



# Where to Start Toolkit

## Mandatory Reporting Checklist



## Mandatory Reporting

### A Checklist for Advocates

- Know the federal, state, territorial, and tribal mandatory reporting laws for your jurisdiction(s).
- Develop an agency or program policy on mandatory reporting. Train on it regularly and include it with your new staff and volunteer orientations.
- Know the reporting obligations of anyone to whom you make referrals or who is part of a coordinated response. Remember that staff, volunteers and other providers may be licensed—and thus have reporting obligations—in more than one jurisdiction.
- Require staff and volunteers to inform a supervisor immediately if their mandatory reporting status changes.
- Establish protocols about how you will isolate client information from mandatory reporters involved with the program or agency when needed.
- Disclose all your mandatory reporting obligations to a victim before the victim tells you anything about their circumstances. Don't assume that someone is familiar with your policies and obligations.
- Know if minors may consent to your services and what, if any, privacy rights the minor has. For example, may a minor legally execute a retainer? What is your obligation to disclose or withhold information from a parent when a minor signs a release of information?
- Remember that if your agency receives any funding from the Violence Against Women Act (VAWA), Victims of Crime Act (VOCA), or Family Violence Prevention and Services Act (FVPSA), at least one of the following conditions must be met for you to release a victim's personally identifying or confidential information:
  - The informed, written, and reasonably time-limited consent of the victim;
  - A court order; or
  - A statutory mandate.
- Make reasonable attempts to notify the victim of any ordered or mandated disclosure of abuse or injury, and take the steps needed to protect the privacy and safety of persons affected by the release of information.
- Do not report more than the specific information you are required to report under your mandatory reporting laws.

