or are pregnant, or you appear to be pregnant, or if county jail records note that you are pregnant, you will immediately be screened by an OB (obstetrical) nurse and given a urine dipstick test. If there is a remote chance that you might be pregnant, let someone know.

If the urine test is positive, you will have an appointment with an OB nurse the next day.

Within seven days of your arrival, you will also be seen by an OB doctor.

If you have any medical conditions that might complicate your pregnancy, it is important for medical staff to know this as well. The medical staff will inform the supervising obstetrician about any medical conditions that might complicate your pregnancy.

### *Your right to have an abortion*

Once your pregnancy is confirmed, you may make the personal decision that this is not the right time in your life to have a baby. You have the right to an abortion even while you are in prison. You may or may not be given this information by the nurses, doctor, or Family Services Coordinator (FSC), so you may need to be pro-active. Ask for the information you need.

If you decide that an abortion is the best choice for you, tell your decision to the nurse, the doctor, and the FSC as soon as possible, the sooner the better. This is because there are limits to abortion rights during later stages of pregnancy, as well as physical and mental health concerns. Generally, under California law, a woman has the legal right to choose an abortion up through the 16<sup>th</sup> to 18<sup>th</sup> week of pregnancy. Between the 18<sup>th</sup> and 24<sup>th</sup> week of pregnancy, a medical judgment must be made whether it is safe for the woman to have an abortion. After the 24<sup>th</sup> week of pregnancy, an abortion is only available for a woman whose pregnancy puts her life in danger.

The FSC and the OB doctor routinely meet with pregnant women during their first week at CIW. This is an ideal time to ask questions and inform them if you have decided to have an abortion. If you make this decision later, you should immediately fill out a 2362 Request for Services form. Women are scheduled to see the OB provider on an urgent basis if the procedure can be medically approved.

After you inform the OB doctor and the FSC of your decision, they will meet with you to determine if you fulfill certain criteria, including being of sound mind and not too far along in your pregnancy. If you meet the criteria, the OB doctor will refer your request to the chief surgeon for final approval.

Pregnant women at CIW do not have to pay for abortions. The California Department of Corrections and Rehabilitation (CDCR) will pay the entire cost. Abortions are performed at the Planned Parenthood clinic in Riverside.

### ***Your right to pregnancy care***

You will have regular appointments with the OB nursing staff throughout your pregnancy. Unless otherwise indicated by the doctor, you will have OB visits as follows:

- Every four weeks in the first trimester and up to 24-26 weeks gestation
- Every three weeks up to 30 weeks gestation

- Every two weeks up to 36 weeks gestation
- Weekly after 36 weeks gestation up to delivery

As soon as possible after your pregnancy is confirmed, you will meet with a dentist and a dietician. You will also have access to prenatal medications.

### ***Other accommodations***

When prison staff confirms that you are pregnant, you will be issued a Comprehensive Accommodation Chrono. This Chrono is not a physical card, but a document in your file that you are pregnant.

This Chrono entitles you to access to prenatal vitamins as well as two extra cartons of milk, two extra servings of fruit, and two extra servings of vegetables daily. You should be assigned a lower bunk.

Whenever an alarm sounds, you do not have to drop to the floor; you only have to sit on the ground.

Under no circumstances can you be handcuffed behind your back, chained around your belly, or placed in leg irons. During a medical emergency, if your medical provider states that you must be released from restraints because of medical need, no restraints may be used at all.

### **Where will my baby be born?**

Although CIW is located in San Bernardino County, most pregnant women incarcerated at CIW will give birth at Riverside County Regional Medical Center, per CIW policy and preference. It is located at 2650 Cactus Avenue, Moreno Valley, CA 92555. For this reason, we only contacted the Riverside County hospital to get information for this manual.

However, pregnant CIW women who are scheduled for *a planned caesarean section*

(c-section) will give birth at Tri-City Medical Center in Oceanside, which is in San Diego County.

It is also *possible* that you will be brought to Chino Valley Medical Center (San Bernardino County), Montclair Hospital Medical Center (San Bernardino County) or Corona Regional Medical Center (Riverside County) to give birth, depending on individual circumstances.

## **Will someone help me make arrangements for my pregnancy and my baby?**

Yes. Within your first week at CIW, a Family Services Coordinator (FSC) will meet with you to discuss your options and answer your questions. The FSC is a social worker employed by the prison. You have four options to discuss with the FSC regarding your pregnancy: abortion, adoption, transferring to a program where

your baby can live with you, and choosing someone to act as your baby's caregiver while you are in prison. See the section earlier in this manual that discusses your right to have an abortion. If none of these options is desired or possible, then Child Protective Services (CPS) will intervene and place your child in foster care.

### ***Adoption***

Adoption might be a good option for you if you do not wish to raise your baby and/or do not have anyone who can take care of your baby while you are in prison. Be aware that adoption *permanently* ends your rights as a parent. It can also impact the rights of other family members to know your child. If, after careful consideration, you decide to

relinquish (give up) your baby for adoption, tell the FSC your decision. The FSC can contact Riverside County to help you set up an adoption through the state adoption agency. You can arrange a private adoption only if you can show that you had a relationship with an attorney or an adoption worker before you were admitted to prison.

### ***Living with your baby in a prison facility after you give birth***

California has a Community Prisoner Mother Program (CPMP) that allows some women in prison to serve their sentences in places where they can live with their young children.<sup>1</sup> It is often difficult to transfer to CPMP housing because there are many restrictions on who is eligible. Your FSC may mention the program when you first meet together. If you communicate that you are interested in the CPMP, you should be referred to the Correctional Counselor to determine your eligibility. The most recent eligibility form (as of December 2012) is attached to this manual.

If you think you may be eligible and want to go to a CPMP program, ask your FSC for the application forms. Submit your application to the Correctional Counselor as soon as possible. You must have medical, dental, and mental health clearances before you may transfer to CPMP housing. These clearances can take a long time. If you are accepted in the program, but are considered to be too far along in your pregnancy to be moved to that facility before giving birth, you will have to wait until after your baby's birth to be moved.

---

<sup>1</sup> At the time this manual was completed, the only CPMP program available is "Prototypes" in Pomona.

### *Living with your baby in the community under supervision*

Another option is the Alternative Custody Program (ACP), which allows you to serve the rest of your sentence while living in your private home, a community program, or transitional housing. We have attached the eligibility requirements from the October

2012 ACP Handbook. It is best to apply for ACP as soon as possible. Because of the length of time it takes to be released into this program, you will probably need to find a temporary caregiver for your newborn.

### *Choosing a caregiver for your baby*

Most of this manual discusses what to do if you wish to choose a caregiver for your baby while you are in prison. During your first meeting with the FSC, the FSC should help you think of possible caregivers for your baby and help you make phone calls to arrange for a caregiver. In addition to a caregiver, you will need someone to pick up your baby from the hospital once you give birth. These can be, but do not have to be, the same person. The FSC will help you make phone calls to arrange for someone to pick up your baby from the hospital.

You may choose to have the same person pick up your baby from the hospital and act as caregiver, or you may choose different people for these two responsibilities. Just be sure that the people you call understand what you expect them to do. Otherwise, there may be confusion later on at the hospital. To understand why you might want to choose one person to pick up your baby from the hospital and a different person to act as your baby's caregiver, see

the section about caregivers who are unable to travel on page 8 of this manual.

During your initial meeting with the FSC, you will be given a Newborn Placement Information Form (NPIF). You **MUST** complete a NPIF and give it to your FSC as soon as possible to ensure that your baby goes home from the hospital with the person of your choice. If you cannot fill out the form at your initial meeting with the FSC, you can submit it through inmate mail or submit a request to see the FSC again. The form does not need to be notarized. You can find the form attached to this manual. See the section later in this manual that discusses how to fill out the form.

After you complete the NPIF, the FSC will send it to the hospital social worker, give you a copy, and keep a copy. Once your baby is born, hospital employees will contact the person you have named on the form so that the person knows when to pick up your baby from the hospital.

### **What should I think about when I am choosing someone to take care of my baby while I am in prison?**

#### *General considerations*

It is very important that you choose a caregiver for your baby whom you can trust. The caregiver should have plenty of time and patience to love and care for your baby.

