

152787

LEGISLATION MANDATING OR AUTHORIZING THE CREATION OF MULTIDISCIPLINARY/MULTI-AGENCY CHILD PROTECTION TEAMS

Current through December 31, 1993

152787

U.S. Department of Justice
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The National Center for Prosecution of Child Abuse maintains a collection of state statutes and relevant case law covering more than 40 areas of criminal child abuse and neglect. This compilation and others listed below represent a unique, comprehensive and up-to-date summary of state legislation significant to child abuse prosecution. The collection is updated annually and expands with the passage of new state legislation and major appellate decisions. The following summaries can be ordered from Publications, American Prosecutors Research Institute, 99 Canal Center, Suite 510, Alexandria VA 22314 (FAX: 703/549-6259):

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**Legislation Mandating or Authorizing the Creation
of Multidisciplinary/Multi-Agency Child Protection Teams***
(Current through December 31, 1993)

STATE STATUTES

Alabama	Ala. Code § 26-16-50 (1985) Ala. Code § 26-16-51 (1985)
Arkansas	Ark. Code Ann. § 12-12-502 (1991) Ark. Code Ann. § 12-12-503 (1991)
California	Cal. Welf. and Inst. Code § 18982 (1989) Cal. Welf. and Inst. Code § 18982.1 (1989) Cal. Welf. and Inst. Code § 18982.2 (1989) Cal. Welf. and Inst. Code § 18982.4 (1989) Cal. Welf. and Inst. Code § 18951 (1993) Cal. Welf. and Inst. Code § 18961.5 (1992)
Colorado	Colo. Rev. Stat. § 19-3-308(6) (1993) Colo. Rev. Stat. § 19-3-303(2) (1993)
Florida	Fla. Stat. Ann. § 415.5055 (1990) Fla. Stat. Ann. § 415.503 (1993)
Georgia	Ga. Code Ann. § 19-15-2 (1993)
Hawaii	Haw. Rev. Stat. § 588-1 (1986)
Idaho	Idaho Code § 39-6001 (1985) Idaho Code § 39-6002 (1990) Idaho Code § 39-6003 (1990)
Illinois	325 Ill. Comp. Stat. Ann. § 5/3 (1993) 325 Ill. Comp. Stat. Ann. § 5/7.1 (1992)
Indiana	Ind. Code Ann. § 31-6-11-2.1 (1993) Ind. Code Ann. § 31-6-11-14 (1993) Ind. Code Ann. § 31-6-11-15 (1993)
Kansas	Kan. Stat. Ann. § 38-1502 (1993) Kan. Stat. Ann. § 38-1523a (1990)

* This compilation includes all statutes (excluding military and tribal statutes) that encourage or mandate multidisciplinary reviews of child abuse cases. The citation date refers to the year of passage or latest amendment.

Kentucky	Ky. Rev. Stat. Ann. § 620.020 (1992) Ky. Rev. Stat. Ann. § 620.040 (1992)
Maine	Me. Rev. Stat. Ann. tit. 22, § 4091 (1989) Me. Rev. Stat. Ann. tit. 22, § 4092 (1989) Me. Rev. Stat. Ann. tit. 22, § 4093 (1989)
Maryland	Md. Code Ann., Fam. Law § 5-584 (1989)
Massachusetts	Mass. Gen. L. ch. 119, § 51D (1992)
Minnesota	Minn. Stat. § 626.558 (1990)
Missouri	Mo. Rev. Stat. § 660.520 (1990)
Montana	Mont. Code Ann. § 41-3-108 (1989)
Nevada	Nev. Rev. Stat. § 432B-350 (1985)
North Dakota	N.D. Cent. Code § 50-25.1-02 (1991) N.D. Cent. Code § 50-25.1-04.1 (1987)
Oregon	Or. Rev. Stat. § 418.747 (1993)
Pennsylvania	23 Penn. Cons. Stat. Ann. § 6365 (1990)
South Carolina	S.C. Code Ann. § 20-7-640 (1986)
South Dakota	S.D. Codified Laws Ann. § 26-8A-17 (1991)
Tennessee	Tenn. Code Ann. § 37-1-407 (1978) Tenn. Code Ann. § 37-1-607 (1988)
Utah	Utah Code Ann. § 62A-4-509 (1991)
Vermont	Vt. Stat. Ann. tit. 33, § 4917 (1982) Vt. Stat. Ann. tit. 33, § 4918 (1982)
Virginia	Va. Code Ann. § 63.1-248.6(F) (1993)
Washington	Wash. Rev. Code § 74.14B.030 (1987)
West Virginia	W. Va. Code § 49-1-3(f) (1992)
Wyoming	Wyo. Stat. § 14-3-212 (1985)

OTHER LEGISLATION

Guam	10 Guam Code Ann. § 88331 (1993)
Puerto Rico	Puerto Rico Laws Ann. tit. 8, § 422 (1980) Puerto Rico Laws Ann. tit. 8, § 436 (1988)
U.S. Code	18 U.S.C. § 3509 (a) & (g) (1990)

**Summary of Legislation Mandating or
Authorizing the Creation of Multidisciplinary/
Multi-Agency Child Protection Teams
(Current through December 31, 1993)**

ALABAMA

Ala. Code § 26-16-50 (1985)

The Department of Pensions and Security shall provide for the development and coordination of multidisciplinary child protection teams and for services to be provided by such teams throughout the state.

The teams shall be comprised of representatives from local departments of pensions and security, local law enforcement agencies, local district attorneys' offices, and local educational agencies.

The teams may also include representatives from the local health field, mental health services, local social service agencies, and local members of the legal profession. Representatives of other professions or disciplines may be included if the local teams deem them useful or necessary.

