

TOP TIPS FOR PREPARING ORDERS FOR SUPERVISED VISITATION

The following are some of the most common yet preventable issues we at **Family Visitation Services** see time and time again. If not incorporated into orders, these issues can cause the greatest trouble - more conflict, costs, & delays for children and their parents. This is especially true when trying to manage an abusive, “high-conflict” parent (HCP) who will subvert or micro-manage the orders at every opportunity. These tips are also helpful for those advocating on behalf of the “reactive” or “protective” parent, who may be traumatized by the potential for abuse or mistakenly labeled by the Court as an HCP. **Use this checklist to benefit your client, help the court minimize conflict from the get-go, and turn monitoring into an opportunity for the entire family.**



WHAT IS OR ISN'T ALLOWED ON A SUPERVISED VISIT?

- How Much Can Parents Control the Visit?** *It is extremely valuable when there are orders in place that give the professional monitor the ability to control all aspects of the visit over the parents. This helps protect the child, minimize delays, and reduce the potential for conflict & confusion.*
FVS Mindful Tip: “The Monitor shall have the final say over all elements of the monitored visit, including rescheduling or terminating the visit due to concern for the child.”
- Can Grandparents, Other People, or Pets be on the Visit?** *Pertinent when a person other than the parent has been the primary caregiver or important attachment figure to the child. A pet may help normalize the visit and also give the child and parent something to safely engage with together.*
- Can I Stop the Monitored Parent from Driving with the Child?** *Only if there are allegations of sexual or physical abuse, history of abduction attempts, or a history of DUI this request is appropriate.*
- Can I Prohibit Specific Foods or Drinks on the Visit?** *Only if the child has an actual documented medical condition or religious obligation that restricts their diet, or if there is a threat that the parent to be monitored may poison or drug the child.*
- Should Visits Be Limited by a Breastfeeding Schedule?** *If there is a medical/developmental reason for which the child should not begin to take expressed breast milk by bottle (if the child is under six months or if the mother cannot produce enough milk unless exclusively breastfeeding, etc.).*
FVS Mindful Tip: To prevent potential restrictive gatekeeping and to allow for the non-nursing parent to bond with the child, helpful orders could include counsel working together to set up a timetable for the nursing parent to begin storing milk for the monitored parent. Shorter yet more frequent visits may be the best option if breastfeeding is required.
- Should I Cancel the Visit Because the Child is Sick?** *If the children are ill with a cold or stuffy nose, allow the visit. If the child has a fever, has been vomiting, or has had diarrhea or another documented medical condition within the past 24 hours, then the visit should occur when they are well enough to go.*



BE PREPARED

- No-Shows or Last-Minute Cancellations.** *Is the no-show or late-cancelling parent obligated to pay for the entire visit? Does the other parent get first choice on make-up times? What are the consequences for the custodial vs the monitored parent when they don't show up or cancel?*
- Always Have a Plan for Make-Up Time.** *When provisions for make-up time are left out, this allows a big window of opportunity for the “high-conflict” parent to string along the other parent and delay the process. **FVS Mindful Tip:** We find it successful when equal make-up time is mandatory within a timely manner such as “to be decided within 48 hours of the missed visit and to occur within one week.”*
- Holiday & Vacations.** *There should be orders that address how to handle all visits during these times, including when and if the custodial parent will be traveling or taking a vacation. **FVS Mindful Tip:** It should be expressly stated in the orders that “birthday parties, play dates, visits from other relatives, holidays, etc. should not take precedence over the court-ordered visitation unless agreed to in advance by the monitored parent and then he/she should have first choice of a make-up date within the week.”*



WHAT DOES THE MONITOR NEED?

While Monitors are not providing therapy or an evaluation, it is important that we are as informed as possible about any mental health issues, trauma or any other medical conditions or developmental needs to be able to be prepared to effectively monitor and report on the situation. Here are some things that all good monitors should have to keep the children safe and secure and provide better reports to the court:

- Copy of All Current Court Orders**
- Orders that Give the Monitor Control Over the Visit**
- A Properly Filled Out Intake Before Starting.** *This should include any history of child abuse or domestic violence by either parent, a written list of all pertinent allegations, the goals and issues for the monitored parent to improve upon, and all medical and or developmental issues pertaining to the children and the parents.*



OTHER IMPORTANT THINGS TO THINK ABOUT

- Therapeutic Support:** *Whether acknowledged or not, separation and divorce is a time of grief and trauma, especially when there is conflict involving the Family Court. Parents and children in a monitoring situation are particularly vulnerable. It is recommended that parents seek support through counseling during such times. Monitoring is not therapy.*
- Make Monitoring a Win-Win Opportunity:** *Visitation should not be a tug of war over a piece of property because parents are a child's most important, primary relationships that create a lasting imprint & impact a child for life. Parents who have made mistakes can proactively work on their issues and become better parents, co-parents, and examples for their children. They can also help their children overcome the trauma of divorce or family separation, learning to develop and maintain relationships, as well as showing them how to succeed in life, no matter the challenge.*
***FVS Mindful Tip:** When parents try to use monitoring to get back at the other parent for what they did or didn't do, or to secure custodial advantage for control or financial reasons, they may succeed at hurting the other parent, but the long-term casualty will always be the child caught in the middle. Monitoring can be an opportunity and tool for healing & empowerment and should be treated as such.*



FOR CONSULTATION, PRESENTATIONS OR MORE INFORMATION

To schedule a more in-depth informative presentation for lawyers and their firms please contact our offices below. We can cover tips for mindful court orders and other topics, including the difference between professional and non-professional monitors, state requirements for monitors, and the role of a professional monitor per Family Code 3200, Standard 5.20. **Family Visitation Services** provides highly trained & advanced professional visitation monitors across Southern California, serving all Family Law & Dependency Court clients.



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Family Law & Dependency Court Presentations & Trainings
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