

3165 Supervised Visitation

Supervised Visitation allows a parent to visit with his or her child/ren in a safe environment with the presence of a FCCS Visitation Monitor, who acts as a neutral third-party observer.

The FCCS Visitation Monitor will observe, provide guidance and suggestions (when appropriate), and provide documentation for authorities such as the parents, attorneys, CSD or the court. Monitors will conduct an Interview, and will provide family with guidelines, agreement document, and other forms as outlined in SV Welcome packet and Monitor documentation, as provided by FCCS.

Visitation Monitors who provide services to clients who are NOT part of CSD must complete California Supervised Visitation training in accordance with Standard 5.20 and Family Code Section 3200.5.

The following Supervised Visitation policies were developed by the Judicial Council of California in accordance with law.

3165.1 Supervised Visitation General

The supervised visitation professional provider must conduct pre-safety screening and planning and establish procedures and necessary actions for responding and reporting any child abduction or flight risk incident/s. a flight risk incident is any incident in which the provider observes conduct consistent with an effort to abduct the child at [during] the visit or in the future.

Child abduction is defined in accordance with California Penal Code sections 278 and 278.5. The intentional or willful violation of any terms of a valid court order granting sole or legal joint custody to another person, by concealing, or detaining the child, or removing the child from the jurisdiction of the court or the legal custodian of the child.

Child abduction occurs when someone takes, entices, away, keeps, withholds, or conceals a child in violation of a custody or visitation order.

The following procedures outline the steps the agency staff must take to help reduce potential child abduction and flight risk of the child during the supervised visit and/or exchange:

- Review the court order/s [see FL-341(A), inquire about FL-312 and FL-341(B)] and child custody mediation report to determine if it states that flight risk procedures are to be in place during the supervised visit or exchange.
- Review each party's information to determine potential safety and flight risks concerns and/or indicators of child abduction. The actions of the non-custodial parent and/or custodial parent may suggest that flight might be planned or imminent.

Adapted from the California Department of Justice, Supervised Visitation legislation.

Policies and Procedures Regarding Supervised Visitation

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- Provide notification to law enforcement regarding possible “flight risk” during visitation or exchange, if necessary, and according to discussion with your Supervisor, pre-visit.
- A FCCS staff will meet with local child abduction experts in the community and law enforcement to discuss how to provide a reasonably safe visit for all involved.

3165.2 Supervised Visitation Intake

The During the intake process, the following information should be gathered. This information must be re-verified with the parent before each visit or exchange.

This is not a one-time collection of the information below:

- Make and model of all vehicles
- License plate numbers
- Current drivers’ license numbers
- Full description and pictures of the child and parent

3165.3 Supervised Visitation, Before the Visit

Prior to the visit, staff must:

- Determine whether an additional provider or staff member should be present in the visitation room, or the adjoining room or designation area.
- Where the provider has identified a risk of abduction from the court order and/or the safety screening process, the provider should agree to monitor visits at a location other than the provider's premises only where the provider believes, after doing a safety plan of such alternate site, that a safe visit can occur in such location. Even if a court order specifies an alternate site, the provider should not provide services if the provider cannot ensure safety for all involved.
- If the provider is conducting the visit off-site as allowed by the Court, then the provider must determine whether they can make every reasonable effort to provide a safe visit for the child and the noncustodial party as required by Family Code section 3200.5(h)(1).
- If the risk is deemed to be acute, two monitors must be assigned to the visit and/or case acceptance will be denied based on safety and security concerns.
- Instruct the non-custodial parent to park in an assigned parking space and wait in the assigned waiting area that is visible to and can be monitored by staff.
- Take a full-length picture of the NCP next to his/her vehicle and of the license plate.

3165.4 Supervised Visitation, the Visit

During the Supervised Visit:

- Allow no other visitors during the parent-child visit unless in the court order. Should the parent bring someone with them during the visit, the

person will be instructed to leave the premises immediately and/or the visit will be canceled.

- Allow no whispering between the child and parent, no exchange of body signals between parent and the child that are unfamiliar to the provider, and there should be no communication between the parent and the child in a language that provider does not understand fluently.
- Allow no passing of notes to the child unless staff has already reviewed it. Actions such as the above can lead to possible abduction, or the parent may be encouraging or setting up a situation for future abduction of the child.
- If one needs to visit the restroom, everyone goes and will wait by door or nearby. Child, if old enough to go to the restroom by self, can go by self. Visiting parent may assist very young child, but door must remain cracked open. Monitor must use best judgment in balancing child privacy, respect for parenting tasks (such as assistance with toileting), and safety of all involved.
- After the visit, the non-custodial parent will exit the area and leave the premises before the child leaves the assigned visitation room.
- Staff is to notify the Supervisor of potential risks or concerns to determine whether the visit should be suspended or terminated for safety issues. The Supervisor is responsible for developing a plan of communication should further action need to be taken during the visitation or future scheduled visits.