
DEVELOPING A SUPERVISED VISITATION PROGRAM IN FLORIDA: Answers to Frequently Asked Questions



Clearinghouse on Supervised Visitation



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FAMILY VIOLENCE STUDIES
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Many people contact the Clearinghouse and ask about starting new supervised visitation programs. This information is offered to those who want more facts and data on the subject.

I would like to know about supervised visitation. What is it?

Supervised visitation is contact between a parent and a child which is overseen by a trained third party. The supervision is in a controlled environment, which enhances the safety of all vulnerable parties. The contact between the parent and the child is structured so that program personnel may actively encourage the parent-child relationship by providing age-appropriate activities, helping parents develop or enhance parenting skills when necessary, modeling appropriate interactions with the child, and discouraging inappropriate parental conduct.

What is a supervised visitation program?

A supervised visitation program is an entity that has as its core function the provision of supervised visitation services in a family-centered manner. Programs enter into an agreement with the Department of Children and Families and the Chief Judge of the circuit in which the Program is located to provide services pursuant to the program agreement and court order. A Program may operate under the auspices of the court, or be a not-for-profit corporation or association, or be a component of a larger not-for-profit corporation or association. Private entities may also operate supervised visitation programs, but there is no local, state, or federal funding available to such entities.

What does Family-Centered mean?

The Department of Children and Families has a strategic mission of ensuring that all assistance to families in Florida is consistent with Family-Centered Practice. The purpose of such a practice includes ensuring that families have an active, leading role in reaching resolution to their problems. Those who use a Family-Centered approach are respectful of the family's ethnic and family background, always focus on working with a family's strengths to help it meet its goals, and take time to understand what the family needs to help it reach those goals.

Is there a need for more supervised visitation programs?

Currently over 60 supervised visitation programs exist in Florida. There is at least one program in each of Florida's 20 judicial circuits, but not every one of Florida's 67 counties is home to a program. There is a need for more programs, especially for cases that involve parents whose child has been removed from the home by child protective services such as the Department of Children and Families. However, funding for more programs is scarce.

Who funds supervised visitation programs?

Currently programs in Florida are funded by several sources, including federal Access and Visitation grants which (partially) fund 23+ programs, federal Safe Havens grants, which have funded (at different times) six programs in the state, and a variety of municipal, state, and private funding sources. Programs are constantly seeking new sources of funding, and overall funding for programs is considered unstable. Many programs have suffered cutbacks during the economic downturn.

How do supervised visitation programs obtain clients?

In most cases, the courts and child protective services agencies refer families to supervised visitation programs. Sometimes programs accept self-referred families, but only under certain circumstances and after a thorough safety review. Parents in divorce/custody cases also often pay a sliding fee for services. Visits in family court cases, which typically originate from judicial referrals, are never paid for by the court. Visits in dependency cases, in which the child has been removed from the home by a child protective services agency, are usually paid for by the agency pursuant to an agency contract with the program.

How does a program obtain a contract from a Child Protective Services Agency?

The Florida Department of Children and Families (DCF) has partnered with child protection Community-Based Care organizations across the state. Sometimes the CBC will decide to keep the supervised visits "in house" and dedicate staff to supervise visits. However, when the CBC seeks to contract with a supervised visitation provider, it will issue a request for proposals

(RFP). Programs that apply for state dollars under such an RFP engage in a competitive grant process which ultimately determines who will receive the contract. RFPs are usually on a state fiscal year calendar, from July 1 until June 30, and can be awarded for annual or multi-year terms.

Can SV programs use volunteers?

Yes, but no program staffed by volunteers alone has survived more than a year. Volunteers, although crucial to many programs, should only supplement the paid staff at programs. They do play an important role in an otherwise stable program, though, and the Clearinghouse encourages programs to find ways to maximize their use.

How much does it cost to operate a supervised visitation program?

That depends on many factors, including hours of operation, rent and operating costs, number of staff, staff-to-client ratio during visits, salary of staff, etc. Budgets at Florida programs have ranged from \$80,000 per year for a small program with weekend-only hours, to \$750,000+ per year for programs operating five to seven days a week. Other typical expenses include criminal history checks on volunteers and staff, salaries and benefits for employees, insurance costs, utilities, office equipment and supplies, furniture, toys, pest control, security, and site maintenance.

Are there any rules or regulations I should know about?

