

## **SUMMARY OF LOUISIANA CHILD ABUSE OR NEGLECT REPORTING LAW (L.S.A.-R.S. 14:403; LA. CHILDREN’S CODE ARTS. 601-616)**

Louisiana law provides that any person in the Children’s Code who is a “mandatory reporter,” i.e., who is required to report abuse or neglect of a minor, including sexual abuse of a child under age 18, is to report information to authorities when that person has cause to believe a child’s physical or mental health or welfare is endangered. Willful and knowing failure to report can result in being charged with a misdemeanor or, in some situations, a felony.


Louisiana Children’s Code Art. 603 defines those persons who must report child abuse as mandatory reporters. “Mandatory reporters” include: any person who provides health care services, e.g., doctors, nurses, technicians; mental health or social services professionals who provide counseling services to a child or his/her family; members of the clergy; teaching or child care providers, which effectively includes anyone who works or volunteers at a school, daycare center, or summer camp or any other youth recreation program (including coaches); law enforcement officers; commercial film processors; and certain other persons not pertinent here. Additionally, all such persons are mandatory reporters not only in their professional capacities but at all times, e.g., not just while at the school, daycare center, summer camp, etc.

Art. 603(13) (c) of the Children’s Code provides an exception to the mandatory reporting requirement for a priest or bishop within the sacred ministry of the Sacrament of Reconciliation. In that instance, the priest or bishop shall encourage that person to report the allegations to the appropriate authorities.

Art. 610 of the Children’s Code provides the reporting procedure that requires mandatory reporters immediately to report through the Department of Children and Family Services “855” number, i.e., 1-855-452-5437, where the abuser is believed to be a parent, caretaker, a person who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or a person living in the same residence with the parent or caretaker as spouse whether married or not. If such a person or caretaker is not believed to have been the abuser and is not believed to have any responsibility for the abuse or neglect, the report should immediately be made to the appropriate local or state law enforcement agency. Dual reporting is permitted, but the mandatory reporter should not just call the DCFS OR the police, but both if the mandatory reporter is unsure who to contact.

The initial report may be verbal, and should contain the following information, if known:

1. Name, address, age, sex and race of the child;
2. Nature, extent and cause of child’s injuries or endangered condition, including any previous known or suspected abuse to the child or child’s siblings;
3. Name and address of parent(s) or caretaker;



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4. Names and ages of all other members of child's household;
5. Name and address of the reporter;
6. Account of how child came to reporter's attention;
7. Explanation of the cause of child's injury or condition offered by child, the caretaker or any other person;
8. Any other information which the reporter believes might be important or relevant.

If the initial report is verbal, it shall be followed by a written report within five (5) days to the appropriate agency, i.e., DCFS or law enforcement agency. When a verbal report is being given, before finishing, the reporting person should request a facsimile number to which to send the written report.

Article 611 of the Children's Code grants immunity from civil or criminal liability to any reporter, for the making of any report in good faith, and without knowledge of the falsity of such information, or reckless disregard for the truth of the report.

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