

Division of Public Defender Services
Social Workers as Mandated Reporters Policy

It shall be the policy of the Office of Chief Public Defender that until the legislature provides more clarity as to whether or not social workers employed by the Division of Public Defender Services may be subject to the reporting requirements of ***C.G.S. §17A-101, Protection of Children from abuse. Mandated reporters. Educational and training programs. Model mandated reporting policy***, public defender social workers need to conduct themselves as if they are mandated reporters when in those situations contemplated by the statute.

Division attorneys and social workers shall attend training as offered by the Division in regard to the mandated reporter statutes.

Upon assignment of a criminal, juvenile or child protection matter and prior to referring any client to the social worker, Division attorneys shall review all police reports, interview the client, and advise the client of the limits of confidentiality and notify the client that the social worker has an obligation to report certain conduct and/or information that the client may provide.

Upon receiving a referral from an attorney, at the beginning of the client interview, the social worker shall reiterate the limits of confidentiality and notify the client that the social worker has an obligation to report certain conduct and/or information that the client may provide.

If during the client interview the social worker receives information from the client that the social worker determines requires that the social worker make a report pursuant to the statutes, the social worker may consult with the Chief Social Worker for the Division. The determination as to whether a report is required rests solely with the social worker. No employee of the Division shall hinder or prevent, or attempt to hinder or prevent, the independent determination by the social worker that a report is required by the statutes.

Once a social worker has made a report as required by the statutes, the social worker shall immediately advise the supervisor of the office, as well as counsel of record for the client, that a report was made and the factual basis for the report. The purpose of this notice is to enable the supervisor of the office to determine whether a conflict of interest exists which requires that the case be assigned to Assigned Counsel. Such a determination as to whether a conflict of interest exists shall be made on a case by case basis.

After the social worker has made a report as required by the statutes, the social worker shall also notify a person designated by the Chief Public Defender that a report was made, the factual basis for the report and whether the case was assigned to Assigned Counsel due to a conflict of interest. The designee of the Chief Public Defender shall track and provide an accounting to the Chief Public Defender annually for statistical purposes.

Per Commission vote on 8/5/2014

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I have received and reviewed the policy on Social Workers as mandated reporters in regards to their work in the Division

Employee Signature

Date

Employee Name (Please print)

Human Resources Representative