Yes. There is a set of standards created by the Florida Supreme Court in 1999 that are still in effect. Also, there are Best Practices created by a legislatively-mandated Supervised Visitation Standards Committee in 2008 that are used throughout the state. All programs that receive referrals from the court aspire to meet the best practices. In addition, programs are required to conduct criminal background checks on all staff and volunteers. The extensive best practices can be found online at http://familyvio.csw.fsu.edu/messageboard/wordpress/wp-content/uploads/2010/03/Final_Report_to_Legislature.pdf. We recommend that anyone interested in supervised visitation read the *Report to the Florida Legislature* thoroughly.

Is there any certification for Programs or Providers?

No, the Florida Legislature has not yet mandated a certification process for

programs or providers. DCF does not certify programs, but it does require that all programs receiving state funds enter into an agreement with the court in the jurisdiction of the program and DCF. The agreement must state that the Program will abide by the Supreme Court Standards. The Clearinghouse supports a certification process, but does not currently have the authority or capacity to certify programs.

Is there any specific training or knowledge necessary for supervised visitation staff?

Yes, program directors and staff are required to have extensive training. Training requirements are detailed in the Best Practices in the *Report to the Florida Legislature*, found online at http://familyvio.csw.fsu.edu/messageboard/wordpress/wp-content/uploads/2010/03/Final_Report_to_Legislature.pdf.

Program directors should also have college degrees and experience in working with families in crisis. A lack of proper training can result in the revictimization of children and vulnerable parents on-site.

What kinds of problems do these families have?

The families referred to supervised visitation may have a variety of problems, including allegations of parental substance abuse, domestic violence, parental mental illness, parental kidnapping, child abuse and neglect, parental criminal activity, and/or other potentially detrimental parental behavior. Thus, working with these families requires a great deal of training, skill, patience, respect, and attention on behalf of staff.

Are there any risks associated with supervised visitation?

Yes. Although the majority of cases proceed with supervised visitation without incident, every program has experienced a variety of safety issues. These range from parents who arrive under the influence of drugs and alcohol to parental revictimization of children on-site, parental attempts at kidnapping, one parents' stalking of the other parent, and physical assaults on staff. Because the dynamics of supervised visitation are unique, intensive training is necessary for all staff. The Clearinghouse publishes training material that describes the risks in the service, and all prospective providers

must be aware of the potential risks involved in supervised visitation. All cases must be screened by staff for safety issues, and programs are encouraged to have a working relationship with the local law enforcement agency so that the agency understands the program's mission, goals, and structure. In addition, law enforcement agencies can advise programs about safety issues such as site safety and emergency response protocols.

What kinds of safety measures are used at supervised visitation programs?

Programs must be designed, developed, and administered with safety in mind. All cases must be thoroughly assessed for risks, and programs must only accept cases in which they have considered and can reasonably address the safety needs of vulnerable parents and children. In addition, programs are required to have safety measures and protocols in place because of the high level of family violence that often exists in supervised visitation referrals. (Referring judges typically do not screen for such risks before making referrals.) All cases must be screened by trained program staff using a danger assessment, and many programs use security personnel to enhance safety. Special and distinct protections exist for cases involving child sexual abuse.

I think I can help! How do I get started?

First, don't open a program until you are sure that the community can support it. (Information about forming a non-profit organization can be found on the internet.) Far too many well-intentioned people have started the service of supervised visitation before developing a strong foundation for it. Thus, many programs have failed shortly after opening because of poor preparation. Traditionally, successful programs get their start after a community collaborative has ensured that the service is needed, and has created the framework for a safe program with stakeholder buy-in.

What is a community collaborative?

A community collaborative is a core group of community members who have a stake in the availability, competency, and outcomes of a successful supervised visitation program providing quality services. This group may eventually form the program's community advisory board, or may only be brought together to help initially form the program. Judges are typically

consulted to ensure that they believe that there may be cases to refer to a new program. (Even if judges agree in principle that a program is needed in a community, this does not create an obligation on the part of the judges to send cases to the program.) If the program intends to accept dependency cases that originate from child protective services agencies (Florida Statutes, Chapter 39), it is essential for representatives from the child protective services agency to communicate and correspond with the program.

Other members of the core community collaborative include the following:

- A member of the mental health community who specializes in child or family counseling and can help the program enhance the program environment for children;
- A family law attorney who can help advise the program about court orders;
- A representative from a local law enforcement agency, so that the agency understands the mission and goals of a program and can advise the program as to safety risks, issues, and potential security measures;
- A representative of the Guardian Ad Litem office, especially if the program plans to take dependency cases;
- A representative of the local domestic violence victim advocacy community to assist with cross training and informing about domestic violence dynamics and victim services.