Ala. Code § 26-16-51 (1985)

The Department of Pensions and Security shall adopt guidelines and criteria relating to the operations and functions of the multidisciplinary team. The general role of the teams shall be to support activities of the children, youth and family program and to provide services to abused and neglected children upon referral by the county departments of pensions and security, or any other agency as set forth in the guidelines and criteria.

To the extent that resources are available to each of the various teams throughout the state, the functions of the teams shall include, but not be limited to, the following specific functions:

- to provide comprehensive medical and psychological programs for the identification and diagnosis of child abuse and for treatment and rehabilitation programs for abused children and their family members
- to provide case service coordination and assistance, including the types and locations of services available to abused children and their family members from other public or private agencies in the community in an effort to provide the fullest range of services while avoiding the duplication of services
- to provide for educational and community awareness campaigns on child abuse and neglect in an effort to enable citizens more successfully to prevent, identify, report, and treat child abuse and neglect victims in the community

Nothing in this section shall be construed to remove or reduce the duty and responsibility of any person to report all suspected or actual cases of child abuse or neglect or sexual abuse of a child pursuant to law.

ARKANSAS

Ark. Code Ann. § 12-12-502 (1991)

The director of the Department of Human Services shall initiate formal cooperative agreements with law enforcement agencies, prosecuting attorneys, and other appropriate agencies and individuals in order to implement a coordinated multidisciplinary team approach to intervention in reports involving severe maltreatment, and may enter into cooperative agreements with other states to create a national child maltreatment registration system.

Ark. Code Ann. § 12-12-503 (1991)

"Severe maltreatment" means sexual abuse, sexual exploitation, acts or omissions which may or do result in death, abuse involving the use of a deadly weapon, bone fracture, internal injuries, burns, immersions, suffocation, abandonment, medical diagnosis of failure to thrive, or causing a substantial and observable change in the behavior or demeanor of the child.

CALIFORNIA

Cal. Welf. and Inst. Code § 18982 (1989)

A "child abuse prevention coordinating council" is a community council whose primary purpose is to coordinate the community's efforts to prevent and respond to child abuse.

Cal. Welf. and Inst. Code § 18982.1 (1989)

Councils funded by this chapter shall encourage representatives from the following:

- public child welfare services, including the county welfare or children's services department, the probation department, and licensing agencies
- the criminal justice system, including law enforcement, the office of the district attorney, the courts, and the coroner
- prevention and treatment services communities, including medical and mental health services, community-based social services, and public and private schools
- community representatives, including community volunteers, civic organizations, and the religious community

Cal. Welf. and Inst. Code § 18982.2 (1989)

The functions of a council shall include, but not be limited to, the following:

- to provide a forum for interagency cooperation and coordination in the prevention, detection, treatment and legal processing of child abuse cases
- to promote public awareness of the abuse and neglect of children and the resources available for intervention and treatment
- to encourage and facilitate training of professionals in the detection, treatment, and prevention of child abuse and neglect

- to recommend improvements in services to families and victims
- to encourage and facilitate community support for child abuse and neglect programs

Cal. Welf. and Inst. Code § 18982.4 (1989)

The "multidisciplinary personnel" team provisions of § 18951 [below] shall apply to child abuse prevention coordinating councils funded under this chapter.

Cal. Welf. and Inst. Code § 18951 (1993)

"Multidisciplinary personnel" means any team of three or more persons who are trained in the prevention, identification and treatment of child abuse and neglect cases and who are qualified to provide a broad range of services related to child abuse. The team may include but not be limited to psychiatrists, psychologists or other trained counseling personnel, police officers or other law enforcement agents, medical personnel with sufficient training to provide health services, social workers with experience or training in child abuse prevention, and any public or private school teacher, administrative officer, supervisor of child welfare and attendance or certificated pupil personnel employee.

Cal. Welf. and Inst. Code § 18961.5 (1992)

Notwithstanding any other provision of law, any county may establish a computerized data base system within that county to allow provider agencies to share identifying information regarding families at risk for child abuse or neglect, for the purpose of forming multidisciplinary personnel teams for the prevention, identification, management, or treatment or child abuse.

COLORADO

Colo. Rev. Stat. § 19-3-308(6) (1993)

It is the intent of the General Assembly to encourage the creation of one or more child protection teams in each county or contiguous group of counties.

In each county in which reports of fifty or more incidents of known or suspected child abuse have been made to the county or district Department of Social Services or the local law enforcement agency in any one year, the county director of social services shall cause a child protection team to be inaugurated in the next following year.

The child protection team shall review the investigatory reports of a case, which shall include the diagnostic, prognostic, and treatment services being offered to the family in connection with the reported abuse.

At each meeting, each member of the child protection team shall be provided with the investigatory reports on each case to be considered.

Immediately after any executive session at which a child abuse or neglect case is discussed, the child protection team shall publicly review the responses of public and private agencies to each reported incident of child abuse or neglect, shall publicly state whether such responses were timely, adequate, and in compliance with the provisions of this section, and shall

publicly report non-identifying information relating to any inadequate responses, specifically indicating the public and private agencies involved.

After this mandatory public discussion of agency responses, the child protection team shall go into executive session to consider identifying details of the case being discussed, to discuss physicians, including psychiatrists, or when the members of the team desire to act as an advisory body concerning the details of treatment or evaluation programs.

At the team's next regularly scheduled meeting, or at the earliest possible time, the team shall publicly report whether there were any lapses and inadequacies in the child protection system, and if they have been corrected. The team shall make a report of its recommendations to the county Department of Social Services with suggestions for further action or stating that the team has no recommendations or suggestions. Contiguous counties may cooperate in meeting the requirements of this section.

