



Ohio Administrative Code

Rule 5180:3-13-09 Acceptance of permanent custody by permanent surrender.

Effective: March 14, 2026

(A) Who can voluntarily surrender a child into permanent custody?

The parents, guardian, or other persons having custody of a child may voluntarily surrender the child into the permanent custody of a public children services agency (PCSA) or private child placing agency (PCPA) if both parties agree that it is in the best interests of the child.

(B) What form is to be used for a permanent surrender?

The PCSA or PCPA is to use the DCY 01666 "Permanent Surrender of Child" form when executing the agreement.

(C) What is the minimum age a child must be for the permanent surrender form DCY 01666 to be executed?

(1) The DCY 01666 can not be executed until at least seventy-two hours after the child's birth.

(D) What steps must be taken at least seventy-two hours prior to executing the DCY 01666?

The assessor is to meet with the parents, guardian or custodian of the child to do the following:

(1) Discuss with the parents, guardian, or custodian of the child alternative options to surrendering the child.

(2) Advise the parents, guardian, or custodian of the child that signing the DCY 01666 will sever all parental rights and terminate all residual parental rights, privileges and responsibilities to the child as defined in section 2151.011 of the Revised Code.

(3) Inform the parents, guardian or custodian of the child that juvenile court approval is required unless the surrender is solely for the adoption of a child under six months old on the date that the agreement is signed.

(4) Explain Ohio's adoption laws and procedures.

(5) Review and complete the DCY 01693 "Ohio Law and Adoption Materials", completing sections I, II, and III for children older than six months.

(E) What must be completed before executing the DCY 01666?

(1) All activities outlined in paragraph (D) of this rule have occurred.



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(2) Social and medical histories and any necessary release forms have been obtained in accordance with the requirements contained in rule 5180:2-48-03 of the Administrative Code.

(F) Does juvenile court approval always need to be obtained?

Juvenile court approval is not required when a PCPA executes a DCY 01666 for a child under six months of age solely for the purpose of adoption.

(G) What is a PCPA to do after executing a DCY 01666 for a child under six months of age?

(1) Notify the court within two business days after execution.

(2) Submit the DCY 01693 at the time of notification to the juvenile court.

(3) Notify the court again within two business days after the child is physically placed for adoption.

(H) What happens if a child has not been placed for adoption within six months of executing the DCY 01666?

(1) Request the juvenile court with continuing jurisdiction to hold a review hearing as outlined in section 2151.417 of the Revised Code..

(2) Submit a family case plan in accordance with rules 5180:2-38-06 and 5180:2-38-07 of the Ohio Administrative Code.

(I) What happens if an adoption decree has not been finalized within seven months?

The PCSA or PCPA must request the juvenile court to hold a review hearing as outlined in section 5103.153 of the Revised Code..

(J) What is the main responsibility of the PCSA or PCPA regarding placement?

The PCSA or PCPA is to follow placement requirements pursuant to rule 5180:2-48-16 of the Administrative Code.

(K) Are biological parents required to pay support for a child in permanent custody?

A PCSA or PCPA cannot collect child support payments from the biological parents or legal guardians, for the cost of care incurred while a child is in the PCSA's or PCPA's permanent custody..

(L) Can a PCSA or PCPA force a permanent surrender?



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A PCSA or PCPA cannot secure a permanent surrender of a child by the parent, guardian, or custodian through threats, intimidation, or incentives

(M) What documentation is the PCSA or PCPA to keep in the child's case record?

- (1) The date, time, place, and circumstances of the set pre-surrender activities.
- (2) The date, time, place, and circumstances when the DCY 01666 was executed..