

## Child Abuse Reporting 3

### Avoiding Liability Bulletin - September 2005

... Why is it important to know the time frame and manner of reporting required by state child abuse reporting laws? Because a failure to timely report child abuse could subject the mandated reporter to criminal liability. I have spoken with many therapists over the years who are faced with a situation where they have determined that something should have been reported but wasn't. Now, after the required time to report has passed (usually a brief period of time), the therapist is desirous – for one reason or another - of reporting, even though late. If the authorities determine that the late report was made because the therapist may have become aware that someone else reported the abuse and that it might be discovered during the investigation that the therapist failed to report, it is possible that the authorities will charge the therapist with a failure to report – usually a misdemeanor.

If there is an intervening injury or harm to the child during the period of time when the report should have been made and the time it was actually made, the likelihood of a criminal charge against the therapist increases. If, however, it is determined that there was no harm to the child despite the delayed report, and that there is a reasonable explanation for the delay in reporting, the likelihood of a prosecution is lessened. So, be careful – and know the time frames and manner of reporting. Must you report by telephone? Within what period of time must the report be made? Must you also report in writing? Within what period of time must that report be made?

**Author:**  
Richard Leslie