Each member of the team shall be appointed by the agency he/she represents, and each team member shall serve at the pleasure of the appointing agency; except that the county director shall appoint the representatives of the lay community, including the representatives of any ethnic, racial, or linguistic minority, and shall actively recruit all interested individuals and consider their applications for appointment as lay-community representatives on the team.

The county director or his/her designee shall be deemed to be the local coordinator of the child protection team. In those counties in which child protection teams meeting the requirements of this section are currently functioning, they shall be recognized, with the consent of all members, as the functioning child protection team for that county.

The child protection team shall meet no later than one week after receipt of a report to evaluate such report of child abuse.

Colo. Rev. Stat. Ann. § 19-3-303(2) (1993)

"Child protection team" means a multidisciplinary team consisting, where possible, of a physician, a representative of the juvenile court or the district court with jurisdiction, a representative of a local law enforcement agency, a representative of the county department, a representative of a mental health clinic, a representative of a public health department, an attorney, a representative of a public school district, and one or more representatives of the lay community, at least one of whom shall be a person who serves as a foster parent in the county.

FLORIDA

Fla. Stat. Ann. § 415.5055 (1990)

The Department of Health and Rehabilitative Services shall develop, maintain, and coordinate the services of one or more multidisciplinary child protection teams in each of the service districts of the department.

The teams may be composed of representatives of appropriate health, mental health, social service, legal service, and law enforcement agencies.

The Department of Health and Rehabilitative Services shall utilize and convene the teams to supplement the protective investigation and protective supervision activities of the Children, Youth, and Families Program of the department. The role of the teams shall be to support activities of the program and to provide services deemed by the teams to be necessary and appropriate to abused and neglected children upon referral.

Nothing in this section shall be construed to remove or reduce the responsibility of any person to report all suspected or actual cases of child abuse, child neglect or sexual abuse of a child.

Fla. Stat. Ann. § 415.503 (1993)

"Child protection team" means a team of professionals established by the department to receive referrals from the protective investigators and protective supervision staff of the Children, Youth, and Families Program and to provide specialized and supportive services to the program in processing child abuse and neglect cases. A child protection team shall provide consultation to other programs of the department and other persons on child abuse and neglect cases.

GEORGIA

Ga. Code Ann. § 19-15-2 (1993)

Each county shall be required to establish a child abuse protocol committee.

The chief superior court judge of the circuit in which the county is located shall establish a child abuse protocol committee as provided in this section and shall appoint an interim chairperson who shall preside over the first meeting. Thus established, the committee shall thereafter elect a chairperson from its membership.

Each of the following agencies of the county shall designate a representative to serve on the committee:

- office of the sheriff
- county department of family and children services
- office of the district attorney
- juvenile court
- magistrate court
- county board of education
- county mental health organization
- office of the chief of police of a county in counties which have a county police department
- office of the chief of police of the largest municipality in the county
- county board of health, which shall designate a physician to serve on the committee
- office of the coroner or county medical examiner
- the chief superior court judge, who shall designate a representative from a local citizen or advocacy group which focuses on child abuse awareness and prevention

The chief superior court judge, or, after the first meeting, the child abuse protocol committee thus established may appoint such additional members as necessary and proper to accomplish the purposes of the committee.

By July 1, 1988, the committee shall have adopted a written child abuse protocol, a copy of which shall be furnished to each agency in the county handling cases of abused children. The protocol shall be a written document outlining in detail the procedures to be used in investigating and prosecuting cases arising from alleged child abuse and the methods to be used in coordinating treatment programs for the perpetrator, the family, and the child. The purpose of the protocol shall be to ensure coordination and cooperation between all agencies involved in a child abuse case so as to increase the efficiency of all agencies handling such cases, to minimize the stress created for the allegedly abused child by the legal and investigatory process, and to ensure that more effective treatment is provided for the perpetrator, the family, and the child.

Upon completion of the writing of the child abuse protocol, the committee shall continue in existence and may meet from time to time for the purpose of evaluating the effectiveness of the protocol and appropriately modifying and updating the protocol.

HAWAII

Haw. Rev. Stat. § 588-1 (1986)

There is established a children's advocacy program within the judiciary. Two of the purposes of the program shall be:

- to develop, achieve, and maintain interagency and interprofessional cooperation and coordination in the case management of intrafamilial and extrafamilial child sex abuse cases
- to provide for a multidisciplinary team and case management approach which is focused first, on the alleged or suspected child sex abuse victim's needs and conditions; second, on the family members who are supportive of the child and whose interests are consistent with the best interests of the child; and third, on law enforcement and prosecutorial needs

IDAHO

Idaho Code § 39-6001 (1985)

There is hereby created within the Department of Health and Welfare a children's trust account and a children's trust account board to administer the children's trust account.

The children's trust account board shall consist of a chairperson and 9 other members as follows:

- the chairperson and 6 other members of the board shall be appointed by the governor and shall be selected for their interest and expertise in the prevention of child abuse; there shall be 1 board member appointed from each of the 7 judicial districts of the state

- the superintendent of public instruction, the attorney general, and the director of the Department of Health and Welfare or their designees

Idaho Code § 39-6002 (1990)

The children's trust account board may:

- contract with public or private nonprofit organizations, agencies, schools or with qualified individuals for the establishment of community-based educational and service programs designed to reduce the occurrence of child abuse and neglect
- facilitate the exchange of information between groups concerned with families and children
- consult with state departments, agencies, commissions and boards to help determine the probable effectiveness, fiscal soundness, and need for proposed educational and service programs for the prevention of child abuse and neglect

Idaho Code § 39-6003 (1990)

Programs contracted for with moneys appropriated by the legislature may provide training for community-based, multidisciplinary child abuse investigations teams.

