



Supervised Visitation in Family Court: Weapons of Mass Destruction?

By Ilene B. Fletcher

Weapons of mass destruction are not just military grade, they come in pieces of paper ordering a parent and a child to see each other under the watchful eyes of a professional monitor after findings (or simply allegations) of domestic violence, sexual abuse, neglect, addiction, mental health issues, etc. are made in Family Court. Whether true or false, a parent who finds himself or herself separated from their children once a court deems it appropriate that you can't be left alone with your child without a professional nearby, can spiral into a tragedy of costs so big that they impact our future generations.

While I'm not an attorney nor a mental health professional, I am a professional monitor with over 30 years working families and children in crisis involved in family and dependency court in just those kinds of cases. I have been inspired to illuminate ways a parent can make this time count and really win not just in family court, but in the bigger sense of the word, for the sake of their children. I also am committed to working with attorneys, mental health professionals and judges to

* FAX (888) 788-2324 * 818 968-8586 email ilenefletcher@hotmail.com
23777 Mulholland Hwy, Suite 165, Calabasas Ca 91302 (800) 526-5179
www.Familyvisitationservices.com



help them better understand the complexities of monitoring with the goal of helping craft better, more mindful and effective court orders when it comes to supervised visitation. I have seen countless cases go from bad to worse because of many, many reasons. For example, things like ineffective or impossible orders, poorly trained monitors, "pit bull" attorneys or parents who want to use monitoring as an opportunity to punish the "bad" parent or worse those "high conflict" parents who are willing to harm the children in the process as part of their revengeful "atomic bomb theory" approach to family court. Or the parents who absolutely should not be left alone with their children, under any circumstances, and have no concept of what they've done to harm them or the other parent.

Then there are the parents, so traumatized by the lack of contact with their children and stress of the court process, that they can barely go on. By the time they see their children, these grief-stricken parents are acting and reacting in ways that are not safe for the children. In every case, all the monitor can do is report what is observed to the court, we are not evaluators or therapist, even if we are trained as such. In California, monitoring is governed by [Family Code § 3200.5](#) and the [California Rules of Court Standard 5.20 uniform standards of practice for monitors](#) and depending upon the county, local rules may also apply. I've seen reports accounting the behavior of the grief-stricken, reactive behavior of the monitored parent taken out of context and that parent (as well as the child who is also grieving), can easily be harmed by mis-identifying what is then perceived as evidence.

Here in Los Angeles County, there are approximately 30,000 children in foster care alone, according to the Department of Family Services 2017 [data snapshot](#). That's a small town of children separated from their primary attachment figures. According to the [2017 Judicial Counsel of California's Statistic Report](#) there were over 43,000 dependency and over 35,000 juvenile delinquency cases filed. Marital filings (dissolutions, legal separations and nullities) accounted for 138,520 cases and other family law filings (e.g. paternity, child support) totaled 249,329 cases. That's approximately half a million cases involving families and children filed per year in California and according to the study, only about 2,000 judges or



judge fill-ins oversee these cases, and there are no requirements for judges to have family law training in monitoring, how their orders impact the family or in grief and trauma for that matter.

These numerical statistics unfortunately do not quantify how many children are involved in the family law matters or how many children who are subject to family law cases then cross over into dependency or delinquency cases. Those facts would be interesting to know. What would also be interesting to know, at least for me, is how many children are put on monitored visitation with their parent or parents per year, and for what evidenced reasons does this occur? And how long does it last? And what is the outcome?

I've seen first-hand the devastating harm that parental separation does to children, as well as the parents and then how that harm dominos into societal harm. Prior to being the Director of [Family Visitation Services](#) I ran a care-giving service company for the elderly and saw up close and personal the other end of the spectrum, how family trauma impacts the quality of life and the mental, emotional, physical, financial and spiritual pain and devastation it can cause. I don't claim to have all of the answers but I do have some solutions, which is sharing what I know to hopefully make a difference. I enjoy helping parents and professionals think outside of the box, particularly before stepping into that courtroom, by asking for orders that serve the best interest of not only your client (or yourself) but for the children and their future. I believe mindful, child-centered approaches can help us all.

As a wise person once said, knowledge is power, but I contend how we use that power is equally important. The power to protect our future generations from harm is a mighty one. I wield what little I have in the arena with contemplation and consciousness, and hope.