



Supervised Visitation Monitor Training

The Role of a Supervised Visitation Monitor- Types of Providers: Professional vs Nonprofessional

Hi. Welcome to part four of the Supervised Visitation Monitor Training, brought to you by Family & Children’s Counseling Services, Inc. I am your host, Melinda Haynes.

In this segment, we will learn about the Role and Responsibilities of the Supervised Visitation Monitor- specifically, the different types of Providers.

Let’s go back to California Standard 5.20 and Family Code 3200.5 Section c, Type of Provider, reads... “Who provides the supervision and the manner in which supervision is provided depends on different factors, including local resources, the financial situation of the parties, and the degree of risk in each case.

While the court makes the final decision as to the manner in which supervision is provided and any terms or conditions, the court may consider recommendations by the attorney for the child, the parties and their attorneys, Family Court Services staff, evaluators, and therapists.

As specified in Family Code section 3200.5, in any case in which the court has determined that there is domestic violence or child abuse or neglect, as defined in section 11165.6 of the Penal Code, and the court determines supervision is necessary, the court must consider whether to use a professional or nonprofessional provider based on the child's best interest.”



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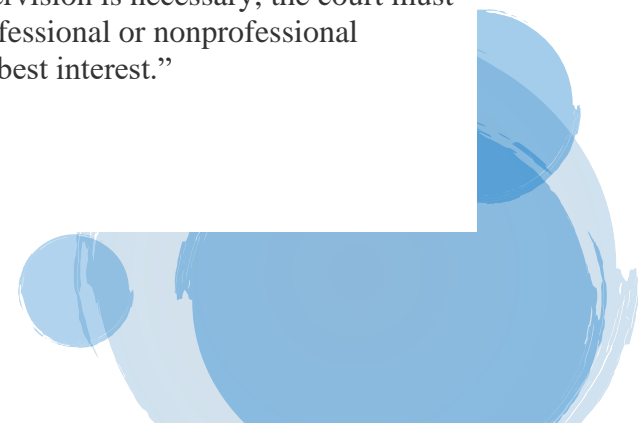
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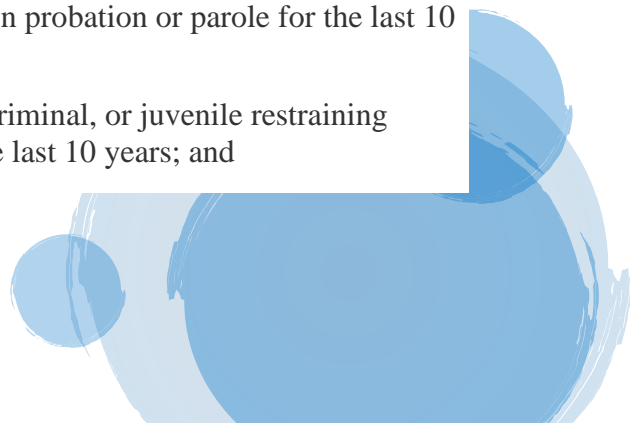


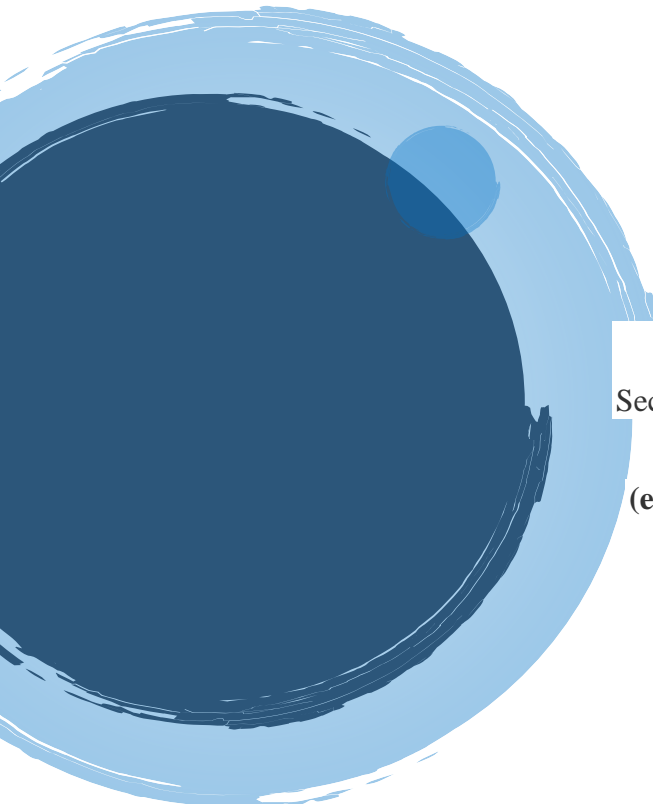
What's the difference between a Professional and Nonprofessional Provider?

