

## **Annotated Bibliography on Supervised Visitation**

- 1. Ansay, S. J., & Perkins, D. F. (2001). Integrating family visitation and risk evaluation: A practical bonding model for decision makers. *Family Relations, 50* (3), 220-229.**

Ansay and Perkins contend that family courts and child protective service agencies have primarily used supervised visitation centers to monitor the frequency of visits by non-custodial parents while ensuring the safety of children and parents. Ansay and Perkins report that courts and CPS workers often discard important behavioral observations because they often conflate frequency of visitation with a healthy child-parent relationship. However, the authors argue that the employment of a conceptual model can be used as a guide for evaluating potential risk and existing attachment between non-custodial parent and the child to make decisions regarding reunification and potentially reduce reoccurrences of harm to children. The model developed examined the effects of family demographics, initial placement, and parental bond on the case outcome of each case. Using non-parametric statistics, Ansay and Perkins examined the interaction of 43 families during supervised visitation to test the conceptual model developed. Results indicated that the initial placement variable did not influence the case outcomes. Of all referrals, cases involving abuse were the mostly likely to result in reunification between the child and non-custodial parent. In addition, non-custodial fathers were more likely to be reunited with their child(ren) than non-custodial mothers. Lastly, the authors report that when comparing family demographics and initial placement variables, African American families displayed a stronger parental bond than White families.

- 2. American Bar Association (2000). Policy OOA109A Approved by the American Bar Association House of Delegates at the Annual Meeting in July 2000.**

The American Bar Association sets out 4 suggestions for governments, courts, and attorneys regarding child visitation. First, governments should enact legislation assuring that visitation is safe for both the parents and child. Courts should also consider risks to victims of domestic violence and their children when ordering visitation and provide or identify and utilize safe locations for supervised visitation and exchanges. Third, courts should inquire about domestic violence when addressing child visitation and custody issues. Finally, attorneys should advocate for safe visitation and exchanges. Without these precautions abusers may continue to hurt their victims and their children.

**3. A Model Family Court for Florida (2000). Recommendations of the Florida Supreme Court's Family Court Steering Committee June 2000.**

The Family Court Steering Committee put forth an outline for what a model family court would look like. The Committee asserts that the best interest of the child should be the goal of the courts, and that the court should empower families to make decisions. To assure efficiency, cases should be consolidated where possible, and non-judicial and quasi-judicial resources should be used where appropriate. Coordinated management should be used so that staff members manage each pending case to assure that resources are being efficiently used and appropriate social services given. The Committee asserted that family court should be limited to juvenile matters, and traditional domestic relations, such as dissolution of marriage and domestic violence. Finally each circuit should establish a separate administrative structure for family courts, with family court judges, and staff attorneys who are committed to families and children.

**4. Arbuthnot, J. (2002). A Call Unheeded. *Family Court Review*, 40: 371–382.**

Jurisdictions attempt to implement education programs for divorcing parents in order to help make them aware of how divorce affects their children and give them skills that will help the children cope with the changes. This article addresses the obstacles to implementing these types of programs. The author tries to differentiate between adopter (courts that have adopted mandatory education programs) and non-adopter courts (courts that have not). The article also discusses possible justifications as to why some courts have chosen not to implement such programs.

**5. Areal, J. C., & Mederos, F. (n.d.). Fathering After Violence: Working with Abusive Fathers in Supervised Visitation. *Violence Against Women Online Resources*. Retrieved June 13, 2012 from [www.vaw.umn.edu/documents/fatheringafterviolence/fatheringafterviolence.pdf](http://www.vaw.umn.edu/documents/fatheringafterviolence/fatheringafterviolence.pdf).**

This is a pamphlet with guidelines regarding the standards of practice that can be used by Supervised Visitation Centers when dealing with abusive fathers. The authors give both general information about SVC's and statistics related to abusive fathers who use SVC's. The authors emphasize the need to better train staff, create collaborative networks of social agencies, consider families' cultural context, and perform risk assessments when SVC's deal with fathers who abuse and their children.

6. Babb, B., Danzinger, G., Moran, J., & Mack, W. (n.d.). Supervised Visit and Monitored Exchange: Review of the Literature and Annotated Bibliography. *Supervised Visit and Monitored Exchange 2009 Review*. Retrieved June 6, 2012, from [http://law.ubalt.edu/downloads/law\\_downloads/April2009\\_SupervisedVisit&MonitoredExchange\\_FINAL.pdf](http://law.ubalt.edu/downloads/law_downloads/April2009_SupervisedVisit&MonitoredExchange_FINAL.pdf).

This report was a collaborative effort between The Maryland Administrative Office of the Courts, Family Administration, The Court Research and Development Department, and The Center for Families, Children, and the Courts, which is based out of University of Baltimore's School of Law. The report reviews all the legal and scholarly literature regarding supervised visitation programs. The authors make four primary conclusions. There is a need for more long-term, quantitative studies on the effects of families participating in supervised visits. There is a need to standardize the training for those who monitor supervised visits. There are conflicting opinions and practices regarding supervised visitation centers communication with courts. Finally, supervised visitation centers have varying safety and risk-management practices, some of which are not effective.

7. Bailey, M. (1999). Supervised Access: A Long-Term Solution? *Family & Council Courts Review*, 7: 478.

Bailey looks at the use of indefinite supervised visitation, the different views on it, and whether or not it should occur. Bailey found that courts and commentators often think that supervised visitation where there is little or no hope of it becoming unsupervised visitation should not occur. Service providers on the other hand usually believe that long term supervised access is in the best interest of the child in some situations. Allowing longer term supervised visitation gives the child his or her right of access, and may be healthier for the child. It provides a greater reality-based perception of the noncustodial parent, and lessens or eliminates the child's perception that he or she was abandoned. What is generally agreed upon is that a child should not be forced to continue visitation if the child refuses. Bailey also addresses the issue of whether service provides should be passive observers, or more proactive. Supervised visitation may go on longer than necessary because the noncustodial parent does not go to court, either because he or she lacks motivation or money, or because there is no other suitable facility for the parent and child to have their visitation session. The author concludes that the best interest of the child should be the standard, and assessed on a case-by-case basis. Also, where unsupervised visitation is a future goal, a plan should be set out and steps taken to reach that goal.

**8. Bancroft, L. (2002). The batterer as a parent. *Newsletter of the National Council of Juvenile and Family Court Judges*, 6 (1): 6-8.**

Bancroft looks at the effects a battering parent may have on a child after the custodial relationship has ended, particularly during visits. Bancroft asserts that batterers may effect and may continue to effect the child by providing a violent role model and disrupting the child's relationship with the mother, and possibly a sibling. Bancroft proposes that where a battering man is involved, visitation should be supervised where possible, and if unsupervised should be kept to shorter time frames, and not be overnight.

**9. Beeble, M. L., Bybee<sup>1</sup> D., Sullivan, C. M. (2007). Abusive Men's Use of Children to Control Their Partners and Ex-Partners, *European Psychologist*, 12 (1): 54-61.**

Millions of children in the U.S. witness their mothers being battered, and many are abused themselves. However, there is little research on the extent to which abusers use children to manipulate or harm their mothers. This article examines the extent to which survivors experienced this, and conditions under which it occurred. 156 interviews were conducted with 156 women who had experienced recent domestic violence and had at least one child between the ages of 5 and 12. 88% reported that their abusers had used their children against them in some way. Multiple variables were considered, including the relationship between the abuser and the children, the extent of physical and emotional abuse against the mother, and the assailant's visitation status. The author finds complex situational conditions by which assailants use the children of their partners or ex-partners to continue the abuse, and the need for more research in this area.

**10. Birnbaum, R. & Alaggia, R. (2006). Supervised visitation: A call for a second generation of research. *Family Court Review*, 44 (1), 119-134.**

Birnbaum and Alaggia review the literature on the behavioral and emotional outcomes of children engaged in supervised visitation. The article briefly reviews the history of supervised visitation programs nationally and internationally while focusing on the issues of divorce and domestic violence that often lead families to utilize these services. The authors reported only reviewing literature between 1990 and 2004 due to insufficient research designs prior to these dates. Birnbaum and Alaggia contend that most research involving supervised visitation has centered on referral procedures, program description, and empirical articles supporting the use of supervised visitations to benefit families with scheduling conflicts and those involved in volatile situations. However, the authors contend that the effectiveness of supervised visitation programs in reducing negative behavioral and emotional problems among children is fraught with ambiguous empirical results. Birnbaum and Alaggia recommend that future research

focus on the intended as well as unintended consequences of supervised visitation programs rather than illuminating procedural efficiencies.

**11. Bow, J. N. Quinnell, F. A. (2001). Psychologists' current practices and procedures in child custody evaluations: Five years after American Psychological Association guidelines. *Professional Psychology: Research and Practice*, 32(3): 261-268.**

The author attempts to evaluate child custody evaluators as a profession – whether the practice is congruent with the 1994 American Psychological Association (APA) *Guidelines for Child Custody Evaluations in Divorce Proceedings*. This article considers a national survey of 198 psychologists. Participants showed a high degree of training and experience and an increased understanding of proper procedure. Evaluators reported using multiple sources of data collection, critical decision-making skills, and knowledge of ethical, legal, and risk management issues. The author concludes that overall, child custody evaluations appear to have become more sophisticated and comprehensive during the past 15 years, and that current practices and procedures adhere to APA Guidelines.

