

AMERICAN CAMP ASSOCIATION

2012 Quick Reference Guide

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ALABAMA

Statute of Limitations:

- **Personal Injury: 2-year SOL** under Code of Ala. § 6-2-38(1) (2012)
 - **Tolling:** If under the age of 19 at time of injury, claimant may bring suit within 2 years of reaching 19 - Code of Ala. § 6-2-8 (2012)
- **Wrongful Death: 2-year SOL** under Code of Ala. § 6-2-38(a) (2012)

Statutory Requirements to Report Child Abuse:

- The following people, firms, corporations, and officials **are required** to report child abuse:
 - Hospitals, clinics, sanitariums, doctors, physicians, surgeons, medical examiners, coroners, dentists, osteopaths, optometrists, chiropractors, podiatrists, **nurses**, school teachers and officials, peace officers, law enforcement officials, pharmacists, social workers, day care workers or employees, mental health professionals, members of the clergy, **or any other person called upon to render aid or medical assistance to any child** – Code of Ala. § 26-14-3 (2012)
- All other people or entities **may** report child neglect or abuse if there is reasonable cause to suspect such an issue, but there is no legal duty to do so
- Code of Ala. § 26-14-4 (2012)
- Reports made in good faith entitle the reporting person or entity to civil and criminal immunity from lawsuits incurred or imposed by reporting - Code of Ala. § 26-14-9 (2012)
- A person who is required to make a report and knowingly fails to do so is guilty of a misdemeanor punishable by up to six months in prison and up to \$500.00 - Code of Ala. § 26-14-13 (2012)

FLORIDA

Statute of Limitations:

- **Personal Injury: 4-year SOL** under Fla. Stat. § 95.11(3)(a) (2012)
 - **Tolling**: If party is under the age of 18 at time of injury, the statute of limitation is tolled until they reach the age of 18 – Fla. Stat. § 95.051 (2012)
- **Wrongful Death: 2-year SOL** under Fla. Stat. § 95.11(4)(d) (2012)

Statutory Requirements to Report Child Abuse:

- *Any* person or institution who knows, or has reasonable cause to suspect, that a child is abused, abandoned, or neglected **must** report such knowledge or suspicion - Fla. Stat. § 39.201(1) (2012)
- Reports must be made by calling (800) 962-2873, or submitting a report online at <http://www.dcf.state.fl.us/abuse/report> or by fax at (800) 914-0004 - Fla. Stat. § 39.201(2) (2012)
- Reports made in good faith entitle the reporting person or entity to civil and criminal immunity from lawsuits incurred or imposed by reporting - Fla. Stat. § 39.203 (2012)
- Anyone who knowingly or willingly fails to report child abuse, or knowingly or willfully prevents another person from doing so, is guilty of a first degree misdemeanor punishable by up to one year in prison and up to a \$1,000.00 fine - Fla. Stat. § 39.201(2), 775.082(4)(a), 775.083(1)(d) (2012)

GEORGIA

Statute of Limitations:

- **Personal Injury: 2-year SOL** under O.C.G.A. § 9-3-33 (2012)
 - **Tolling:** If under the age of 18 at time of injury, claimant may bring suit within 2 years of reaching 18 – O.C.G.A. § 9-3-90, 39-1-1 (2012)
- **Wrongful Death: 2-year SOL** under O.C.G.A. § 9-3-33 (2012)

Statutory Requirements to Report Child Abuse:

- Under Georgia the following people, firms, corporations, and officials **are required** to report child abuse:
 - Physician, hospital or **medical personnel**, dentists, psychologists, podiatrists, nurses, professional therapists, school teachers, child welfare agency personnel, child counseling personnel, child service organization personnel, law enforcement, and reproductive health care providers – O.C.G.A. § 9-7-5(c)(1) (2012)
- All other people or entities may report child neglect or abuse if there is reasonable cause to suspect such an issue, but there is no legal duty to do so – O.C.G.A. § 9-7-5(d) (2012)
- Reports made in good faith entitle the reporting person or entity to civil and criminal immunity from lawsuits incurred or imposed by reporting – O.C.G.A. § 9-7-5(f) (2012)
- A person or entity who is required to report known or suspected child abuse but who knowingly or willfully fails to do so is guilty of a misdemeanor – O.C.G.A. § 9-7-5(h) (2012)

NORTH CAROLINA

Statute of Limitations:

- **Personal Injury: 3-year SOL** under N.C. Gen. Stat. § 1-52(16) (2012)
 - **Tolling**: If under the age of 18 when injury occurred, statute of limitations is tolled until claimant reaches 18. - N.C. Gen. Stat. § 1-17 (2012)
- **Wrongful Death: 2-year SOL** under N.C. Gen. Stat. § 1-53(4) (2012)

Statutory Requirements to Report Child Abuse:

- *Any* person or institution who has cause to suspect that any juvenile is abused, neglected, or abandoned **must** report the case to the director of the department of social services in the county where the juvenile resides or is found – N.C. Gen. Stat. § 7B-301 (2012)
- The report may be made orally, by telephone, or in writing and should contain: the name and address of the juvenile; the name and address of the juvenile's parent, guardian, or caretaker; the age of the juvenile; the names and ages of other juveniles in the home; the present whereabouts of the juvenile if not at the home address; the nature and extent of any injury or condition resulting from abuse, neglect, or dependency; and any other information which the person making the report believes might be helpful in establishing the need for protective services or court intervention – N.C. Gen. Stat. § 7B-301 (2012)
- A person who reports or testifies in good faith regarding child abuse is immune from civil or criminal liability arising out of the report – N.C. Gen. Stat. § 7B-309 (2012)

SOUTH CAROLINA

Statute of Limitations:

- **Personal Injury: 3-year SOL** under S.C. Code Ann. § 15-3-530(5) (2012)
 - **Tolling:** If under the age of 18 at time of injury, claimant may bring suit within 1 year of reaching 18 - under S.C. Code Ann. § 15-3-40 (2012)
- **Wrongful Death: 3-year SOL** under S.C. Code Ann. § 15-3-530(6) (2012)

Statutory Requirements to Report Child Abuse:

- Under South Carolina law the following people, firms, corporations, and officials **are required** to report child abuse:
 - Physicians, **nurses**, dentists, optometrists, medical examiners, coroners, any medical or mental health personnel, clergy members, school teachers, counselors, principals or assistant principals, childcare workers in childcare center or foster care facility, foster parents, law enforcement officers, juvenile justice workers, and computer technicians - S.C. Code Ann. § 63-7-310(a),(b) (2012)
- All other people or entities are encouraged to report child neglect or abuse if there is reasonable cause to suspect such an issue, but there is no legal duty to do so - S.C. Code Ann. § 63-7-310(c) (2012)
- Reports of child abuse or neglect may be made orally by telephone or otherwise to the county department of social services or to a law enforcement in the county where the child resides or is found - S.C. Code Ann. § 63-7-310(d) (2012)
- A person who is required to make a report and knowingly fails to do so is guilty of a misdemeanor punishable by up to six months in prison and up to \$500.00 - S.C. Code Ann. § 63-7-420 (2012)
- A person who reports or testifies in good faith regarding child abuse is immune from civil or criminal liability arising out of the report - S.C. Code Ann. § 63-7-390 (2012)

*****DISCLAIMER: The information contained in this quick reference guide does not constitute legal advice and is for general information and reference purposes only. You should not act or rely on the information contained herein without first seeking the advice of an attorney.*****