Your baby's caregiver also needs to have a stable income to support your baby and keep him or her fed and clothed. Although no two people have exactly the same parenting

style, your baby’s caregiver generally should share your views about what it means to be a good parent. It would be ideal for you and your baby’s caregiver to share similar values, especially regarding education, religion, and similar issues. Finally, it is crucial that you choose a caregiver for your

baby who has the desire and the ability to keep the relationship between you and your baby strong. Your baby’s caregiver will play a vital role in helping you maintain your family unity, and you should keep this in mind as you carefully consider your choice of a caregiver.

### *Choosing a relative or a nonrelative*

One advantage of choosing a relative to care for your baby is the availability of government benefits. Only certain relatives qualify for TANF (Temporary Assistance for Needy Families, a federal program) or CalWORKS (California Work Opportunity and Responsibility to Kids, the California version of TANF). Eligible relatives include: grandparents, aunts, uncles, siblings, first cousins, nephews, nieces; any of those persons just listed who are described by the prefixes half, grand, great, or step; or the spouse of any person named above, even after the marriage has been terminated. You might want to keep this in mind when you choose a caregiver for your baby.

- All birth relatives including those whose status is preceded by the words “step,”
- “great,” “great-great,” or “grand”;
- The spouse of any of the people listed above even after the marriage has ended
- by death or divorce;
- Any person listed above, who is related to the child’s half-brother or half-sister.

CIW does not run a background check on the person you name on this form, nor does CIW verify that he/she is actually related to you. Thus, it is possible to name a nonrelative on the form as the person who will care for your baby. Whether a relative or a nonrelative, you should choose this person carefully.

The Newborn Placement Information Form asks that you choose a relative to care for your baby. The form defines relatives as:

### *Filling out the Newborn Placement Information Form*

You will notice that the Newborn Placement Information Form provides spaces at the bottom for you to list two people who can “care for” your baby. Despite the confusing language, CIW is simply asking you to list two people who have your permission **to pick up your baby from the hospital**. If one of those people is not available after your baby is born, the other person can step in and pick up your baby from the hospital.

hospital. CIW will not check to make sure that the person who picks up your baby from the hospital continues to take care of your baby. After your baby leaves the hospital with a person you have named on the Newborn Placement Information Form, your baby could be cared for by someone else while you are in prison. Be aware that if your designated person passes your baby to another person, your baby could end up being cared for by someone you did not intend.

CIW and the hospital are concerned about releasing your baby to the right person at the

### ***What to do if your baby's caregiver is unable to travel***

You might have a caregiver in mind who cannot pick up your baby from the hospital because of the caregiver's age, disability, distance from the hospital, or other reasons. If your desired caregiver cannot pick up your baby, you need to name someone else

on the Newborn Placement Information Form who *is* able to pick up your baby. Your desired caregiver can step in and care for your baby after a person you name on the Newborn Placement Information Form picks up your baby from the hospital.

### ***Formal legal arrangements***

Depending on how long you will be in prison and other factors, you may want to make formal legal arrangements with your baby's caregiver. See the sections later in

this manual that discuss Temporary Custody Agreement/Power of Attorney, legal guardianship, and adoption by your baby's caregiver.

### **When does Child Protective Services get involved?**

Child Protective Services (CPS) gets involved if it is contacted by the hospital where you give birth. The hospital will call CPS if there are problems or concerns with the caregiver you have chosen. CPS may also get involved if you have had a prior CPS case.

they arrive at the hospital. They must bring necessary baby supplies to the hospital, including an infant car seat. Also, it is important that your other loved ones know and understand whom you have chosen to pick up your baby from the hospital so that there is no confusion. Finally, make sure it is clear on paper, especially on the Newborn Placement Information Form, whom you have chosen to pick up your baby from the hospital.

To avoid CPS involvement, you should try to make sure that the people you name on the Newborn Placement Information Form have as clean criminal and CPS records as possible. Also, you should make sure the people you name to pick up your baby from the hospital are sober and competent when

There is more information about CPS on pages 12-14 of this manual.

### **What if I do not have anybody to choose as my baby's caregiver?**

If you cannot name someone to pick up and take care of your baby on the Newborn Placement Information Form, CPS will step in to claim your baby at the hospital. See

the sections later in this manual that describe what happens when CPS becomes involved and what actions you should take.

### **Can I request that someone be present when I give birth at the hospital?**

Yes, unless you give birth by a planned or scheduled c-section. The person you request must be an approved visitor at CIW and pass

a DOJ security clearance. Security clearances can take up to four months, so be sure to plan ahead.



You will also have to fill out other paperwork for approval by the warden. The FSC can provide you with this paperwork. In this paperwork, your support person may be referred to as a “birth coach.” However, he/she is not expected to have any training or expertise in child birth. Ideally, you should complete the forms required to have a support person present at the birth before you are 7 months into your pregnancy, as these documents must be sent to your support person, signed by him/her, and returned to the prison for approval by the warden.

If the person you wish to be present at the birth is on probation for a minor issue, he/she will need a letter of permission from the probation officer. If your birth coach is on parole, he/she will need to discharge the parole number. Decisions regarding who is or is not an acceptable support person are made on a case-by-case basis. You are highly encouraged to be truthful in your application.

If the warden signs off on your request, the Watch Commander’s Office will notify your support person when you are in active labor.

### **What will happen when it is time for me to have my baby?**

If doctors decide ahead of time that you will need caesarean surgery (a “c-section”), they will schedule the surgery with Tri-City Medical Center in Oceanside. You will not be told of your surgery date until the day the surgery is scheduled to happen. A CDCR state car will take you to the hospital.

If no surgery is planned, when you go into labor, CIW will treat the situation like a medical emergency: medical staff will be notified to assist you and an ambulance or the fire department will take you to the hospital. Although prison staff will request that you be taken to Riverside County Regional Medical Center, the paramedics could instead take you to Chino Valley Medical Center, Corona Regional Medical Center, or Montclair Hospital Medical Center, depending on individual circumstances.

It is the prison staff’s responsibility to make sure that all copies of your pregnancy paperwork go with you to the hospital. If you have prepared a Temporary Custody Agreement/Power of Attorney form and

have not given it to your baby’s caregiver, you should bring a completed copy of it to the hospital for him or her.

Before leaving CIW for the hospital to give birth, you can ask a friend inside to call the person who is supposed to pick up your baby. Though the hospital will also call this person after you give birth, getting a friend to call beforehand can be helpful, especially if you know that your caregiver will need extra time to get to the hospital. Your caregiver can phone the hospital to inform them that she or he is on the way. However, prisoners are confidential patients, so the hospital will not be able to tell your caregiver anything about your status (delivered/undelivered), or even confirm that you are in the hospital. Instead, the hospital social worker will call your caregiver as soon as possible after your delivery. The person you select has 24 hours to pick up your baby after the newborn is ready to be discharged. Whoever picks up the baby from the hospital should bring two forms of picture identification.

## How will I get to the hospital?

You will be taken to the hospital according to your code number. If you are having a planned birth or a c-section, a state car will take you to the hospital. This is known as a “Code 1.” If the birth is not scheduled beforehand, you will be taken to the hospital by an ambulance (“Code 2”) or by the fire department (“Code 3”). Prison staff will ride with you to the hospital.

On your way to the hospital while in labor, and at the hospital during labor, delivery and recovery, you may *not* be cuffed at the wrists, ankles, or both. The only exception is if shackling is necessary for the safety or security of yourself or others.

Even then, if a medical professional states that your restraints must be removed for medical reasons, they must be removed.

## What does the hospital social worker do?

At the hospital, a social worker will meet with you to discuss your plan for your baby. Because the Newborn Placement Information Form has spaces for you to name two people to pick up your baby from the hospital, the social worker will ask who your first choice is and try to contact that person once your baby is born. If the social worker cannot reach your first choice, she will contact the other person listed on the form so that someone will arrive to take your baby home from the hospital.

If the person who is picking up your baby lives very far from the hospital, you should inform the hospital of this fact. Otherwise, the hospital may not give your caregiver enough time to get to the hospital before deciding that your baby is “abandoned” and calling CPS. The hospital and CPS are usually willing to work with a caregiver who

must travel a long distance, as long as the caregiver is clear about needing extra travel time. If the caregiver is running late, he or she should call the hospital as soon as possible.

The hospital social worker will also keep you aware of any CPS involvement. The hospital social worker will notify CIW’s Family Services Coordinator when your baby is born.

The hospital social worker gives the person who picks up the baby from the hospital a useful information package. It includes information on how to access the baby’s birth records, contact the courthouse, apply for CalWorks, and obtain money and necessary items such as diapers for the baby. The person who picks up the child will also be provided with his/her own social worker.

