

REPORTS OF CHILD ABUSE AND NEGLECT

June 11, 2014

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Inadequate Supervision

The child has been placed in a situation or circumstances that are likely to require judgment or actions greater than the child's level of maturity, physical condition, and/or mental abilities would reasonably dictate. *A child shall not be considered neglected for the sole reason that the child's parent or other person responsible for his or her welfare has left the child in the care of an adult relative for any period of time.* [325 ILCS 5/3] Examples include, but are not limited to:

- Leaving children alone when they are too young to care for themselves.
- Leaving children alone who have a condition that requires close supervision. Such conditions may include medical conditions, behavioral, mental, or emotional problems, or developmental or physical disabilities.
- Leaving children in the care of an inadequate or inappropriate caregiver.
- Being present but unable to supervise because of the caregiver's condition (This includes (1) the parent or caretaker who repeatedly uses drugs or alcohol to the extent that it has the effect of producing a substantial state of stupor, unconsciousness, intoxication or irrationality and (2) the parent or caretaker who cannot adequately supervise the child because of his or her medical condition, behavioral, mental, or emotional problems, or a developmental or physical disability).
- Leaving children unattended in a place that is unsafe for them when their maturity, physical condition, and mental abilities are considered.

Factors To Be Considered

The following factors are to be considered when determining whether a child is inadequately supervised.

Child Factors

- The child's age and developmental stage, particularly related to the ability to make sound judgments in the event of an emergency.
- The child's physical condition, particularly related to the child's ability to care for or protect himself or herself. Is the child physically or mentally handicapped or otherwise in need of ongoing prescribed medical treatment such as periodic doses of insulin or other medications?
- The child's mental abilities, particularly as they relate to the child's ability to comprehend the situation.

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Caregiver Factors

- Presence or Accessibility of Caregiver
 - How long does it take the caregiver to reach the child?
 - Can the caregiver see and hear the child?
 - Is the caregiver accessible by telephone?
 - Has the child been given access to a phone and numbers to call in the event of an emergency?
- Caregiver's Capabilities
 - Is the caregiver mature enough to assume responsibility for the situation?
 - Does the caregiver depend on extraordinary assistance to care for self and the child, i.e., meal preparation, laundry, grocery shopping, transportation? Is the caregiver without consistent or reliable assistance?
 - Is the child assuming primary care giving duties, i.e., meal preparation, laundry, grocery shopping, transportation?
- Caregiver's Physical Condition
 - Is the caregiver physically able to care for the child? Do the caregiver's own health needs present serious obstacles to the care and well-being of the child?
- Caregiver's Cognitive and Emotional Condition
 - Is the caregiver able to make appropriate judgments on the child's behalf?
 - Do the caregiver's own health needs present serious obstacles to the care and well-being of the child?

Incident Factors

- What is the frequency of occurrence?
- What is the duration of the occurrence (as related to the "child factors" above)?
- What is the time of the day or night when the incident occurs?
- What is the condition and location of the place where the minor was left without supervision?

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- What were the weather conditions, including whether the minor was left in a location with adequate protection from the natural elements such as adequate heat or light?
- Were there other supporting persons who are overseeing the child? Was the child given a phone number of a person or location to call in the event of an emergency, and whether the child was capable of making an emergency call?
- Was there food and other provisions left for the child?
- Are there other factors that may endanger the health and safety of the child?

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Abandonment/Desertion

Abandonment

Abandonment is parental/legal guardian conduct that demonstrates the purpose of relinquishing all parental/legal rights and claims to the child. Abandonment is also defined as any parental or caregiver conduct that evinces a settled purpose to forego all parental/legal claims to the child.

Desertion

Desertion is any conduct on the part of a parent or legal guardian which indicates that the parent or legal guardian has no intention, now or in the future, to maintain any degree of interest, concern or responsibility for the child. Desertion includes leaving a child with no apparent intention to return unless the child has been left in the care of a relative.

Examples:

- Leave a baby on a doorstep;
- Leave a baby in a garbage can;
- Leave a child with no apparent intention to return;
- Leave a child with an appropriate caregiver without a proper plan of care.