

ENHANCING COLLABORATION BETWEEN DOMESTIC VIOLENCE COURTS AND SUPERVISED VISITATION SERVICES

*An Addendum to *Creating a Domestic
Violence Court: A Planning Toolkit**

CENTER FOR COURT INNOVATION

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ABOUT THE CENTER FOR COURT INNOVATION:

A national leader in the development, study, and dissemination of gender-responsive, community-based, and problem-solving justice system initiatives, the Center of Court Innovation's National Domestic Violence Technical Assistance Team is practitioner-based; focused on victim safety and offender accountability; data-driven; and community-focused, using practices to engage the community and infusing principles of procedural justice and other fundamental court fairness tenets into its work. With support from the Office on Violence Against Women, the Center provides a variety of services free of charge, including on-site support, site visits to domestic violence courts, peer-to-peer contacts, and planning materials. The Center also develops publications and Internet materials of special interest to a domestic violence court audience.

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TABLE OF CONTENTS

INTRODUCTION

What is this Addendum?	p. 1
Why Domestic Violence Courts Should Collaborate with Supervised Visitation Services	p. 2
Getting Started: What Does Your Community Need?	p. 4

STEP 1: Creating a Working Group	p. 6
STEP 2: Assessing Collaboration Strengths and Needs	p. 7
STEP 3: Creating a Child Custody and Access System Map	p. 8
STEP 4: Improving Communication between the Court and the Program	p. 9
STEP 5: Developing Collaboration Goals	p. 12
STEP 6: Training	p. 13
STEP 7: Documenting Your Plan	p. 14
STEP 8: Evaluation Plan	p. 15

WORKSHEETS

Worksheet A: System Map	p. 16
Worksheet B: Court Report Template	p. 17

CHECKLISTS

Checklist A: Assessing Your Supervised Visitation Program	p. 19
Checklist B: Communication and Collaboration Strategies	p. 20
Checklist C: Training Topics	p. 21

ENDNOTES	p. 22
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WHAT IS THIS ADDENDUM?

This addendum is aimed at courts seeking to collaborate with supervised visitation and exchange programs on domestic violence cases.¹ Your court may be interested in implementing policies and procedures that promote victim and child safety during supervised visitation or exchange. Your court may also be considering how to communicate effectively with supervised visitation and exchange programs. For either goal, the following information will be useful to consult during your collaboration process.

For courts seeking more information on factoring domestic violence into custody and parenting time decisions, including transitioning from supervised to unsupervised visitation, please consult the Battered Women's Justice Project's *Practice Guides for Family Court Decision-Making in Domestic Abuse-Related Child Custody Matters*.²

For communities looking to plan and implement a supervised visitation program from scratch, please see *Safe Havens: Supervised Visitation and Exchange Grant Program Guiding Principles*.³

WHY DOMESTIC VIOLENCE COURTS SHOULD COLLABORATE WITH SUPERVISED VISITATION SERVICES

After separating from their partners, many domestic violence survivors continue to experience ongoing threats, stalking, and abuse during visits and exchanges involving shared children.⁴ When violence persists in this way, children continue to witness and be adversely affected by it. Courts are positioned to prevent this abuse by tailoring custody and visitation orders to the specific safety needs of children and adult survivors. In cases involving ongoing safety concerns, judges may find it necessary to require that visitation between abusive parents and children is supervised. To learn more on this topic, please refer to the Center for Court Innovation's *What Courts Should Know When Working with Supervised Visitation Programs*.⁵

After considering the range of available options, courts may find the optimal choice to be visitation supervised by a professional third party who is not affiliated with either parent and possesses the capacity to enforce effective safety measures. Although many communities contend with long

waiting lists and a limited supply of supervised visitation providers, it remains critical for courts to appropriately assess the need for agency-based visitation in cases involving concerns for the safety of the children and/or the at-risk parent.⁶ In keeping with statutory requirements, judges should consider risk factors to children and parents when evaluating whether a temporary order for custody or access must include supervised visitation or whether a less restrictive visitation arrangement will be sufficient.⁷

However, while supervised visitation and exchange programs can be important tools for avoiding further incidents of domestic violence, supervised visitation orders do not guarantee the safety of a family. Judges play a key role in monitoring supervised visitation and/or exchanges and facilitating collaboration between courts and community partners. Judges and courts can enhance safety by:

- Ensuring that supervised visitation programs employ specialized safety and security

measures, and a protocol for reporting to the court when a critical incident and/or patterns of behavior that compromise safety occur;

- Requiring that court and supervised visitation center staff be well trained in the dynamics of domestic violence, the impact of this violence on children, and the importance of holding batterers accountable for their actions;
- Allowing court staff to share materials and resources regarding local supervised visitation and safe exchange programs with litigants, attorneys, and advocates;
- Coordinating with local providers to develop formal protocols that clearly define security and confidentiality procedures, as well as referral and critical incident forms; and
- Outlining a strategy for maintaining strong relationships and communication between service providers and justice system stakeholders.

