

IC 31-33-5

Chapter 5. Duty to Report Child Abuse or Neglect

IC 31-33-5-1

Duty to make report

31-33-5-1 Sec. 1. In addition to any other duty to report arising under this article, an individual who has reason to believe that a child is a victim of child abuse or neglect shall make a report as required by this article. As added by P.L.1-1997, SEC.16.

IC 31-33-5-2

Notification of individual in charge of institution, school, facility, or agency; report

31-33-5-2 Sec. 2. (a) If an individual is required to make a report under this article in the individual's capacity as a member of the staff of a medical or other public or private institution, school, facility, or agency, the individual shall immediately notify the individual in charge of the institution, school, facility, or agency or the designated agent of the individual in charge of the institution, school, facility, or agency.

(b) An individual notified under subsection (a) shall report or cause a report to be made. As added by P.L.1-1997, SEC.16.

IC 31-33-5-3

Effect of compliance on individual's own duty to report

31-33-5-3 Sec. 3. This chapter does not relieve an individual of the obligation to report on the individual's own behalf, unless a report has already been made to the best of the individual's belief.

As added by P.L.1-1997, SEC.16.

IC 31-33-5-4

Immediate oral report to department of child services or law enforcement agency

31-33-5-4 Sec. 4. A person who has a duty under this chapter to report that a child may be a victim of child abuse or neglect shall immediately make an oral report to:

- (1) the department; or
- (2) the local law enforcement agency.

As added by P.L.1-1997, SEC.16. Amended by P.L.234-2005, SEC.107.

IC 31-33-6

Chapter 6. Immunity of Persons Who Report Child Abuse or Neglect

IC 31-33-6-1

Immunity from civil or criminal liability

31-33-6-1 Sec. 1. Except as provided in section 2 of this chapter, a person, other than a person accused of child abuse or neglect, who:

- (1) makes or causes to be made a report of a child who may be a victim of child abuse or neglect;
- (2) is a health care provider and detains a child for purposes of causing photographs, x-rays, or a physical medical examination to be made under IC 31-33-10;
- (3) makes any other report of a child who may be a victim of child abuse and neglect; or
- (4) participates in any judicial proceeding or other proceeding:
 - (A) resulting from a report that a child may be a victim of child abuse or neglect; or
 - (B) relating to the subject matter of the report;

is immune from any civil or criminal liability that might otherwise be imposed because of such actions.

As added by P.L.1-1997, SEC.16.

IC 31-33-6-2

Exception for malice or bad faith

31-33-6-2 Sec. 2. Immunity does not attach for a person who has acted maliciously or in bad faith.

As added by P.L.1-1997, SEC.16.

IC 31-33-6-3**Presumption of good faith**

31-33-6-3 Sec. 3. A person making a report that a child may be a victim of child abuse or neglect or assisting in any requirement of this article is presumed to have acted in good faith. As added by P.L.1-1997, SEC.16.