**12. Bozzomo, J. W., Scolieri, G. (2004). A Survey of Unified Family Courts: An Assessment of Different Jurisdictional Models, *Family Court Review*, 42: 12.**

The authors surveyed individuals, asking whether their jurisdiction used a Unified Family Court (UFC) and what that included. All responses included the same broad areas of jurisdiction, but which status offenses the court oversaw differed. The structure of the court also differed from jurisdiction to jurisdiction.

**13. Buel, S. M. (1999). Domestic Violence and the Law: An Impassioned Exploration for Family Peace, *ABA Family Law Journal*, 33: 719-744.**

There has been progress in what lawyers have learned about victim safety and offender accountability. However, there is still work to be done to teach lawyers and judges how to intervene effectively. Larger social, cultural, and economic issues must be examined, especially in the context of poverty and race. When battered women have access to assistance such as legal counsel, emergency welfare, and child support, they have a greater chance of escaping abuse. The aversion toward helping battered women appears to be based on the notion that the victim chooses to stay with her abuser. Efforts must weigh the state's interest in stopping family violence, balancing victim safety with the offender's civil liberties.

**14. Burton, J. (2003). In the child's best interest: Strategies workers use to make supervised contact with non-residential parents a positive experience for children. Paper presented at the Social Change in the 21<sup>st</sup> Century Conference.**

This article reviews qualitative data from four practitioners working for the Queensland Children's Contact service to determine their conceptual interpretations and approaches to maintaining "a child's best interest" during supervised visitation. Practitioners emphasized the importance of children maintaining a relationship with both parents while minimizing the threat of physical and emotional harm. Burton contends that three strategies emerged from the interviews that facilitate a positive and safe experience for the child and parents during supervised visitation: Engaging all individuals involved in the service, encouraging positive child-parent interaction, and emphasizing the child's autonomy. The author contends that these strategies assisted workers in determining appropriate interventions during supervised visits, aid parents in developing and refining parenting skills and identity, reduce conflict between residential and non-residential parents, and allow children to gain a sense of control and minimize forced interaction. Lastly, the article emphasizes the neutrality that workers must maintain to implement the supervision program, which poses limitations on the services that can be provided on site for the children and parents.

**15. Clement, D. A. (1998), A Compelling Need for Mandated Use of Supervised Visitation Programs. *Family Court Review*, 36: 294–316.**

Courts are frequently confronted with legitimate concerns about the physical, emotional, or mental health of a child, but with circumstances that do not support terminating all contact with the parent. Supervised visitation programs allow the state to help to preserve the parent-child relationship while still being able to protect the child from harm. Sometimes the safety of the custodial parent is also at issue. The number of children deemed to be "at risk" continues to grow so that there is a greater need for supervised visitation services than there are services available. Clement suggests that each state should enact legislation to make supervised visitation programs universally available, and provide for the program regulation and funding. Clement also suggests clearly defined guidelines that trigger mandatory participation in supervised visitation programs whenever specific risk factors are present.

**16. Crook, W. P., Oehme, K. (2007). Characteristics of Supervised Visitation Programs Serving Child Maltreatment and Other Cases, *Oxford Journals on Brief Treatment and Crisis Intervention*, 7(4): 291-304.**

Supervised visitation allows parents who are a risk to their children have parent-child contact in the presence of a third party. Using a neutral third party is essential in cases where the child

has been removed from the home. This article explains a study of the structural and functional characteristics of 47 Florida supervised visitation programs. The programs usually have small budgets, limited hours of operation, delayed or denied services to needy families, under- or unpaid staff, and inadequate security. The article also provides recommendations for funding and statutory legitimization.

**17. Dalton, A. C., Carbon, J. S. and Oleson, N. (2003), High Conflict Divorce, Violence, and Abuse: Implications for Custody and Visitation Decisions. *Juvenile and Family Court Journal*, 54: 11–33.**

Judges must determine the best interests of the child and make appropriate custody awards. The best interests of the child are the key factor, especially in domestic violence cases. However, determining what constitutes domestic violence is widely debated. Some research focuses on conflict, while others focus on domestic violence. Judges making a custody determination must distinguish between “high conflict” and a domestic violence case with ongoing abuse. This article explores the legal, philosophical, and historical explanation of “high conflict” and its impact on children. It also suggests judicial guidelines for making the distinction between “high conflict” and domestic violence.

**18. Dalton, C. (1999). When Paradigms Collide: Protecting Battered Parents and Their Children in the Family Court System. *Family and Conciliation Courts Review of AFCC*, 37: 273.**

This article addresses the difficulty of meshing the ever growing body of research and knowledge with the practical application of that knowledge, and the integration of it into current practices in the context of spousal abuse in the family court system. The process of changing practices to incorporate new knowledge may be further complicated by political pressures, and the sometimes stark differences between what the laws or rules are and what the practices are.

**19. Dunn, J. H., Flory, B. E., & Berg-Weger, M. (2004). Parenting Plans and Visitation: An exploratory study of supervised access and custody exchange services: The children's experience. *Family Court Review*, 42(1), 60–73.**

While the harmful effects of in-home parental conflict on children are well known, little is known about the impact of parental conflict on children when visitation is supervised by a third party. This article describes the influence of parental participation on child well-being – the child’s “level of adjustment remained stable over 6 months of participation while visitation

returned to court-ordered levels and inter-parental contact was precluded by staff intervention.”

**20. Field, J. K. (1998). Visits in Cases Marked by Violence: Judicial Actions That Can Help Keep Children and Victims Safe. *Family Court Review*, 35, 23.**

Field emphasizes the continued risk of batterers to the victim and children during visitation, and stresses that the courts should prioritize safety above all else. She sets out actions and precautions the judge and other professionals can take to assure safety to the victim and her children during supervised and unsupervised visits.

**21. Field, J. K. (1996-1997). Visiting Danger: Keeping Battered Women And Their Children Safe, *Clearinghouse Review*, 30: 295.**

Field explains how visitation and visitation logistics (such as transfer and schedule change) can be ways for an abuser to continue his abuse and control over the victim. She goes on to set out ways to minimize the risk of a batterer using court ordered visitation to continue to abuse and control the victim and their children.

**22. Fields, M. D. (1993-1994). Impact of Spouse Abuse on Children and Its Relevance in Custody and Visitation Decisions in New York State. *Cornell Journal of Law and Public Policy*, 3: 221.**

Fields first describes the negative effects spousal abusers have on their children, including a higher frequency of abuse directed at the child, and psychological trauma from witnessing abuse. Next, the author contends that judges too often rely on an abuser’s agreement to go to treatment. These treatments do not have a high success rate, and judicial reliance on them to give custody or unsupervised visits puts the victim and children in increased danger. She gives suggestion for how lawyers can show the court the existence of domestic violence and the issues it presents in their case. She contends that the New York standard to use domestic violence evidence to gain custody or reduce visitation exists but is difficult to meet. The New York standard is the best interest of the child, with a lot of weight on the legal right of the parent to visitation, even where there was spousal abuse.

**23. Finkelman, P. (1992-1993). Fugitive Slaves, Midwestern Racial Tolerance, and the Value of "Justice Delayed", *Iowa Law Review*, 78: 89.**



Finkelman uses the court cases of two slave owners trying to recover their slaves to illustrate the idea that justice and the law are not always the same; that legal maneuvering and delaying the process may in some cases provide a moral justice better than speedy and efficient court hearings would. He draws a brief analogy to the parent who will not let his or her child go to court ordered unsupervised visitation with an abusive parent. The author's point is that sometimes justice delayed is justice acquired.

**24. Fischer, R. (2002). Gaining Access to one's children: An evaluation of a visitation program for non-custodial parents. *Families in Society: The Journal of Contemporary Human Services* 83 (2), 163-174.**

In this article, Fisher evaluates a pilot program established in Atlanta, Georgia to provide non-custodial and custodial parents with a location for supervised visitation. Fischer describes the program as consisting of "identification" of potential referrals, "assessment" of the appropriateness of referral, "mediation" of visitation services, and implementation and observation of "visitation". Fischer reports that of the 112 non-custodial participants, all of them were men with 110 being African American. In addition to providing a profile of consumers, Fischer identifies how laws and regulations in Georgia often imply paternity through child support payment but exclude legitimation of the child for unwed fathers. Fischer states that unwed fathers are often unaware that legal action is required for parental rights, and they are often denied visitation. In addition to providing supervised visitation services, the pilot program also assisted unwed fathers in gaining legal representation through legal aid services and private counsel to obtain parental rights and access to visitation. According to Fischer, visitation outcomes revealed a 62% increase in supervision access among all cases.