## What forms will I need to fill out at the hospital?

### *Birth certificate*

Every new mother is given a birth certificate worksheet when she is admitted to the mother-baby (post-partum) unit. The worksheet has to be completed before

discharge so that you can review and sign the formal birth certificate. If you need assistance, the hospital social worker or a nurse may help you complete the worksheet.

The designated person who picks up your baby is given a complimentary birth certificate (which has the baby's footprints) and contact information for the County Recorder's office. They will automatically receive a copy of the birth certificate six weeks after the child's birth, unless the child was born on prison grounds.

If you would like a copy of your child's birth certificate or if your child is born on

prison grounds, you will have to fill out an application and request one. The certificate is available from either the State of California Office of Vital Statistics *or* the County Recorder in the county where your child was born. In either case, you will have to fill out an application, get it notarized, and mail in \$16 for each certified copy requested. The state application form is included at the end of this manual. Here are the addresses:

Riverside County Recorder 2724 Gateway Drive Riverside, CA 92507	San Bernardino County Recorder 222 West Hospitality Lane San Bernardino, CA 92415
San Diego County Recorder P.O. Box 12150 San Diego, CA 92112-4750	State Office of Vital Statistics P.O. Box 730241 Sacramento, CA 94244-0241

### ***Declaration of Paternity***

If you are married, the law presumes that your husband is the father of your baby, so you will not need to fill out a Declaration of Paternity. If you are unmarried, you may request that the Declaration of Paternity be completed. The hospital social worker can help you fill out the form. For it to be valid, both parents must sign the form. The hospital social worker will contact the man you name as the father and inform him of the baby's birth. If he agrees he is the father, the social worker will arrange for the form to be completed at the hospital. If possible, it is best that the form be completed: it is easier for the named father to assert his parental rights, it is easier for you and others to enforce the

named father's parental responsibilities, and it is the only way to get the father's name on the birth certificate if you are unmarried.

If the man you have identified is unavailable, if he questions whether he is the father, and/or requests a paternity test, or if you do not provide his name, the Declaration of Paternity is not completed. In this case, you or the father will need to take additional steps later in family court to establish his parental rights and responsibilities. A copy of the Declaration and instructions are included at the end of this manual.

### **Will I be able to spend time with my baby?**

Like any mother, you should be allowed to spend time with, and care for, your baby once he or she is born. However, if you have ever had a CPS case, CPS might require you to be supervised during your

time with your baby. Also, if your baby has to be transferred to a different hospital because of special medical needs, you may not be able to spend much time with him or her.

The maximum amount of time that you may stay in the hospital is 72 hours. It is highly unlikely that you will stay for 72 hours unless you give birth by caesarean surgery or you need serious medical attention. If you give birth vaginally, you may leave the hospital in as little as 24 hours.

Unfortunately, there is a chance that you will be returned to prison before your baby leaves the hospital. However, CDCR will keep a record of the person who picks up your baby from the hospital, and you can ask the FSC for this information.

### **What happens if my baby has special medical needs?**

Babies born at Riverside County Regional Medical Center who are premature or who need special medical attention may be treated in that hospital's Neonatal Intensive Care Unit. If your baby needs to be moved from the hospital of birth to a facility that is better able to cope with his or her specific needs, you will be notified either by the hospital social worker (if you have yet to be discharged from the hospital) or by the prison social worker (if you are already back

at CIW). Babies with special needs are commonly sent to Children's Hospital of Orange County or Loma Linda Hospital in San Bernardino. While your baby is still in the hospital, you can call the hospital weekly to check on the health of your baby. These calls are facilitated by the FSC. If you are undergoing methadone maintenance at the time of the baby's birth, your baby may need to stay in the hospital for an extra three months to detox.

### **When will the hospital call CPS about my baby?**

The hospital social worker will call CPS if there is no appropriate caregiver to pick up your child and/or if you have a prior case with CPS regarding a different child.

Most CIW women give birth at the Riverside County Regional Medical Center (RCRMC). After your baby is born there, the hospital social worker will research the backgrounds of the people you listed on the NPIF to find out if they have any outstanding warrants or drug use history. The social worker will also call and interview them about their ability and desire to take care of the baby. If the hospital social worker determines that neither of the people you have listed on the NPIF would be a suitable caretaker, she will notify you that someone else needs to be found. If you have no other suitable caregiver to suggest, the social worker will contact the CPS hotline. We assume that the other hospitals

where you may give birth use similar or identical procedures.

There are several factors that can contribute to the hospital contacting CPS, such as:

- A person you name does not arrive to take your baby home, and/or someone else arrives who is not named on the form;
- A person you name arrives at the hospital intoxicated or in a state that the hospital thinks is unsafe for your baby;
- A person you name does not seem prepared or lacks the resources to take care of a child;
- You and the person you name do not appear to recognize one another;
- The hospital social worker learns that you or a person you name have a history with CPS;

- The hospital social worker learns that you or the person you name have had parental rights terminated with respect to a different child; or
- Your baby tests positive for illegal drugs upon birth, or the hospital determines that you have used illegal drugs in the last 30 days.

The hotline will forward the hospital's call to the local CPS office for the county where the hospital is located. For example, if the Riverside County Regional Medical Center social worker calls the CPS hotline, he or she will deal with the Riverside CPS. If CPS is contacted, CPS will decide whether your baby will go home with a person of your choosing or whether CPS will take authority over your baby.

### **Is there anything that will automatically cause CPS to take my baby?**

Yes, CPS automatically will take your baby if you have an open case with the child welfare system or if your baby is considered to be "abandoned." Abandonment can happen in a few ways:

- You do not name anyone to care for your baby on the NPIF;
- No one arrives at the hospital to take your baby home;
- A person you name on the NPIF arrives at the hospital more than 24 hours after your baby is ready for discharge (usually about two days after birth). If your designated caregiver needs extra time to

get to the hospital, s/he should let the hospital know in advance.

If any of these situations occur, or if the hospital's local CPS agency decides that you have not provided a suitable caregiver, that agency will contact the CPS office from your "county of origin." Your county of origin is the county where you lived before you were arrested. Other counties will not have jurisdiction over your baby's CPS case. If Riverside County CPS has your baby temporarily, it is only as a courtesy to your county of origin.

### **If CPS intervenes and takes my baby, what happens next?**

Once the CPS from your county of origin is contacted, it will likely come to the hospital, pick up your baby, return your baby to its county, and place your baby in an emergency shelter or temporary foster care.

If no one can claim your baby in 48 hours, CPS must file papers in the juvenile court in your county of origin to make your baby a dependent of the court.

#### ***Act quickly to claim your baby***

Once the hospital releases your baby to CPS, act as quickly as possible to call a relative or have a relative call CPS. No one will be able to receive your baby from CPS until CPS conducts an "emergency assessment" and approves the person who will take care of your baby while you are in prison. An

emergency assessment includes a criminal background check, a home visit, and an investigation of any alleged abuse or neglect caused by any adult in the home where the baby will live. The person who arrives at CPS to request custody of your baby should bring any possible proof to establish his or

her relationship to your baby. CPS must release the baby to a responsible and

qualified relative willing to provide care, except under certain unusual circumstances.

### ***How your baby might become a dependent of the court***

If CPS has not released your baby to a relative or other person, it will file a petition to make your baby a dependent of the court. You have the right to notice of all court hearings involving your baby. A detention hearing will be held three days after your child is taken into custody. At the detention hearing, the court will decide whether CPS should release your baby, or whether your baby should stay with CPS until the next hearing. If you do not have a lawyer to represent you in your baby's CPS case, the court will appoint one for you at the detention hearing. You also have the right to appear in court, either in person or by telephone.

At the detention hearing, if the judge decides that your baby should stay with CPS, there will be a jurisdiction hearing scheduled within 15 court days. If the judge releases your child to a relative, the jurisdiction hearing will be scheduled within 30 days. You will be encouraged to put together a

case plan for the care of your child before the jurisdiction hearing.

At the jurisdiction hearing, the judge will decide whether to declare your baby a dependent of the court. If the judge declares your baby a dependent of the court, the court will take legal custody of your baby and decide where and with whom your baby will live. At this point, if CPS releases your baby to a relative, the relative can get financial help and services through CPS.

For more information on what happens in juvenile dependency court, including foster care, reunification and other permanent plans, please see the "*Incarcerated Parents Manual*" produced by Legal Services for Prisoners With Children, June 2010 edition, pages 8-20. This manual is available in the prison law library, or you can write to us to request a free copy.

