



Supervised Visitation Monitor Training

The Role of a Supervised Visitation Monitor- Legal Responsibilities and Obligations

Hi. Welcome to part eleven of the Supervised Visitation Monitor Training, brought to you by Family & Children’s Counseling Services, Inc. You can find us online at www.HealPlayLove.org. I am your host, Melinda Haynes.

In this segment, we will learn about the Role and Responsibilities of the Supervised Visitation Monitor- specifically the legal responsibilities and obligations of a provider.

Section n of Standard 5.20 reads...

(n) Legal responsibilities and obligations of a provider

All nonprofessional providers of supervised visitation should, and all professional providers must:

- (1) Advise the parties before commencement of supervised visitation that no confidential privilege exists;
- (2) Report suspected child abuse to the appropriate agency, as provided by law, and inform the parties of the provider's obligation to make such reports
- (3) Suspend or terminate visitation under [Section] (p) [we will cover that shortly].

Section o of Standard 5.20 reads...

o) Additional legal responsibilities of professional providers



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In addition to the legal responsibilities and obligations required in (n), professional providers must:

- (1) Prepare a written contract to be signed by the parties before commencement of the supervised visitation. The contract should inform each party of the terms and conditions of supervised visitation; and
- (2) Review custody and visitation orders relevant to the supervised visitation.

Now for reasons to terminate a visit. Section p of Standard 5.20 reads...

(p) Temporary suspension or termination of supervised visitation

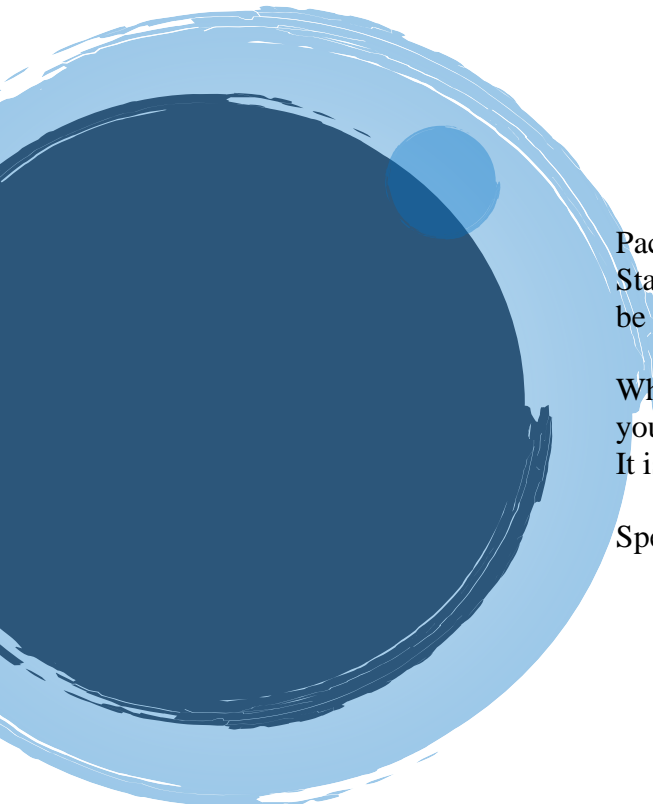
- (1) All providers must make every reasonable effort to provide a safe visit for the child and the noncustodial party.
- (2) However, if a provider determines that the rules of the visit have been violated, the child has become acutely distressed, or the safety of the child or the provider is at risk, the visit may be temporarily interrupted, rescheduled at a later date, or terminated.
- (3) All interruptions or terminations of visits must be recorded in the case file.
- (4) All providers must advise both parties of the reasons for interruption of a visit or termination.

All of what we have reviewed here is part of the Interview and Orientation process. You will gather information and review the Guidelines with your clients during their Interview and Orientation meeting.

Let's take a look at the Checklist in your Training Manual. We use this form for every new Parent folder. Remember, each Parent has his or her own file folder. The Checklist serves as a reminder to gather all the required documents during the Interview and after the Interview, when you are doing research to determine the risk to safety.

Now let's look at the Sample Court forms in your Training





Packet. These forms are from California, and forms from your State may look slightly different, but the basic information should be the same.

When you sign on as Monitor for a Supervised Visitation case, you are agreeing to comply with Court Orders related to that case. It is important to read the Court Orders.

Specifically, you are looking for:

- 1) a stamp and signature.
- 2) risk factors.
- 3) limitations, such as where or when the visits can occur.
- 4) language allowing flexibility in scheduling.
- 5) the amount of visitation that has been granted.
- 6) who is responsible for payment?
- 7) anything else the Court has ordered.