By building a strong collaboration between the domestic violence court and supervised visitation programs, your community will be better positioned to address the needs of domestic violence survivors and their children.⁸

GETTING STARTED: WHAT DOES YOUR COMMUNITY NEED?

For communities hoping to link existing supervised visitation programs to their domestic violence court, there are two main tracks:

1) supervised visitation programs which need to adapt their services to the particular safety concerns present in domestic violence cases, and 2) supervised visitation programs which must establish or strengthen their communication with the domestic violence court.

TRACK 1

ADDING SAFETY COMPONENTS FOR DOMESTIC VIOLENCE CASES

Domestic violence courts should ideally consider several factors when ordering a family to participate in supervised visitation services. Your community's current supervised visitation and exchange programs may not be fully equipped to adequately serve families with a history of domestic violence. For example, the program may have insufficient security and safety measures in place, staff may not be trained on the dynamics of family violence, and/or there may be a lack of reporting back to the court when critical incidents occur. Furthermore, due to long waiting lists and the absence of supervised visitation options, families may use alternatives such as relatives supervising visits or holding visits in public spaces, which may not be safe for adult victims and children. Creating a strong collaboration between domestic violence courts, supervised visitation services, and victim advocacy agencies helps to alleviate these challenges and ultimately promote safety and offender accountability.

TRACK 2

COLLABORATING WITH THE DOMESTIC VIOLENCE COURT

Alternatively, your community's supervised visitation program may already be addressing the safety concerns specific to domestic violence cases, but there is a need to directly collaborate with the domestic violence court. In that case, there are several issues to consider:

- Creating internal supervised visitation practices and procedures regarding coordination with local domestic violence courts and agencies;
- Implementing information-sharing strategies between program staff and court personnel that adhere to agreed upon standards of confidentiality and ethics;
- Providing increased training and education for court personnel, supervised visitation staff, and other stakeholders;
- Providing Order of Protection information to supervised visitation program staff; and
- Enhancing the overall coordinated community response to domestic violence.

See Checklist A to assess your community's current supervised visitation program.

STEP 1

CREATING A WORKING GROUP

Effective collaboration between courts and supervised visitation providers requires teamwork among several community stakeholders. The Center advises creating a working group that explores the current collaboration and develops appropriate policies and procedures for referrals and monitoring.

WORKING GROUP CHECKLIST

Your Working Group should have representation from a variety of community stakeholder agencies engaged in supporting victim safety and reducing offender recidivism:

- Supervised visitation and exchange providers;
- Domestic violence advocates, including culturally-specific service providers that serve the Limited English Proficiency, LGBTQ, and Deaf communities, and persons with disabilities;
- Family law attorneys;
- Child welfare staff;
- Juvenile, family, and domestic violence court personnel; and
- Therapists, social workers, researchers, substance abuse treatment providers, and mental health professionals specializing in child welfare and family violence, including batterer intervention program staff.

STEP 2

ASSESSING COLLABORATION STRENGTHS AND NEEDS

GETTING THE FACTS

Gathering information on current domestic violence cases will help identify strengths and gaps in your present approach to supervised visitation while also ensuring the successful implementation of new strategies.

WHAT KIND OF INFORMATION SHOULD BE COLLECTED?

Court and programmatic data:

- The number of domestic violence cases with supervised visitation requests and the number of families actually referred to supervised visitation programs;
- The duration of supervised visitation and exchange orders and how long families remain in the program;
- The length of any waitlist and the procedure for handling cases on the waitlist;
- The number of offenders ordered to participate in batterer intervention programs or other mandated programs in addition to supervised visitation, and whether those programs were completed;
- The hours of operation and fees for local supervised visitation services;

- The frequency and content of court reports submitted by supervised visitation providers, in addition to how those reports are used by the court and supervised visitation provider.