**25. Flory, B. E., Dunn, J., Berg-Weger, M., & Milstead, M. (2001). Supervised access and exchange: An exploratory study of supervised access and custody exchange services: The parental experience. *Family Court Review*, 42 (1), 60-73.**

The authors evaluate the effectiveness of Heritage House supervised visitation program in providing a safe location for supervised visitation and exchange services for court ordered families. To determine whether the supervised visitation provide a safe location for such services, researchers utilized the Modified Conflict Tactic Scales and semi-structured interviews to determine the amount of conflict prior to and following termination of supervised visitation. The authors utilized a standardized instrument to combat limitations in previous studies that employ inconsistent and unreliable instruments for measuring outcomes in supervised visitation programs. The authors interviewed 45 individuals participating in the supervised visitation program for six months, were granted a court ordered termination, relocated to

another area, or had their case settled prior to trial. The authors reported that demographics in the sample were representative of the general population – they boast an economically diverse sample population with individual’s annual salaries ranging from \$5,200 to \$72,000. In examining the perceived changes in visitation, the authors found no significant differences in perceived changes of visitation by the non-custodial parent prior to and during their involvement in the supervised visitation program. In addition, families participating in the supervised visitation program reported significantly less psychological aggression and physical assault; however, the reduction in assault lacks practical importance, as the number of incidents prior to intervention was only two cases.

**26. Garrity, C.; Baris, M. A. (1994-1995). Custody & Visitation: Is It Safe?, *Family Advocate*, 17: 40.**

Garrity and Baris explain the importance of continued concern for child safety. They emphasize that a realistic look is needed at the level of trauma the child experienced and may continue to experience, as well as at the offending parent’s potential for change. Child safety should be the top concern when establishing visitation, and there will be times when only therapeutic or supervised visitation is appropriate.

**27. Gische, J. J. (1999-2000). Domestic Violence as a Factor in Custody Determinations in New York State, *Fordham Urban Law Journal*, 27: 937.**

Gische looks at the recent legislative history and case law regarding the interplay between domestic violence and visitation and custody. The author concludes that the state is taking steps to assure victim and child safety, but that many questions are left open.

**28. Home — Violence Against Women Online Resources (VAWOR). (n.d.). *Violence Against Women Online Resources (VAWOR)*. Retrieved June 13, 2012, from <http://www.vaw.umn.edu/>.**

This website is a collaborative effort between MINCAVA and the USDOJ Office on Violence Against women. It provides links to scholarly resources and community organizations that are focused on domestic violence.

**29. Jaffe, P. G., Crooks, C. V., and Poisson, S. E., (2003). Common Misconceptions in Addressing Domestic Violence in Child Custody Disputes, *Juvenile and Family Court Journal*, 54: 57–67.**

Domestic violence is an important factor in determining the best interests of children in custody and visitation disputes. This article explains the many misconceptions that remain about the impact of domestic violence in child custody proceedings with the perspectives of 62 women victims and 95 children exposed to domestic violence. The article also recommends enhancements for professional education, resource development, and collaboration among courts and community service providers.

**30. Jaffe, P. G., Johnston, J. R., Crooks, C. V. and Bala, N. (2008), Custody Disputes Involving Allegations of Domestic Violence: Toward a Differentiated Approach to Parenting Plans, *Family Court Review*, 46: 500–522.**

There is a need for a new approach to developing parenting plans after separation in domestic violence cases. The article proposes a method of assessing risk by screening patterns in the abuser as a means to predict future violence and parental effectiveness. This kind of screening allows for identifying custody and visitation arrangements that are most appropriate for the child and family, and may be the basis for a long term plan. The article uses the proposed screening method to explore different parenting plans (ranging from highly restricted to unrestricted parent-child access arrangements) in the context of available resources.

**31. Jaffe, P.G., Crooks, C.V. (2004). Partner Violence and Child Custody Cases, A Cross-National Comparison of Legal Reforms and Issues, *Violence Against Women*, 10 (8): 917-934.**

This article reviews policies and procedures for addressing partner violence in child custody. The authors survey policies in four countries while addressing identical issues. In the U.S., Canada, Australia, and New Zealand, child custody legislation revolves around mediation and joint custody as the ideal. Further research is needed to develop court and community support for children facing separation and divorce in the context of family violence.

**32. James, B., & Gibson, C. (1991). Supervising Visits Between Parent and Child, *Family Court Review*, 29(1), 73–84.**

Serious conflicts can arise when contacts between a child and a parent require supervision, unless specific guidelines and objectives are clarified for all involved parties. This article discusses supervision objectives, the importance of maintaining the parent-child relationship, instances warranting recommendation for no parental contact, qualifications of the supervisor, and practical guidelines for supervision.

**33. Johnson, N. E., Saccuzzo, D. P., and Koen, W. J. (2005). Child Custody Mediation in Cases of Domestic Violence, Empirical Evidence of a Failure to Protect, *Violence Against Women*, 11 (8): 1022-1053.**

Several states make mediation of child custody disputes mandatory, but victims of domestic violence are greatly disadvantaged in mediation. The article examines a study that found that mediators failed to recognize and report domestic violence in 56.9% of the appropriate cases, and the court's screening form failed to indicate domestic violence in at least 14.7% of cases. Mediation resulted in poor outcomes for victims in terms of protections, such as supervised visitation and protected child exchanges. The article criticizes the mediator's ability to focus on the best interest of the child, and does not recommend mandatory mediation overall.

**34. Johnston, J. R. (1999-2000). Building Multidisciplinary Professional Partnerships with the Court on Behalf of High-Conflict Divorcing Families and Their Children: Who Needs What Kind of Help, *University of Arkansas at Little Rock Law Review*, 22: 453.**

With divorce rates on the rise, the system has responded by making dissolution of marriage and custody arrangements more gender neutral, and considering the best interest of the child is now the more favored approach. The author compares the statistics on parents who allege abuse and the actual number of abusive situations that require intervention. Johnston contends that most often one parent makes false allegations out of spite, fear, or mistrust of the other parent. The author also suggests a need for reform concerning counselor/evaluator, court, and attorney intervention, and speaks in favor of a more collaborative approach between families and decision-makers.

**35. Johnston, J. R. and Girdner, L. K. (1998). Early Identification of Parents at Risk for Custody Violations and Prevention of Child Abductions, *Family Court Review*, 36: 392–409.**

This article focuses on the psychological harm that can occur in children, as well as the physical and financial obstacles of a parent, when the other parent unilaterally takes custody of the child by abduction. This type of crime is on the rise in the U.S., and it is often very hard for the parent to recover their child.

**36. Johnston, J. R. (1994). High Conflict Divorce, *The Future of Children*, 4 (1): 165–182.**

High-conflict divorce is marked by overt inter-parental hostility as well as verbal and physical aggression. In many cases, this conflict continues for three to five years after the final divorce decree is given. Children from families with high levels of inter-parental hostility and aggression

typically exhibit poor outcomes and emotional dysfunction. These children are two to four times more likely to be defined as emotionally or behaviorally disturbed than average children, an effect that is particularly strong in boys. A strong parent-child relationship, especially with the mother, has been shown to mediate some of these negative outcomes. However, joint custody arrangements allowing children frequent access to both parents in a high-conflict situation are associated with poorer outcomes for children, even for many years after the final decree. Even with a great deal of counseling and therapeutic intervention, high-conflict families often fail at implementing joint custody plans. The author recommends that family courts do their best to protect children from potentially violent situations, even if that means limiting custody for one parent.

**37. Johnston, J. R., & Straus, R. B. (1999). Traumatized children in supervised visitation: What do they need?, *Family and Conciliation Courts Review*, 37 (2): 135-158.**

Johnston and Straus reviewed secondary data from three separate sources to determine likely clinical outcomes for children that have experience significant trauma to postulate consequences to supervised visitation that omit such considerations. In this article, Johnston and Straus argue that previous research on supervised visitation has focused primarily on the non-custodial parent's access to visitation with their child rather than examining the needs of this vulnerable population. The authors contend that supervised visitation programs operate under the assumption that children maintain a relatively expansive range of normal functioning that allows for appropriate coping mechanisms to be utilized and actuate perceptions of events. However, most children entering into the supervised visitations programs have experience significant trauma due to physical and/or sexual abuse, domestic violence, or highly volatile custodial disputes. Due to these experiences, the levels of security and safety may be arbitrary to a child who has associated negative experiences with the non-custodial parent rather than the security of previous environments. Johnston and Straus purport these tumultuous relationships with non-custodial parents can be traumatizing if the child does not understand the reasons that supervised visitation are occurring, the status of their relationships with the non-custodial parent (restrictions placed by the supervising agency), and their ability to exert their own autonomy regarding interaction. Johnston and Straus outline several strategies for discussing the reasons of supervision and how to allow children to exert their autonomy to address fear, anxiety, and distrust that has developed from these negative and traumatizing experiences.

**38. Kieffer, Laurel, and Susan Turell. "Child Custody and Safe Exchange Visitation: An Assessment of Marginalized Battered Parents' Needs." Taylor and Francis Online. N.p.,**

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<http://www.tandfonline.com/doi/full/10.1080/15379418.2011.620930#tabModule>.

