

# New Training Manual for Florida's Supervised Visitation Programs

## CHAPTER

### WORKING WITH THE COURT

#### Case Scenario

Maxwell has been referred to supervised visitation with his two children, ages 5 and 14, by the family court. Maxwell has a history of substance abuse, and recently served a jail sentence after being pulled over for driving under the influence with his children in the car. The children are currently staying with their mother Maggie, who has been separated from Maxwell for several years. The monitor assigned to the case is required to understand their program's Agreement with the Court, understand how to provide safe visits, and understand how to keep a record of the visits with Maxwell and his children as part of that responsibility.

*After completion of this chapter, you will be able to answer the following questions:*

- What elements may be included in the program's Agreement with the Court?
- How should the monitor communicate with the court regarding Maxwell's case?
- What information about Maxwell and his children should the monitor include in the visit record?
- How often will the monitor have to communicate with the court about Maxwell's case?
- What should the monitor do if Maxwell's previous employer requests information regarding the visits?

## Introduction

This chapter describes how cases are ordered by the court to supervised visitation programs and outlines the requirements for Program Agreements with the court. In addition, the chapter describes how visit records are compiled, used, and maintained. Communication with the court by program directors and staff is also discussed, as well as the purpose of and preparation for staff testifying in court about a case. Frequently asked questions about working with the court are also addressed.



## What will I learn in this chapter?

*Upon completion of this chapter, a visit monitor will be able to:*

- Describe the kinds of cases that can be court-ordered to supervised visitation;
- Identify the authority responsible for determining the range of cases accepted by programs;
- Discuss the ways that programs communicate with the court;
- Describe four different kinds of reports to the court;
- List the typical elements of a report to the court;
- Identify the role of program staff in testifying in court about a case.

## Snapshots and Facts

- Courts refer cases to supervised visitation programs when the judge or magistrate has reason to believe that the child could be endangered by visiting with a parent in an unsupervised setting.
- Families are most often referred to Supervised Visitation in order to safely implement:
  - Juvenile Dependency case plans;
  - Divorce-related parenting plans; or
  - Domestic Violence Injunction-related parenting plans.

## Cases Referred by the Court

The majority of cases ordered to supervised visitation program are referred by judges in circuit courts in Florida. Most cases originate as juvenile dependency cases (governed by Chapter 39, Florida Statutes), divorce-related court cases (governed by Chapter 61, Florida Statutes), or cases that are part of an Injunction for Protection Against Domestic Violence (Florida Statute 741.30). Cases can also come from criminal court.



### **Juvenile Dependency Cases**

As the Supreme Court Steering Committee on Families and Children in the Court explains:

Any time there is a concern that a child has been or is in immediate danger of being abused, abandoned, or neglected it is heard in Juvenile Dependency Court. This kind of court is all about making sure that children are safe and protected and helping families with the problems that brought them into court in the first place.

Dependency court is not about punishing parents or handling criminal charges.

### **Family Law Cases**

Divorce and post-divorce-related cases can also include allegations that one parent abused or neglected the child, or allegations that the child is unsafe if unsupervised with a parent because of the parent's substance abuse, mental illness, threats of kidnapping, domestic violence, or other type of parental problem.

### **Domestic Violence Injunction Cases**

When one parent has obtained an Injunction for Protection Against Domestic Violence against the other parent, courts sometimes order that any visitation between the Respondent parent and the children be supervised.

### **Scope of Services**

According to the Minimum Standards, supervised contact programs must determine the range of services they offer, dependent upon available resources. The Standards add that if resources permit, services must be available for dependency, family law, domestic violence cases or other cases as designated by the chief judge. The scope of services should be clearly defined in the program agreement.

### **Agreements with Court**

Court referrals require an Agreement with the Court in the circuit in which the program is located that specifies the following:

1. the scope and limitations of the provider's services,
2. the local procedures for court referrals, and
3. the manner and procedures for communicating with and providing reports to the court.

An Annual Affidavit of Compliance is also necessary.