### **What happens after I return to prison?**

Seven to 14 days after you return to CIW from the hospital, you will have a post-delivery interview with the FSC. During this interview, you will be able to call your child's caregiver. In this phone call, you can find out if he or she needs information about available community and funding resources to help support your child, such as MediCal.

If your child is with CPS, you will be able to contact CPS to determine the status of your baby. During this meeting with the FSC, you can also discuss your visitation prospects with your child and the Temporary Custody Agreement/Power of Attorney discussed below.

## How do I make more formal legal arrangements for my baby?

### *Temporary Custody Agreement/Power of Attorney*

If you choose a caregiver for your baby, you might consider completing a Temporary Custody Agreement/Power of Attorney form. This form must be notarized. It allows the caregiver to make decisions about your child for you. The form is not a court order. You can revoke it in writing at any time. For instance, you can revoke the Power of Attorney when you are released

from prison. Make sure you file a copy of your completed Temporary Custody Agreement/Power of Attorney form with the prison so that your baby's caregiver can bring your baby to visit with you. Give another copy of the completed form to your baby's caregiver and keep one for yourself. You can find a copy of this form attached to this manual.

### *Legal guardianship*

Depending on the length of your sentence and other factors, you may want your baby's caregiver to have legal guardianship status. Legal guardianship is a court order that gives legal and physical custody and control of your child to the guardian. It *suspends* but does *not terminate* your rights regarding your baby. Both relatives and nonrelatives may be legal guardians. Once the court appoints a legal guardian, the guardian has full legal responsibility for your baby, including making educational and medical decisions. Legal guardianship orders are given in either probate court or, if CPS becomes involved, in juvenile dependency court.

Be aware that when you wish to end your caregiver's legal guardianship, you will have

the burden of proving to a court that your baby should be with you. This can be a difficult legal battle. Much depends on your relationship with your baby's caregiver. If you only have a short prison sentence, it is likely not worthwhile to set up a legal guardianship.

There is generally no requirement that you set up a legal guardianship with your baby's caregiver. However, a court may grant your baby's caregiver legal guardianship if (1) your baby becomes a dependent of the court or if (2) the caregiver petitions for guardianship in probate court, even over your objection. See the section above on how your baby might become a dependent of the court when CPS intervenes.

### *Adoption by your baby's caregiver or guardian*

**Voluntary adoption:** Depending on the length of your sentence and other factors, you may want your baby's caregiver to adopt your baby. Because court-approved adoptions are permanent, you should be absolutely sure about this choice. Adoption ends your rights to your child permanently. Depending on your relationship with your

baby's caregiver and the way that relationship changes while you are in prison, adoption may mean that you never see your baby again. You have a right to both a counselor and an attorney to help you make your decision about adoption. You also have a right to change your mind about the adoption by revoking your

consent in writing within 30 days of signing the adoption consent papers.

**Involuntary adoption:** Be aware that your child's caregiver or guardian can petition

### **What should I do to make sure my baby can visit me at CIW?**

To get a visit with your baby, you will have to get your baby *and* the person who brings your baby approved. Your adult visitor has to be approved like all other visitors. The clearance process for adult visitors takes 3 to 4 months, so it is best to plan ahead.

To get your baby admitted to the prison for visiting, the adult visitor must present a copy of your baby's birth certificate. The complimentary birth certificate issued by the hospital may be used for up to 6 months after you give birth. After 6 months, you will need to have a *certified* copy of the birth certificate.

You also have to show that the person with legal custody of your baby gives permission for the visit. If the adult who brings your child to visit is **the father** as shown on the birth certificate, the birth certificate is all that he needs to bring. If the adult who brings your child to visit is another person with legal custody, he or she must bring the legal document showing custody. This could be a court order, letters of guardianship, or Power of Attorney.

If your child is brought by an adult who is *not* the person with legal custody, then the person *with* legal custody will have to fill out a notarized "Written Consent for Minor Visitation Authorization Form" giving permission for your visitor to bring the baby to see you. (This form must be updated each year.) That visitor must bring the "Written Consent for Minor Visitation Authorization Form" *and* the legal document showing custody at the time of the visit. A copy of

the court for adoption without your consent. If this happens and you object, you can oppose the adoption by refusing to sign consent forms, asking for an attorney and attending any court hearing.

the Written Consent Form is attached to this manual.

If there is no court order or Power of Attorney giving someone custody of your baby, and the adult visitor is not the father on the birth certificate, the prison may require you to fill out the Temporary Custody Agreement/Power of Attorney form (and have it notarized) giving the visitor temporary custody in order for the visitor to bring your baby to see you.

If your child is in **foster care**, you can still visit with him or her, but you will need to obtain a court order for visitation. Either a CPS worker or a foster parent or could bring your baby to you. If your child is being transported by a CPS worker, the worker must bring a copy of the court order and an original birth certificate. If your child is being transported by a foster parent, that person must bring the birth certificate, the court order *and also* a letter from CPS authorizing this transportation.

If your child is in foster care, you may also wish to explore CIW's Enhanced Visiting Program. This program enables you to visit with your child for one to two hours every week or month. Visiting takes place in a more child-friendly environment in a building that is separate from the regular visiting area. A court order for visitation is required for this program. Ask the FSW about this program if you think you might be eligible.



It is very disappointing when a visitor who travels all the way to the prison is turned away and unable to visit because the paperwork is not in order. We suggest that you or your adult visitor double check with prison officials in advance of a scheduled visit that the paperwork you have will allow you to visit with your child.

If your baby's caregiver refuses to bring your baby to visit with you, you may

petition a court to obtain and enforce visitation rights through a visitation order. Make sure to request contact visits so that you can hold your baby. Visitation is your and your baby's right, and state agencies generally encourage visiting between parents in prison and their children. For more information about how to obtain a court order for visits, see LSPC's manual, *"Child Custody and Visiting Rights for Incarcerated Parents."*

### **Final thoughts**

We at LSPC sincerely hope that this manual has been helpful to you. Thank you for taking the time to read it. If you need more information on parenting while you are imprisoned, you may find our *"Incarcerated Parents Manual"* helpful, as well as other resources available to you in the CIW

library. If you know of any way that we can improve this manual, we invite you to contact us. We wish you the very best as you make whatever arrangements you feel are right for you and your family during this important time in your life.



## NEWBORN PLACEMENT INFORMATION FORM

### Step 1

Inmate Name:	DOB:	CIW#:	SS#:
Last Legal Address:		Estimated Date of Delivery:	
City:	State:	County:	
AKA's:	Length of Sentence:	Release Date:	

### Step 2: FOR EXPECTED MOTHER – Please read and/or complete items a – f:

**a) Placement Consideration** Please carefully consider the placement of your child. The person should have the right skills and background to care for your child in your absence. You may release your baby from the hospital or place your child with one of the following relatives of the child:

- All birth relatives including those whose status is preceded by the words 'step', 'great', 'great-great', or 'grand'.
- The spouse of any of the people listed above even after the marriage has ended by death or divorce.
- Any person listed above, who is related to the child's half-brother or half-sister.

**b) Consent** I authorize the exchange of information among the California Department of Corrections, the County of Legal Residence Child Welfare Department and the Delivery Hospital. A copy of this document with signature is as valid as the original.