This article details a two-year research study focused on Safe Exchange and Supervised Visitation Programs. The study focused on women of color who had experienced domestic abuse. The authors questioned if these programs were effectively meeting their needs. Much of the article outlines the study design and statistical outcomes. They also write that improper staff training often results in these programs failing to recognize families' histories of domestic violence. The women of color in the study's focus groups said that because of some staffs' cultural insensitivity, they did not feel comfortable disclosing their victimization. They reported discrimination related to culture, assumption of gender roles, English proficiency, and child-rearing practices. The authors conclude that these programs are not meeting the needs of women of color, and they suggest these centers begin to correct this by hiring more bilingual staff and giving current staff better diversity training.

**39. Keoughan, P., Joanning, H., and Sudak-Allison, J. (2001). Child Access and Visitation Following Divorce: A Growth Area for Marriage and Family Therapy, *The American Journal of Family Therapy*, 29 (2): 155 – 163.**

In reaction to federal legislation encouraging noncustodial parent visitation, the Iowa Department of Human Services commissioned a study to explain how parents and professionals experience the visitation process. The study examined two mid-sized urban centers and a rural community – 14 divorced parents and 16 professionals who work with divorced individuals were interviewed. The study identified problems with child access and visitation and potential solutions, with a focus on the need for therapy and mediation linked to relational issues.

**40. Lee, R. E., Stack, A. M. (2004). In whose arms? Using relational therapy in supervised family visitation with very young children in foster care. *Journal of Family Psychotherapy*, 15 (4), 1-14.**

This article discusses the likely consequences from sustained separation between parents and children due to entry into the foster care system. Lee and Stacks focus particularly on the effects of parental separation on younger children and the potential improvement in parenting skills, maturity, and family cohesions that supervised visitation can provide when coupled with relational therapy. The authors contend that despite the effectiveness of dyadic family therapy in improving nurturing outcomes for abusive or neglectful parents, few programs focusing on infants and toddlers in foster care currently exist to provide non-custodial parents with the opportunity for such improvement. In addition, Lee and Stack purport that including family

therapy into supervised visitation allows for the number of commitments for non-custodial parents seeking reunification to be combined to aid working parents, individuals with transportation limitations, and those engaged in multiple therapeutic services. The last portions of this article describe the therapeutic program implemented by one of the authors that combines supervised visitation with relational therapy and provides a case vignette delineating this therapeutic intervention.

**41. Lemon, N. (2000). Custody and Visitation Trends in the United States in Domestic Violence Cases, *Journal of Aggression, Maltreatment & Trauma*, 3 (1): 329 – 343.**

Lemon discusses custody and visitation trends in domestic violence cases. The article looks at legislative trends surrounding domestic violence in custody and visitation cases, and gives suggestions for litigants and judges.

**42. Lemon, N. (1999). The Legal System's Response to Children Exposed to Domestic Violence, *The Future of Children*, 9 (3): 67.**

While the legal system has increasingly realized the seriousness of domestic violence, it has failed to adequately recognize the impact of domestic violence on children. There are a few areas where the legal system has begun to examine effects on children – in “child custody and visitation, restraining orders, failure to protect a child from harm, and termination of parental rights.” The article examines where law enforcement agencies have created programs with coordinated court responses, child development training for police officers, multidisciplinary team approaches, and supervised visitation centers. Lemon suggests that greater examination of the programs' effectiveness is necessary.

**43. Levin, A. B. (1999-2000). Child Witnesses of Domestic Violence: How Should Judges Apply the Best Interests of the Child Standard in Custody and Visitation Cases Involving Domestic Violence, *UCLA Law Review*, 47: 813.**

In child custody cases where there has been a history of domestic violence, there are two conflicting parents with conflicting groups supporting them. On one side are the battered women advocates who say all continued contact with the batterer is a danger to the victim and child. On the other side are fathers' rights advocates, who assert a father's right to have a continuing relationship with his child, whom he never abused. The best interest of the child is lost in the conflict between both sides. Judicial education, broader use of treatment for batterers, and supervised visitation would assure that the best interests of the child are being met.

**44. Mathews, M. (1999). The Impact of Federal and State Laws on Children Exposed to Domestic Violence, *The Future of Children*, 9 (3): 50.**

While many laws affect children who are victims of domestic violence, most of those laws are not designed specifically to protect those children. This is especially true in the areas of family law, welfare reform, and immigration. In the past few years, lawmakers have gained a better understanding of how laws affect children in domestic violence situations, but an inadequate understanding can have unintended harmful effects on children. The article provides recommendations on how public and private social service agencies can work together to increase the understanding to ensure that children are protected as the lawmakers intend. Mathews also looks to proposed legislation to provide examples.

**45. Maxwell, M. S., Oehme, K. (2006). A Training Manual for The State's Supervised Visitation Programs with Administrative Supplement. Crook, W. P. (Ed.) Clearinghouse on Supervised Visitation. Institute for Family Violence Studies in The Florida State University School of Social Work.**

The Institute for Family Violence Studies encourages and conducts research into many facets of family violence, as well as providing education and training for the organizations and agencies providing services to victims of family violence. The Institute also sponsors the Clearinghouse on Supervised Visitation, which researches and provides oversight for Supervised Visitation programs. Data compiled during 2005- 2006 illuminated many common limitations faced by Supervised Visitation providers. While directors of Visitation programs typically have a graduate degree (44%) or a bachelor's degree (36%), only 28% have obtained certification for their programs. Due to limited funding, operating budgets for Visitation programs are usually \$100,000 per year or less. The majority of programs report having to delay or deny services due to lack of funding, space, or labor. Programs average 1.9 full-time employees, therefore relying primarily on intern and volunteer labor. Less than half of programs reported using security or law enforcement personnel. The Clearinghouse recommends more stringent certification requirements and greater funding opportunities for Supervised Visitation programs to ensure these programs are in compliance with the Florida Supreme Court's Standards for Supervised Visitation Program Agreements.

**46. Maxwell, M. S., Oehme, K. (2004). Referrals to Supervised Visitation Programs: A Manual for The State's Judges. Clearinghouse on Supervised Visitation. Institute for Family Violence Studies in The Florida State University School of Social Work.**

Retrieved February 5, 2014 from

[http://training.familyvio.csw.fsu.edu/manuals/judges/oldsite/new\\_draft.pdf](http://training.familyvio.csw.fsu.edu/manuals/judges/oldsite/new_draft.pdf)



This manual details the changes that have been seen in supervised visitation programs. It contains information for judges to consider when making a decision on a particular case that may involve the referral of supervised visitation programs, along with guiding principles to consider when making the decision. This manual provides definitions of different types of supervised visitation programs along with the history of the creation of supervised visitation programs. The authors made sure to include a general make up of supervised visitation centers, along with examples of the types of training that the staff receives. The manual is diligent in offering different cases in which supervised visitation may be necessary, including but not limited to: domestic violence cases, high conflict families, and various forms of abuse and neglect, and the different risks that can be expected with those different cases. The procedures that are required for court referrals to take place are outlined, as well as examples of common incident reports that lead to supervised visitation. Specifically, there is a section dedicated to the impact of domestic violence on children and the different forms that these cases can take.

- 47. Maxwell, M. S., Oehme, K. (2001). Strategies to Improve Supervised Visitation Services in Domestic Violence Cases. *Violence Against Women Online Resources*. Retrieved October 19, 2006 from <http://www.mincava.umn.edu/documents/commissioned/strategies/strategies.html>**

This article sets out the definition of supervised visitation and describes some background. Supervised visitation is a social service that provides scheduled contact between a child and his parent or other relative in the presence of a third party. Historically, supervised visitation has been provided where a child is removed from the home because of findings of abuse or neglect, but here has been an increase in supervised visitation services where there is domestic violence. This is due to the detrimental impact upon children who witness domestic violence. While supervised visitation services can provide a measure of safety to victims, practice experiences and research are beginning to emerge suggesting that supervised visitation in domestic violence cases is not a panacea in all cases. This article describes the evolution of supervised visitation services for domestic violence cases, notes legal trends in these cases, describes practice concerns, and presents strategies to improve the safety of participants when supervised visitation, due to domestic violence, is court-ordered.

- 48. McGill, J. C., Deutsch, R. M., and Zibbell, R. A. (1999). Visitation and Domestic Violence, *Family Court Review*, 37: 315–334.**

Courts and legislatures are focusing more attention on visitation disputes in which there are allegations of domestic violence. This article defines a careful assessment of domestic violence issues, parenting capacities, and the coping skills of the children. The authors also make

recommendations regarding parental access that incorporate the information gathered from various evaluation procedures.

**49. McWey, L. M., & Mullis, A. K. (2004). Improving the lives of children in foster care: The impact of supervised visitation. *Family Relation*, 53 (3), 293-300.**

McWey and Mullis developed and tested a model to determine the impact of several factors on the quality of attachment of children participating in a supervised visitation program. The authors examined the age at time of removal, number of visits during supervised visitation, consistency of visitation, and length of time in care on the quality of attachment for 123 children in foster care in a Southeastern state in the US ( $\leq 5$  years old). Researchers trained two bachelor level employees of the supervised visitation center to use observational assessments with the attachment Q-set (AQS) to determine whether participants displayed secure or insecure attachment. Path analysis indicated that the largest path coefficient with a direct effect on the quality of attachment was the number of supervised visits (.32) followed by the length of time in care (-.25). The path coefficient with the largest indirect effect was the number of visits coupled with consistency indicating a total effect of .38 on the quality of attachment. In addition, participants were more likely to demonstrate secure attachment when the mother was identified as the perpetrator. Results also indicated that children with lower quality of attachment had a greater number of placements while in foster care.