A Stamp and Signature

You might be surprised at the number of people who give you some unofficial copy of a document that has never been stamped (sealed) by the Court Clerk or signed by the Judge. It may be the same document that will get stamped and signed, but we don't know that. We don't need an actual official copy, but we do need a copy of the official copy- the one with the stamp and signature.

Risk Factors

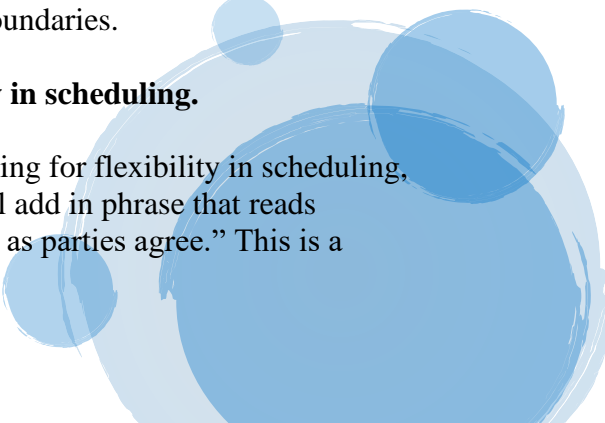
Risk factors could include violence or abduction. This information will help you decide if you want to take the case and if you will need security or an additional Monitor during the visits.

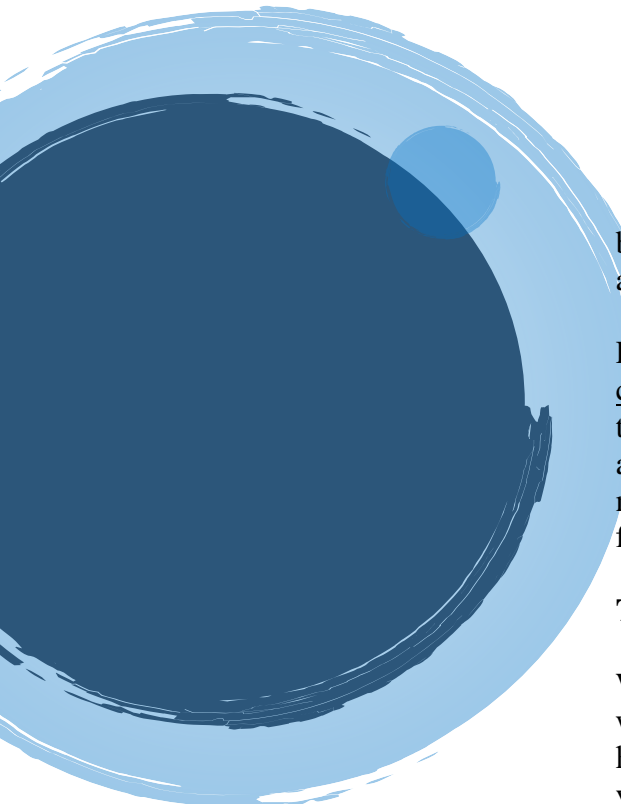
Limitations, such as where or when the visits can occur.

When you see limitations, such as where or when the visits can occur, it's often due to a risk factor. Some cases are more specific than others. For example, some are very detailed, such as, "only the first and third Saturday of the month." I haven't seen many like this, but this can make scheduling a problem. Each case is unique and can have unique boundaries.

Language allowing flexibility in scheduling.

When you find language allowing for flexibility in scheduling, rejoice! Sometimes Judges will add in phrase that reads something like, "or other time, as parties agree." This is a





beautiful thing. This means that Parents have flexibility according to your schedule and theirs.

Please remember, flexibility is one thing, but Parents cannot change the Court order. If they want to change the Court order, they must return to Court. Language of flexibility typically allows for flexibility in days and times and/or location of visits, not how many hours per visit or per week. Before you get too flexible, make sure you understand the Court order.

The amount of visitation that has been granted.

When you find the amount of visitation that has been granted, it will usually read something like, “one hour per week,” or “two hours, twice a week.” You want to make sure you are scheduling your visits in accordance with what the Court has allowed.

Who is responsible for payment?

You will want to know who is responsible for payment. It is usually the Visiting Parent, but not always. Sometimes the Courts will have the Parents split the fee. You don’t want to get in the middle of a who-pays-for-what argument, so find this information on the Court Order.

Anything else the Court has ordered.

Make sure you review the entire document so you can find any other stipulations that apply to this specific case. Remember, you are responsible for following the Court Order, too.

Thank you for watching. I’ll see you again at the next video, The Role of the Supervised Visitation Monitor- Holds and Terminations

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