**The Scope and Limitations of the Provider's Service might include:**

1. A list of the kinds of cases that the program can accept.
  - Some programs cannot accept cases involving allegations of child sexual abuse because of inadequate staff expertise or security personnel (see chapter on Child Physical and Sexual Abuse).
  - Some programs may be required by contract with DCF to accept a certain number of dependency cases, and only have a limited number of 'slots' available for other kinds of cases.
2. The circumstances under which a particular case may be declined by the program, such as:
  - The volatile nature of the case or client, after consideration of the facts and background of the case;
  - The fact that staff may not be adequately trained to manage issues identified during intake;
  - The fact that security provided by the facility may not be adequate to keep the families, staff, or surrounding community safe;
  - Insufficient resources.
3. The fact that the program's written operational policies and procedures are incorporated into the Program Agreement.





### **The Procedures for Court Referrals to the Provider might include:**

1. The means by which the program can receive referrals from the court. There are two issues that must be resolved:
  - Who provides the court with an order to sign?
  - Who delivers the court order to the program?
- In some circuits, it is the parties or their attorneys who deliver the court order to the Supervised Visitation Program.
- In others, the clerk of court has a designated spot for the orders to be placed, and visitation program staff collect the orders periodically.

### **The Manner and Procedures for communicating with the court and providing written reports to the court might include:**

The ways include written reports or verbal communication (in a pre-determined manner), and may be made immediately upon incident, upon request from the court or agency, or by subpoena duces tecum.

This provision exists because supervised visitation programs need a way to send documentation to the court; they are not parties to the cause.

This documentation may include:

1. visit reports, which are accounts of events that took place at a visit;
2. critical incident reports, which provide a detailed account of potentially harmful behavior exhibited by a parent or child, either toward another client or program staff/volunteer during a visit;
3. termination notices, when a case has been terminated from the program



## DID YOU KNOW?

**A Supervised Visitation Program may decline to accept a particular case because the program does not have the expertise (e.g., a sexual abuse case) or have adequate security on site (e.g., a domestic violence case).**

# Sample Letter of Agreement

IN THE CIRCUIT COURT,  
\_\_\_\_\_  
JUDICIAL CIRCUIT,  
IN AND FOR \_\_\_\_\_ COUNTY, Florida

LETTER OF AGREEMENT BETWEEN \_\_\_\_\_ VISITATION  
PROGRAM and THE \_\_\_\_\_ JUDICIAL CIRCUIT

This Letter of Agreement outlines specific criteria to be used by the Judicial Circuit, and the Safe Visits Program. These criteria are necessary to protect all families referred to the Sunshine Visitation Program, as well as staff, volunteers, and the surrounding community.

The COURT agrees to the following:

1. To ensure that referrals are appropriate for the level of service available in a program.

2. To work with staff of Sunshine Visitation Program to establish policies and guidelines to protect all families referred to supervised visitation. The court acknowledges that cases involving domestic violence and/or child sexual abuse require special precautions and staff training.

3. To authorize Sunshine Visitation Program staff to accept or decline court referrals. Programs shall decline to accept a case for which they cannot reasonably ensure the safety of all clients, program staff, and volunteers, including but limited to the following reasons:

- a. The volatile nature of the case or client.
- b. Visitation personnel are not adequately trained to manage issues identified in the intake.
- c. Facilities are not adequate to provide the necessary level of security.
- d. Insufficient resources.
- e. Conflict of interest.

4. To establish a timely mechanism for review of cases referred to Sunshine Visitation Program.

(This might include a provision that each case be reviewed after a certain number of visits, or weeks, or months. For example: The court will schedule each case for a review hearing to check on the status of the case every four months.)



**5. To establish protocols for appropriate communication between the court and the Visitation program.** For example:

The program shall provide copies of all critical incident reports directly to the judge's assistant on yellow paper and provide a copy to the Clerk of Court for filing in the court file.

