

LSA-Ch.C. Art. 610



West's Louisiana Statutes Annotated [Currentness](#)

Louisiana Children's Code [\(Refs & Annos\)](#)

Title VI. Child in Need of Care [\(Refs & Annos\)](#)

[Chapter 5. Child Abuse Reporting](#) and Investigation

**→Art. 610. Reporting procedure**

A. Reports of child abuse or neglect or that such was a contributing factor in a child's death, where the abuser is believed to be a parent or 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 a spouse whether married or not, shall be made immediately to the local child protection unit of the department. Reports in which the abuse or neglect is believed to be perpetrated by someone other than a 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 a spouse whether married or not, and the caretaker is not believed to have any responsibility for the abuse or neglect shall be made immediately to a local or state law enforcement agency. Dual reporting to both the local child protection unit of the department and the local or state law enforcement agency is permitted.

B. The report shall contain the following information, if known:

- (1) The name, address, age, sex, and race of the child.
- (2) The nature, extent, and cause of the child's injuries or endangered condition, including any previous known or suspected abuse to this child or the child's siblings.
- (3) The name and address of the child's parent(s) or other caretaker.
- (4) The names and ages of all other members of the child's household.
- (5) The name and address of the reporter.
- (6) An account of how this child came to the reporter's attention.
- (7) Any explanation of the cause of the child's injury or condition offered by the child, the caretaker, or any other person.
- (8) The number of times the reporter has filed a report on the child or the child's siblings.
- (9) Any other information which the reporter believes might be important or relevant.

C. The report shall also name the person or persons who are thought to have caused or contributed to the child's condition, if known, and the report shall contain the name of such person if he is named by the child.

D. If the initial report was in oral form by a mandatory reporter, it shall be followed by a written report made within five days to the local child protection unit of the department or, if necessary to the local law enforcement agency. The reporter may use a form for the written report, which shall be developed, approved and made available by the Department of Social Services. The form is optional and may be available electronically on the department's website.

E. (1) All reports made to any local or state law enforcement agency involving abuse or neglect in which the child's

## LSA-Ch.C. Art. 610

parent or 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 a spouse whether married or not, is believed responsible shall be promptly communicated to the local child protection unit of the department in accordance with a written working agreement developed between the local law enforcement agency and child protection unit.

(2) A local child protection unit shall promptly communicate abuse or neglect cases not involving a parent, caretaker, or occupant of the household to the appropriate law enforcement agency in accordance with a written working agreement developed between the local child protection unit and law enforcement agency. The local child protection unit also shall report all cases of child death which involve a suspicion of abuse or neglect as a contributing factor in the child's death to the local and state law enforcement agencies, the office of the district attorney, and the coroner.

(3) Reports involving a felony-grade crime against a child shall be promptly communicated to the appropriate law enforcement authorities as part of the interagency protocols for multidisciplinary investigations of child abuse and neglect in each judicial district as provided in [Children's Code Articles 509](#) and [510](#).

F. Any commercial film or photographic print processor who has knowledge of or observes, within the scope of this professional capacity or employment, any film, photograph, video tape, negative, or slide depicting a child who he knows or should know is under the age of seventeen years, which constitutes child pornography as defined in Article 603, shall report immediately to the local law enforcement agency having jurisdiction over the case. The reporter shall provide a copy of the film, photograph, videotape, negative, or slide to the agency receiving the report.

## CREDIT(S)

Added by [Acts 1991, No. 235, § 6, eff. Jan. 1, 1992](#). Amended by [Acts 1997, No. 1103, § 1, eff. July 14, 1997](#); [Acts 1999, No. 1178, § 1, eff. July 9, 1999](#); [Acts 2004, No. 75, § 1, eff. May 28, 2004](#); [Acts 2004, No. 78, § 1, eff. May 28, 2004](#).

<<LOUISIANA CHILDREN'S CODE>>

<Generally Effective January 1, 1992>

## HISTORICAL AND STATUTORY NOTES

## 2004 Electronic Pocket Part Update

Acts 2004, No. 75, § 1, inserted a new subpar. (B)(8), relating to the number of times the reporter filed a report; designated former subpar. (B)(8) as subpar. (B)(9); and, in par. D, added the second and third sentences, relating to a form for the report.

Acts 2004, No. 78, § 1, added the third sentence in par. A, relating to dual reporting; and rewrote par. E, which had read:

"E. All reports received by any local or state law enforcement agency involving abuse or neglect in which the child's parent or 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 a spouse whether married or not, is believed responsible shall be referred to the local child protection unit of the department. A local child protection unit shall refer abuse or neglect cases not involving a parent, caretaker, or occupant of the household to the appropriate law enforcement agency and also shall report all cases of child death which involve a suspicion of abuse or neglect as a contributing factor in the child's death to the local and state law enforcement agencies, the office of the district attorney, and the coroner."

Pursuant to the statutory revision authority of the Louisiana State Law Institute, in this article as amended in 2004,

LSA-Ch.C. Art. 610

in par. (E), subpars. (1) to (3) were designated.

2004 Main Volume

**Source:**

[R.S. 14:403\(D\)](#).

Acts 1997, No. 1103, § 1, in par. E, substituted a comma for "or" following "parent" and inserted ", or occupant of the household" following "caretaker" all in the second sentence.

In 1998, pursuant to the statutory revision authority of the Louisiana State Law Institute, the heading of this article was changed from "Reporting Procedure" to "Reporting procedure".

Acts 1999, No. 1178, § 1, in the first sentence of par. A, inserted "or 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 a spouse whether married or not," following "believed to be a parent or caretaker"; in the second sentence of par. A, inserted ", 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 a spouse whether married or not," following "someone other than a caretaker"; and in the first sentence of par. E, inserted "or 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 a spouse whether married or not," following "the child's parent or caretaker".

Pursuant to the statutory revision authority of the Louisiana State Law Institute, in this article as amended in 1999, in par. A, a comma was substituted for "or" following "where the abuser is believed to be a parent or caretaker"; and in par. E, a comma was substituted for "or" following "in which the child's parent or caretaker".

LAW REVIEW AND JOURNAL COMMENTARIES

[Ashcroft v. Free Speech Coalition et al.: Is the Child Pornography Prevention Act first amendment friendly, or a virtual disaster? 30 S.U. L. Rev. 261 \(2003\).](#)

LIBRARY REFERENCES

2004 Main Volume

Infants  13.5(1).  
Westlaw Topic No. 211.

NOTES OF DECISIONS

**Anonymous reports [2](#)**

**Social workers [1](#)**

[1](#). Social workers

Since a social worker is considered a mandatory reporter, if a child is assaulted by a teacher or other official, and social worker feels this assault rises to level of abuse, social worker must report assault to local or state enforcement agency, or possibly liability. Op.Atty.Gen. No. 97-65, November 6, 1997.

[2](#). Anonymous reports

An anonymous report of child abuse or neglect should be investigated by the local child protection unit of the

LSA-Ch.C. Art. 610

Department of Social Services. No. 92-843, Feb. 8, 1993.

LSA-Ch.C. Art. 610, LA Ch.C. Art. 610

Current through all 2004 First Extraordinary and Regular Session Acts

© 2005 Thomson/West

END OF DOCUMENT