Protecting your health and your baby's health.

You can protect your health and your baby's health be seeing a doctor as early in your pregnancy as possible. This is called prenatal care. The best and safest place to deliver your baby is in a hospital. All medical information will be kept confidential. You can get help from your local hospital, your county health department, or any medical clinic. You can get a referral and counseling help from:

Healthy Mothers, Healthy Babies Family Health Line
1-800-421-6667

Remember that you can also call the CFSD HELPLINE, 24 hours a day, 7 days a week at 1-866-820-KIDS (5437).

MONTANA LICENSED ADOPTION AGENCIES

These agencies provide counseling, help with unplanned pregnancies, and adoption services.

Lutheran Social Services
501 Central Plaza, Ste 201
Great Falls MT 59403
406-761-4341
Toll Free:
1-800-726-3083

Catholic Social Services
PO Box 907
Helena MT 59624
406-442-4130
Toll Free:
1-800-BABY-DUE

Child & Family Services
CFSD HELPLINE
Toll Free:
1-866-820-KIDS (5437)

LDS Social Services
2620 Colonial Drive, Ste D
Helena MT 59601
406-443-1660

Other agencies that can offer help:

Planned Parenthood.....406-443-7676
Mental Health Association of Montana.....406-442-4276
Montana Legal Services.....1-800-666-6124
Montana Legal Services (Helena residents only)
.....406-442-9830

If you want more information regarding this brochure please contact:

Child and Family Services Division
406-444-5900
1400 Broadway
Helena MT 59604

DPHHS-CFS-086
January 2003

10,000 copies of this public document were published at an estimated cost of 6¢ per copy, for a total cost of $600.00, which includes $600.00 for printing and $.00 for distribution.

MONTANA
Department of Public Health & Human Services

WHAT IS THE "MONTANA SAFE HAVEN NEWBORN PROTECTION ACT?"

This Act provides safe alternatives to leaving newborn infants in unsafe places.

Montana Department of Public Health and Human Services
Child and Family Services Division

EXHIBIT 4
DATE 3-2-05
SB 6

This new law helps parents who decide they cannot take care of a newborn baby under the age of 30 days. Parents can "give up" a baby to a hospital, fire department, police or sheriff's department or to another emergency services provider. The new law protects parents from being charged with a crime involving the abandonment as long as the baby does not show signs of abuse or neglect.

This brochure explains how the new law works.

Can someone help me decide what to do?

Call the Child and Family Services Division's HELPLINE, 1-866-820-5437, for a referral to someone who can help in your area. Many Montana agencies also help parents of newborn babies. At the end of this brochure is a list of agency names and phone numbers.

Where do I take my baby?

If you decide you cannot care for your newborn, you can go to a hospital, fire department, a police or sheriff's office, detention center, jail or prison, to give up your new baby. You may also give up your baby to a uniformed employee of any of these emergency services providers. Any of these providers will take you baby to the nearest hospital. The hospital will take care of your newborn until the Child and Family Services Division (CFSD) can temporarily place your baby with a family.

What information must I provide when I give up my baby?

No information is required. Any information you voluntarily provide will help CFSD to keep your baby safe and healthy. All information you provide will be kept confidential and will follow your baby. The following information is important to your baby:

- The name of the baby's parents.
- The date, place and time of the birth of your baby.
- Any parental health problems you or the other parent may have.
- Does either parent have an Indian tribal affiliation, if so, to which tribe?

  (If your baby has a tribal affiliation, the Indian Child Welfare Act will apply.)

- Any other information about your baby's medical, social and family history.

What if I decide later that I want to get my baby back?

Call your local Child and Family Services office right away so a social worker can assist you. Look in your local phone book under county agencies, for Child and Family Services. If you cannot find the number, call the HELPLINE 1-866-820-5437 and ask for your local office.

You only have 60 days from the date you gave up your baby to file a request with the court to regain custody.

If you wait more than 60 days before petitioning the court to regain custody, your baby will probably not be returned to you.

What happens after I give up my baby?

- The hospital will take care of your baby, and you will not be charged for the cost.
- You will not be charged with a crime involving the abandonment as long as your baby was not abused or neglected. If your baby shows signs of abuse or neglect, CFSD must conduct an investigation.
- A court hearing must be held to terminate your parental rights before your baby can be adopted. If the court terminates your parental rights, it will give custody to CFSD which will then place your baby for adoption.
- You may not receive personal notice of the court hearing.

What does it mean when my parental rights are terminated?

The court must terminate parental rights before your baby can be adopted. If your parental rights are terminated by the court, you will no longer be considered to be the parent of the baby. This means that you will not be able to make decisions about your newborn. CFSD will find an adoptive family for your baby.

Does the other parent have rights to the baby?

If only one parent is present when the baby is given up at the hospital or other emergency services provider, the law requires that CFSD try to find the other parent. If successful, CFSD will ask that parent if he or she will request the court to give him or her custody. If the answer is no, then CFSD will inform that parent of the intent to go to court to terminate parental rights and to place the baby for adoption. CFSD will also ask about that parent's social and health history. If CFSD cannot locate the other parent, CFSD will place a public notice in the local newspaper. The notice will say when and where the court hearing to terminate parental rights will be held.

What will happen to my baby?

CFSD will pick up your baby from the hospital. CFSD will place the baby with a family where he or she will be safe. This family will take care of your baby until the baby is adopted.