

# Mandated Reporters in Illinois

Understanding the Illinois Law  
concerning who must report suspected  
cases of child sexual abuse, physical  
or emotional abuse, and neglect

# Illinois Law Changed

In 2002, the General Assembly enacted a new, stronger law concerning mandated reporters of child physical, emotional, and sexual abuse and neglect. It went into effect in 2003 and 2004.

Local church clergy (and religious practitioners) went from being requested reporters to mandated reporters.

# Who **MUST** report cases?

- Medical Personnel
  - Physicians & Nurse Practitioners
  - Dentists, Chiropractors, Podiatrists
  - Nurses: LPN, RN, BSN, etc.
  - Medical Social Workers
  - Emergency Medical Personnel
  - Hospital Administrators
  - And others who could be considered to be a part of this category

# Who **MUST** report cases?

- School Personnel
  - Teachers
  - Principals, Assistant Principals, Superintendents, & Assistant Superintendents
  - School Counselors & Psychologists
  - School Nurse and Social Workers
  - Truant Officers
  - And others that would be considered in this category of school personnel

# Who **MUST** report cases?

- Social Service & Mental Health Personnel
  - Mental health personnel
  - Social workers
  - Psychologists, Counselors, Therapists
  - Domestic Violence Personnel
  - Substance Abuse Treatment Personnel
  - Personnel of state agencies working with children
  - Others working in similar professions

# Who **MUST** report cases?

- Law Enforcement Personnel
  - Employees of the Court
  - Parole & Probation Officers
  - Emergency Services Staff (could include firefighters!)
  - Police & Sheriffs' Officers
  - States Attorney and staff
  - Juvenile Officers
  - Others who work in this area of public service

# Who **MUST** report cases?

- Coroner and staff
- Medical Examiner and staff
- Child Care Personnel
  - All staff at overnight, day care, pre-school or nursery school facilities, recreational programs, and foster parents

# Who **MUST** report cases?

- Members of the Clergy
  - Includes any member of the clergy that has reasonable cause to believe that a child known to him or her in a professional capacity may be an abused child

# What about me?

*Not required by law to report, but ethically...*

- Sunday School teachers
- Youth workers
- Field-trip volunteers
- Youth group sponsors/volunteers
- Child care workers
- Nursery volunteers
- Any person working with children or youth who witnesses or suspects any type abusive or neglectful behavior.

# UNLESS...

- If you are professionally employed in one of the previously mentioned categories, and you have seen or suspect child abuse, there is little room for question. You are mandated to report.
- The courts are taking this issue very seriously. Mandated reporters are to report what is seen or suspected on or off the job!

# What about the ethical and moral question?

As United Methodist Christians, we have an ethical and moral responsibility to protect the children and youth entrusted to our care while at the same time providing a safe environment for paid and unpaid staff and workers to use their spirituals gifts to the glory of God serving the call to ministry with, to, and among child and youth

**It's a difficult balancing act!  
Always err on the side of safety!**



# How do I report?

- Call the Department of Children and Family Services at 1-800-252-2873 (1-800-25ABUSE)
- Call 9-1-1
- Call the local police department or sheriff's office on their non-emergency number
- Speak to your pastor or district superintendent

# Two Type Things to Report



Things that you have  
actually seen



Things that you only  
suspect

# Remember!



If you have witnessed something you have become an important part of the legal case.

If you suspect there's an issue, you are simply raising the question about a pattern of behaviors and/or physical marks

# As professionals...

Who work with children (and youth) mandated reporters are assumed to be in the best position to recognize and report child abuse and neglect as soon as possible. Mandated reporters are the state's "early warning system" to identify probable abuse early enough to avoid serious and long-term damage to a child.

# The Goal

The State's primary goal is to  
protect the child  
and, whenever possible,  
to stabilize and preserve the family  
so that it may remain intact.

# Requirements of the Law

- Mandated reporters are required to report suspected child abuse or neglect **immediately!**
- Mandated reporters may have to testify regarding any incident you report if the case become the subject of legal or judicial action

# Requirements of the Law

- State law protects the identity of all mandated reporters, and you are given immunity from legal liability as a result of reports you make in good faith.
- Reports must be confirmed in writing to the local investigation unit within 48 hours of the Hotline call. Forms may be obtained from the local DCFS office.

# Requirements of the Law

- Privileged communication between professional and client is not grounds for failure to report. Willful failure to report suspected incidents of child abuse or neglect is a misdemeanor (first violation) or a class 4 felony (second and subsequent violation). Professionals may be subject to penalties by their regulatory boards.

# Requirements of the Law

- Members of the clergy may claim the privilege under Section 8-803 of the Code of Civil Procedure.

# Section 8-803

A clergyman or practitioner of any religious denomination accredited by the religious body to which he or she belongs, shall not be compelled to disclose in any court, or to any administrative board or agency, or to any public officer, a confession or admission made to him or her in his or her professional character or as a spiritual advisor in the course of the discipline enjoined by the rules or practices of such religious body or of the religion which he or she professes, nor be compelled to divulge any information which has been obtained by him or her in such professional character or as such spiritual advisor.

# *Book of Discipline 2004*

## ¶ 340.1(e) Responsibilities and Duties of Elders and Licensed Pastors

*To maintain all confidences inviolate, including confessional confidences except in the cases of suspected child abuse or neglect, or in cases where mandatory reporting is required by civil law.*

# The Conditions

- Victim must be under the age of 18
- Alleged perpetrator must be a parent, step-parent, guardian, foster parent, paramour of a natural parent, immediate family member (siblings/grandparent), any person living in the home of the child, a person who came to know the child through an official capacity or position of trust, or a person who is responsible for the welfare of the child

# The Conditions

- There must be a specific incident of abuse or neglect or a specific set of circumstances involving suspected abuse or neglect
- There must be either demonstrated harm or a substantial risk of physical or sexual injury to the child.

# The Conditions

- The conditions are very important. If a case does not contain ALL OF THE ELEMENTS, the Department of Children & Family Services has no jurisdiction and cannot investigate the allegation.
- However, if all the conditions are not present, the report will be kept on the computer data base for six months.

# What do I report?

## Things you have **actually seen**:

- Repeated bruising
- Bruising with an identifiable pattern
- Cuts or burns in unusual places or with repeated regularity
- Any other physical violence toward a child  
(*spanking may or may not count*)

# What do I report?

- Verbal violence toward a child
- Sexual violence toward a child
- Other activities or actions that seem unusual in their nature when directed toward a child or a youth

# What do I report?

Things that you **suspect** and why:

Eight year-old Billy seems to know a great deal about sex and is pre-occupied with sexual activity.

Could this be a sign of sexual abuse at home or in some other setting?

Do you report?

# What do I report?

Things you have actually **witnessed**:

Mrs. Jones clinched a fist and punched ten-year-old Debbie in the stomach several times in the church parking lot leaving Debbie in tears.

You have just witnessed physical child abuse and are a material witness to a legal case.

# What do I report?

During the Wednesday night Youth Group, you see backward “c” shaped bruises on 16-year-old Gus’s legs and notice that Gus is acting withdrawn. This is the fifth time you’ve seen these exact same bruises on Gus’s legs.

What do you suspect? What do you see?

What do you do?

# Summary

- Clergy, and other professionals, are mandated reporters in both civil and church law!
- Report that facts!
  - Name the actual event you witnessed
  - Name the pattern of behavior or physical signs you have witnessed
  - Name your own suspicion as that, **YOUR SUSPICION**
  - Let the investigators do their job
  - Protect the child if you believe they are in immediate danger