

## Mandatory Reporting of Child Abuse

6/2009

State	Mandatory Reporters	Language on Privilege	Notes
<b>Alabama</b>	Attorneys <b>not</b> listed but...  “...any other person called upon to render aid...to any child...”  ALA. CODE § 26-14-3(a)	Reinforced  ALA. CODE § 26-14-10	
<b>Alaska</b>	Attorneys <b>not</b> listed but...  “...paid employees of domestic violence and sexual assault programs, and crisis intervention and prevention programs as defined in AS 18.66.990...”  Alaska Stat. § 47.17.020(a)	Statute is silent	
<b>Arizona</b>	No legal profession mentioned  Ariz. Rev. Stat. Ann. § 13-3620(A)	Statute is silent	
<b>Arkansas</b>	<b>Judges, domestic violence shelter employees, prosecuting attorneys</b>  Ark. Code Ann. § 12-12-507(b)(4)	Abrogated  Ark. Code Ann. § 12-12-507(c)	Privilege is <b>only</b> abrogated for the specific legal professions listed as mandatory reporters
<b>California</b>	Attorneys <b>not</b> listed but...  “An employee or volunteer of a Court Appointed Special Advocate program, as defined in <u>Rule 1424 of the California Rules of Court.</u> ”  Cal. Penal Code § 11165.7(a)	Statute is silent	
<b>Colorado</b>	No legal profession mentioned  Colo. Rev. Stat. § 19-3-304	Statue is silent	
<b>Connecticut</b>	No legal profession mentioned  Conn. Gen. Stat. § 17a-101(b)	Statute is silent	

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<b>Delaware</b>	Attorneys <b>not</b> listed but...  “...or any other person who knows or in good faith suspects child abuse or neglect...”  DEL. CODE ANN. tit. 16, § 903	Reinforced  DEL. CODE ANN. tit. 16, § 909	
<b>District of Columbia</b>	No legal profession mentioned  D.C. Code § 4-1321.02(a)-(b)	Statute is silent	
<b>Florida</b>	Attorneys <b>not</b> listed but...  “Any person who knows, or has reasonable cause to suspect ...”  Fla. Stat. § 39.201	Reinforced  Fla. Stat. § 39.204	Judges <b>must</b> provide their names when reporting abuse.  Fla. Stat. § 39.201
<b>Georgia</b>	Attorneys <b>not</b> listed but...  “...child welfare agency personnel, as that agency is defined pursuant to <u>Code Section 49-5-12</u> ...”  Ga. Code. Ann. § 19-7-5(c)	Statute is silent	
<b>Hawaii</b>	No legal profession mentioned  Haw. Rev. Stat. § 350-1.1(a)	Statute is silent	However, courts <b>are</b> required to report.  Haw. Rev. Stat. § 350-1.1(a)
<b>Idaho</b>	Attorneys <b>not</b> listed but...  “...other person having reason to believe that a child under the age of eighteen (18) years has been abused...”  Idaho Code Ann. § 16-1605(1)	Statute is silent	
<b>Illinois</b>	Attorneys <b>not</b> listed but...  “...domestic violence program personnel...”  325 Ill. Comp. Stat. 5/4	Statute is silent	

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<b>Indiana</b>	Attorneys <b>not</b> listed but...  “...an individual who has reason to believe that a child is a victim of child abuse or neglect...”  IND. CODE § 31-33-5-1	Statute is silent	
<b>Iowa</b>	No legal profession mentioned  Iowa Code § 232.69(1)	Statute is silent	
<b>Kansas</b>	Attorneys <b>not</b> listed but...  “...mediators appointed under <u>K.S.A. 23-602</u> ...”  Kan. Stat. Ann. § 38-2223	Statute is silent	
<b>Kentucky</b>	Attorneys <b>not</b> listed but...  “Any person who knows or has reasonable cause to believe that a child is dependent, neglected or abused...”  Ky. Rev. Stat. Ann. § 620.030(1)	Reinforced  Ky. Rev. Stat. Ann. § 620.030(3)	
<b>Louisiana</b>	Attorneys <b>not</b> listed but...  “...Mediators appointed pursuant to Chapter 6 of Title IV...” or “...A court-appointed special advocates (CASA) volunteer under the supervision of a CASA program appointed pursuant to Chapter 4 of Title IV...”  La. Child. Code Ann. § 603(15)	Abrogated  La. Child. Code Ann. § 609(A)(1)	Privilege is <b>only</b> abrogated for the specific legal professions listed as mandatory reporters
<b>Maine</b>	Attorneys <b>not</b> listed but...  “...A court-appointed special advocate or guardian ad litem for the child...”  Me. Rev. Stat. Ann. tit. 22 § 4011-A(1)	Statute is silent	