Information about the community's informal supervised visitation mechanisms:

- The number of cases using a relative or untrained third party as a visit supervisor, and how often these cases come back to court for matters related to visitation;
- Cases with known harm to adult victims or children during visitation supervised by a relative or untrained third party;
- Cases ordered to supervised exchange or a neutral drop-off and pick-up location, and whether there has been law enforcement intervention and/or families have returned to court for matters related to the exchange of their children and/or on-going safety risks.

STEP 3

CREATING A CHILD CUSTODY AND ACCESS SYSTEM MAP

One of the most effective ways to develop an understanding of current practices and processes is to develop a system map. A child custody and access system map will identify problem areas related to information flow, program delays, and resource gaps.

- Compile any formally developed policies of the court, supervised visitation and exchange programs, and stakeholder agencies regarding supervised visitation;
- Map out the flow of cases and information between the court, supervised visitation services, and related agencies;
- Review your system map. Pay particular attention to the decision points in the system that are guided by formal policy. Make a list of all the agencies that make or influence decisions about supervised visitation and exchange in your jurisdiction;
 - Where do cases come from? Family court or integrated domestic violence court? Child welfare agencies? Other community agencies?
 - Are there current policies or criteria in place for ordering supervised visitation and exchange? What are they?
- Review existing materials, including policies and procedures, educational materials, and court and program forms and documents;
- Request information on the use of and need for supervised visitation services from culturally-specific service providers in the community;
- Review how information is shared between the court and stakeholders: Is there technology involved? Are there strategies in place to maintain confidentiality? Is there a mechanism for supervised visitation staff to report back to the court and other agencies?

See Worksheet A for a sample system map.

STEP 4

IMPROVING COMMUNICATION BETWEEN THE COURT AND THE PROGRAM

Open and regular communication between your domestic violence court and supervised visitation program staff not only promotes the safety of children and at-risk parents in domestic violence cases, but also furthers collaboration between all key community players.⁹ Both the court and supervised visitation program should designate a point person to exchange vital information in a timely manner, and thereby maximize child and adult victim safety while ensuring offenders comply with court orders.¹⁰

THE COURT'S ROLE

When issuing visitation orders for families experiencing domestic violence, it is important for the court to assess the danger to both the children and the at-risk parents presented by various arrangements, including the risk of emotional and physical harm and child abduction. Courts should consider providing programs with the following information when ordering visitation:

- Copies of orders of protection and any additional orders, along with any written

records of allegations of domestic violence and/or child abuse;¹¹

- Actual language in the order that mandates the referral to the supervised visitation and/or exchange program;
- The specific services to be provided (i.e. supervised visitation or supervised exchange);
- Who may have contact with the children;
- The duration and frequency of contact being ordered;¹²
- Who will pay for supervised visitation services;¹³ and
- The type and frequency of reporting that the court prefers, including reporting on safety issues that arise.

THE SUPERVISED VISITATION PROGRAM'S ROLE

Supervised visitation program staff should keep copies of orders of protection in on-site files, and security personnel must be familiar with the terms of each family's orders of protection and

the reason for referral to the program. Program staff should also consider providing regular reports to the courts, especially prior to any court appearances or compliance hearings. In their reports, program staff must remain objective and refrain from offering interpretations or recommendations about custody and visitation.¹⁴

Although supervised visitation program staff may provide context in reports explaining why particular behaviors create safety risks for a family, court staff should keep in mind that supervised visitation and exchanges create artificial environments. Since parents understand that the visit is being monitored, the offending parent, at-risk parent, and children may exhibit behaviors they would not engage in outside of supervised visitation.¹⁵ As such, while assessing these reports, your court should be aware that a lack of critical incidents does not necessarily mean it is safe for families to move from supervised visitation to alternative arrangements.

Reports to the court should include the following:

- The names of the custodial parent, non-custodial parent and child(ren) and the case docket number;
- The name of the individual who supervised the visit;
- The visitation schedule, including number of visits scheduled and number of visits facilitated (specifying date, time and duration of contact);
- The number of missed visits or times either parent arrived late and an explanation of the circumstances surrounding the incident;
- A description of any interventions made during the visits, especially if any safety concerns arose and/or there was an early termination of a visit;¹⁶
- Whether a behavior/action/situation compromised the safety of anyone involved in the visit and details of how and for whom safety was compromised.

See Worksheet B for a court report template.