Signature: \_\_\_\_\_ CDCR# \_\_\_\_\_

Print Name: \_\_\_\_\_

**c) Notice** THE CHOICES FOR PLACEMENT I HAVE PROVIDED ON THIS FORM REPRESENTS MY PLAN AS TO WHOM I WANT TO BE A CAREGIVER FOR MY CHILD WHILE I AM INCARCERATED. I ALSO UNDERSTAND RIVERSIDE COUNTY IS NOT RESPONSIBLE FOR INITIATING AND/OR COMPLETING CAREGIVER BACKGROUND CHECKS AND/OR DETERMINING IF A RESIDENCE IS AN APPROPRIATE PLACEMENT FOR MY CHILD.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

### d) FATHER'S NAME(S) (Known or Probable)

1. Name:	Telephone #:	SS#:	DOB:
Address:		City/State:	
2. Name:	Telephone #:	SSN#:	DOB:
Address:		City/State:	
Other children with same father? <input type="checkbox"/> Yes <input type="checkbox"/> No	Married to father: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date of Marriage:	Place of Marriage:

### e) SIBLING INFORMATION

Sibling Name(s)	DOB	Current Caregiver's Name	Full Address and Telephone #

### f) MY PLAN AS TO WHOM I WILL CONTACT TO CARE FOR MY NEWBORN IS:

<p>1. Name: _____</p> <p>Address: _____</p> <p>City: _____ State: _____</p> <p>Relationship to Inmate: _____ Phone #s: _____</p>	<p>2. Name: _____</p> <p>Address: _____</p> <p>City: _____ State: _____</p> <p>Relationship to Inmate: _____ Phone #s: _____</p>
--	--

3. I do not have anyone available to care for my newborn child. I understand that the Child Protection Agency from my County of Legal Residence will be contacted when my child is born.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**COMMUNITY PRISONER MOTHER PROGRAM (CPMP)**  
**ELIGIBILITY CRITERIA**

You must meet the following CPMP criteria to be considered for placement into the program:

- You must be eligible for Minimum Support Facility (MSF) placement.
- You must be pregnant or have a child six years old or younger.
- You must have legal custody of the child.
- You must receive permission from the Juvenile Court for the child's placement, if the child is a dependent of the Court.
- You must have been the Primary Caregiver prior to incarceration, which means a parent who has consistently assumed responsibility for the care, housing, and health of the child. You will not be excluded if, as primary caregiver, you arranged for temporary care for the child in the home of a relative or licensed foster home.
- You cannot have the child's placement challenged by Child Protective Services or the person currently caring for the child. (You are not necessarily ineligible for the CPMP if you have another child in a social service placement).
- You cannot be declared an unfit parent by a court.
- Your classification score must be 35 points or less.
- You must have less than six years remaining on your sentence after reduction for work-time credits.
- You must have more than 90 days to parole or release at the time of placement into the program.
- You cannot be an active Civil Addict commitment.
- You can not have a current commitment or prior conviction for a violent offense listed by PC, Section 667.5 (c). Property, Robbery, Burglary 1<sup>st</sup>, and narcotic offenses are reviewed on a case-by-case basis.
- You cannot have a current commitment or prior conviction for robbery or assault where you personally discharged a firearm or personally caused serious injury to the victim whether or not your term is enhanced
- You cannot have a current commitment or prior conviction for arson, under PC, Sections 450 - 455.
- You cannot have an attempted or actual escape from a secure perimeter.
- You cannot have a "walk away" from a "non-secure setting" less than 10 years ago.
- You cannot have a current commitment or prior conviction or enhancement (within the past ten years) for Weapons (manufacture, sale, or possession), PC Sections 12020, 12021 or 12022 (except PC Section 12022.6)
- You cannot have a current commitment or prior conviction for kidnap per 207 PC.
- If your circumstances involved a crime that resulted in death to the victim your application will be reviewed on a case by case basis. You may be considered if the conviction was for manslaughter, or in response to a physically abusive partner, and you have no prior felony convictions, and no prior history of violence, whether convicted or not.
- You cannot have a current commitment or prior convictions that require that you register pursuant to PC, Section 290.
- You cannot have an active or potential U.S.I.N.S. that precludes minimum custody placement or a felony hold.
- You cannot have served a Security Housing Unit term within 12 months.
- You cannot have a pending CDC Form 115, Rules Violation Report.
- You cannot have been found guilty of a serious rule violation during this term which resulted in a credit loss on one occasion of 91 days or more, or have a credit loss on more than one occasion of 31 days or more, and the credit has not been restored.
- You cannot be documented as a prison-gang member, drop out, or prison gang-affiliated, nor have enemies who might jeopardize the security of the community or the CPMP facility.
- You cannot have demonstrated predatory sexual behavior including annoying children.
- You or your child cannot have current medical or psychiatric problems that require ongoing medical treatment not available in a CPMP facility.
- Your commitment offense can not involve extreme public notoriety or be of the nature to draw unusual or negative attention to the program.
- You cannot have a history of adverse behavior in a community program requiring removal from the program.
- You cannot have documented evidence of drug use in last 6 months while incarcerated.

# **ALTERNATIVE CUSTODY PROGRAM** **ELIGIBILITY REQUIREMENTS**

From CDCR's *ACP Participant Handbook*, October 2012

## **Am I Eligible?**

You must meet **ALL** of these criteria to be considered for ACP:

1. You must volunteer for ACP.
2. You must be female.
3. You must agree to follow all the ACP requirements. These requirements will be given to you in writing.
4. You must have at least 45 days but less than 24 months left on your sentence.

You cannot have any of the following criteria:

1. Current convictions for violent felonies, which are listed in Penal Code 667.5(C), including stayed counts or enhancements and BPH good cause finding/probable cause finding.
2. Current convictions for serious felonies, which are listed in Penal Code 1192.7(c) and 1192.8, including stayed counts or enhancements and BPH good cause finding/probable cause finding.
3. Convictions for crimes that require registration as a sex offender per Penal Code Section 290. Conviction(s) for a sexually violent offense as defined in Welfare & Institutions Code Section 6600 (b).
4. California Static Risk Assessment (CSRA) score of 5.
5. Escape from an adult or juvenile facility in the last ten years, including escape from camp or jail or mandatory minimum for escape. Probable/good cause finding by BPH for absconding parole within the last 24 calendar months.

6. Active or potential felony holds, warrants, or detainers. Active or potential United States Immigration and Customs Enforcement (ICE) holds, warrant, or detainers.
7. Active restraining order.
8. Any Division A, B, or C offenses within the last 24 calendar months, with the exception of physical possession of alcohol.
9. SHU or PSU terms within the last 12 calendar months.
10. Close or MAX custody.
11. Validated prison gang member or associate.
12. Parole Violator Return to Custody (PVRTC) or pending revocation status (current term/violation).

In addition, the following will be evaluated when the Correctional Counselor reviews your C-file:

1. All current or prior sexual offense convictions not requiring PC section 290 registration.
2. Current medical or psychiatric condition that requires ongoing care.
3. Current or prior child abuse arrest(s) or conviction(s), or probable/good cause finding(s) by BPH or conviction(s) where the offense was related to abuse or neglect of a child.
4. Current or prior conviction(s) or probable/good cause finding(s) by BPH for stalking.
5. Prior ACP participation that resulted in a return to the institution.
6. You may also be excluded if there is no appropriate placement available in the community.

**APPLICATION FOR CERTIFIED COPY OF BIRTH RECORD**

PLEASE READ THE INSTRUCTIONS ON PAGE 2 BEFORE COMPLETING THIS APPLICATION

As part of statewide efforts to prevent identity theft, California law (Health and Safety Code Section 103526) permits only authorized individuals as listed on the application to receive certified copies of birth records. All others will be issued **Certified Informational Copies** marked with the legend, "Informational, Not A Valid Document to Establish Identity."

Please indicate the type of certified copy you are requesting:

<input type="checkbox"/> I would like a <b>Certified Copy</b> . This copy will establish the identity of the registrant. (To receive a Certified Copy you <b>MUST INDICATE YOUR RELATIONSHIP TO THE REGISTRANT</b> by selecting from the list below <b>AND COMPLETE THE ATTACHED SWORN STATEMENT</b> declaring that you are eligible to receive the Certified Copy. The Sworn Statement <b>MUST BE NOTARIZED</b> if the application is submitted by mail <b>unless you are a law enforcement or local or state governmental agency.</b> )	<input type="checkbox"/> I would like a <b>Certified Informational Copy</b> . This document will be printed with a legend on the face of the document that states, "INFORMATIONAL, NOT A VALID DOCUMENT TO ESTABLISH IDENTITY."  (A Sworn Statement does not need to be provided.)
---	--

**NOTE: Both documents are certified copies of the original document on file with our office. With the exception of the legend and redaction of signatures and Social Security Number, the documents contain the same information.**

Fee: **\$20 per copy** (payable to CDPH Vital Records). **PLEASE SUBMIT CHECK OR MONEY ORDER – DO NOT SEND CASH** (CDPH cannot be held responsible for fees paid in cash that are lost, misdirected, or undelivered).