ILLINOIS

325 Ill. Comp. Stat. Ann. § 5/3 (1993)

325 Ill. Comp. Stat. Ann. § 5/7.1 (1992)

To the fullest extent feasible, the Department of Children and Family Services shall cooperate with and shall seek the cooperation and involvement of appropriate public and private agencies, including health, education, social service, and law enforcement agencies, courts of competent jurisdiction, and agencies, organizations, or programs providing or concerned with services related to the prevention, identification or treatment of child abuse or neglect.

Such cooperation and involvement shall include joint consultation, services, planning, case management, public education, information services, utilization of facilities, staff development and training, and the creation of multidisciplinary case diagnostic, case handling, case management, and policy planning teams.

The department may establish up to 5 demonstrations of multidisciplinary teams to advise, review and monitor cases of child abuse and neglect brought by the department or any member of the team. The director shall determine the criteria by which certain cases of child abuse or neglect are brought to the multidisciplinary teams. The criteria shall include, but not be limited to, geographic area and classification of certain cases where allegations are of a severe nature. Each multidisciplinary team shall consist of 7 to 10 members appointed by the director, including but not limited to representatives from the medical, mental health, educational, juvenile justice, law enforcement, and social service fields.

INDIANA

Ind. Code Ann. § 31-6-11-2.1 (1993)

Ind. Code Ann. § 31-6-11-14 (1993)

As used in this section, "team" refers to a community child protection team appointed under this section.

The team, which is a community-wide, multi-disciplinary child protection team to be known as the "community child protection team," must include the following members: the director of the local child protection service or the director's designee; the juvenile court judge's designee; the county prosecuting attorney or the prosecuting attorney's designee; the county sheriff or the county sheriff's designee; either the president of the board of county commissioners in a county not containing a consolidated city or the president's designee or the mayor of a consolidated city in a county containing a consolidated city or the mayor's designee; a director of a court appointed special advocate or guardian ad litem program or the director's designee in the county in which the team is to be formed.

The director of the county office of family and children shall appoint, subject to the approval of the director of the division of family and children the following members: either a public school superintendent or the superintendent's designee, or a director of a local special education cooperative or the director's designee; a physician or nurse; and three citizens of the community.

The team shall consist of 11 members who shall elect a team coordinator from the team's own membership.

Ind. Code Ann. § 31-6-11-15 (1993)

The "child protection team" shall provide diagnostic and prognostic service for the local child protection service or the juvenile court, and may recommend to the local child protection service that a petition be filed in the juvenile court on behalf of the subject child if it believes this would best serve the interests of the child.

KANSAS

Kan. Stat. Ann. § 38-1502 (1993)

"Multidisciplinary team" means a group of persons, appointed by the court or by the state Department of Social and Rehabilitation Services under § 38-1523a [below], which has knowledge of the circumstances of a child in need of care.

"Child in need of care" means a person less than 18 years of age who:

- is without adequate parental care, control or subsistence and the condition is not due solely to the lack of financial means of the child's parents or other custodian;
- is without the care or control necessary for the child's physical, mental or emotional health;

- has been physically, mentally or emotionally abused or neglected or sexually abused;
- has been placed for care or adoption in violation of law;
- has been abandoned or does not have a known living parent;
- is not attending school;
- except in the case of a violation of K.S.A. § 41-727 (purchase or consumption of an alcoholic beverage by a minor) or K.S.A. § 74-8810(j) (purchase of a parimutuel ticket by a minor), does an act which, when committed by a person under 18 years of age, is prohibited by state law, city ordinance or county resolution but which is not prohibited when done by an adult;
- while less than 10 years of age, commits any act which if done by an adult would constitute the commission of a felony or misdemeanor;
- is willfully and voluntarily absent from the child's home without the consent of the child's parent or other custodian;
- is willfully and voluntarily absent at least a second time pursuant to court order, if the absence is without the consent of the person with whom the child is placed or, if the child is placed in a facility, without the consent of the person in charge of such facility or such person's designee; or
- has been residing in the same residence with a sibling or another person under 18 years of age, who has been physically, mentally or emotionally abused or neglected, or sexually abused

Kan. Stat. Ann. § 38-1523a (1990)

Upon recommendation of the state Department of Social and Rehabilitation Services or the county or district attorney, the court may appoint a multidisciplinary team to assist in gathering information regarding a child alleged to be a child in need of care by reason of physical, mental or emotional abuse or neglect or sexual abuse. The team may be a standing multidisciplinary team or may be appointed for a specific child.

The multidisciplinary team may request disclosure of information in regard to a child alleged to be a child in need of care, or a child who has been adjudged to be a child in need of care, by making a written verified application to the district court. Upon a finding by the court there is probable cause to believe the information sought may assist in determining if a child is a child in need of care as defined in K.S.A. § 38-1502 [above], or in assisting a child who has been adjudicated a child in need of care, then the court may issue a subpoena, subpoena *duces tecum* or enter an order for the production of the requested documents, reports or information and directing the document, reports or information to be delivered to the applicant at a specified time, date and place.

KENTUCKY

Ky. Rev. Stat. Ann. § 620.020 (1992)

"Multidisciplinary teams" means a community child protection team composed of representatives of agencies, offices, and institutions that investigate child sexual abuse reports, provide services to victims of sexual abuse and their families, or prosecute perpetrators.