SUPPORTING VICTIMS THROUGH PROGRAM ACCOUNTABILITY

Offenders often use child visitation and exchange to continue to harass, threaten, and abuse their former partners. Even in supervised settings, offenders may attempt to stalk adult victims, manipulate children, or challenge the rules of the program. Your domestic violence court can work with supervised visitation programs to develop written protocols that outline victim safety and support measures for domestic violence cases:¹⁷

- Are program policies and procedures based on an understanding of domestic violence dynamics? Can the supervised visitation program respond to the unique needs and safety risks of adult victims and children? Do the policies and procedures address the safety needs of adult victim who are visiting parents?
- Are adult victims advised of these protocols and procedures? Do program staff answer all participant questions?
- Are the program's hours of operation flexible?
- Is there sufficient security personnel stationed in and around the courthouse and

visitation and exchange facilities? Is the layout of the facilities safe for adult victims and children?

- Are victims provided with information regarding domestic violence service providers? Can these service providers be stationed on-site at the domestic violence court and supervised visitation center to facilitate access?
- Is victims' confidential information protected in case files and case management systems?
- Do victims need clarification regarding why supervised visits were ordered? Do program staff make regular contact with adult victims? Do program staff remain fair and respectful with each member of the family and meet each family member's needs?
- Do adult victims need help getting their cases in order? Are there advocates available to assist? Are forms and materials available in languages other than English?

STEP 5

DEVELOPING COLLABORATION GOALS

After evaluating the current state of the collaboration between your domestic violence court and supervised visitation program, your Working Group can begin setting goals for the future. At this stage, consider the following:

WHAT ARE THE GOALS AND OBJECTIVES FOR THE COLLABORATION?

The Center for Court Innovation recommends that the Working Group prioritize the following goals:

- Formalize a referral process between the courts and supervised visitation services based on the anticipated need for supervised visitation and exchange in cases involving family violence;
- Formalize protocols for communication between the court and supervised visitation programs. For example, protocols can address the following:
 - Exchange of information about court orders, including orders of protection, and written allegations of domestic violence or child abuse;
 - Reporting guidelines and a regular schedule for reporting by program staff to the court;

- Establish protocols for responding to non-compliance with court-ordered supervised visitation and/or exchange;
- Ensure safe and secure premises for supervised visitation and exchange, including by developing written safety protocols for general program operations and for emergencies; and
- Implement ongoing training for supervised visitation staff on child and adult victim safety in the context of domestic violence, including how visitation and exchange can be used to further abuse; the impact of domestic violence on child and adult victim behavior; the risks of attempting to interpret offender behavior and parent-child interactions during visits and exchanges; and discussing offender behavior with parents and children as it relates to past and/or ongoing battering.

See Checklist B to evaluate the current collaboration and communication between your community's domestic violence court and supervised visitation programs.

STEP 6

TRAINING

Staff from both the supervised visitation program and the court must undergo extensive training on domestic violence dynamics in order to keep children and at-risk parents safe while also holding abusers accountable.

COURT STAFF

- Judicial training** on sharing information with supervised visitation programs; domestic violence risk assessment; and identifying and accounting for domestic violence in custody and parenting time orders when there is no protection order or documented abuse;
- Court staff training** on the supervised visitation referral and reporting process.
- Policies and procedures for reporting information to domestic violence courts;
- The importance of confidentiality for all involved parties;
- How domestic violence dynamics play out in supervised visitation and exchange, including examples of battering behavior that may be used in that context;
- Culturally responsive practices, language access, and access for parents or children with disabilities.

See Checklist C for additional training topics.

SUPERVISED VISITATION PROGRAM STAFF

In addition to best practices for supervised visitation when domestic violence is present, training should address:

- Appropriately reporting safety risks and critical incidents to the court, such as repeated violations of the terms of visitation; severe distress of the child in response to visitation; indications that the offending parent has threatened to harm or flee with the child; and volatile situations that arise during visitation, such as patterns of behavior consistent with battering;

STEP 7

DOCUMENTING YOUR PLAN

After getting a better sense of what is currently happening in your community, you are well situated to finalize plans for productive collaboration between your domestic violence court and supervised visitation programs. Here are some suggestions for what your Working Group can include in a planning document:

PLANNING DOCUMENT CHECKLIST: INFORMATION TO MEMORIALIZE

- Mission and goals of the collaboration between the domestic violence court and supervised visitation programs;
- A list of Working Group members and additional stakeholders;
- A description of the training on domestic violence dynamics, confidentiality, security, and cultural responsiveness that all supervised visitation and exchange program staff will receive;
- The plan for judicial monitoring of non-custodial parents' compliance with supervised visitation orders. This might include the referral process, reporting requirements, a liaison from each agency to the supervised visitation program, confidentiality requirements, a proposed schedule of court appearances, and a sanctioning plan in case of failure to comply;¹⁸
- A description of agreed-upon reporting and communication practices;
- A description of the physical space for the program, which should include secure space for adult victims and children, and additional back-office space for staff and files. Security plans should also be included;
- The types of evaluation the project will be subject to and who is responsible for conducting the evaluation.

STEP 8

EVALUATION PLAN

In order to evaluate the effectiveness of the collaboration between your domestic violence court and supervised visitation programs, your Working Group may decide to interview or administer surveys to litigants and stakeholders to learn about their experiences. Through participant feedback, your Working Group will be better positioned to:

- Develop procedures for eliciting litigant complaints and feedback about supervised visitation and exchange;
- Track whether litigants requested supervised visitation and whether it was ordered, if no supervised visitation was ordered, ask whether litigants understand the reason;
- Assess the level of understanding about supervised visitation services among attorneys, victim advocates and community-based service providers; and
- Evaluate clients' experiences with supervised visitation and exchange services.

WORKSHEET A

SYSTEM MAP

See: The Center for Court Innovation's

Creating a Domestic Violence Court: A Planning Toolkit

One of the most effective ways to develop an understanding of current practices and processes is to develop a system map. A thorough system map will allow your working group to clearly define the current processes in chart form, and identify problem areas such as lack of information flow, capacity issues, delays, and resource gaps. Once identified, this knowledge provides a solid basis from which to develop a relationship between domestic violence courts and supervised visitation and exchange programs.

System mapping involves diagramming all of the steps connecting the court and supervised visitation processes, beginning with an order for supervised visits and/or exchanges and ending with the completion or termination of services. In addition to detailing the processing of a case, a system map should include the following pieces of important information:

- The major steps and key decision points in the system.
- The key decision makers at each point in the system.
- The amount of time it takes a case to move from one point to the next.
- The volume of cases moving through (or leaving) the system at each point.

SHAPE KEY AND DEFINITIONS



INPUT

The initial step in the process



PROCESS

Each step in the process that is not a decision point



DECISION POINT

Steps in the process where more than one outcome is possible



TERMINUS

The final step in a stream of activity that terminates all other actions (e.g., "case closed")

CREATING YOUR MAP

1. Identify the first step in the case-flow process from the time supervised visitation or exchange is ordered and/or requested in a petition. Place this at the beginning of the map inside the appropriate shape (see key and shape definitions below).
2. Continue discussing and drawing each subsequent step (and placing them in the appropriate shapes) until the entire process is diagrammed.
3. Draw arrows from one step to the next.
4. Identify and list the decision makers involved at each decision point on the map. This step will help you identify additional stakeholders who may not currently be part of your planning team.
5. Number each step in the process to ensure clarity. This will allow you to refer to specific steps in the process when discussing the system map.
6. Go back through your map and add quantitative information, such as case volume, average time from step to step, and agency capacity information.
7. Work with your team to ensure the chart accurately represents the process from start to finish, but keep these documents as simple as you possibly can. The primary objective is to make the chart clear so the process under review can be readily understood and improvements easily identified.
8. Use this map as a planning tool to guide decisions on staffing, resources, protocols, and policies.

CHECKLIST A

ASSESSING YOUR SUPERVISED VISITATION PROGRAM

Use this checklist to assess how your community's supervised visitation and exchange program is protecting adult victim and child safety while promoting offender accountability.²⁰

STAFFING, SAFETY & SECURITY

- Separate parking lots for custodial and non-custodial parents or guardians
- Separate facility entrances for custodial and non-custodial parents
- Separate waiting rooms for custodial and non-custodial parents
- Compliance with fire and occupancy standards, and local, state and federal safety requirements
- Staggered arrival and departure times for custodial and non-custodial parents
- Weapons screening
- Panic buttons for staff
- Surveillance cameras
- Ground-level rooms
- Safe neighborhood with accessible public transportation and adequate lighting
- Locked record room or file cabinet
- Procedures for responding to safety concerns and critical incidents