**6. To pay for any services needed to accommodate a family's language barriers or special needs, including sign language interpreters, foreign language interpreters, etc.**

**The Safe Visit Program agrees to the following:**

**1. To ensure that all staff who monitor visits have specific training in child development, child abuse indicators, child sexual abuse, domestic violence, mental health, substance abuse, parental alienation, cultural diversity and crisis intervention consistent with training from the Clearinghouse on Supervised Visitation and documented in personnel files.**

**2. To accept only those case referrals for which staff have the requisite case background material, training, and security in place to safely monitor contact.**

**3. To decline any referrals of cases when staff lack necessary training or education, when background material has not been received, or where lack of appropriate security may allow re-victimization of child.**

**4. To establish guidelines for staff to utilize in all cases, including specific guidelines for use in cases involving domestic violence and child sexual abuse. All guidelines should be pre-approved by the court.**

**5. To develop policies for handling and reporting of critical incidents.**

**6. To suspend visits in cases when the child appears to be traumatized by the visit, or when the visiting parent engages in inappropriate behavior or violates program rules.**

Chief Judge's Signature and Date \_\_\_\_\_

Program Director's Signature and Date \_\_\_\_\_

Safe Visits Florida



### Affidavit of Compliance

The Safe Visit, Florida Program is in compliance with the Minimum Standards for Supervised Visitation as set forth by the Administrative Order of the Supreme Court of Florida dated November 18, 1999, and in accordance with Administrative Order (Number) of the (Blank) Judicial Circuit Court.

This affidavit of compliance was completed by (Name of Director) on the (DATE) day of (MONTH) (YEAR) while acting in his/her official capacity of Program Director for the Safe Visits Florida Program.

\_\_\_\_\_  
Affiant's Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**Notary Seal**

IN THE CIRCUIT COURT,  
\_\_\_\_\_, JUDICIAL CIRCUIT, IN AND FOR  
\_\_\_\_\_, COUNTY, FLORIDA  
CASE NUMBER: \_\_\_\_\_  
DIVISION: \_\_\_\_\_

In the Interest of \_\_\_\_\_  
D.O.B. \_\_\_\_\_

**ORDER FOR SUPERVISED VISITATION IN DEPENDENCY CASES**

PURSUANT TO FLORIDA STATUTES, the Court hereby orders as follows:

1. There have been (circle one) findings or allegations of (check one or more of the following)

- child abuse  child neglect  abandonment  
 other: \_\_\_\_\_

2. Check one:  The mother \_\_\_\_\_ and/or  the father  
\_\_\_\_\_

and/or other is/are hereby ordered to use the Visitation Program with the following minor children:

- a. \_\_\_\_\_ d/o/b: \_\_\_\_\_  
b. \_\_\_\_\_ d/o/b: \_\_\_\_\_  
c. \_\_\_\_\_ d/o/b: \_\_\_\_\_  
d. \_\_\_\_\_ d/o/b: \_\_\_\_\_  
e. \_\_\_\_\_ d/o/b: \_\_\_\_\_

3. Within \_\_\_\_\_ days the Child Protective Investigator or the Dependency Caseworker or case/care manager will provide to the supervised visitation program a completed Standard Program Referral Form.
4. The frequency and length of the visits will be pursuant to Program policies or \_\_\_\_\_ subject to the availability of program resources.
5. Transportation:
- a.  DCF/Sheriff's Department will transport, or arrange for the transport of the child.  
b.  The Community Based Care agency will transport, or arrange for the transport.  
c.  Other: \_\_\_\_\_
6. The Policies and Procedures of the Visitation Program are hereby incorporated by reference into this Order and the parties are ordered to comply with all rules, regulations and policies of the program.
7. The child protective investigator, or dependency case worker/care manager shall contact the program at (phone number) \_\_\_\_\_ within three days of the hearing at which

supervised visitation is ordered to schedule an intake/orientation for the visiting parent. No visitation will occur until the visiting parent(s) have completed an intake/orientation.

8. The program may decline to accept a case, and may suspend or terminate an open case, for the following reasons:
  - a. The case will place or places an undue demand on the program's resources;
  - b. One or both of the parents have failed to comply with the visitation agreement, the directives of the visit supervisor, or the Court's Order;
  - c. Safety issues cannot be effectively addressed by the program.
9. Written notification shall be provided to the Court and to the case worker/case manager if any case is declined, suspended, or terminated.
10. The non-custodial parent shall not remove the child(ren) from the premises of the Supervised Visitation Program without program/court authorization from the supervised visitation program. Should the noncustodial parent (or another person acting on his behalf) do so, law enforcement authorities including, but not limited to the [local police and sheriff's office], are hereby directed and authorized to use all reasonable means necessary to return the child(ren) to the Custodian of Record.

