

18. Voluntary custody agreements

In rare circumstances a family can voluntarily give legal custody of their child to DHS when the parent is immediately and temporarily unable to fulfill his or her parental responsibilities.

Do not enter into a Voluntary Custody Agreement when the parent was the perpetrator of a founded disposition of child abuse or neglect within the past 12 months, or when the parent is unwilling to be a permanent resource for the child.

The following criteria must exist to enter into a voluntary custody agreement:

- The child cannot remain at home due to a temporary crisis in the family, and cannot safely stay with a member of the extended family or another responsible adult who is well known to the child.
- The parent temporarily is or will be unable to fulfill parental responsibilities due to a diagnosed medical or mental health condition.
- The child needs to be placed outside the home due to problems in the family that could compromise the safety of a family member, and a placement of limited duration in conjunction with intensive services is likely to reunite the family and reduce safety concerns.

Refer to Chapter VI, Family Support Services, for procedures on determining a family's needs, developing a Family Support Services Case Plan, and entering into a Voluntary Custody Agreement.