STAFF TRAINING

- Domestic violence dynamics
- Substance abuse issues
- Child abuse and neglect, including sexual abuse
- Effects of divorce on family dynamics
- Confidentiality and record maintenance
- Interagency reporting and court procedures

- Cultural responsiveness
- CPR and First Aid

SITE VISITS

- Tour facilities and check security measures
- Review all materials provided to parents

REVIEW POLICIES & PROCEDURES

- Program structure and administration
- Types of services offered
- Screening and referral process
- Waiting list management
- Criteria for accepting and declining cases
- Intake and orientation process
- Communication with courts and other agencies
 - Sample court reports
 - Additional forms
- Program guidelines for parents
- Payment of fees
- Hours of operation
- Language access procedures
- Emergency protocol
- Grievance process
- Confidentiality, record and case management, and release of information practices
- Data collection
- Limitation of enrollment period
- Process for discharge and termination of cases
- Compliance with the Americans with Disabilities Act

CHECKLIST B

COMMUNICATION AND COLLABORATION STRATEGIES

Use this checklist to assess the communication between your community's domestic violence court and supervised visitation program. This checklist will help your community determine both strengths and gaps in your collaboration.

COURTS

- Tailor custody and visitation orders to protect the safety of children and adult victims
- Gather all relevant decision-making information prior to referrals
- Send all relevant orders, including the Order of Protection, along with all documentation of domestic violence and child abuse, to the program
- Ensure program reports are consistent, accurate, and follow established protocol
- Educate partners on how the court system works in custody and visitation cases
- Collaborate with law enforcement and social services agencies and develop written protocol to share information and respond appropriately while maintaining confidentiality of parties
- Provide supervised visitation programs with all relevant information, including: who may and may not have contact with the children, the duration and frequency of the contact, and who will pay for the visitation services

COLLABORATION BETWEEN COURTS AND SUPERVISED VISITATION PROGRAMS

- Establish a point of contact at the court and at each supervised visitation and exchange program
- Determine eligibility criteria and contraindications for supervised visitation
- Develop and revamp referral forms and procedures
- Create a court report template and formalize court reporting procedures
- Institute check-ins between agencies regarding protocol and policies
- Develop and expand resources available to batterers, adult victims, and children
- Engage in cross-training between court and supervised visitation staff

SUPERVISED VISITATION AND EXCHANGE PROGRAM

- Maintain a safe and secure environment for children and adult victims
- Begin each client relationship with clear expectations and boundaries
- Provide accurate, objective, and timely reports to the court that follow established protocol
- Train staff on recognizing domestic violence dynamics and responding to safety risks

CHECKLIST C

TRAINING TOPICS

Use this checklist to identify additional training topics for your community's domestic violence court staff and/or supervised visitation program staff.²¹

- Why the presence of domestic violence, sexual abuse, and/or stalking may necessitate supervised visits and exchanges;
- Working with children who have been exposed to domestic violence and sexual assault and/or who have experienced child abuse;
- Engaging men and fathers regarding their parenting in order to support safety and reduce risk;
- Legal interventions in family violence cases, such as orders of protection;
- The referral process for additional services, i.e. housing or job training;
- The safety concerns that may arise when victims seek an order of protection, separation agreement, divorce, child support, or maintenance, or attempt to modify the terms of custody and visitation;
- Identifying and responding to abusive behavior during supervised visits and exchanges, including:
 - Testing or violating program rules;
 - Requesting "special privileges" such as unsupervised time with children;
 - Violating orders of protection;
 - Attempting to bring weapons to the program;
 - Denial or minimization of abusive behavior;
 - Blaming partner for the abuse or for visitation being supervised;
 - Attempting to control or manipulate staff;
 - Attacking the parenting skills of the at-risk or custodial parent;
 - Making covert or overt threats to hurt or abduct the child or adult victim;
- Using children as informants about current living situation, phone numbers, schools, etc.;
- Stalking the victim and child upon arriving or departing the program;
- Financial abuse/manipulation;
- Emotional abuse and manipulation;
- Physical violence;
- Destruction of property (e.g. slashing tires); and
- Making suicide threats.

