



**National  
Children's  
Alliance®**

*The Force Behind  
Children's Advocacy Centers*

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# Respect for Child Survivors Act

## Frequently Asked Questions

### What is the Respect for Child Survivors Act?

The Respect for Child Survivors Act was signed into law on January 5, 2023 and codifies into law the formal agreement and active collaboration between FBI and CACs across the country. This new law both strengthens and expands the partnership CACs currently have with the FBI to provide a more effective and comprehensive MDT response.

The [full law](#) can be reviewed here and includes that:

- The FBI have a memorandum of understanding (MOU) with a nationally accrediting organization for CACs that allows for making CAC services available to FBI field offices, makes FBI agents and personnel aware of the MOU, and reflects a trauma-informed, victim-centered approach, and provides for case review.
- Victims of covered crimes must be interviewed by a trained forensic interviewer—whether an FBI forensic interviewer or a CAC forensic interviewer. *This is an important milestone as it is the first piece of federal legislation that provides victims of certain federal crimes the right to a trained forensic interviewer.*
- An MDT approach be used for the cases outlined in the Act, including periodic case review.
- CACs shall be granted access to the case information necessary to perform their role conducting forensic interviews and providing mental health treatment, medical care, and victim advocacy for FBI cases.

## **What does this law mean for the current FBI-NCA MOU?**

The 2022 FBI-NCA MOU is active and in effect. All Accredited CACs are eligible and encouraged to sign on to participate in the current MOU. The MOU provides a foundation for effective partnership between CACs and the FBI, and many of the elements in this law are already recognized in the MOU. There is nothing in the current MOU that conflicts with the provisions of this law. At this time, there are no plans to update or develop a new MOU prior to the term of the agreement (May 2027); however, we and the FBI await official DOJ legal guidance regarding the implementation of the law and what, if any, additional action needs to be taken to ensure the new law is in effect. When the MOU is revisited at the end of the term, FBI and NCA will explore opportunities for increasing specificity to reflect what is outlined in the law.

## **When will CACs notice changes in their work with the FBI?**

The processes and practices of FBI partners in local field offices are driven by policy and guidance from the Department of Justice. As such, there will likely be no changes in operations until formal written legal guidance is issued to FBI field offices. CACs should not expect major changes in how they work and exchange information with FBI partners until such guidance is issued. NCA is working with our FBI partners to track any guidance and updates that are issued and will communicate those to the field when we become aware of them.

## **Does this Act's provisions on case review conflict with the MOU requirements?**

No. The MOU states that CACs may not conduct case review on an FBI case without FBI participation or permission. The Respect for Child Survivors Act requires that FBI utilize an MDT approach for covered cases including case review. These requirements are complimentary, as FBI participation in case review on FBI cases is essential for practice, required in the MOU, and now required by the Act.

## **Can FBI partners now share more information with CACs?**

The Act states that CACs shall have access to information for “conducting forensic interviews and providing mental health treatment the case information necessary to perform their role, medical care, and victim advocacy for FBI cases.”

The Act outlines the types of information that may be deemed necessary including victim service needs and referrals addressed by the victim advocate as well as “any other information required for a children’s advocacy centers as a part of the standards of practice of the children's advocacy center.”

The Act provides clarification of the types of information that can be shared and, in many cases, may be more information than CACs have received from FBI to date. While no changes will be seen in the field until guidance is issued to FBI field offices, this aspect of the law may support better case outcomes, as we know the quality of cases improves when all those working on a case have access to information about the case.