Ky. Rev. Stat. Ann. § 620.040 (1992)

One or more multidisciplinary teams may be established in every county or group of contiguous counties. Membership of the multidisciplinary team shall include representatives of the cabinet, the Kentucky State Police, other local law enforcement agencies with investigation responsibilities in child sexual abuse cases, the commonwealth's and county attorneys, and other professionals whose participation the multidisciplinary team believes is important to carry out its purpose.

The multidisciplinary team may review child sexual abuse cases referred by participating professionals, including those in which the alleged perpetrator does not have custodial control or supervision of the child, or is not responsible for the child's welfare. The purpose of the multidisciplinary team shall be to review investigations, assess service delivery, and to facilitate efficient and appropriate disposition of cases through the criminal justice system.

The team shall hold regularly scheduled meetings if new reports of sexual abuse are received or if active cases exist. At each meeting, each active case shall be presented and the agencies' responses assessed. The multidisciplinary team shall provide an annual report to the public of nonidentifying case information to allow assessment of the processing and disposition of child sexual abuse cases.

Multidisciplinary team members, and anyone invited by the multidisciplinary team to participate in a meeting, shall not divulge case information, including information regarding the identity of the victim or source of the report. Team members, and others attending meetings, shall sign confidentiality statement that is consistent with statutory prohibitions on disclosure of this information.

The multidisciplinary team review of a case may include information from reports generated by agencies, organizations, or individuals that are responsible for investigation, prosecution, or treatment in the case.

MAINE

Me. Rev. Stat. Ann. tit. 22, § 4091 (1989)

The purpose of this subchapter is to encourage the implementation of state-wide standards to be developed by the Department of Human Services and participating hospitals for the identification and management of suspected child abuse and neglect cases presented at hospitals by providing financial support for the establishment of hospital-based suspected child abuse and neglect committees.

Me. Rev. Stat. Ann. tit. 22 § 4092 (1989)

"Family support team" means a specialized team of professionals evaluating children who are suspected victims of child abuse and neglect.

"Protocols" means procedures developed for the interaction of the suspected child abuse and neglect committee and family support team.

"Suspected child abuse and neglect committee" means a committee representing public and private community agencies, hospital departments and the Department of Human Services which are directly involved in providing services to suspected victims of child abuse and victims' families.

Me. Rev. Stat. Ann. tit. 22, § 4093 (1989)

Each hospital may establish a suspected child abuse and neglect committee and family support team. The committee shall meet regularly to provide the ongoing development and monitoring of the specialized family support team and the approval of protocols. These hospitals shall serve as a resource to other institutions desiring to form such a program.

The family support team shall be coordinated by a team manager who shall be hired by the participating hospital. The team shall be available to evaluate children who are the suspected victims of abuse and neglect. The department shall contract for the services of the family support team manager.

The family support team shall provide a multidisciplinary approach for suspected child abuse cases that are initially identified in hospital emergency rooms, inpatient pediatric departments and ambulatory clinics. The child protective staff of the Bureau of Social Services shall participate on the teams. The team shall report immediately to the department as required by law.

The team shall review the nature, extent and severity of abuse or neglect and the needs of the child and other family members. The team shall develop a case plan prescription for the treatment, management and follow-up of the child abuse victims and their families, and shall forward these recommendations to the department.

MARYLAND

Md. Code Ann., Fam. Law § 5-584 (1989)

On receipt of notification of suspected child abuse, the designee of the secretary of the Department of Human Resources shall convene, either in person or by telephone, a multidisciplinary team to coordinate procedures in investigating and responding to the report.

The team shall be chaired by the secretary's designee and shall include representatives of the local department of social services and law enforcement agency that are investigating the report; representatives from the office of the local State's Attorney; and appropriate medical, including mental health, expertise.

Notwithstanding any other provision of law, the members of the multidisciplinary team shall share information necessary to carry out the team's responsibility under this section. Any information shared by the multidisciplinary team shall be confidential and may be disclosed only in accordance with state law.

On request, the state police shall provide technical assistance to a local law enforcement agency which is investigating a report of suspected child abuse concerning a child care center.

MASSACHUSETTS

Mass. Gen. L. ch. 119, § 51D (1992)

Each area director of the Department of Social Services shall, in cooperation with the appropriate district attorney, establish one or more multidisciplinary service teams to review the provision of services to children and their families who are the subject of child abuse reports.

The teams shall consist of a representative of the department who shall be the caseworker for the particular case, a representative of the appropriate district attorney, and at least one other member who is not an employee of either office, appointed by the area director (this member shall have training and experience in the fields of child welfare or criminal justice and, as far as practicable, be involved with the provision of services to these families).

The multidisciplinary team shall review and monitor the service plan developed by the department, and shall evaluate such service plan in regard to its effectiveness in protecting the child from further abuse or neglect. The team shall make recommendations regarding amendments to the service plan, the advisability of prosecuting members of the family, and the possibility of utilizing diversionary alternatives. If the team finds that services required under a plan are not provided to a family, the case shall be referred to the interagency children's services team.

The multidisciplinary team shall have full access to service plans and personal data known to the department which is directly related to the implementation of such plan. The members of the team shall be considered to be employees of the department for purposes of protecting the confidentiality of data and data shall be utilized solely to carry out the provisions of this section; provided, however, that the team may report to the district attorney the information that the family has failed to participate in the plan.

MINNESOTA

Minn. Stat. § 626.558 (1990)

A county shall establish a multidisciplinary child protection team. The team may include, but not be limited to the director of the local welfare agency or designees, the county attorney or designees, the county sheriff or designees, representatives of health and education, representatives of mental health or other appropriate human service agencies, and parent groups. The team may provide public and professional education, develop resources for prevention, intervention, and treatment, and provide "case consultation" to the local welfare agency to better enable the agency to carry out its child protection functions.

