

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

Church Law & Tax Report, July/August 2013

WISCONSIN

Statute	What is reportable "abuse"	Mandatory reporters	Where to report	Clergy privilege
Code §§ 48-981 (2011)	Physical, sexual, or mental abuse	<p>Any of the following persons who has reasonable cause to suspect that a child seen by the person in the course of professional duties has been abused or neglected: marriage and family therapist, professional counselor, school teacher, school administrator, school counselor, child-care worker in a day care center or residential care center for children and youth, day care provider.</p> <p>"A member of the clergy shall report...if the member of the clergy has reasonable cause to suspect that a child seen by the member of the clergy in the course of his or her professional duties (a) has been abused...or (b) has been threatened with abuse...and abuse of the child will likely occur."</p> <p>"A member of the clergy shall report...if the member of the clergy has reasonable cause, based on observations made or information that he or she receives, to suspect that a member of the clergy has done any of the following: (a) abused a child...or (b) threatened a child with abuse...and abuse of the child will likely occur."</p> <p>No person making a report may be discharged, disciplined, or discriminated against by his or her employer for doing so. [48-981]</p>	Department of Health Services or the sheriff or the town police	A member of the clergy "is not required to report child abuse information that he or she receives solely through confidential communications made to him or her privately or in a confessional setting if he or she is authorized to hear or is accustomed to hearing such communications and, under the disciplines, tenets, or traditions of his or her religion, has a duty or is expected to keep those communications secret. Those disciplines, tenets, or traditions need not be in writing." [48-981]