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<b>Maryland</b>	Attorneys <b>not</b> listed but...  “...a person in this State other than a health practitioner, police officer, or educator or human services worker who has reason to believe that a child has been subjected to abuse or neglect...”  MD. CODE ANN., FAM. LAW § 5-705(a)(1)	Reinforced  MD. CODE ANN., FAM. LAW § 5-705(a)(2)	Privilege also extends if reporting would violate a “...constitutional right to assistance of counsel...”  MD. CODE ANN., FAM. LAW § 5-705(a)(2)
<b>Massachusetts</b>	No legal profession mentioned  Mass. Gen. Laws ch. 119, § 21	Statute is silent	
<b>Michigan</b>	Attorneys <b>not</b> listed but...  “...a person employed in a professional capacity in any office of the friend of the court...”  Mich. Comp. Laws § 722.623(1)(a)	Statute is silent	
<b>Minnesota</b>	No legal profession mentioned  Minn. Stat. § 626.556(3)(a)	Statute is silent	
<b>Mississippi</b>	<b>Attorneys</b> and “...any other person having reasonable cause to suspect that a child is a neglected or an abused child...”  Miss. Code Ann. § 43-21-353(1)	Statute is silent	
<b>Missouri</b>	No legal profession mentioned  Mo. Rev. Stat. § 210.115(1)	Statute is silent	
<b>Montana</b>	Attorneys <b>not</b> listed but...  “...a guardian ad litem or a court-appointed advocate who is authorized to investigate a report of alleged abuse or neglect...”  Mont. Code Ann. § 41-3-201(2)	Abrogated  Mont. Code Ann. § 41-3-201(5)(a)	Privilege is <b>only</b> abrogated for the specific legal professions listed as mandatory reporters

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<b>Nebraska</b>	Attorneys <b>not</b> listed but...  “...or other person has reasonable cause to believe that a child has been subjected to child abuse or neglect...”  NEB. REV. STAT. § 28-711(1)	Statute is silent	
<b>Nevada</b>	<b>Attorneys</b>  NEV. REV. STAT. § 432B.220(4)	Reinforced <b>only</b> when source of the knowledge is “...a client who is or may be accused of the abuse or neglect...”  NEV. REV. STAT. § 432B.220(4)(i)	
<b>New Hampshire</b>	Attorneys <b>not</b> listed but...  “...any other person having reason to suspect that a child has been abused or neglected...”  N.H. REV. STAT. ANN. § 169-C:29	Reinforced  N.H. REV. STAT. ANN. § 169-C:32	
<b>New Jersey</b>	Attorneys <b>not</b> listed but...  “Any person having cause to believe that a child has been subjected to child abuse or acts of child abuse...”  N.J. STAT. ANN. § 9:6-8.10	Statute is silent	
<b>New Mexico</b>	Attorneys <b>not</b> listed but...  “Any person, including...a judge presiding during a proceeding...who knows or has reasonable suspicion that a child is an abused or neglected child...”  N.M. STAT. § 32A-4-3(A)	Abrogated  N.M. STAT. § 32A-4-5(A)	Privilege is <b>only</b> abrogated for admissibility of reports as evidence – they are not to be excluded even if they may be the result of a privileged communication
<b>New York</b>	<b>District Attorney or Assistant District Attorney</b>  N.Y. SOC. SERV. LAW § 413(1)(a)	Statute is silent	

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<b>North Carolina</b>	Attorneys <b>not</b> listed but...  "Any person or institution who has cause to suspect that any juvenile is abused, neglected, or dependent..."  N.C. GEN. STAT. § 7B-301	Reinforced <b>only</b> when knowledge was acquired from a client "...during representation only in the abuse, neglect, or dependency case..."  N.C. GEN. STAT. § 7B-310	This privilege reinforcement is also grounds for inadmissibility of a report in a trial
<b>North Dakota</b>	No legal profession mentioned  N.D. CENT. CODE § 50-25.1-03	Reinforced  N.D. CENT. CODE § 50-25.1-10	
<b>Ohio</b>	<b>Attorneys</b>  OHIO REV. CODE ANN. § 2151.421	Reinforced <b>except</b> in the following cases: " (a) The client or patient, at the time of the communication, is either a child under eighteen years of age or a mentally retarded, developmentally disabled, or physically impaired person under twenty-one years of age.  (b) The attorney or physician knows, or has reasonable cause to suspect based on facts that would cause a reasonable person in similar position to suspect, as a result of the communication or any observations made during that communication, that the client or patient has suffered or faces a threat of suffering any physical or mental wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the client or patient.  (c) The abuse or neglect does not arise out of the client's or patient's attempt to have an abortion without the notification of her parents, guardian, or custodian in accordance with <u>section 2151.85 of the Revised Code.</u> "  OHIO REV. CODE ANN. § 2151.421(A)(3)	