**50. Moore, S., & Ford, K (2006). "Supervised Visitation: What Courts Should Know When Working with Supervised Visitation Programs." Center for Court Innovation. New York State Unified Court System, Fund for City of New York, n.d. Web. 11 June 2012. [www.courtinnovation.org/sites/default/files/Supervised%20Visitation.pdf](http://www.courtinnovation.org/sites/default/files/Supervised%20Visitation.pdf).**

This document focuses on supervised visitation in cases involving domestic abuse. The authors summarize statistical information regarding supervised visitation and domestic abuse, and, in these cases, recommend collaboration between the courts and supervised visitation centers. They provide checklists the court and the centers could use to insure successful collaboration.

**51. Morrill, A. C., Dai, J., Samantha Dunn, S., Sung, I., and Smith, K. (2005). Child Custody and Visitation Decisions When the Father Has Perpetrated Violence Against the Mother, *Violence Against Women*, 11 (8): 1076-1107.**

The authors evaluate the effectiveness of laws that presume against custody to a perpetrator of domestic violence, as well as suggest judicial education about domestic violence. The authors studied 393 custody and/or visitation orders where the father abused the mother, and

surveyed 60 judges who entered those orders. More orders gave custody to the mother and imposed conditions on fathers' visits, with the exception of joint custody cases. The authors feel that the presumption against the perpetrator is only effective if it is part of a consistent statutory scheme. 86% of judges had received domestic violence education, but they scored no better in knowledge or attitudes than judges who had not, leading Morrill et al. to conclude that quality of education is more important than a statutory mandate.

**52. Nolan, L. C. (2001-2002). Beyond Troxel: The Pragmatic Challenges of Grandparent Visitation Continue. *Drake Law Review*, 50: 267.**

All 50 states have enacted visitation statutes giving grandparents the right to request visitation, however, the scope and stipulations of these statutes vary greatly from state to state. Although there is confusion when advising grandparents of their visitation rights due to the lack of a national standard, most states require that (1) a substantial relationship exists between the grandparents and the grandchildren, and (2) the visitation must be in the best interests of the grandchildren. However, the court must also take into account the judgment and wishes of a fit parent. In *Gutierrez v. Connick*, parents were found to have a fundamental right to determine proper care and control of their children. "In evaluating grandparent visitation privileges, the question is whether the grandparents have presented sufficient evidence to relax the concern about infringement on a fit parent's fundamental right to make decisions regarding the care, custody, and control of his or her child." Nolan also examines cases where the grandparents' child has died and the child has been adopted by a non-biological parent.

**53. Oehme, K., Maxwell, S. (2004). Family Law, The State's Supervised Visitation Programs: The Next Phase. *The State Bar Journal*, 78 (Part 1): 44-48.**

Supervised visitation programs can undergo much change and growth in the span of five years. This article looks at the legal history of supervised visitation and the situations with legally prompt courts and judges to recommend supervised visitation. The article also speaks to the need for training, security, and informative referrals.

**54. Oehme, K., Maxwell, M. (2004). Six Crucial Issues in Supervised Visitation. Violence Against Women: Online Resources.**

<http://www.vaw.umn.edu/documents/supervisedvisit/supervisedvisit.html>.

The article identifies six factors on how victims, children, and communities experience supervised visitation. First, the article looks at how training can increase victim safety; second, how risk assessment can help identify dangers; third, how stalking can be reduced. Next, the

article looks to how liability issues can be addressed; fifth, how court orders can help protect victims; and finally, how staff can avoid unintended outcomes in program record keeping.

**55. Oehme, K., & O'Rourke, K. (2012). Protecting victims and their children through supervised visitation: A study of domestic violence injunctions. Retrieved February 3, 2014, from [http://works.bepress.com/karen\\_oehme/1](http://works.bepress.com/karen_oehme/1).**

Oehme and O'Rourke explore the importance and function of supervised visitation for adult and children victims of domestic violence. Supervised visitations have proven crucial to parent and child as a form of protection, as it has been found that perpetrators become more violent after a separation occurs. Often, it is the decision of the court whether or not to allow visitation between children and the battering parent. Oehme and O'Rourke provide evidence showing that children are often aware of and witness the abuse between parents and that mothers represent the majority of accounted victims of domestic abuse. Levels of criminal, violent, and drug activity that were exhibited and recorded before separation and visitation were seen less in families that participated in supervised visitation. Also, there are specific programs that cases of domestic violence can get sentenced to, such as the Batterer's Intervention Program. This article notes the inconsistencies in sentencing and highlights the importance of the awareness of judges and courts to these specialized programs, as well as the positive impact supervised visitation may have for some families who have experienced domestic violence

**56. Orloff, L. E., Jang, D., and Klein, C. F. (1995-1996). With No Place to Turn: Improving Legal Advocacy for Battered Immigrant Women, *Family Law Quarterly*, 29: 313.**

Immigrant women in abusive relationships have many obstacles to overcome if they try to leave the relationship. Often, battered immigrant women lack sufficient language proficiency and knowledge of the legal system to adequately protect themselves and their children. Because immigration status often depends on that of their husbands, fear of deportation discourages immigrants from seeking legal intervention against their abusers. Orloff, et al., provide guidance to family law practitioners to be able to provide the best service for battered immigrant women. This service includes overcoming language and cultural barriers, assuaging any fears about corruption in the legal system, and avoiding putting her and her children at risk of deportation. The attorney must work to provide a sound framework for the battered woman to escape a violent situation without fears for her safety or undue economic hardship. For example, a Civil Protection Order (CPO) is a powerful tool for battered women to protect themselves and their children from the abuser, by establishing safe housing, custody, and supervised visitation if deemed appropriate. Proof of immigration status is not typically required to obtain a CPO. In fact, the battered woman may apply for permanent residency

without the cooperation of the batterer under the Violence Against Women Act (VAWA). However, the authors stress that a qualified immigration attorney be consulted to ensure eligibility for permanent residency. Because undocumented aliens or unsponsored immigrants are not eligible to apply for public aid to needy families, attorneys representing battered women should press for court-ordered support from the batterer in districts where the court has that authority. Additionally, if there is a risk of children being abducted to a foreign country, the court may hold the children's passports or send a notice to the appropriate embassy requesting that they be denied visas. Attorneys must look at all aspects and develop creative techniques to best serve these vulnerable women.

**57. O'Sullivan, C. (2000). Estimating the Population at Risk for Violence During Child Visitation, *Domestic Violence Report*, 5 (5): 65-79.**

O'Sullivan studied four groups in New York City and Westchester County, NY: (1) a random sample of custody and visitation cases; (2) visitation cases in Westchester; (3) counselors' case records; and (4) interviews with attorneys who represented victims of domestic violence. The lawyers surveyed reported constant abuse in the context of visitation, but domestic violence did not seem to affect the court's response to visitation petitions. The author makes recommendations to reduce the risk of violence, including supervised visitation, denying visitation to violent fathers, and additional training of law guardians and forensic examiners.

**58. Parker, T., Rogers, K., Collins, M., & Jeffrey, E. (2008). Danger Zone: Battered Mothers and Their Families in Supervised Visitation. *Violence Against Women*, 14(11), 1313-1325. Retrieved June 6, 2012 from <http://vaw.sagepub.com/content/14/11/1313.full.pdf+html>.**

The authors discuss an 18-month study on the evolution of the supervised visitation program at Kent, Washington's Safe Haven Visitation Center. The authors begin by discussing the potential for supervised visitation centers (SVC) to provide resources to support battered women. Their recommendation is to co-locate SVC's and community advocates. The authors then emphasize that battering often continues after partners separate, and SVC's are a possible and likely location for this to occur. As a result, the authors recommend SVC's create rules and regulations specific to protecting battered women; train visit monitors effectively so they can recognize, and intervene appropriately, when negative behaviors are occurring before, during, or after visits; provide men who batter with community organizations who might help them; and be in communication with other visitation programs, battered women's advocates, batterers' intervention programs, law enforcement, and attorneys to provide better support for both the men and women involved.

**59. Pearson, J., Davis, L. and Thoennes, N. (2005), A New Look at an Old Issue, *Family Court Review*, 43: 372–386.**

This article is based on a report prepared for the Office of Child Support Enforcement, Administration for Children and Families of the United States Department of Health and Human Services, Washington, DC, under Contract 105-00-8300: Task Order 27 with Policy Studies Inc. The findings and conclusions in this report are those of the authors and do not necessarily represent the official positions or policies of the Department of Health and Human Services or its agencies.