These people can help determine whether or not the community can support a supervised visitation program. They may also be able to assist you with conducting a community Needs Assessment. Contact the Clearinghouse for a sample Needs Assessment.

What if I don't have a building for my program? Can I go into people's homes, or meet them in public places for visits?

Many entrepreneurs ask this question, and the Clearinghouse strongly cautions them to avoid off-site visits because of safety risks involved. We reiterate here what the Best Practices say about off-site visits:

Any Off-Site Visitation is subject to increased safety measures and training.

A. Off-Site Visitation: In non-dependency cases, courts sometimes ask Programs to provide supervision of parent-child contact in a setting such as a mall, restaurant, park, or any other location not on the Program's physical site. These visits are called "off-site" visits because, by definition, they are not conducted in a Program site/location. They have the disadvantage of less control, fewer safety precautions, and increased risk of intervening persons and circumstances. For these reasons, most programs do not offer "off-site" visits.

B. General Considerations for Off-Site Decisions

The following considerations apply to off-site decisions:

1. Programs may not be compelled to conduct off-site visits by any referring source, including the courts.
2. Program directors retain the discretion to reject any off-site referral for safety reasons. This includes a history of parental threats of abduction, and risk of flight. It also includes parental history of or threats of violence.
3. Cases where there is currently entered a temporary or final order of injunction for protection against domestic violence or where there has been a criminal no-contact order or criminal conviction for domestic violence are not appropriate for off-site visits.
4. Cases in which there are allegations of sexual abuse are not appropriate for off-site visits.
5. Programs must demonstrate that they have considered the risks involved before agreeing to supervise off-site visits.
6. Referring judges must issue written orders for off-site visits and must consider any potential safety risks, including allegations of domestic violence. The order must contain specific findings that off-site visitation is safe for the parties and the child and is in the child's best interest.

C. Risks Involved

The following is a partial list of risks inherent in off-site visits. The Clearinghouse training materials address these risks more thoroughly.

- *Risks of child abduction.* An unsecured location with many entrances/exits, open spaces, public access, and /or crowds increases the ability of a parent or his/her cohorts to abduct the child.
- *Risks of child abuse.* The ability to be vigilant – hear and see everything going on in a visit – is an essential component of supervised visitation, but is severely reduced in off-site visits.
- *Slow responses in emergency.* Programs have on-site security plans and work closely with local law enforcement to augment safety. The ability to get help quickly off-site may be reduced by the very nature of off-site visits. Staff simply have less control over the setting, intervening factors, and surrounding circumstances.
- *Multiple child complications.* Having more than one child present increases the possibility that the children will not be appropriately monitored off-site; that if something such as an illness affects one child, all of the staff's attention must go to that child; that children can distract the monitor's attention easily, and that there is no backup to assist the monitor as there is on-site.
- *Transportation risks.* Visit monitors are not permitted to transport children in their own cars unless the Program provides adequate and specific liability insurance for such transportation. This makes off-site visitation much more likely to involve the transporting parents (who are involved in the dispute) to have an opportunity to negatively interact in the presence of the children. It also increases the risks to non-offending victim parents.
- *Concealed weapons risk.* On-site, programs choose between prohibiting visitors from bringing packages or parcels to visits, or searching any such parcels brought on-site. This helps avoid the presence and dangers of concealed weapons. Off-site visits offer no such control, as there is no way to secure a public park, mall, or other similar location.
- *Intervening emergencies and circumstances.* Power outages, storms, intervening adults who show up unannounced (parent's friends, family, etc), all decrease the monitor's ability to control the visit.

D. Off-Site Prerequisites

For those communities and Programs that have considered the risks yet have decided to offer off-site visits, the following apply:

1. Off-site visitation can only be conducted by staff who have at least three years of experience working with families at an on-site Program.
2. Each off-site referral must be pursuant to a court order which specifically states that off-site visitation is in the child's best interest.
3. Any Program offering off-site visits must have liability insurance that specifically includes coverage of off-site visits.
4. Separate policies and procedures dealing with off-site security issues must be developed by the Program.
5. The Program's Agreement with the court and DCF must include references to all of the above prerequisites (numbers 1-5 of this section).
6. Programs may not circumvent these requirements by referring off-site cases to current volunteers or staff acting as "independent contractors." All current volunteers and staff must agree not to take cases independently. This must be part of the Code of Conduct. (The Code of Conduct is part of Principle Two: Training in the Best Practices.)





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