SUPERVISED VISITATION: LEGENDS AND TRUTHS

By: Dr. Mark Roseman
The Toby Center for Family Transitions™ was founded in Florida in 2008 as an affiliate of the National Children’s Rights Council (CRC) in Washington, DC (www.crckids.org). Originally incorporated in 2000 by Yale University School of Law as the Children’s Rights Council of Connecticut, Inc., the Toby Center has become the registered trademark for the CRC of Connecticut.

The Center honors its namesake, Toby Roseman, who learned to value family while growing up during the Great Depression and WWII. As a mother, Mrs. Roseman advocated the rights of women and people of color to choose their own destiny. She was the third oldest sibling in a family of seven children. As a teenager during WWII, she worked after school at Remington Rand Typewriter and United Aircraft to build aircraft fighter engines. Toby’s philosophy embraces her love for family and the fundamental principle coined by the national Children’s Rights Council in 1985 that:

“The BEST Parent is BOTH Parents.”™

“WHAT CHILDREN SEE AT HOME, THEY WILL DO TO SOCIETY” – KARL MENNINGER
Since 1998, Dr. Roseman has worked with children and parents journeying through divorce and child custody. His current work in child access services is based on his experience with the national Children's Rights Council in Washington, DC where his responsibilities included child advocacy, research on joint custody, program development in child access and visitation. At the Children's Rights Council, Dr. Roseman served as the Assistant Director for Child Access. He helped create the training curriculum for visitation monitors, and was the trainer for others around the country working with affiliated visitation centers. Dr. Roseman's mentor was David L. Levy, Esq., co-founder of the Children's Rights Council and leading advocate for legislative change supporting joint custody in more than 30 states since 1985. He is the CEO of the Toby Center for Family Transitions, Inc. which he founded in 2008. The Toby Center currently has seven locations in Florida. Its mission is to "improve child outcomes when parents choose to separate". The vision is to replicate the Toby Center where wraparound therapy and court related services are welcome and necessary.
MARK’S ARTICLE
Single parent house holds U.S. Census:

- A large majority of White non-Hispanic (78 percent) and Asian (87 percent) children lived with two parents, higher than the proportion for Hispanic children (68 percent) and more than twice as high as the proportion for Black children (38 percent). A higher proportion of Black children than White non-Hispanic or Hispanic children lived with one parent in 2004 (54 percent compared with 20 percent and 28 percent, respectively).
  - About 1.1 million children were living with a parent who had experienced a divorce in the last year.
  - Twenty-six percent of all children (19.3 million) lived with one parent.
  - Twenty-three percent of all children lived with their unmarried mother only (17.0 million), while 3 percent (2.4 million) lived with their unmarried father without their mother present.

- Unmarried parents..................... 2,227
  Single mother

- Unmarried parents..................... 78.7
  Single father

- Single parent house holds in Palm Beach County, FL:
  - 63,563
  - Roughly 40% live in single parent house holds

  **Divorce Rate in Palm Beach County, FL:**
  - Highest divorce rate in the state of Florida, 62.4%. Higher than in 2008 when there were 148,003 marriages and 80,019 divorces, 54.06%.

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• **Domestic Violence rate in Palm Beach County, FL:**
  - 27% reported domestic violence cases

**Child Abuse Rate in Palm Beach County, FL:**
- April 2010- March 2011
- Maltreatment= 12,565
- Substantiated maltreatment victims= 2,617
- Victimized in foster care= 32

**Total of Children Subjected to Maltreatment in Palm Beach County, FL reports:**
- Maltreatment responses= 12,565
- Maltreatment Investigations= 12,565
- Victim Reports= 2,617
  - Neglect= 1,030
- Physical Abuse= 209
- Sexual Abuse= 83
- Other Abuse= 1,295
- Repeat Victims within 3 months= 96/2,934
- Repeat Victims within 6 months= 185/2,863
- Repeat Victims within 12 months= 277/2,564
- Removed from Foster Care= 385/2,617
- Not Removed from Foster Care= 2,232/2,617

**Children Removed to Foster Care:**
- Neglect= 109/604
- Drug/Alcohol Abuse= 248/604
- Physical Abuse= 114/604
- Caretaker inability to cope= 48/604
- Inadequate housing= 114/604
- Incarceration= 40/604
- Abandonment= 35/604
- Sexual Abuse= 24/604
• **Truancy Rate in Palm Beach County, FL:**
  • 33% of students drop out school and commit truancy

• **ADD/ADHD Diagnosis:**
  • 11.6% of children from ages 4-17 are receiving the diagnosis of ADD/ADHD, according to the Center for Disease Control.
  • 9.5%, 5.4 million children ages 4-17 already have been diagnosed ADD as of 2007.
  • Each year the average of a child being diagnosed with ADD has gone up 5.5%
  • Boys are 13.2% more likely to receive the diagnosis than girls 5.6%
  • The diagnosis rate is increasing the older teens get
  • Highest rates of the diagnosis are children covered by Medicaid and are multiracial
  • Most common is Hispanic children than white or black children
  • A child with a ADD diagnosis is more prone to contact with mental health professionals, prescription medications, and have frequent health care visits

