

Mandatory Reporting of Child Abuse: A Flow Chart for OVW-funded Advocates



Are you a “mandatory reporter?”
 Review your statute to determine who must report child abuse in your jurisdiction. Pay attention to the particular requirements. Be sure to inform the victim at the outset -before the victim makes any disclosures- if you are a mandatory reporter.

Yes



Is the victim someone whose abuse must be reported?
 Is the victim a minor about whom abuse must be reported? For example, a minor may not be subject to the mandatory child abuse reporting laws if the minor is emancipated, in the military, or a parent.

Yes



Has the victim experienced “child abuse” as your statute defines it?

Yes



Are you exempt from reporting in this case?
 For example is the disclosure protected by a victim-advocate, therapist-patient, attorney-client or other privilege that prohibits disclosure without victim consent?

No



Report Must Be Made
 Make the report to the appropriate agency.
 If there is a choice between agencies, discuss the options with the victim. Ensure you are reporting only what is required, and that you are complying with VAWA or other funders’ confidentiality requirements.
You may report only the information required by the mandatory reporting statute unless the victim gives informed consent, in writing, for you to release additional information.
 Remember to safety plan and offer the victim ongoing support!

No

No

No

Yes

No

You may not report the abuse or otherwise breach a victim’s confidentiality without the victim’s written and informed consent.

For more information, contact the VRLC at 503-274-5477 or email us at TA@victimrights.org. Visit us on the web at www.victimrights.org.

This chart does not constitute legal advice. If you need guidance on a specific mandatory reporting matter consult with a legal or other expert.

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