"Case consultation" means a case review process in which recommendations are made concerning services to be provided to the identified children and family. Case consultation may be performed by a committee or subcommittee of members representing human services, including mental health and chemical dependency; law enforcement, including probation and parole; the county attorney; health care; education; other necessary agencies; and persons directly involved in an individual case as designated by other members performing case consultation.

The local welfare agency may make available to the case consultation committee all records collected and maintained by the agency. A case consultation committee or subcommittee may share information acquired in the members' professional capacity with the committee or subcommittee to assist in case consultation.

MISSOURI

Mo. Rev. Stat. § 660.520 (1990)

There is hereby established in the Department of Social Services a special team which shall:

- provide training, expertise and assistance to county multidisciplinary teams for the investigation and prosecution of child sexual abuse cases
- assist in the investigation of child sexual abuse cases, upon the request of local law enforcement agencies, prosecutors, or division of family services staff
- assist county multidisciplinary teams to develop and implement protocols for the investigation and prosecution of child sexual abuse cases

The team may call upon the expertise of the Office of the Attorney General, the Missouri Office of Prosecution Services, the Missing Persons Unit of the State Highway Patrol, the Department of Health, the Department of Mental Health, or any other state agency.

Each county may develop a multidisciplinary team for the purpose of determining the appropriate investigative and therapeutic action to be initiated on child sexual abuse complaints reported to the Division of Family Services. The multidisciplinary team may include, but is not limited to a prosecutor, or his/her representative, an investigator from the Division of Family Services, a physician, a representative from a mental health care services agency, and a representative of the police agency of primary jurisdiction.

The division of family services shall provide training and assistance to county multidisciplinary teams and shall assist in the investigation of child sexual abuse cases upon the request of local law enforcement agencies, the local multidisciplinary team, or the local prosecutor.

MONTANA

Mont. Code Ann. § 41-3-108 (1989)

The county attorney or the department of family services may convene one or more temporary or permanent interdisciplinary child protective teams. These teams may assist in assessing the needs of, formulating and monitoring a treatment plan for, and coordinating services to the child and his family. The supervisor of child protective services in a local service area or his designee shall serve as the team's coordinator. Members shall include a social worker, a member of a local law enforcement agency, a representative of the medical profession, a county attorney, and if an Indian child or children are involved, someone, preferably an Indian person, knowledgeable about Indian culture and family matters.

NEVADA

Nev. Rev. Stat. § 432B-350 (1985)

An agency which provides protective services may organize one or more teams for protection of a child to assist the agency in the evaluation and investigation of reports of abuse or neglect of a child, diagnosis and treatment of abuse or neglect and the coordination of responsibilities. Members of the team serve at the invitation of the agency and must include representatives or other organizations concerned with education, law enforcement or physical or mental health.

NORTH DAKOTA

N.D. Cent. Code § 50-25.1-02 (1991)

"Local child protection team" means a multidisciplinary team consisting of the designee of the director of the regional human service center together with such other representatives the director might select for the team with the consent of the director of the county social service board. The department shall coordinate the organization of the local protection teams on a county or multi-county basis.

"State child protection team" means a multidisciplinary team consisting of at least 3 members, including the designee of the Department of Human Services and, where possible, a physician, a representative of a child-placing agency, a representative of the state Department of Health and Consolidated Laboratories, a representative of the Office of the Attorney General, a representative of the Department of Public Instruction, a representative of the Director of Institutions, one or more representatives of the lay community, or a designee of the chief executive official of any institution named in a report of institutional abuse or neglect (*ad hoc* member).

All members of the local and state teams, at the time of their selection and thereafter, shall be staff members of the public or private agencies which they represent or shall serve without remuneration. In no event shall an attorney member of the child protection team be appointed to represent the child or the parents at any subsequent court proceeding nor shall the child protection team be composed of fewer than 3 members.

N.D. Cent. Code § 50-25.1-04.1 (1987)

The Department of Human Services shall name the members of the state child protection team and its representative shall serve as chairperson. Under procedures adopted by the team, it may meet at any time, confer with any individuals, groups, and agencies, and may issue reports or recommendations on any aspect of child abuse or neglect it deems appropriate.

OREGON

Or. Rev. Stat. § 418.747 (1993)

The district attorney in each county shall be responsible for developing interagency and multidisciplinary teams. The teams shall consist of but not be limited to law enforcement personnel, Children's Services Division protective service workers, school officials, health departments, courts, and others specially trained in child abuse and child sexual abuse and rape of children investigation.

The teams shall develop a written protocol for investigating child abuse cases and for interviewing child abuse victims. In addition, each team shall develop agreements signed by member agencies that specify the role of each agency, procedures to be followed to assess risks to the child, and criteria and procedures to be followed when removal of the child is necessary for the child's safety.

Each team member and those conducting child abuse investigations and interviews of child abuse victims shall be trained in risk management, dynamics of child abuse and child sexual abuse and rape of children, and legally sound and age appropriate interview and investigatory techniques.

All investigations of child abuse and interviews of child abuse victims shall be carried out by appropriate personnel using the protocols and procedures called for in this section. If trained personnel are not available in a timely fashion and, in the judgment of a law enforcement officer or division employee, there is reasonable cause to believe a delay in investigation or interview of the child abuse victim could place the child in jeopardy of physical harm, the investigation can proceed without full participation of all personnel. This authority applies only for as long as reasonable danger to the child exists. A reasonable effort to find and provide a trained investigator or interviewer shall be made.

Protection of the child is of primary importance.

