

Child Injury Laws *Blog*

Reporting Child Abuse: Not Just The Right Thing To Do-- But Also The Law

By **Jonathan Rosenfeld** on July 25, 2011

In many situations, a child may be unable or unwilling to report their own abuse or neglect. Therefore, it is important that the network of adults in a child's life are vigilant advocates, giving abused children a voice. A child may not report abuse because they cannot talk, do not understand what is happening, are afraid, or have no one to talk to.

That is why there are mandated reporters, people and professions who have a legal requirement to report child abuse or neglect to the State. Many times, these people are in the best position to recognize signs of possible abuse ([325 ILCS 5/4](#); [720 ILCS 5/11-20.2](#)).

Mandated reporters of child abuse include:

- Doctors
- Nurses
- Teachers
- Social workers
- Psychologists
- Police officers
- Members of the clergy
- Child care personnel.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com.)

If a mandated reporter fails to report suspected abuse, they can face disciplinary action ([325 ILCS 5/4](#)).

These are not the only people who should report child abuse or neglect. Anyone who even suspects child abuse or neglect should call the [Child Abuse Hotline](#) at (800) 25-ABUSE or 1-800-252-2873 or (217)524-2606 if calling from outside Illinois.

In Illinois, about [two-thirds](#) of calls come from mandated reporters. If a hot-line worker determines that the report qualifies as child abuse/neglect, it is reported to the Department of Children and Family Services (DCFS), where a social worker opens an investigation within 24 hours. If the investigator determines that the report was made in good faith or the reported abuse did occur, a formal investigation is opened. In [2008](#), Illinois had 111,890 reports of child abuse/neglect, and 30,047 indicated/confirmed cases.

During the [investigation](#), the child can be placed in protective custody if the investigator determines that they are at imminent risk. The investigator makes a decision on the case within 60 days (unfounded or confirmed). In Illinois, over a quarter of all cases are confirmed. DCFS must report the case to local law enforcement if it involves a serious allegation (death, [sexual abuse](#), torture, internal injuries, and head injuries, among others).

A person who is accused of child abuse/neglect (the perpetrator) can [appeal](#) of the indicated finding in the DCFS' Administrative Hearing Unit. The Administrative Law Judge (ALJ) makes a recommendation to the Director of DCFS, who then issues a final decision. If the appeal is denied, the perpetrator can appeal in circuit court.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com).

Child Injuries v. Child Abuse

Children are active and adventurous and their activities can lead to accidental injuries. Common accidental injuries include: broken bones from falls, choking, and sickness from ingesting toxic substances. However, children can also suffer injuries from abuse and neglect. Therefore, it is important to learn the signs of abuse so you can report it.

Child care facilities must take precautions to ensure that the physical property is free of hazards in order to prevent dangerous falls and accidents. This includes proper radiator covers, no loose electrical cords, picking up toys and keeping the play area clean, wiping up spills, keeping walkways clear, storing cleaning products and toxic substances out of the reach of children. Even a caregiver's purse can pose a risk to young children, keys and makeup can be choking hazards, medicine can be lethal for a small child.

Illness and disease is another factor to consider with **child care settings**. Children do not appreciate or understand germs. They chew on toys, put things in their mouths, and share toys. Caretakers must ensure that children only play with toys suitable for their age group, inspect toys for deterioration or loose parts, and clean toys and surfaces regularly.

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. (www.rosenfeldinjurylawyers.com).