

Child Abuse Laws Change

RALEIGH -- Significant changes in North Carolina's laws covering child abuse and neglect became effective on Jan. 1, 1980, according to Dr. Sarah T. Morrow, secretary of the N.C. Department of Human Resources.

"We are approaching a period where our economy will be struggling during 1980. Experts agree that economic stress contributes to child abuse and neglect. We hope our citizens will report their suspicions to their county social services departments across the state, she said.

She said some of the changes in the laws were recommended by a comprehensive study on protective services for children conducted by her department and presented to the 1979 session of the General Assembly.

"The definition of child abuse now also includes that an abused juvenile is one whose parents or guardians create or allow to be created serious emotional damage and refuse to permit, provide for or participate in treatment for the damage. It is also considered abuse when these same adults encourage, direct or approve of delinquent acts involving moral turpitude.

"Under the new law any person or institution who has cause to suspect that a child is being abused or neglected is required to report it to the social services director in the county where the child lives. Under the old law, lay people were required to report only when they had actual knowledge of such an act and only professionals were required to report suspected abuse or neglect.

"Complaints alleging child abuse, neglect or dependency must now be referred to the county director of social services instead of the courts. It is up to the county social services director to determine if a petition should be filed with the clerk of court.

"County directors of social services are required to make prompt and thorough investigations of suspected cases of abuse and neglect including a visit to the child's residence. Should a protective service worker determine it to be necessary, the worker now has the authority to assume temporary custody of the child.

"The new law also requires notification in writing of the individual making a report of suspected abuse and neglect within five days of receiving the report. If the individual is not satisfied with a decision not to petition the courts, he may request a review by the prosecutor, but he must notify the prosecutor within five days of the director's notification.

"Any physician or administrator of a hospital, clinic or other similar medical facility to which an abused child is brought for medical diagnosis or treatment now has the right to retain custody of the child when authorized by the chief district court judge. The judge makes this decision when the physician who examines the child certifies in writing that the child should remain for medical reasons or that the physician considers it unsafe for the child to return to his parent.

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