To receive a **Certified Copy** I am:

- The registrant (person listed on the certificate) or a parent or legal guardian of the registrant. (Legal guardian must provide documentation.)
- A party entitled to receive the record as a result of a court order or an attorney or a licensed adoption agency seeking the birth record in order to comply with the requirements of Section 3140 or 7603 of the Family Code. (Please include a copy of the court order.)
- A member of a law enforcement agency or a representative of another governmental agency, as provided by law, who is conducting official business. (Companies representing a government agency must provide authorization from the government agency.)
- A child, grandparent, grandchild, brother or sister, spouse, or domestic partner of the registrant.
- An attorney representing the registrant or the registrant's estate, or any person or agency empowered by statute or appointed by a court to act on behalf of the registrant or the registrant's estate.
- Appointed rights in a power of attorney, or an executor of the registrant's estate. (Please include a copy of the power of attorney, or supporting documentation identifying you as executor.)

**PLEASE ATTACH CHECK HERE**

**APPLICANT INFORMATION (PLEASE PRINT OR TYPE) Today's Date:**

Agency Name (if applicable)		Agency Case Number	Inmate ID Number	
Print Name of Applicant		Signature of Applicant	Purpose of Request	
Mailing Address – Number, Street		Amount Enclosed – <b>DO NOT SEND CASH</b> \$ _____ Check \$ _____ Money Order	Number of Copies	
City		Name of Person Receiving Copies, if Different from Applicant		
State/Province	ZIP Code	Mailing Address for Copies, if Different from Applicant		
Daytime Telephone (include area code) ( )	Country	City	State	ZIP Code

**BIRTH RECORD INFORMATION (PLEASE PRINT OR TYPE) Adopted:  No  Yes (If Yes, see #4 on Page 2)**  
 Complete the information below as shown on the birth record, to the best of your knowledge.

FIRST Name	MIDDLE Name	LAST Name
City of Birth (must be in California)		County of Birth
Date of Birth – MM/DD/CCYY (If unknown, enter approximate date of birth)		Sex <input type="checkbox"/> Female <input type="checkbox"/> Male
Father/Parent FIRST Name	MIDDLE Name	LAST Name (Before Marriage/Domestic Partnership)
Mother/Parent FIRST Name	MIDDLE Name	LAST Name (Before Marriage/Domestic Partnership)

## INFORMATION:

Birth records have been maintained in the California Department of Public Health Vital Records since July 1, 1905. *The name required on Vital Records (see Items 1C, 6C, 7C, 9C, and 12C) is the name given at birth, or a name received through adoption, court-ordered name change, or naturalization. AKAs (Also Known As) and assumed names cannot be entered as the legal name on the birth record.*

## INSTRUCTIONS:

1. **ONLY** individuals who are authorized by Health and Safety Code Section 103526 can obtain a Certified Copy of a birth record to establish identity of the registrant (person listed on the certificate). (Page 1 identifies the individuals who are authorized to make the request.) All others may receive a Certified Informational Copy which will be marked, "Informational, Not a Valid Document to Establish Identity."

**Confidential Information on Birth Record:** some individuals have special needs for a birth certificate that contains the confidential information provided at the time the birth record was prepared. This confidential information may be used to establish ethnicity, to provide health background, or for other personal reasons. For information on how to obtain a birth certificate containing the confidential information, please refer to the **Birth Record** section of our website at: [www.cdph.ca.gov](http://www.cdph.ca.gov). Only specific individuals may obtain confidential copies.

2. Complete a separate application for each birth record requested.
3. Complete the **Applicant Information** section on Page 1 and provide your signature where indicated. In the **Birth Record Information** section, provide all the information you have available to identify the birth record. If the information you furnish is incomplete or inaccurate, we may not be able to locate the record.
4. **If the registrant has been adopted**, make the request in the **adopted** name. If the registrant was born outside the United States and re-adopted in California, mark the "Yes" box and complete the application with the adopted information. (If you are requesting a copy of the **original** birth certificate, you **must** provide a court order releasing the original sealed record.)

### 5. SWORN STATEMENT:

- The authorized individual requesting the certified copy must sign the attached Sworn Statement, declaring under penalty of perjury that they are eligible to receive the certified copy of the birth record and identify their relationship to the registrant – the relationship must be one of those identified on Page 1.
- If the application is being submitted by mail, the Sworn Statement **must be** notarized by a Notary Public. (To find a Notary Public, see your local yellow pages or call your banking institution.) **Law enforcement and local and state governmental agencies are exempt from the notary requirement.**
- You do not have to provide a Sworn Statement if you are requesting a Certified Informational Copy of the birth record.

6. Submit \$20 for **each** copy requested. If no birth record is found, the \$20 fee will be retained for searching for the record (as required by law) and a "Certificate of No Public Record" will be issued to the applicant. Indicate the number of copies you want and include the correct fee(s) in the form of a personal check or postal or bank money order (International Money Order for out-of-country requests) made payable to **CDPH Vital Records. PLEASE SUBMIT CHECK OR MONEY ORDER – DO NOT SEND CASH** (CDPH cannot be held responsible for fees paid in cash that are lost, misdirected, or undelivered).

7. Mail completed applications with the fee(s) to:

California Department of Public Health  
Vital Records – MS 5103  
P.O. Box 997410  
Sacramento, CA 95899-7410  
(916) 445-2684

---

## BIRTH

Page 2 of 3



**SWORN STATEMENT**

I, \_\_\_\_\_, declare under penalty of perjury under the laws of the State of California,  
(Applicant's Printed Name)

that I am an authorized person, as defined in California Health and Safety Code Section 103526 (c), and am eligible to receive a certified copy of the birth, death, or marriage certificate of the following individual(s):

Name of Person Listed on Certificate	Applicant's Relationship to Person Listed on Certificate (Must Be a Relationship Listed on Page 1 of Application)

*(The remaining information must be completed in the presence of a Notary Public or CDPH Vital Records staff.)*

Subscribed to this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_,  
(Day) (Month) (City) (State)

\_\_\_\_\_  
(Applicant's Signature)

**Note: If submitting your order by mail, you must have your Sworn Statement notarized using the Certificate of Acknowledgment below. The Certificate of Acknowledgment must be completed by a Notary Public. (Law enforcement and local and state governmental agencies are exempt from the notary requirement.)**

**CERTIFICATE OF ACKNOWLEDGMENT**

State of \_\_\_\_\_)

County of \_\_\_\_\_)

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_,  
(insert name and title of the officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.  
(SEAL)