11. Special considerations:

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12. Supervised Visitation Program Reports will be provided to the Court/Case manager (circle one) every six months or as follows:

DONE AND ORDERED at \_\_\_\_\_ Florida on the  
day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

Copies to:  
Program  
Petitioner  
Respondent

By order of this Court, pursuant to §§ 39.0132(4)(a), 39.0139(4) & (5), and 39.814(4), this order on Supervised Visitation may be provided only to the parties to the case and to the visitation center at which the court ordered visitation is to occur. Further dissemination is prohibited.

IN THE CIRCUIT COURT,  
\_\_\_\_\_, JUDICIAL CIRCUIT, IN AND FOR  
\_\_\_\_\_, COUNTY, FLORIDA  
CASE NUMBER: \_\_\_\_\_  
DIVISION: \_\_\_\_\_

PETITIONER NAME \_\_\_\_\_ Petitioner,  
-and  
RESPONDENT NAME \_\_\_\_\_ Respondent.

**ORDER FOR SUPERVISED VISITATION (Non-dependency cases)**

PURSUANT TO FLORIDA STATUTES, the Court hereby orders as follows:

1. Both parties are ordered to comply with this Court Order.

(Check one)  The petitioner or  respondent or  other is hereby ordered to use the Visitation Program to have contact with the following minor children:

a. \_\_\_\_\_ d/o/b: \_\_\_\_\_  
b. \_\_\_\_\_ d/o/b: \_\_\_\_\_  
c. \_\_\_\_\_ d/o/b: \_\_\_\_\_  
d. \_\_\_\_\_ d/o/b: \_\_\_\_\_

2. Check One:

- Visitation is strictly limited to the minor children and the visiting parent.  
 Visitation is between the minor children, the visiting parent, and visitors authorized by the court and/or the program, pursuant to specific program policies regarding safety and accountability.  
 Visitation is in accordance with the Limitations on Visitation set forth in the attached Final Judgment of Injunction.

3. Frequency of visits: Visits shall be held according to program policy, or described below:

4. Every visitation program has unique policies with regard to costs. The costs of the supervised visitation program will be allocated as follows:

5. Failure to pay may result in the Court issuing a judgment against the responsible party, suspension of visitation or such other sanctions as may be appropriate, including Contempt of Court.

6. The Policies and Procedures of the Visitation Program are hereby incorporated by reference into this Order and the parties are ordered to comply with all rules, regulations, and policies of the program.

7. The parties shall contact the program at (phone number) \_\_\_\_\_ to schedule an intake/orientation. No visitation will occur until the parties have completed an intake/orientation.

8. This order will be automatically rescinded 30 days after its issue date if it is not acted upon by the visiting party unless otherwise noted here:
9. The program may decline to accept a case, and may suspend or terminate an open case, for the following reasons:
- The case will place or places an undue demand on the program's resources;
  - One or both of the clients have failed to comply with the visitation agreement, the directives of the visit supervisor, or the Court's Order;
  - Safety issues cannot be effectively addressed by the program.
10. Written notification shall be provided to the Court if any case is declined, suspended, or terminated.
11. Case Review: This case shall be reviewed in six months or upon motion of either party or program staff.
12. The visiting parent shall not remove the child(ren) from the premises of the supervised visitation program without the court/program's authorization. Should the parent (or another person acting on his behalf) do so, law enforcement authorities including, but not limited to the [local police and sheriff's office], are hereby directed and authorized to use all reasonable means necessary to return the child(ren) to the Custodian of Record.
13. Other active cases exist involving these parties and children, including:
14. Other: (for example, level of supervision, provisions making visitation contingent on participation in treatment or counseling, conditions precedent to visitation, video-taping/recording of visits, etc)
15. Reports to the Court: The Supervised Visitation Program shall submit Reports to the Court as follows
- every three months
  - every six months
  - as follows \_\_\_\_\_.
16. Reports to the Court shall contain:
- summary information (visit log, intervention summaries, and critical incident reports only)
  - detailed visit information (summaries and specific descriptions of parent-child interaction)
  - other \_\_\_\_\_.

