

Application of Child Abuse Reporting Laws to Ministers and Lay Church Workers

Church Law & Tax Report, July/August 2013

MICHIGAN

Statute	What is reportable “abuse”	Mandatory reporters	Where to report	Clergy privilege
Laws §§ 722.622 et seq. (2012)	“Child abuse means harm or threatened harm to a child’s health or welfare that occurs through nonaccidental physical or mental injury, sexual abuse, sexual exploitation, or maltreatment, by a parent, a legal guardian, or any other person responsible for the child’s health or welfare or by a teacher, a teacher’s aide, or a member of the clergy.”	Includes any marriage and family therapist, licensed professional counselor, social worker, school administrator, school counselor or teacher, or a regulated child care provider; and a “member of the clergy” “Member of the clergy” means “a priest, minister, rabbi, Christian Science practitioner, or other religious practitioner, or similar functionary of a church, temple, or recognized religious body, denomination, or organization.”	The Family Independence Agency	“Any legally recognized privileged communication except that between attorney and client or that made to a member of the clergy in his or her professional character in a confession or similarly confidential communication is abrogated and shall not constitute grounds for excusing a report otherwise required to be made or for excluding evidence in a civil child protective proceeding resulting from a report made pursuant to this act. This section does not relieve a member of the clergy from reporting suspected child abuse or child neglect if that member of the clergy receives information concerning suspected child abuse or child neglect while acting in any other capacity [of mandatory reporter].” [722.631]