\_\_\_\_\_  
SIGNATURE OF NOTARY PUBLIC

## CALIFORNIA COUNTY RECORDERS

Alameda.....	1108 Madison Street, 1 <sup>st</sup> Floor, Oakland, C 94607, (510) 272-6363
Alpine.....	P.O. Box 217, Markleeville, CA 96120-0217, (530) 694-2286
Amador.....	810 Court Street, Jackson, CA 95642 Attn: Tico, (209) 223-6468
Butte.....	25 County Center Drive, Administration Building., Oroville, CA 95965, (530) 538-7691
Calaveras.....	Government Center, 891 Mountain Ranch Road, San Andreas, CA 95249, (209) 754-6372
Colusa.....	546 Jay Street, Colusa, CA 95932, (530) 458-0500
Contra Costa.....	555 Escobar Street, Martinez, CA 94553, (925) 335-7900
Del Norte.....	981 H Street, Suite 160, Crescent City, CA 95531, (707) 464-7216
El Dorado.....	360 Fair Lane, Placerville, CA 95667, (530) 621-5490
Fresno.....	2281 Tulare Street, Room 303, or P.O. Box 766, Fresno, CA 93712, (559) 488-3476
Glenn.....	526 West Sycamore Street, Courthouse, Willows, CA 95988, (530) 934-6412
Humboldt.....	825 5th Street, Fifth Floor, Eureka, CA 95501, (707) 445-7382
Imperial.....	940 West Main Street, Room 206, El Centro, CA 92243, (760) 482-4272
Inyo.....	Courthouse, 168 N. Edwards Street, Independence, CA 93526, (760) 878-0222
Kern.....	1655 Chester Avenue, Bakersfield, CA 93301, (661) 868-6449
Kings.....	Government Center, 1400 W. Lacey Blvd., Hanford, CA 93230, (559) 582-3211, X 2470
Lake.....	Courthouse, 255 North Forbes Street, Lakeport, CA 95453, (707) 263-2293
Lassen.....	Courthouse, 220 S. Lassen Street, Suite 5, Susanville, CA 96130, (530) 251-8234
Los Angeles.....	12400 Imperial Highway, Room 1002, Norwalk, CA 90650, (562) 462-2137 or 2101 or 2102
Madera.....	200 West 4 <sup>th</sup> Street, Madera, CA 93637, (559) 675-7724
Marin.....	3501 Civic Center Drive, Courthouse, Room 232, San Rafael, CA 94903, (415) 499-6092
Mariposa.....	4982 10th Street, P.O. Box 35, Mariposa, CA 95338, (209) 966-5719
Mendocino.....	501 Low Gap Road, #1020, Ukiah, CA 95482, (707) 463-4376
Merced.....	2222 M Street, Merced, CA 95340, (209) 385-7627
Modoc.....	204 S. Court Street, Room 107, Alturas, CA 96101-4020, (530) 233-6205
Mono.....	74 School Street, Annex I, P.O. Box 237, Bridgeport, CA 93517-0237, (760) 932-5535
Monterey.....	168 West Alisal Street, First Floor, P.O. Box 29, Salinas, CA 93902-0029, (831) 755-5041
Napa.....	900 Coombs Street, Room 116, P.O. Box 298, Napa, CA 94559-0298, (707) 253-4246
Nevada.....	950 Maidu Avenue, Nevada City, CA 95959, (530) 265-1221
Orange.....	12 Civic Center Plaza, Room 101 or P.O. Box 238, Santa Ana, CA 92702-0238, (714) 834-2500
Placer.....	2954 Richardson Drive, Auburn, CA 95603, (530) 886-5600
Plumas.....	520 Main Street, Room 102, Quincy, CA 95971, (530) 283-6218
Riverside.....	2724 Gateway Drive, or P.O. Box 751, Riverside, CA 92502-0751, (951) 486-7000
Sacramento.....	600 8th Street, or P.O. Box 839, Sacramento, CA 95812-0839, (916) 874-6334
San Benito.....	County Courthouse, 440 5th Street, Room 206, Hollister, CA 95023-3896, (831) 636-4029
San Bernardino.....	222 W. Hospitality Lane, First Floor, San Bernardino, CA 92415-0022, (855) 732-2575
San Diego.....	1600 Pacific Highway, Room 260, or P.O. Box 12150, San Diego, CA 92112-4750, (619) 237-0502
San Francisco.....	One Dr. Carlton B. Goodlett Place, City Hall Room 190, San Francisco, CA 94102, (415) 554-2700**
San Francisco Health Dept.	101 Grove Street, Room 105, San Francisco, CA 94102, (415) 554-5596*, (415) 554-4950**
San Joaquin.....	44 N. San Joaquin St., Ste 260, or P.O. Box 1968, Stockton, CA 95201-1968, (209) 468-8075
San Luis Obispo.....	1055 Monterey Street, D120, San Luis Obispo, CA 93408, (805) 781-5080
San Mateo.....	Vital Records, 1st Floor, 555 County Center Dr., Redwood City, CA 94063-1665, (650) 363-4713
Santa Barbara.....	1101 Anacapa Street, P.O. Box 159, Santa Barbara, CA 93102-0159, (805) 568-2250
Santa Clara.....	County Government Center, East Wing, 1st Flr, 70 W. Hedding St., San Jose, CA 95110, (408) 299-5669
Santa Cruz.....	701 Ocean Street, Room 230, Santa Cruz, CA 95060, (831) 454-3222
Shasta.....	1450 Court Street, Suite 208, Redding, CA 96001, (530) 225-5678
Sierra.....	P.O. Drawer D., Downieville, CA 95936, (530) 289-3295
Siskiyou.....	311 4th Street, Room 108, Yreka, CA 96098, (530) 842-8065
Solano.....	675 Texas Street, Suite 2700, Fairfield, CA 94533, (707) 784-6294
Sonoma.....	585 Fiscal Drive, Room 103F, or P.O. Box 1709, Santa Rosa, CA 95402, (707) 565-2645
Stanislaus.....	1021 I Street, Suite 101, or P.O. Box 1670, Modesto, CA 95353, (209) 525-5251
Sutter.....	433 Second Street, Yuba City, 95991, (530) 822-7134
Tehama.....	633 Washington Street, Room 11 or P.O. Box 250, Red Bluff, CA 96080, (530) 527-3350
Trinity.....	11 Court Street, P.O. Box 1215, Weaverville, CA 96093, (530) 623-1215
Tulare.....	County Civic Center, 221 S. Mooney Blvd., Room 103, Visalia, CA 93291-4593, (559) 636-5050
Tuolumne.....	2 South Green Street, Sonora, CA 95370, (209) 533-5531
Ventura.....	800 South Victoria Avenue, LN 1260, Ventura, CA 93009, (805) 654-2295 or (805) 654-3666
Yolo.....	625 Court Street, Room B01, or P.O. Box 1130, Woodland, CA 95776-1130, (530) 666-8130
Yuba.....	915 8th Street, Suite 107, Marysville, CA 95901, (530) 749-7851

\* Public Marriages

\*\* Birth and Death Certificates

**DECLARATION OF PATERNITY**

CS 909 (12/06)

**INSTRUCTIONS: PLEASE READ PAGE 1 AND 2 BEFORE COMPLETING**

SEND ORIGINAL (White Copy) TO: DCSS -- Paternity Opportunity Program

PO Box 419070

Rancho Cordova, CA 95741-9070

<b>SECTION A ALL PARTS OF SECTIONS A &amp; B SHALL BE COMPLETED AND EITHER SECTION C OR D WITNESSED CHANGES CANNOT BE MADE TO THIS FORM ONCE IT IS FILED WITH THE STATE</b>			
<b>Child</b>	NAME OF CHILD - FIRST	MIDDLE	LAST
	DATE OF BIRTH (Month, Day, Year)	SEX	
<b>Place of Birth</b>	HOSPITAL NAME		CITY
	COUNTY	STATE	
<b>Father's Information</b>	NAME OF FATHER - FIRST	MIDDLE	LAST
	DATE OF BIRTH (Month, Day, Year)	SOCIAL SECURITY NO. (See Privacy Notice on back of this page)	<input type="checkbox"/> BY CHECKING THIS BOX I CERTIFY I DO NOT HAVE A SOCIAL SECURITY NUMBER
	CURRENT ADDRESS (NUMBER, STREET, CITY, STATE, ZIP)		
<b>Mother's Information</b>	NAME OF MOTHER - FIRST	MIDDLE	LAST
	DATE OF BIRTH (Month, Day, Year)	SOCIAL SECURITY NO. (See Privacy Notice on back of this page)	<input type="checkbox"/> BY CHECKING THIS BOX I CERTIFY I DO NOT HAVE A SOCIAL SECURITY NUMBER
	CURRENT ADDRESS (NUMBER, STREET, CITY, STATE, ZIP)		

**SECTION B READ OTHER SIDE BEFORE SIGNING**

*I declare under the penalty of perjury under the laws of the State of California that I am the biological father of the child named on this declaration and that the information I have provided is true and correct. I understand and understand the rights and responsibilities described on the back of this form. By signing this form I am consenting to the establishment of paternity, the rights and responsibilities as the biological father of this child. I wish to be named as the father on the child's birth certificate. I have been orally informed of my rights and responsibilities.*

*I declare under the penalty of perjury under the laws of the State of California that I am the biological mother of the child named on this declaration and that the information I have provided is true and correct. I understand and understand the rights and responsibilities described on the back of this form. By signing this form I am establishing the man signing this form as the biological father of this child with all the rights and responsibilities of a biological father under the laws of California. I consent to the establishment of paternity by signing this form. I have been orally informed of my rights and responsibilities.*

SIGNATURE OF FATHER	DATE SIGNED	SIGNATURE OF MOTHER	DATE SIGNED
---------------------	-------------	---------------------	-------------

**SECTION C TO BE COMPLETED BY A WITNESS AT THE HOSPITAL, AGENCY OR CLINIC (PLEASE PRINT AND SIGN)**

DECLARATION WITNESSED BY (SIGNATURE AND PRINTED NAME)	DATE SIGNED
NAME OF AGENCY (HOSPITAL, CLINIC OR OTHER)	
CURRENT ADDRESS (NUMBER, STREET, CITY, ZIP)	

**SECTION D TO BE COMPLETED BY A NOTARY PUBLIC IF SECTION C IS NOT WITNESSED ABOVE**

State of \_\_\_\_\_ County of \_\_\_\_\_

On \_\_\_\_\_ (date) before me, \_\_\_\_\_ (insert name and title of the officer)

Personally appeared \_\_\_\_\_

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal. Signature \_\_\_\_\_ (SEAL)

**DECLARATION OF PATERNITY – INSTRUCTIONS FOR COMPLETION COVERSHEET**

CS 909 (12/09)

**THIS FORM IS TO BE COMPLETED ONLY WHEN THE MOTHER IS UNMARRIED.****GENERAL INFORMATION**

The attached declaration form is to be used by unmarried parents to declare the father of the child. Paternity means legal fatherhood. Completing and signing this form is voluntary. **THIS IS A LEGAL DOCUMENT. PLEASE CAREFULLY READ THE REVERSE SIDE OF THE FORM BEFORE YOU SIGN IT;** there is important information about what it means to you and your child when you sign this form. **IN ORDER FOR THE DECLARATION OF PATERNITY TO BE FILED, BOTH PARENTS SHALL COMPLETE ALL PORTIONS OF SECTIONS A AND B AND SIGN THIS FORM.** The form must be signed in the presence of a witness from the hospital or agency accepting the form. If not signed at a hospital, prenatal clinic or public agency, you must sign the form in the presence of a Notary Public. If you are the biological father and you wish to have your name entered on the child's birth certificate, you must sign this form. Otherwise, you must go to court to establish legal paternity and pay a fee to amend the child's birth certificate to add your name. Please see section "Filing This Form" below for more details.