DONE AND ORDERED at \_\_\_\_\_ Florida on the day of \_\_\_\_\_, 200\_\_\_\_\_.

\_\_\_\_\_  
CIRCUIT JUDGE

Copies to: Program    Petitioner    Respondent

## Records of Visits

Records of Parent/Child Visits. A provider must maintain a record of each visit. The record must be factual and contain at a minimum, but not limited to:

- Client identifier or case number
- Who brought the child to the parent/child contact
- Who supervised the parent/child contact
- Any additional authorized observers
- Date, time and duration of parent/child contact
- Who participated in the parent/child contact
- Critical Incident Reports, if any. They must include a detailed description of the incident, who was involved, and what actions were taken by the Program
- An account of ending, cancelling, or temporarily suspending of the parent/child with the reasons for ending or suspending the contact
- Any failure to comply with the Program's procedures
- Cancellations, tardiness, or no-shows, and explanations for those
- Incidents/suspicion of abuse or neglect as required by law; documentation if a call is made to 1-800-969-abuse or other abuse hotline
- **Visitation Notes** of the parent-child interaction, either Summary or Observation Notes
- **Contact Notes** which are summary accounts of all other contacts made by the program staff in person, in writing, by telephone, or electronically with any party the children, the court, attorneys, or other paraprofessionals involved in the case.



**Visitation notes.** Supervised Visitation Programs should have policies and procedures regarding other kinds of documentation they may keep about the contact, such as Summary or detailed Observation Notes on the interaction between the parent and child.

**Summary Notes.** Summary Notes provide an overview of the interaction that took place between the parent and child during a supervised visit. The Summary Note must be factual, objective, and absent of any professional recommendations. Unlike



the detailed Observation Note, the Summary Note shall not contain a comprehensive list of all behaviors observed between the parent and child.



**Observation notes.** These notes should offer a comprehensive account of events that took place between the visitor and child during visits, signed by staff/volunteer that completed the notes. They should include facts, observations, and direct statements, not opinions or recommendations. All notes should be documented so it is sensitive to the cultural identification of the family, the safety needs of vulnerable parents and/or the

child(ren), and provisions of Florida law. Observation Notes may be reviewed by the Court, the other parent or his/her attorney, and other agencies.

In the past, Programs have reported numerous instances in which the documentation they have kept has been used later by the parties to gain the upper hand in litigation, to harass the Program, and to harass each other. Moreover, descriptions of body language and emotions especially when relayed by a person from a different cultural background could be misinterpreted.

Thus, a decision to keep Observation Notes about visits should be based on an Agreement with the Court and/or DCF/CBC as to the Program's roles and obligations, the safety needs of the parents and children, and the reason for the recording of such details.

Unless they are specifically required to keep detailed observation notes by the courts or DCF/CBC, which may have a legitimate need for such detail, Programs should consider keeping only summary notes, without lengthy details of activities and observations.

**Reports to the Court.** The local Agreements with the Court and/or DCF decide the frequency and contents of Reports to the Court. However, no Program will make recommendations as to the long term placement of the children in such reports.

If Agreements with the Court and/or DCF do not address reports to the Court, the following standards apply:

Reports to the Court must be made if a Critical Incident occurs. Unless otherwise specified by the Agreement with the Court, other reports must be submitted every six months to the Court. Reports should summarize information within the Records

of parent/child visits. Contact notes and Intake notes should not be included, unless otherwise ordered by the Court.

A copy of the Reports should be sent to all parties. Their attorneys, and attorney for the child.

**Required Language for Observation Notes and Reports.** Language in Observation notes and Reports should indicate observations occurred in a structured and protected setting and that care should be exercised by any reader in making predictions about how the contacts might occur in a different setting.

**Parties Requesting Reports at Other Times.** The Agreement with the Court/DCF should state the Program's policies about releasing information regarding visits/visit files and additional Reports that parties may request. If the Agreement does not state those policies, and a party requests any information regarding supervised visitation or any documentation kept in the file outside of the



timeframe, usually six months, the party must file a Motion for such, and make a showing of good cause that can be challenged by the other party or Program.