A professional Provider is someone who is paid for their supervision services. The Professional Provider typically does not know the family or have any social ties to either parent. A Nonprofessional Provider is usually a friend or family member of one or both of the parents.

Section d, Qualifications of nonprofessional providers, reads as follows:

(d) Qualifications of nonprofessional providers

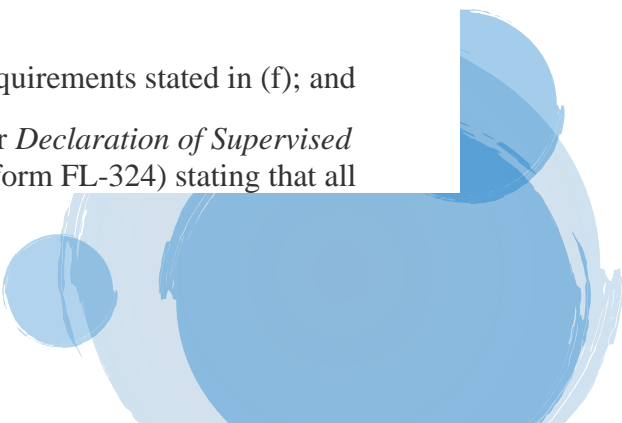
- (1) A "nonprofessional provider" is any person who is not paid for providing supervised visitation services. Unless otherwise ordered by the court or stipulated by the parties, the nonprofessional provider must:
 - (A) Have no record of a conviction for child molestation, child abuse, or other crimes against a person;
 - (B) Have proof of automobile insurance if transporting the child;
 - (C) Have no current or past court order in which the provider is the person being supervised; and
 - (D) Agree to adhere to and enforce the court order regarding supervised visitation.
 - (2) Unless otherwise ordered by the court or stipulated by the parties, the nonprofessional provider should:
 - (A) Be 21 years of age or older;
 - (B) Have no record of conviction for driving under the influence (DUI) within the last 5 years;
 - (C) Not have been on probation or parole for the last 10 years;
 - (D) Have no civil, criminal, or juvenile restraining orders within the last 10 years; and
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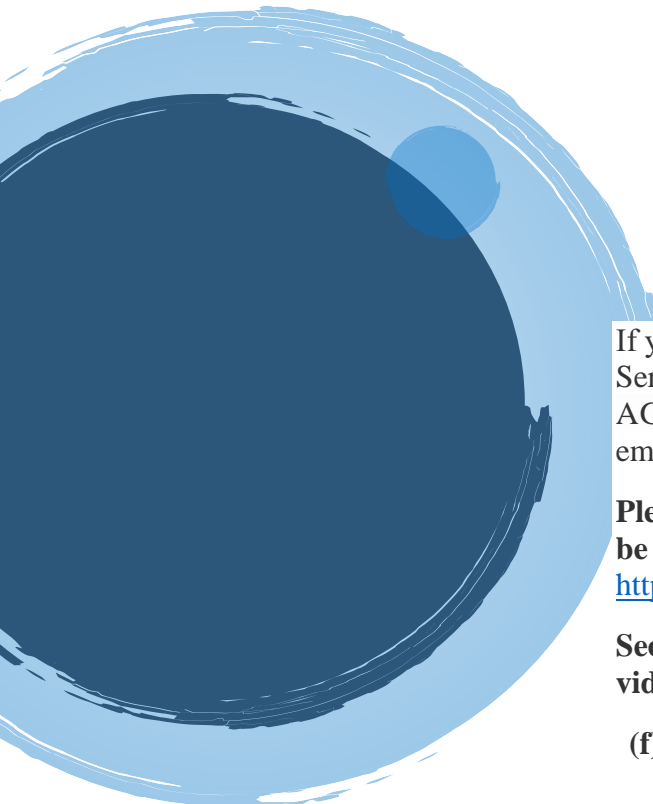
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- (E) Not be financially dependent on the person being supervised.

Section e, Qualifications of Professional Providers reads...

(e) Qualifications of professional providers

A "professional provider" is any person paid for providing supervised visitation services, or an independent contractor, employee, intern, or volunteer operating independently or through a supervised visitation center or agency. The professional provider must:

- (1) Be 21 years of age or older;
 - (2) Have no record of conviction for driving under the influence (DUI) within the last 5 years;
 - (3) Not have been on probation or parole for the last 10 years;
 - (4) Have no record of a conviction for child molestation, child abuse, or other crimes against a person;
 - (5) Have proof of automobile insurance if transporting the child;
 - (6) Have no civil, criminal, or juvenile restraining orders within the last 10 years;
 - (7) Have no current or past court order in which the provider is the person being supervised;
 - (8) Be able to speak the language of the party being supervised and of the child, or the provider must provide a neutral interpreter over the age of 18 who is able to do so;
 - (9) Agree to adhere to and enforce the court order regarding supervised visitation;
 - (10) Meet the training requirements stated in (f); and
 - (11) Sign a declaration or *Declaration of Supervised Visitation Provider* (form FL-324) stating that all
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requirements to be a professional provider have been met.