**PLEASE USE BLACK OR BLUE INK WHEN FILLING OUT THE ATTACHED FORM. PRINT ALL INFORMATION, EXCEPT FOR YOUR SIGNATURE. PLEASE PRESS FIRMLY AND PRINT CLEARLY WHEN FILLING OUT THE FORM. THIS FORM MUST BE SIGNED IN THE PRESENCE OF AN AUTHORIZED REPRESENTATIVE OR A NOTARY PUBLIC.**

**SECTION A**

**All portions of this section must be completed.** This section identifies the mother, biological father, child and the place of the child's birth. Your social security number may be used so child support, and other benefits your child may need, may be collected. If you write down your social security number, it will be on any copies made of this form. If you don't have a social security number, you must check the box indicating that you do not have one. Failure to provide a social security number or check the box indicating you do not have one, may result in your declaration not being filed and returned to you.

**SECTION B**

In this section, both parents declare they are the mother and biological father of the child named on this form. Both parents must sign and date the form, for this form to be legal. **PLEASE READ THE REVERSE SIDE OF THE FORM BEFORE YOU SIGN IT.**

**SECTION C**

This section is to be completed by the person who is a witness to the parents' signatures on the form. The witness must be an official representative of the hospital or agency accepting the form.

**SECTION D**

This section is to be completed **ONLY** when the form is witnessed by a Notary Public. If parents do not complete the form at a hospital, prenatal clinic or public agency, they can only sign it before a Notary Public. This section is to be completed, signed and stamped by a Notary Public.

**FILING THIS FORM**

The original of this form **MUST** be sent to:

Department of Child Support Services  
Paternity Opportunity Program (POP)  
P.O. Box 419070  
Rancho Cordova, CA 95741-9070

**THE ORIGINAL OF THIS FORM MUST BE SENT WITHIN 20 DAYS OF THE DATE IT WAS SIGNED.** If you did not complete this form at the hospital (*or when you registered your child's birth*), and you want to add the father's name to the birth certificate, you must contact the California Department of Public Health, Office of Vital Records, MS 5103, PO Box 997410, Sacramento, CA 95899-7410 or your local Registrar of Births and Deaths. They will provide you with the additional forms you need to complete. You will be charged a fee to have your child's birth certificate changed to include the father's name. Both parents will be given a copy of this form. This form is an important legal record.

**CANCELING OR RESCINDING THIS FORM**

*To rescind or cancel this form, either parent must complete and sign a Declaration of Paternity Rescission (CS 915).* This form must be filed with the California Department of Child Support Services POP Unit (*see address above*) within sixty days of the date the paternity declaration was signed. If you signed the Declaration of Paternity when you were under the age of 18 years old, you must file the rescission form within 60 days after you reach the age of 18 years old. To obtain a form to rescind or cancel this form, contact the local child support agency, local registrar of births and deaths, or family law facilitator's office or retrieve it from the DCSS POP website at <http://www.childsup.cahwnet.gov/program/pop/>. Evidence that a copy of the form has been provided to the other parent must also be provided with the rescission form. **Rescinding this form will not remove the father's name from the birth certificate.**

Temporary Custody Agreement/Power of Attorney

I, \_\_\_\_\_, give temporary custody and power of my child/children born as a result of my relationship with \_\_\_\_\_

To \_\_\_\_\_ His/Her place of residence is: \_\_\_\_\_  
(State) (Zip) (County)

Names Place of Birth Birthdate Sex

This Authorization is effective commencing on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_  
And expiring on the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

STATE OF CALIFORNIA )  
SS )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_, before the undersigned, a Notary Public for  
The State of California, personally appeared \_\_\_\_\_

Proved to me on the basis of satisfactory evidence, whose name is subscribed to the within  
instrument and acknowledged that she executed the same.

I certify under PENALTY OF PERJURY under laws of the State of California that the  
foregoing paragraph is true and correct.

Witness my hand and Official seal

\_\_\_\_\_  
NOTARY PUBLIC  
MY COMMISSION EXPIRES ON \_\_\_\_\_



# WRITTEN CONSENT FOR MINOR VISITATION

## AUTHORIZATION FORM

I, \_\_\_\_\_ give permission for:  
(Parent/Legal Guardian)

NAME: \_\_\_\_\_ AGE: \_\_\_\_\_ DOB: \_\_\_\_\_

NAME: \_\_\_\_\_ AGE: \_\_\_\_\_ DOB: \_\_\_\_\_

NAME: \_\_\_\_\_ AGE: \_\_\_\_\_ DOB: \_\_\_\_\_

NAME: \_\_\_\_\_ AGE: \_\_\_\_\_ DOB: \_\_\_\_\_

To visit Inmate \_\_\_\_\_ at a California State Prison or institution  
(Inmate Name and CDCR Number)

with \_\_\_\_\_ for one year. I understand this Authorization is to be updated  
(Name of Accompanying Adult)

annually and that the minor Birth Certificate, or a Certified copy of the Birth Certificate, from the County Recorders Office is required. Satisfactory Evidence of Proof of legal guardianship to said minor(s) is required as an attachment to this authorization form.

I understand that this authorization can only be revoked IN WRITING, and will remain in effect for one (1) year, or until written notice of revocations is issued by the California Department of Corrections and Rehabilitation.

\_\_\_\_\_  
(Signature of Parent/Legal Guardian)

\_\_\_\_\_  
(Date)

## CERTIFICATE OF ACKNOWLEDGMENT

State of California  
County of \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_ personally appeared  
(Here Insert Name and Title of the Officer)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (SEAL)







## PLEASE HELP IMPLEMENT ANTI-SHACKLING!

Getting a bill signed is only the first step in making a law become real! LSPC is working to make sure the new law is implemented across the state. You can help us!

Per California Penal Code Section 3407, starting January 1, 2013, **no pregnant woman** detained in a California prison, jail or juvenile facility may be handcuffed behind her back, chained around her ankles or shackled around her belly. That is the bottom line; once it is known that she is pregnant, none of these kinds of restraints can be used during her **entire pregnancy!**

**During a medical emergency, a medical person may require that a pregnant woman be released from her restraints.**

During labor, delivery and recovery, she is not to be restrained **at all** unless there is a stated security reason for that restraint. **However**, if a medical person states that the woman must be released from her restraints, no restraints may be used.

---

If you or anyone pregnant woman you know has been wrongly restrained, please contact us at the address below.

**Together, we can make this law a reality!**

1540 Market St., Suite 490  
San Francisco, CA 94102

Phone: (415) 255-7036  
Fax: (415) 552-3150

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)  
[info@prisonerswithchildren.org](mailto:info@prisonerswithchildren.org)

## **OUR MISSION**

Legal Services for Prisoners with Children organizes communities impacted by the criminal justice system and advocates to release incarcerated people, to restore human and civil rights and to reunify families and communities. We build public awareness of structural racism in policing, the courts and prison system and we advance racial and gender justice in all our work.

Our strategies include legal support, trainings, advocacy, public education, grassroots mobilization and developing community partnerships.

### **Legal Services for Prisoners with Children**

1540 Market Street, Suite 490

San Francisco, CA 94102

Phone: (415) 255-7036

Fax: (415) 552-3250

[info@prisonerswithchildren.org](mailto:info@prisonerswithchildren.org)

[www.prisonerswithchildren.org](http://www.prisonerswithchildren.org)