**Evaluation Reports.** Evaluation reports are those that provide professional recommendations and opinions regarding the parent/child contact, or not produced by Florida's Supervised Visitation Programs, except under rare circumstances.

Evaluation reports can only be made

by a licensed mental health professional or someone with equivalent credentials. Additionally, without prior approval from the chief judge of the court, reports should not include recommendations or opinions, especially regarding the future visitation access between a parent and child who are supervised by the Program.

**Information-sharing policy.** Programs should develop information-sharing policies that protect the safety of participants to the greatest extent possible and are consistent with federal laws. These policies shall have written confidentiality policies.

**Maintenance of Records.** Programs should keep all records until whichever comes first: for five years after the last recoded activity, or until the child reaches the age of majority (18 years).

**Destruction or Records.** Programs should develop policies consistent with state and federal laws regarding the destruction of records.

**753.04**

Until the standards for supervised visitation and supervised exchange programs are completed and a certification and monitoring process is fully implemented, supervised visitation programs must confirm in a Letter of Agreement the willingness of the program to comply with the Supreme Court's standards.

## Frequently Asked Questions

***If I start a supervised visitation program in my county, does the local court have to sign a Letter of Agreement with me and send cases to me?***

No. The court is not compelled to work with any program. Typically, the Chief Judge will only sign agreements with programs that have demonstrated that they provide a secure, child-friendly setting, follow the standards, provide trained staff, participate actively in statewide trainings, and understand safety considerations.

***If I have a problem with a case, can I just call the judge on the phone and tell her?***

No. Your program's agreement with the court should dictate how you will communicate with the court. Except in an emergency, you should not contact the court in any other manner than the court has agreed to.

***When the Court makes a referral to my Program, who pays the cost of those services?***

In family court and injunction cases, the answer is usually the parents, with the costs of the visit divided equally. However, the Court or the Program can decide another payment schedule: for example, in some cases the referring court will order one parent to pay most or all of the costs of visits. In addition, programs can reserve the right to allow one party to pay the costs of the visits, especially if only one parent has the ability and willingness to pay.

The issue of payment must be decided before the visits occur, so that the financial issues are resolved before visits begin. Many programs have provided visits and not received the promised payment from the parties. This has caused financial problems for programs in the past. In dependency cases, the costs of the visit are generally absorbed by the child welfare agency managing the case. The costs are determined by the contract that the program has with the agency. Programs should be aware that the cost of the visit is the same when the parent cancels or shows up for the service: staff still must be paid, paperwork completed, and the program site must be made available for the visit. Therefore, programs are penalized if the child welfare agency refuses to pay for cancelled visits. In 2015-2016, there were over 11,000 cancelled visits. This represents a significant cost to programs who must

Annual Affidavits of Compliance with these Standards must be kept on file with the Circuit Court where the Program is located.

prepare for visits regardless of whether those visits are ultimately cancelled or fulfilled.

***If a client has a grievance, how does it get resolved?***

Every program is required to have a grievance procedure pursuant to the 1999 Supreme Court Standards. Most grievances can and should be resolved at the program level, but those that cannot must be referred to either the judge that ordered the case to supervised visits, or (if that's not possible), by the Chief Administrative Judge of the circuit. From experience we know that some grievances are avoidable. When programs are transparent as to their policies and procedures, especially regarding payment and record keeping, they report fewer grievances.

***If I meet a local judge in a public place, it is appropriate for me to talk to him or her about my program?***

General conversation about your program – the mission, the hours of operation, the location, staff changes – are all public record, and they can be discussed informally with judges. However, no one from your staff should engage judges in case-specific informal conversation. Judges already know those rules, but staff/volunteers may not. Therefore, it is essential that you train your staff to prevent them from engaging in improper behavior.

***Can a program director be qualified as an expert on supervised visitation during a trial/hearing?***

Yes, but it's not common. It is much more likely that the director is called as a witness to testify to actual behavior and case-specific information in litigation where the visits are relevant to the parties' motions.