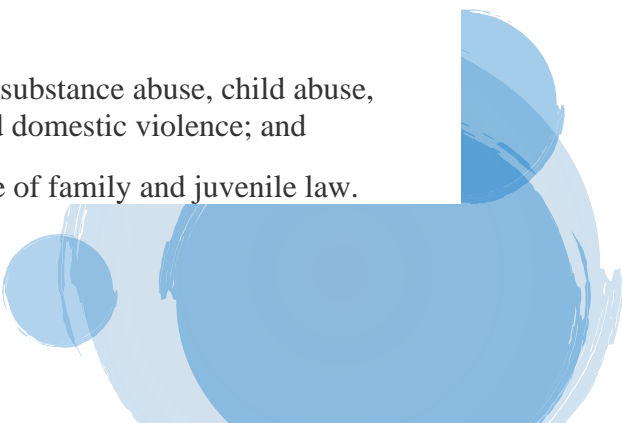
If you are an employee of Family & Children's Counseling Services, Inc. OR IF YOU ARE EMPLOYED BY ANOTHER AGENCY, and you will be supervising visits as part of your employment, you will be considered a Professional Provider.

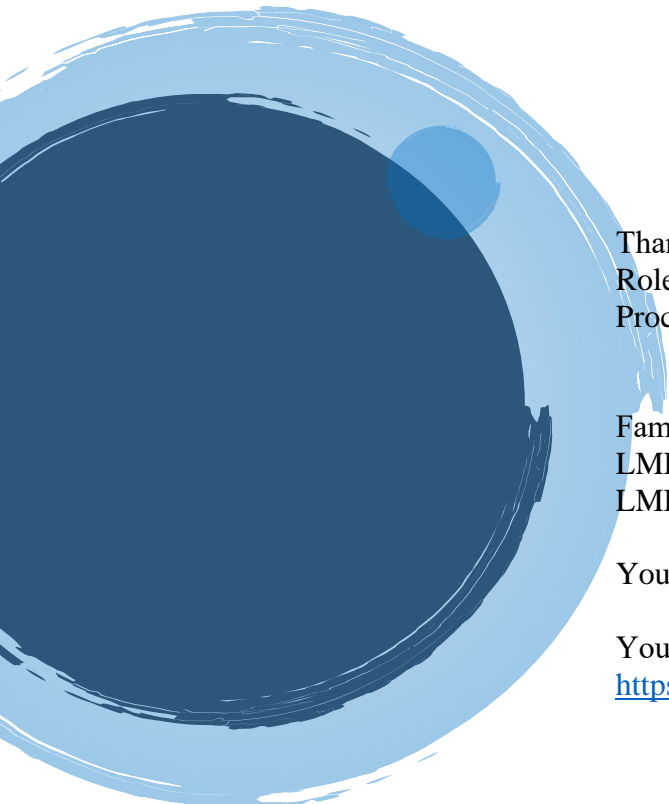
Please review the Nonprofessional Guidelines here if you will be a Nonprofessional Provider.

<https://www.courts.ca.gov/documents/NonProfGuide2005.pdf>

Section f, Training for providers, was covered in the first video, but the topics are listed here again for convenience.

(f) Training for providers

- (1) Each court is encouraged to make available to all providers informational materials about the role of a provider, the terms and conditions of supervised visitation, and the legal responsibilities and obligations of a provider under this standard.
 - (2) In addition, professional providers must receive 24 hours of training that includes the following subjects:
 - (A) The role of a professional provider;
 - (B) Child abuse reporting laws;
 - (C) Record-keeping procedures;
 - (D) Screening, monitoring, and termination of visitation;
 - (E) Developmental needs of children;
 - (F) Legal responsibilities and obligations of a provider;
 - (G) Cultural sensitivity;
 - (H) Conflicts of interest;
 - (I) Confidentiality;
 - (J) Issues relating to substance abuse, child abuse, sexual abuse, and domestic violence; and
 - (K) Basic knowledge of family and juvenile law.
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Thank you for watching. I'll see you again at the next video, The Role of the Supervised Visitation Monitor- Safety and Security Procedures.

Family & Children's Counseling Services, Inc. is a California LMFT non-profit corporation directed by Melinda Haynes, MA, LMFT 102308.

You can find FCCS online at www.HealPlayLove.org.

You can find Melinda's therapy channel, Can We Talk?, at <https://www.youtube.com/canwetalk>