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<b>Oklahoma</b>	Attorneys <b>not</b> listed but...  “Every...other person having reason to believe that a child under the age of eighteen (18) years is a victim of abuse or neglect...”  OKLA. STAT. tit. 10, § 7103 A	Abrogated  OKLA. STAT. tit. 10, § 7103 A	Privilege may not be used to render reports inadmissible as evidence  OKLA. STAT. tit. 10, § 7113
<b>Oregon</b>	Attorneys <b>not</b> listed but...  “Any public or private official having reasonable cause to believe that any child with whom the official comes in contact has suffered abuse or that any person with whom the official comes in contact has abused a child...”  OR. REV. STAT. § 419B.010(1)	Reinforced for attorneys or guardians ad litem <b>and</b> if “...disclosure of the information would be detrimental to the client...”  OR. REV. STAT. § 419B.010(1)	Attorneys cannot disclose information obtained even through non-privileged communication if that information is detrimental to their client
<b>Pennsylvania</b>	Attorneys <b>not</b> listed but...  “A person who, in the course of employment, occupation or practice of a profession, comes into contact with children...”  23 PA. CONS. STAT. § 6311	Reinforced  23 PA. CONS. STAT. § 6311	
<b>Rhode Island</b>	Attorneys <b>not</b> listed but...  “Any person who has reasonable cause to know or suspect that any child has been abused or neglected...”  R.I. GEN. LAWS § 40-11-3	Reinforced  R.I. GEN. LAWS § 40-11-11	
<b>South Carolina</b>	Attorneys <b>not</b> listed but...  <b>Judges</b>  S.C. Code Ann. § 63-7-310(A)	Statute is silent	

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<b>South Dakota</b>	Attorneys <b>not</b> listed but...  “...employee or volunteer of a domestic abuse shelter...”  S.D. Codified Laws § 26-8A-3	Statute is silent	
<b>Tennessee</b>	Attorneys <b>not</b> listed but...  “Any person...” and “...Judge of any court of the state...”  TENN. CODE ANN. § 37-1-605(a)	Statute is silent	
<b>Texas</b>	Attorneys <b>not</b> listed but...  “A person having cause to believe that a child has been abused or neglected...”  TEX. FAM. CODE ANN. § 261.101(a)	Abrogated  TEX. FAM. CODE ANN. § 261.101(c)	
<b>Utah</b>	Attorneys <b>not</b> listed but...  “...when any person...has reason to believe that a child has been subjected to abuse or neglect...”  UTAH CODE ANN. § 62A-4a-403(1)	Statute is silent	
<b>Vermont</b>	No legal profession mentioned  Vt. Stat. Ann. tit. 33, § 4913(a)	Statute is silent	
<b>Virginia</b>	Attorneys <b>not</b> listed but...  “Any mediator eligible to receive court referrals pursuant to § 8.01-576.8...” or “...Any person who is designated a court-appointed special advocate pursuant to Article 5 (§ 9.1-151 et seq.) of Chapter 1 of Title 9.1...”  Va. Code Ann. § 63.2-1509(A)	Statute is silent	

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<b>Washington</b>	No legal profession mentioned  Wash. Rev. Code § 26.44.030(1)(a) (2007)	Reinforced  Wash. Rev. Code § 26.44.030(1)(b) (2007)	
<b>West Virginia</b>	Attorneys <b>not</b> listed but...  “...circuit court judge...” or “...family court judge...”  W. VA. CODE § 49-6A-2	Reinforced  W. VA. CODE § 49-6A-7	
<b>Wisconsin</b>	Attorneys <b>not</b> listed but...  “A mediator under s. 767.405...” or “...A court-appointed special advocate...”  Wis. Stat. § 48.981(2)(a)	Statute is silent	While attorneys are not mandated reporters, they are <b>permitted</b> reporters  Wis. Stat. § 48.981 (2)(c)-(d)
<b>Wyoming</b>	Attorneys <b>not</b> listed but...  “Any person who knows or has reasonable cause to believe or suspect that a child has been abused or neglected...”  WYO. STAT. ANN. § 14-3-205(a)	Reinforced  WYO. STAT. ANN. § 14-3-210(a)	This privilege reinforcement applies <b>only</b> to render reports resulting from privileged communications inadmissible in court

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