Each team shall classify, assess and review cases under investigation.

Each multidisciplinary team shall develop policies that provide for an independent review of investigation procedures of sensitive cases after completion of court actions on particular cases. The policies shall include independent citizen input. Parents of child abuse victims shall be notified of the review procedure.

PENNSYLVANIA

23 Penn. Cons. Stat. Ann. § 6365 (1990)

Each local child protective service division shall make multidisciplinary teams available as one of its services for the prevention and treatment of child abuse.

SOUTH CAROLINA

S.C. Code Ann. § 20-7-640 (1986)

Each county board of social services shall appoint an advisory board to be composed of resident professionals in the county in which the child resides, including nurses, education, health, social workers, members of the clergy, and law enforcement officials.

The purpose of the advisory board is to determine the course of protective action to be taken by the County Department of Social Services. These recommendations are to be deemed advisory only.

SOUTH DAKOTA

S.D. Codified Laws Ann. § 26-8A-17 (1991)

The Secretary of Social Services may appoint child protection teams to assist in the prevention and treatment of child abuse and neglect.

A child protection team may include licensed or certified medical and health professionals, the court services officer recommended by the presiding judge of a judicial circuit in which the team is to operate, the secretaries of social services and health or their designees, a representative of a mental health center, a representative of a public school district in which the team is to operate, an attorney, and a foster parent and one or more representatives of the public.

TENNESSEE

Tenn. Code Ann. § 37-1-407 (1978)

The Department of Human Services shall make available to each community a multidisciplinary advisory team to be known as the child abuse review team.

The team shall be composed of at least the following persons (all of whom will be chosen by the Department of Human Services): a representative of the Department of Human Services who shall serve as team coordinator; a physician; a psychologist or psychiatrist; and a social worker. A representative of the local juvenile court may participate if desired by the juvenile judge, and a representative of the local law-enforcement agency may participate if requested by the district attorney general.

The team shall review all cases in which the investigation of the Department of Human Services has resulted in a finding of child abuse in its report to the juvenile court. In reviewing the cases the team shall serve as a diagnostic and prognostic service for the department. The team may be called upon to review other cases when deemed appropriate by

the department. The team shall assist the department in its plans for treatment for the child and for the parents or person responsible for the care of the child.

Upon completion of the review of each case, the team shall make a written report of its deliberations and shall submit this report to the director of the local department office.

Tenn. Code Ann. § 37-1-607 (1988)

The Department of Human Services shall coordinate the services of child protective teams. At least one child protective team shall be organized in each county. The district attorney of each judicial district shall, by January 15 of each year, report to the judiciary committees of the senate and house of representatives on the status of the teams in the districts as required by this section, and the progress of the child protective teams which have been organized in the district.

Each team shall be composed of one person from the Department of Human Services, one representative from the District Attorney General's office, one juvenile court officer or investigator from a court of competent jurisdiction, and one properly trained law enforcement officer with county-wide jurisdiction from the county where the child resides or where the alleged offense occurred. The team may also include a representative from one of the mental health disciplines. It is in the best interest of the child that, whenever possible, an initial investigation shall not be commenced unless all 4 disciplines are represented. An initial investigation may, however, be commenced if at least 2 of the team members are present at the initial investigation.

The Department of Human Services shall convene the appropriate team when a report of child sexual abuse has been received. The role of the teams shall be to conduct child protective investigations of reported child sexual abuse and to support and provide services to sexually abused children upon referral as deemed by the teams to be necessary and appropriate for such child.

It is the intent of the Legislature that the child protective investigations be conducted by the team members in a manner which not only protects the child but which also preserves any evidence for future criminal prosecutions.

UTAH

Utah Code Ann. § 62A-4-509 (1991)

The Division of Family Services shall use an interdisciplinary approach whenever possible in dealing with reports of alleged child abuse. For this purpose the division shall convene appropriate interdisciplinary "child protection teams" to assist in its protective, diagnostic, assessment, treatment, and coordination services.

A representative of the division shall serve as the team's coordinator. Members of the team shall serve at the coordinator's invitation. Whenever possible, the team shall include representatives of health, mental health, education, law enforcement agencies, and other appropriate agencies or individuals.

VERMONT

Vt. Stat. Ann. tit. 33, § 4917 (1982)

The commissioner of Social and Rehabilitation Services, or his/her designee may empanel a multidisciplinary team wherever in the state there may be a probable case of child abuse or neglect which warrants the coordinated use of several professional services.

The commissioner of Social and Rehabilitation Services, or his/her designee, in conjunction with professional and community agencies, shall appoint members to the multidisciplinary teams, which may include persons who are trained and engaged in work relating to child abuse or neglect such as: medicine, mental health, social work, nursing, day care, education, law or law enforcement. Additional persons may be appointed when the services of those persons are appropriate for any particular case.

Vt. Stat. Ann. tit. 33, § 4918 (1982)

Multidisciplinary teams shall assist local district offices of the Department of Social and Rehabilitation Services in identifying and treating child abuse and neglect cases. The team shall assist the district office by providing case diagnosis or identification, a comprehensive treatment plan, and coordination of services pursuant to the treatment plan. The teams may also provide public information and educational services to the community about identification, treatment and prevention of child abuse and neglect. It shall foster communication and cooperation among professionals and organizations in its community, and provide such recommendations or changes in service delivery as it deems necessary.