**60. Pearson, J. (1999-2000). Court Services: Meeting the Needs of Twenty-First Century Families. *Family Law Quarterly*, 33: 617.**

Family law and domestic relations cases surged in numbers in the 1980s and 90s, increasing 70 percent between 1984 and 1995. A combination of rising divorce rates, increased incidence of domestic violence, and stagnant wages may be responsible for this trend. Obtaining and collecting child support from a non-custodial parent has become a more pressing need, especially for single mothers. Approximately 75% of children living with a single mother live below or only marginally above the federal poverty line. However, as the number of pro se litigants increases, courts face additional procedural issues. Courts now have a variety of federal mandates allowing enforcement of child support orders, including wage and tax refund garnishments, property and bank account liens, and revocation of driver's and other licenses. Courts are also playing an increasingly aggressive role in ordering and monitoring supervised visitation programs and therapeutic interventions for high-conflict families. However, overburdened dockets and underfunded public services for low-income families have prompted courts to offer new approaches to resolve family law issues. Dispute mediation, parental conflict education, and supervised visitations are some of the most common approaches used. Unfortunately, families using these intervention programs do not appear to have different outcomes relative to families not using the programs. Unified family court has shown promise in helping severely dysfunctional families resolve domestic violence, custody, and divorce proceedings with a minimum of conflict. However, only a few states have implemented this court system.

**61. Pearson, J., Anhalt, J. (1994). Enforcing Visitation Rights: Innovative Programs in Five State Courts May Provide Answers to This Difficult Problem, *Judges Journal*, 33: 3.**

Federal legislation passed in 1984 and '88 increased awareness and enforcement of child support payments. However, less attention has historically been paid to visitation rights of the non-custodial parent. Courts often have difficulty monitoring and enforcing visitation rights; punitive measures are not usually effective against the custodial parent and often result in negative outcomes for the children involved. Five visitation programs in various states, each with unique approaches toward visitation enforcement, were examined. In the majority of cases, custodial parents complained of safety concerns while children were in the care of the non-custodial parent. Child support payments were also typically in arrearage. Involvement in a visitation enforcement program commonly resulted in a specified visitation order. However, there was little change in visitation behavior after enrollment in a program. Researchers noted a strong correlation between child support non-payment and lack of access, however, they could not determine a causal effect.

**62. Pearson, J., Anhalt, J. (1994). Examining the Connection Between Child Access and Child Support, *Family Court Review*, 32: 93-109.**

This article examines the connection between fathers' access to children and their maintaining child support. The authors discuss various approaches to obtaining support compliance through court orders. The article examines the effect of various factors on support payments, such as frequency of contact with the former spouse and children, remarriage, and the length of time since the parents' separation.

**63. Pearson, J., & Thoennes, N. (1997). Resolving Issues of Access: Noncustodial Parents and Visitation Rights. *Public Welfare*, (Fall): 5-13.**

An estimated one-third of families are not able to resolve divorce and custody matters amicably, with conflict continuing up to 5 years after the divorce. Because these high-conflict families do not obtain much benefit from traditional education and mediation services, supervised visitation programs are helpful towards maintaining the relationship between child and non-custodial parent in a safe manner. Although a few papers argue that visitation decreases inter-parental conflict and child well being, there are no controlled studies demonstrating a relationship between supervised visitation programs and child/parent outcomes. The authors propose that a broad national and international research council work to determine quantitative and qualitative effects of supervised visitation.

**64. Pearson, J. & Thoennes, N. (2000). Supervised Visitation: The families and their experiences. *Family and Conciliation Courts Review*, 38 (1): 123-142.**

The data obtained for this article was part of a larger study conducted to provide a comprehensive understanding of clients, referral sources, and service providers. In this article, Pearson and Thoennes conducted 201 in-depth interviews with parents from four agencies providing supervised visitation services to understand the experiences of families utilizing this service. Families were interviewed from The Family Visitation Center of San Mateo County, California; the Victim Assistance Centre of Houston, Texas; the Visitation Center of Brockton Family and Community Resources, Inc., of Brockton, Massachusetts; and Family Visitation Services of Casa de los Ninos in Tucson, Arizona. Interviews revealed the profiles for individuals likely to utilize or be referred to supervised visitation programs. Pearson and Thoennes stated that the demographics of individuals in the supervised visitation program were consistent with the demographic distribution found in the general population. In addition, the author reported that 64% of families referred had children under the age of six and 33% of children younger than three years old. The authors reported that the court system referred 92% of those families utilizing supervised visitation services in the sample. Pearson and Thoennes provide a thorough description of actions leading to referral, frequencies of visitations, services provided by supervised visitation center, and case outcomes.

**65. Pearson, J. (1993-1994). Ten Myths About Family Law, *Family Law Quarterly*, 27: 279.**

Pearson intends to expose schools of thought that are either erroneous or over simplified. First is the belief that in most divorces both parties have representation. Second, that Alternative Dispute Resolution is financially harmful to women. Third, that joint custody is financially harmful to women and children. The next two myths fall under the inaccurate beliefs that court ordered mediation is not effective, and that mediation is not effective in domestic violence cases. Sixth, that visitation and child support need to be addressed separately or seventh, that visitation orders do not need to be detailed. Next, that visitation denial by the custodial parent occurs frequently. The ninth myth addressed is that allegations of abuse in contested custody cases are unlikely to be true. Finally, that guidelines and enforcement procedures have benefited children financially.

**66. Pearson, J. and Anhalt, J. (1993). When parents complain about visitation, *Conflict Resolution Quarterly*, 11: 139-156.**

The authors examine one school of thought on how custodial parents interfere with visitation between nonresidential parents and their children. Many residential parents become uncooperative in scheduling visitations, discourage children from visiting the noncustodial parent, or complain to officials when a visitation order is slightly violated (such as returning a



child later than scheduled). The actions on the part of the custodial parent contribute to a declining number of children who have regular contact with their children.

**67. Perkins, D. F., & Ansay, S. J. (1998). The effectiveness of a visitation program in fostering visits with noncustodial parents. *Family Relations*, 47 (3): 253-258.**

This article compares families participating in a supervised visitation program with non-participating families. Participating families are more likely to have visitations, and have more visits than non-participating families, evidencing positive impacts of the program. The authors suggest that research has demonstrated the benefits of supervised visitation and likely consequences for children failing to participate in such programs. They conduct a comparative analysis between families participating in a visitation center program and those utilizing traditional methods of supervised visitation. The sample is of 83 families in Florida's Department of Children and Families' system. 83% of families participating in the visitation center program had at least one visit compared to 28% of families utilizing traditional visitation methods. 48% of families were reunified in the visitation center program, while only 29 % of families were reunified through traditional supervision programs.

**68. Prutt, M. K., Nangle, B. and Bailey, C. (2000), Divorcing Families with Young Children in the Court's Family Services Unit, Profiles and Impact of Services, *Family Court Review*, 38: 478-500.**

This article examines 137 divorcing families with young children, through a survey filled out by family services clinicians. Each of the families received court support services. The families had mental health needs, including substance use, and physical/emotional/sexual abuse. The authors looked at patterns in joint and physical custody arrangements and identified parents "least likely to attend mandatory parenting education, accept evaluators' recommendations, and settle their case with mediation assistance", which could help counselors keep families on track.

**69. Pulido, Mary, Stephen Forrester, and Janine Lacina. "Raising the Bar: Why Supervised Visitation Providers Should be Required to Meet Standards for Service Provision." *Family Court Review* 49.2 (2011): 379-387. EBSCO Academic Search Complete. Web. 11 June 2012.**

This article highlights the need for states to regulate supervised visitation programs, specifically by requiring certain standards and training for supervisors. The authors statistically examine the increasing need for supervised visitation centers and the populations choosing to use these

centers. They write on the specific complexities involved when supervising parents and children whose family histories might include children in foster care, domestic violence cases, substance abuse issues, or physical and/or sexual child abuse. Recognizing these complexities, one also recognizes the need for states to mandate training for visit supervisors. The authors detail the existing state supervisor standards in LA, HI, OK, MA, and CA. They praise CA's stringent, detailed standards, but note that CA courts have the option to choose their own requirements for supervised visitation. The authors conclude that, using California as a model, New York could develop a certification program to better train visitation supervisors.

**70. Quirion, P. (1996-1997). Protecting Children Exposed to Domestic Violence in Contested Custody and Visitation Litigation, *Boston University Public Interest Law Journal*, 6: 501.**

The author suggests that the best interest of the child is served when a custody award is granted against the perpetrator of domestic violence. Visitation should only be granted when there are precautions taken to ensure the safety of the children as well as the parent-victim. The first two sections of the article look to the effects of family violence, and the third studies federal initiatives and court cases to understand how to create the rebuttable custody presumption against the perpetrator.

**71. Reihing, K. M. (1999). Protecting Victims of Domestic Violence and Their Children After Divorce, *Family Court Review*, 37: 393–410.**

The author looks at domestic violence after divorce, and discusses recent legislation that deals with it. The author discusses American Law Institute's proposed model statute on child custody and visitation, explaining how it addresses the issue of domestic violence during and after divorce and explores its potential flaws. Reihing also gives recommendations for improvements.