ENDNOTES

1. *Supervised visitation* involves contact between a non-custodial parent and child monitored by a third party to ensure the safety of the child and adult victim. *Supervised exchange* is the transfer of a child from one parent/guardian to another under the supervision of a third party in order to avoid abusive conduct during the exchange. Both are commonly ordered in cases involving family violence. With supervised exchange, the supervision is limited to the exchange, so the visit itself is unmonitored. See: <https://safehavensonline.org/glossary-of-terms.html>
2. See: <http://www.bwjp.org/assets/documents/pdfs/practice-guides-for-family-court-decision-making-ind.pdf>
3. See: <http://www.justice.gov/sites/default/files/ovw/legacy/2008/08/06/guiding-principles032608.pdf>
4. Fleury, R. B., Sullivan, C. M. & Bybee, D. L. *When Ending the Relationship Does Not End the Violence*, 6 Violence Against Women 1364-1365 (2000).
5. See: <http://www.courtinnovation.org/sites/default/files/Supervised%20Visitation.pdf>
6. Often, the at-risk parent is also the custodial parent. However, there may be circumstances under which the court does not grant custody of the common child or children to the parent who is the victim of domestic violence.
7. See: *Assessing Risk for Domestic Violence: A Pilot in New York* at <http://www.courtinnovation.org/research/fact-sheet-erie-risk-assessment-pilot?url=research%2F7%2Fall&mode=7&type=all>
8. See: *Standards for Supervised Visitation Practice* at <http://www.svnetwork.net/standards.asp>
9. Communication between the court and supervised visitation program regarding individual cases should continue to adhere to the standards of confidentiality in the Violence Against Women Act, specifically regarding the release of information. VAWA 2013 Section 3: 42 U.S.C. 13925 (a)(20) & (b)(2).
10. Jaffe, P.G., Crooks, C.V. & Wong, F. Q. F. *Parenting Arrangements After Domestic Violence*, Journal of the Center for Families, Children & the Courts 90-91 (2005).
11. Courts should also consider providing the supervised visitation program with a court referral form that includes possible case issues, i.e. allegations or evidence of risk assessment information, that are relevant to the safety of a child or parent in the supervised visitation or exchange program.
12. Courts should consider the capacity, policies, and scope of services for supervised visitation providers before determining the duration and frequency of visits.
13. Supervised visitation and exchange programs receiving funding from OVW are not permitted to charge fees.
14. See: McMahon, M. and Pence, E. (2008). *On Safety's Side*. Duluth: Praxis International. According to VAWA, a grantee shall not disclose individual client information without the informed, written, reasonable, time-limited, specific consent of the person. Violence Against Women Reauthorization Act of 2013, 42 U.S.C. § 13701 (3) (b)(1)(A)(ii).
15. Parents may feel motivated to impress supervised visitation and exchange program staff in order for the court to receive records of "good behavior" and grant less restricted access to the child. Courts should be aware that supervised visitation and exchange programs may be reluctant to report good behavior to the court out of safety concerns for the family, specifically if a report of good behavior leads to the court ordering unsupervised visits. See: Campbell, J., Gordon, D. & Foster, O. (2008). *Beyond Observation: Considerations for Advancing Domestic Violence Practice in Supervised Visitation*. Family Violence

Prevention Fund p. 32. *Safe Havens: Supervised Visitation and Exchange Grant Program Guiding Principles*, p. 23-24.

16. See: Footnote 4
17. Pulido, M. & Lewis, C. (2008). *The NYSPCC Professionals' Handbook: Supervised Visitation Services for High-Risk Families*. New York: The New York Society for Prevention of Cruelty to Children.
18. The court should consider discussing the possibility of sanctions with adult victims in order to adequately assess the risk posed towards the adult victim and children, since sanctions may increase that risk.
19. In order to facilitate effective collaboration, domestic violence courts and supervised visitation programs should consider developing protocols and forms together rather than independently. Adapted from: *The NYSPCC Professionals' Handbook: Supervised Visitation Services for High-Risk Families*; and *Referrals to Supervised Visitation Programs: A Manual for Florida's Judges* at <http://training.familyvio.csw.fsu.edu/manuals/judges/oldsite/chapter5/ch5.pdf>
20. See Endnotes 4 and 9; See: *Supervised Visitation: The New York Society for the Prevention of Cruelty to Children's Unique Approach* at <http://www.courtinnovation.org/research/supervised-visitiation-new-york-society-prevention-cruelty-childrens-unique-approach-0>
21. See Endnotes 2 and 4; *Supervised Visitation Network's Standards for Supervised Visitation Practice: Training & Education* at <http://www.svnetwork.net/standards-training.asp>

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