***How often do visitation staff testify about cases?***

The answer varies. Some programs report that they are subpoenaed to testify at least a few times a month. Other programs report that they are rarely called upon to testify about the visits that took place, with parties instead agreeing to rely on the notes that are kept and filed in each case.

***Does my program need to hire a lawyer to represent my staff at hearings?***

We don't know of any programs that have an attorney on staff, but we do know that some programs have agreements with local attorneys for rare cases in which the program director wants legal representation. Some programs ask local attorneys to take such cases pro bono, or without cost. Others ask their Boards of Directors to pay the cost of counsel.

***Can the court force my program to take a particular case?***

Program directors have a great deal of discretion to reject cases, especially when they do not have the security, the staff expertise, or the resources to safely provide a visit. This rule was created in the 1999 Standards, and it has generally worked well to protect programs from being forced to take cases. There have been cases in which the program has negotiated for more resources in order to accept complex cases that they ordinarily might not be able to accept. For example, programs have negotiated with the court to have additional security on site to be able to accept certain cases. They have also limited the days on which the parties could set visits (because of the availability of certain trained staff or the ability of the program to provide one-on-one visits, instead of group visits).

***How does the Court know about my Program's hours of operation and case acceptance procedure?***

The Court generally only knows what you have told it. Thus, the Clearinghouse encourages programs to keep local judges and trial court administrators apprised of hours of operation, kinds of cases accepted, kinds of visits held (e.g. standard, or therapeutic visits), the mission of the program, and other important but general information. This should be done in writing on a bi-annual basis, unless changes in the program administration or the bench occurs. New judges that rotate onto the benches that typically order visits (dependency judges, family court judges, etc.) should be informed as soon as possible about program rules and policies.



## PRACTICE EXAMPLES

### Case Scenario 1

George is currently subject to an investigation for child sexual abuse. His youngest daughter Jane (11) told her mother, Susan, that George had touched her inappropriately. Because of the pending investigation and the concern for Jane's safety, the Miller family is referred to supervised visitation services.

#### *Discussion Questions:*

1. What documents will the court assess in order to make an appropriate referral for the Miller family?
2. What needs to be kept in mind when referring the Miller family to a supervised visitation program?
3. What kind of supervised visitation programs would be appropriate for the Miller family's case? What kind would be inappropriate?

#### *Discussion Questions:*

1. What action would you take to protect Laura and Louise?
2. What kinds of notes would you include in the Observation Notes?
3. Would you make a Critical Incident Report to the court?
4. Would you allow visits to continue? If so, under what circumstances?

### Case Scenario 2

You are a supervised visitation monitor for the Harris family. They have been referred to supervised visitation services after the mother, Laura, obtained an Injunction for Protection Against Domestic Violence against the father, Robert. Robert is ordered to have visitation at the Program. The couple have a son named Louis, who is five years old. During the visit, Louis appears happy doing arts and crafts with his father. However, Laura shows up a few minutes early and Robert sees her in the parking lot through an open window. He begins to yell at her through the window, saying that she ruined his life. Louis appears terrified and starts to cry.



## Quiz Yourself!

1. What type of court are cases of child abuse, neglect, or abandonment typically heard in?
  - a. Divorce-related court
  - b. Injunction for Protection Against Domestic Violence court
  - c. Juvenile Dependency court
  - d. Criminal Court
  
2. TRUE or FALSE: An Agreement with the Court should specify the scope and limitations of the provider's services, the local procedures for court referrals, and the manner and procedures for communicating with and providing reports to the court.
  
3. Which of the following should NOT be included in a visit record?
  - a. Visitation Notes
  - b. Irrelevant personal information about the client
  - c. Date, time, and duration of parent/child contact
  - d. Who supervised parent/child contact
  
4. What are the general standards regarding when a Report to the Court be written to update the Court as to the case's status?
  - a. Whenever a Critical Incident occurs, or at least every six months
  - b. Whenever the professional feels like it
  - c. After each visit
  - d. Once per month
  
5. TRUE or FALSE: Programs should develop information-sharing policies that protect the safety of participants to the least extent possible and are consistent with federal laws.

*Answers: 1. C 2. TRUE 3. B 4. A 5. TRUE*