**72. Saini, M., Wert, M. V., & Gofman, J. (2012). Parent - child supervised visitation within child welfare and custody dispute contexts: An exploratory comparison of two distinct models of practice. *Children & Youth Services Review*, 34(1), 163-168. Retrieved June 5, 2012 from <http://dx.doi.org/10.1016/j.childyouth.2011.09.011>.**

The authors state that there is confusion regarding roles, duties, goals, and expectations for supervised visitation programs, for both child welfare and custody disputes. They propose this confusion stems from the following factors: conflicting legal precedents (in Canada), a lack of longitudinal studies on supervised visitation, and a variance in supervisors' abilities due to a lack of standardized training for supervisors. The authors conclude that this confusion has often

resulted in stress or even trauma for children involved in supervised visitations. In addition, this confusion means parents are not fully informed about the programs they are participating in. To benefit families more, supervised visitation programs must correct the factors causing this confusion.

- 73. Seroka, C. (2010). Family Support and BSW Field Experience Through a University-Based Supervised Visitation Program. *Journal of Bacheloreate Social Work*, 15(2), 31-45. Retrieved June 6, 2012, from <http://search.ebscohost.com/login.aspx?direct=true&db=ssf&AN=511045583&site=ehost-live>**

The author presents a specific model for and research on a university-based supervised visitation program. Despite the Clearinghouse's 2004 recommendations for university-based supervised visitation, the program mentioned in the article seems to be the only one in operation. Details are given regarding the program's staff (BSW supervisors and a MSW coordinator), location, visit procedures, and system for referrals. The author emphasizes the importance of post-visit feedback sessions between the BSW supervisor and the visiting parent or grandparent. The author then presents research on the program's effectiveness for both the BSW students and families involved in the supervised visits. The results are very positive and, while the author notes many limitations in the research study, she encourages that others use this model and research to begin similar university-based supervised visitation programs.

- 74. Sheeran, M. and Hampton, S. (1999). Supervised Visitation in Cases of Domestic Violence. *Juvenile and Family Court Journal*, 50: 13–25.**

The first section of this article addresses the specific risks that children in violent situations face. Typically when there is domestic violence, children are aware of it because it is usually not an isolated incident. Children who witness domestic violence often have social and academic problems. The article addresses how supervised visitation programs provide assistance to children in that situation, ways in which the programs are limited, and how different states address those limitations.

- 75. Stern, N. Oehme, K. (2005-2007). Defending Neutrality in Supervised Visitation to Preserve a Crucial Family Court Service, *Southwestern University Law Review*, 35 (1): 37-60.**

The authors make a case for the significance of supervised visitation programs as an important service to the Family Court system. They dismiss the notion that visitation providers are a

partisan force, and instead defend and explain the neutrality that can be found in supervised visitation programs. Neutrality in legal terms and in practice refers to neutral treatment and protection of all parties rights. The article goes on to assert that supervised visitation is “an essential element of a model of family courts” that provides protection for victimized individuals, and assumes a “neutral” position on principle. An issue with neutrality is perceived in domestic violence cases, because of a lack of understanding of the basics domestic violence, which has often lead to revictimization of the victim. The article defines dangers that can be found in advocacy when neutrality is not upheld, and when judges and visitation programs are acting separately. The authors end with explaining the role of neutrality in supervised visitation, along with revealing neutrality misconceptions and guidelines for neutrality in practice.

**76. Stern, N., Oehme, K. (2007). Increasing Safety for Battered Women and Their Children: Creating a Privilege for Supervised Visitation Intake Records. *University of Richmond Law Review*, Retrieved June 13, 2011 from <http://ssrn.com/abstract=902667>**

This article seeks for enhanced security of supervised visitation intake records in cases that involve domestic violence to the effect that the court has entered a civil order for protection. The first part of the article outlines the ways that domestic violence issued are being handled by the courts, specifically with respect to supervised visitation programs. Part two reveals the current intake procedure as visitation centers and reveals the problems that can arise when a batterer has access to those records. The last part provides details for the change the authors propose, based upon current information and procedures regarding the protection of sensitive information.

**77. Stern, N., Oehme, K. (2002). The Troubling Admission of Supervised Visitation Records in Custody Proceedings, *Temple Law Review*, 75, 271-312.**

Because supervised visitations have developed rather quickly, there is risk that evidentiary analysis of individual cases is lacking. The article explains why there is a need for the visitation programs (the formal programs replace an ineffective and often dangerous friend/family member supervisor), how they work, and various approaches to adopting guidelines for supervised visitation programs. The programs are especially useful in high-conflict custody battles and provide an alternative to the all-or-nothing approach to noncustodial visitation. The article explores how the supervisor, agencies, and the courts use the supervisor’s various forms of formal observation of the supervised visitations. The authors look at how these observations are overused or abused, especially to justify removing visitation rights of the noncustodial parent.

**78. Stern, N., Crook, W. P., Oehme, K. (2008). Visitation Decisions in Domestic Violence Cases: Seeking Lessons from One State's Experience, *Wisconsin Journal of Law, Gender, & Society*, 23: 113.**

The authors express the increasing implementation of supervised visitation in the state of Florida and examine the data corresponding with the different aspects of the programs and the clients they serve. With regards to domestic violence cases, the authors explore the role supervised visitation plays and how to enhance education within the judicial systems. The article also looks at the unexpected number of mothers who are the non-custodial visitors to the supervised programs.

**79. Stocker, S. M. (1992). A Model for a Supervised Visitation Program. *Family and Conciliation Courts Review*, 30(3): 352–363.**

This article describes the Akron, Ohio Supervised Visitation Project, which allows children to meet safely with their noncustodial parents. This article explains the need for these programs and offers an example of the structure of a supervised visitation program, profiles staff and families, explains the services that are available, and compares and contrasts three other existing programs to the Akron program.

**80. Straus, R. B., Blaschak-Brown, N. and Reiniger, A. (1998). Standards and Guidelines for Supervised Visitation Network Practice: Introductory Discussion. *Family Court Review*, 36: 96–107.**

Members of the Supervised Visitation Network approved initial standards and guidelines to develop standards of good practice that could be educational and advisory. The standards were a start and would need to be revised with time and experience. Review is currently in process, and the standards and guidelines are published here with a review of the evolution of the guidelines, outlines, and areas that need further development. The authors wish to reach attorneys whose clients require supervised visitation, and to encourage comments and debate.

**81. Straus, R. B. and Alda, E. (1994). Supervised Child Access. *Family Court Review*, 32: 230–246.**

This article traces the evolution of this new social service, describes programs, and presents practical issues to supervised visitation programs across the United States and Canada. Programs have developed as a response to demand from parents and courts alike.

**82. Straus, R. B. (1995-1996). Supervised Visitation and Family Violence. *Family. Law Quarterly*, 29, 229-252.**

This article explains the evolution of supervised visitation programs. Straus introduces situations where supervised visitation may be necessary such as violence or instances of mental illness, how the programs work and how they are funded, and how the courts and especially lawyers are taking on new supervised visitation programs. The article also addresses different approaches to supervised visitation and how each approach affects family practitioners. Straus also gives suggestions on how supervised visitation programs should be managed

**83. "Supervised Visitation Directory | State Statutes." *A Directory of Supervised Visitation Providers*. N.p., n.d. Web. 11 June 2012.**

[http://www.svdirectory.com/state\\_statutes.htm](http://www.svdirectory.com/state_statutes.htm)

A state-by-state list supervised visitation laws including the specific statute codes.

**84. Supreme Court of Florida (1999). Minimum Standards for Supervised Visitation Program Agreements.**

[http://www.flcourts.org/gen\\_public/family/bin/svnstandard.pdf](http://www.flcourts.org/gen_public/family/bin/svnstandard.pdf)

The Supreme Court of Florida has created standards on supervised visitation programs, including who is authorized to monitor the visitations, purposes of establishing a supervised visitation, the scope of services and how they should be administered, and the role of each of the parties. The guidelines also include commentary from the Court.

**85. Supreme Court of Florida, Opinion No. SC00-1410, In Re: Report of the Family Court Steering Committee, May 3, 2001,**

<http://www.floridasupremecourt.org/decisions/pre2004/bin/sc00-1410.pdf>

The Court makes recommendations on how to organize a model family court. The recommendations are based on The Family Court Steering Committee's report to the Court. Pages 9 and 15 contain charts on guiding principles and structure, and page 19 begins a list of essential elements to creating a family court.

**86. The Model Code on Domestic and Family Violence, 48 (1994).**

The National Council of Juvenile and Family Court Judges has created a Model Code on Domestic and family Violence. Page 48 lists requirements on educating attorneys about domestic violence, as well as what the content of the continuing education should be.

**87. Thoennes, N., & Pearson, J. (1999). Supervised visitation: A profile of providers. *Family and Conciliation Courts Review* 37 (4), 460-477.**

Thoennes and Pearson surveyed 94 administrators of supervised visitation programs, 51 family court judges, and 40 child protective service agencies throughout the United States and parts of Canadian to detail likely consumers of supervised visitation programs and delineate existing strengths and limitations. In addition to those surveyed, the researchers triangulated the data with in-depth interviews with “administrators, judges, mediators, attorneys, CPS workers and family law professionals” from agencies and institutions implementing or utilizing the service in the US (4 sites) and Canada (1 site). Thoennes and Pearson contend that services and procedures within the agency are likely to vary based on the target population. Supervised visitation programs primarily serving families experiencing divorce and visitation conflicts are likely to provide drop off services and not require constant supervision. In addition, funding for supervised visitation focusing on divorcing families are more likely to rely on user fees whereas other supervised visitation program serving child protective services rely on state funding and contracts with CPS. Regardless of the population served, Thoennes and Pearson indicate several overarching problems in making supervised visitation a sustained community resource. The authors state that funding, community awareness of supervised visitation programs, and the numbers of referrals by courts were the most commonly noted limitations. In addition, the article notes that because supervised visitation programs cannot validate allegations of abuse or be used as long-term resolutions to custody disputes, court systems often see supervised visitation as a last option and solely as short-term solutions. However, most respondents indicated that they were willing to contract with agencies to provide supervised visitation.