VIRGINIA

Va. Code Ann. § 63.1-248.6(F) (1993)

The local Department of Social Services shall foster, when practicable, the creation, maintenance and coordination of hospital and community-based multidisciplinary teams. Teams shall include where possible, but not be limited to, members of the medical, mental health, social work, nursing, education, legal and law enforcement professions. The teams shall assist the local departments in identifying abused and neglected children, coordinating medical, social and legal services for the children and their families, developing innovative programs for detection and prevention of child abuse, promoting community concern and action in the area of child abuse and neglect, and disseminating information to the general public with respect to the problem of child abuse and neglect and the facilities and prevention and treatment methods available to combat child abuse and neglect. These teams may be the family assessment and planning teams established pursuant to § 2.1-753.

The local Department of Social Services shall also coordinate its efforts in the provision of these services for abused and neglected children with the judge and staff of the court.

WASHINGTON

Wash. Rev. Code § 74.14B.030 (1987)

The Department of Social and Health Services shall establish and maintain one or more multidisciplinary teams in each state region of the division of children and family services. The team shall consist of at least 4 persons, selected by the department, from professions

which provide services to abused and neglected children and/or the parents of such children. The teams shall be available for consultation on all cases where a risk exists of serious harm to the child and where there is dispute over whether out-of-home placement is appropriate.

WEST VIRGINIA

W. Va. Code § 49-1-3(f) (1992)

"Multidisciplinary team" means a group of professionals and para-professionals representing a variety of disciplines who interact and coordinate their efforts to identify, diagnose and treat specific cases of child abuse and neglect.

The teams may include, but are not limited to medical, child care, law enforcement personnel, social workers, psychologists, and psychiatrists.

Their goal is to pool their respective skills in order to formulate accurate diagnoses and to provide comprehensive coordinated treatment with continuity and follow-up for both parents and children.

"Community team" means a multidisciplinary group which addresses the general problem of child abuse and neglect in a given community, and may consist of several multidisciplinary teams with different functions.

WYOMING

Wyo. Stat. § 14-3-212 (1985)

The state agency and local child protective agency shall encourage and assist in the creation of multidisciplinary child protection teams within the communities in the state.

The local child protection team shall be composed of a member of the district attorney's office, a designated representative from the school district or districts within the area served by the team, representatives from other relevant professions, and temporary members selected for the needs of a particular case as determined by the team.

The local child protection team may:

- assist and coordinate with the state agency, the local child protective agency and all available agencies and organizations dealing with children
- facilitate diagnosis and prognosis
- provide an adequate treatment plan for the abused and neglected child and the child's family

OTHER LEGISLATION

GUAM

10 Guam Code Ann. § 88331 (1993)

Child protective agencies are authorized to establish multidisciplinary teams for the prevention, intervention and treatment of child abuse and neglect.

PUERTO RICO

Puerto Rico Laws Ann. tit. 8, § 422 (1980)

The regional and local offices of the Department of Social Services shall cooperate to the utmost and seek the cooperation of all public and private agencies, such as the police, the superior court, the Children's Affairs and Family Relations Court, agencies, organizations and programs that in some way provide services related to the identification, prevention or treatment of abused or neglected children. The coordination of the agencies shall include joint planning, public education and information services, use of each other's facilities, training and joint activities for personnel development, and the creation of a multidisciplinary, professional team for the diagnosis and treatment of the cases.

Puerto Rico Laws Ann. tit. 8, § 436 (1988)

The Commission for the Protection and Strengthening of the Family shall be responsible for coordinating the child protection services. Said coordination shall include the state agencies that provide or have functions related to the services for the prevention, identification and/or treatment of abuse or neglect cases.

U.S. CODE

18 U.S.C. § 3509 (a) & (g) (1990)

The term "multidisciplinary child abuse team" means a professional unit composed of representatives from health, social service, law enforcement, and legal service agencies to coordinate the assistance needed to handle cases of child abuse. A multidisciplinary child abuse team shall be used when it is feasible to do so.

The court shall work with state and local governments that have established multidisciplinary child abuse teams designed to assist child victims and child witnesses, and the court and the attorney for the government shall consult with the multidisciplinary child abuse team as appropriate.

The role of the multidisciplinary child abuse team shall be to provide for a child services that the members of the team in their professional roles are capable of providing.

National Center for Prosecution of Child Abuse

The National Center for Prosecution of Child Abuse was founded by the American Prosecutors Research Institute in 1985 in response to dramatic increases in child abuse cases reported to law enforcement. Its mission is to improve the investigation and prosecution of child abuse through professional specialization, court reform and interagency coordination.

By demanding full accountability for the crime of child abuse along with comprehensive support services for the child, the Center reflects the commitment of prosecutors to a particularly vulnerable group of victims. The Center is serving prosecutors' needs by providing:

Expert training and technical assistance through national and regional training conferences, on-site visits and phone consultations. Experienced trial and staff attorneys review cases, offer strategic guidance and forward up-to-date litigation and background documents in response to over 3,000 callers each year. In-depth training is provided to interdisciplinary audiences at some 70 conferences per year.

Clearinghouse on child abuse case law, statutory initiatives, court reforms and trial strategies. The Center maintains the only comprehensive collection of criminal child abuse case law and statutes--a continually updated and expanded resource. Written materials are supplemented by computer access to legal, medical and social service data bases.

Authoritative publications including the highly acclaimed guide, *Investigation and Prosecution of Child Abuse*, the informative monthly newsletter, *Update*, and a monograph series examining special issues.

Research on reducing trauma in court for child sexual abuse victims, child abuse fatalities, drug-affected children and parental abduction. The Center works closely with researchers, local prosecutors and specialists in exploring new avenues to protect children from abuse.

For information, write or call the National Center for Prosecution of Child Abuse, American Prosecutors Research Institute, 99 Canal Center, Suite 510, Alexandria, VA 22314, 703/739-0321. FAX: 703/549-6259.