**88. Tortorella, M. (1996-1997). When Supervised Visitation Is in the Best Interest of the Child, *Family Law Quarterly*, 30, 199-216.**

A University of Minnesota Law student was chosen as the winner of an essay contest and this winning essay was published in *Family Law Quarterly*. Tortorella explores different statutory and judicial approaches to supervised visitation programs, as well as what circumstances might compel a court to order supervised visitation. The article also suggests a reform for supervised visitation programs where parents would participate in parenting classes, monitored visitations, group parenting classes, and individual counseling sessions. The article goes on to assert the claim that an ideal balance can be found when there are statutory guidelines and state funding

provisions for visitation centers. The author ends by emphasizing the importance of supervised visitation programs and the essential focus of serving the “best interests of the child” in the visitation setting.

**89. Valente, R. L. (1995-1996). Addressing Domestic Violence: The Role of the Family Law Practitioner, *Family Law Quarterly*, 29:187.**

Valente explores how to help attorneys become better in assisting clients who have been abused in domestic violence situations. He first explains the underlying issues and context and identifying risk factors. Section 2 explains the attorney’s responsibilities to her client, and section 3 provides an introduction to the articles which follow Valente’s.

**90. White, P. L., (2005). You May Never See Your Child Again: Adjusting the Batterer's Visitation Rights to Protect Children from Future Abuse; *American University Journal of Gender, Social Policy, and the Law*, 13: 327.**

The author attempts to explain situations where a woman who is a victim of domestic violence either is manipulated or threatened into staying, or is subject to liberal visitation agreements that subject her and her children to exposure to the abuser. White looks at how these situations are detrimental for children. He feels that visitation should be closely monitored, and gives recommendations on how courts should approach custody arrangements.

**91. Women's Law Project Resources Appendix A . (n.d.). Women's Law Project. Retrieved June 13, 2012, from [www.womenslawproject.org/resources/Bench\\_appendixA.pdf](http://www.womenslawproject.org/resources/Bench_appendixA.pdf).**

This is a pdf with recommendations for courts handling supervised visitation cases. There are court procedural guidelines for specific case issues, such as domestic violence, substance abuse, etc.

**92. Young, S. A. (2004-2005). Presumption for Supervised Visitation in Texas: Understanding and Strengthening Family Code Section 153.004(e), A, *Texas Tech Law Review*, 37: 327.**

Texas law creates a presumption against unsupervised visitation when there is physical or sexual abuse. Young asserts that the presumption should not be limited to physical or sexual abuse, rather that all abuse should trigger the presumption. He believes that the courts should look broadly at what constitutes a pattern, funds should be available to assist the abused, and great deference should be given to the victim’s choice in supervision sites.



- 93. Andersson, G., & Arvidsson, M. B. (2008). Contact person as a court-ordered solution in child visitation disputes in Sweden. *Child & Family Social Work, 13*(2), 197-206. doi: <http://dx.doi.org/10.1111/j.1365-2206.2007.00532.x>**

In Sweden, court ordered visitation can be implemented when separated parents have the joint responsibility to give their children access to the other parent. District courts make the decision on supervised visitation and social services appoint a contact person and follow the intervention up. Three small scale studies, based on group interviews with family law social workers, social files, and individual interviews with contact person supplement each other to form a social services perspective on intervention. The results were presented on five themes: social services and the court, families and children concerned, contact arrangement, termination of intervention, social services perspectives of the intervention. One main shortcoming of supervision as identified by the social workers was the difficulty to find supervisors who could be available on every weekend and for a long period of time. The lack of communication between the social services and the district courts was another identified deficiency of the system. Conflict between parents was identified as one of the main reasons for the use of contact persons. Supervisors were also perceived as sources of protection for the children.

- 94. Forsberg, H., & Pösö, T. (2008). Ambiguous position of the child in supervised meetings. *Child & Family Social Work, 13*(1), 52-60. Retrieved from <http://search.proquest.com/docview/622070477?accountid=4840>**

In Finland research was conducted to address the ambiguous nature of supervised meetings between children and their non-residential parents. The aim of the paper is to consider the child's position and the closely related issue of the child's interest in supervised meetings, based on the daily experiences of the supervisors. The supervisors perceived five different categories of child behavior during supervised meetings. They are: fearful, confused, manipulated, responsible, and happy.

- 95. Cantos, A. L., Gries, L. T., & Slis, V. (1997). Behavioral correlates of parental visiting during family foster care. *Child Welfare: Journal of Policy, Practice, and Program, 76*(2), 309-329. Retrieved from <http://search.proquest.com/docview/619131377?accountid=4840>**

This study explored the effects of visits with biological parents on foster care children's emotional and behavioral adjustment and academic functioning. Frequency of visiting was

found to be generally low and to be related to both the length of time the children had been in care and the number of placements they had experienced. Those children who were visited more frequently were found to exhibit fewer internalizing behavior problems than those visited less frequently or not at all. No effects of the different levels of visiting were seen for educational achievement. These behavioral correlates of visiting were, however, to depend on the type of behavior focused on and the degree of adjustment the child had made to family foster care.

**96. Brandt, E. B. (2007). Concerns at the margins of supervised access to children. *JL & Fam. Stud.*, 9, 201.**

Supervised access has emerged as an important tool for managing child-custody matters. In the past fifteen years, formal supervised access programs have become increasingly common throughout the country. Supervised access encompasses a number of different situations ranging from the supervision of custody exchanges between parents, to the supervision of all of a parent's contact with her or his child. Supervision may be provided by trained supervisors, by volunteers, by professionals who also provide therapeutic services in the context of supervision, or by family members. Supervision may take place in locations specially dedicated for supervision, in the offices of professional supervisors, in neutral public locations, or even in private homes.

**97. Jenkins, J. M., Park, N. W., & Peterson-Badali, M. (1997). An evaluation of supervised access II: Perspectives of parents and children. *Family & Conciliation Courts Review*, 35(1), 51-65. Retrieved from <http://search.proquest.com/docview/619123897?accountid=4840>**

Jenkins, Park, and Peterson-Badali reported 2 studies examining reactions of family members to supervised access services. In Study 1, 121 users of SA services were interviewed about their satisfaction. A subsample was interviewed about family relationships and children's well-being, at Time 1 and 5 months later. In Study 2, 29 children (aged 4.5–14 years) attending SA services were interviewed. Results showed that both custodial and noncustodial parents were very satisfied with the centers. There was no evidence that relationships between ex-spouses or their attitudes toward one another improved over the 5-mo period. Children attending centers showed a high level of externalizing symptomatology. Children were positive about their experiences, although older children felt that the centers were not well equipped for their age group. Although the aim of centers is to provide a safe place for children, some children still experienced emotionally disturbing events. Most children had little understanding about why they were attending centers.

**98. Park, N. W., Peterson-Badali, M., & Jenkins, J. M. (1997). AN EVALUATION OF SUPERVISED ACCESS I. *Family Court Review*, 35(1), 37-50.**

This study describes the Supervised Access Pilot Project, implemented in 14 locations in Ontario, from the perspective of those offering the service and community organizations whose members use the service. Two services were offered: visits and exchanges. The average cost of a visit varied considerably across centers (range \$15 to \$309), a result that is partly attributable to economies of scale. Centers in large urban centers were more cost-efficient than those situated in small communities. Centers provided neutral and safe circumstances for visiting. Only 1.6 serious rule violations occurred during every 1,000 visits. It was estimated that about 3 out of every 10,000 persons used the service. Intake and safety procedures, essential to the smooth running of the centers, have been outlined. Staff felt that they would benefit from increased training in the areas of conflict resolution and the effects of divorce on family members.

**99. Peterson-Badali, M., Maresca, J., Park, N. W., & Jenkins, J. M. (1997). AN EVALUATION OF SUPERVISED ACCESS III. *Family Court Review*, 35(1), 66-78.**

Although supervised access has become a more frequently used option within the custody and access domain over the last 10 years, no empirical literature has examined supervised access from the standpoint of its effect on the legal system. As part of a large-scale evaluation of Ontario's Supervised Access Pilot Project, the present study sought the perceptions of the legal community and the courts regarding supervised access centers. A total of 14 lawyers and 13 judges participated in semi-structured telephone interviews concerning supervised access cases in general, the function and impact of the supervised access program in their community, and their satisfaction with and recommendations regarding the center. Both lawyers and judges expressed high levels of satisfaction with the centers and believed that their availability resulted in savings to the legal system and reductions in hostility and conflict between parents. Implications and limitations of the study are discussed.