• **Learning Disabilities and ADD:**
  • Ages 12-17 more likely than child 6-11 to have ADD and a learning disability
  • 5% of children just have ADD
  • 5% just have a learning disability
  • 4% have both
  • Children with ADD and learning disabilities are more likely to have chronic health conditions
Palm Beach County
St. Gregory’s
Episcopal Church
100 NE Mizner Blvd
Boca Raton, Fl. 33429

Broward County
St. Benedict’s Episcopal Church
7801 NW 5th Street
Plantation, Fl 33324

St. Nicholas Church
1111 East Sample Road
Pompano Beach, Fl. 33064

Hillsborough County
Christ Church of the Redeemer Church
304 Druid Hills Road
Temple Terrace, FL 33617

Orange County
Martin Luther Kind Jr. Park
1050 W. Morse Blvd
Winter Park, FL

Seminole County
Casselberry Service Office
Kids Need Both
5050 South US Highway 17/92
Casselberry, Fl 32707

Polk County
Lakeland Service Office
1021 Lakeland Hills Blvd.
Lakeland, Fl 33805

North Polk County Service Area
Family Fundamentals
1021 Lakeland Hills Blvd.
Lakeland, Fl 33805

South Polk County Service Area
250 E. Park Avenue
Lake Wales, FL 33853

www.thetobycenter.org
The hours are varied by the needs of our clients. Responsibilities to include, but are not limited to:
conducting individual supervision of visiting parent(s) with their children, ensuring safety of the child during supervised family visits and custodial exchanges. Responsible for assisting and role model appropriate parenting skills and preparing individual observational reports and documented case notes for each visit.

This position requires strong teamwork, knowledge of domestic violence issues. Experience working with children and families.

Available Training

- Advocacy for Non-Profits: Blending Advocacy with Human Services
- Anger Management: Resolving Conflict Through Personal Awareness
- Buddy Lunch: Peer Support for Public School Students
- Domestic Abuse: Understanding Violence and Aggression
- Family Law: Issues and Process
- Fight or Flight: Remaining Calm Under Stress
- Parents in Conflict and the Child with Dual Loyalties
- Rebuilding Relationships
- Resolving Conflict through Mediation
- Single Parenting: Facts and Myths
Introduction to Supervised Visitations

https://www.youtube.com/watch?v=cyTbfwAWkcU
What is Supervised Visitation

Supervised Visitation allows parents in high conflict or high risk situations access to their children in a safe and supervised environment. The noncustodial parent has access the child only when supervised by another adult. Supervised visitation is used to protect children from potentially dangerous situations while allowing parental access and providing for the parent/child relationship.
MYTHS (LEGENDS) OF VISITATION

- Mother’s always receive custody
- Supervised visitation is ordered solely for men.
- Most domestic violence is caused by men.
- No one with a history of domestic violence, mental illness, criminal convictions or substance abuse will get custody rights.
- Police will enforce custody orders
- Children are resilient to custody changes over time
- If a child demonstrates no fear or aversion to a parent, then there is no reason not to award unsupervised contact or custody
- Any ill effects of domestic violence on children are minimal and short term
- Children are in less danger from a batterer/parent once the parents separate
- Mother’s frequently invent allegations of child sexual abuse to win custody.

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WHO OFTEN USES THIS SERVICE?

- Families of high conflict divorces
- Families with accusations of abuse
- Families with substance abuse
- Disorganized and/or insecure attachments
- Chaotic life-styles
- Returning military services members (PTSD/T.B.I)

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BEST CIRCUMSTANCES FOR THIS SERVICE AS AN INTERVENTION

- Criminal History
- Domestic Violence
- Mental Illness
- Past Abduction Attempts
- False Allegations

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Supervised visitation as a tool in family litigation and high conflict circumstances
WHY USE SUPERVISED VISITATION?

- Reduce the potential for harm to victims of domestic violence and their children.
- Enabling a relationship between noncustodial parent and child.
- Facilitate appropriate child/parent interaction.
- Help built healthy relationships between parents and children.
WHAT ARE EXPECTATIONS FROM IT’S APPLICATION?

- Prevent child abuse
- Reduce risk of kidnapping
- Child develops a relationship with both parents.
- To facilitate reunification, where appropriate.
WHAT GOALS MAY BE SOUGHT IN LITIGATION WHEN RECOMMENDING SUPERVISED VISITATION?

- To give the visiting parent the chance to address specific issues
- To help reintroduce a parent and a child after a long absence.
- To help introduce a parent and child when there has been no existing relationship between them.
WHAT ARE SPECIAL CONSIDERATIONS WHEN RECOMMENDING THE SERVICE?

- Financial constraints
- Conflicting Agendas
- On-going litigation
- Complicated family issues
How can supervised visitation be responsibly ordered through the court?
WHEN SHOULD THE ORDER BE CONSTRUCTED?
A POORLY CONSTRUCTED COURT ORDER?

- The Mother, shall have supervised daytime visitation with the children which shall take place at a family visitation center only and shall take place a minimum of once a month. The mother shall have no contact with the children by phone, email, text message, social networking sites, or any means other than supervised visits at a family visitation center.
- The children shall have no contact with their brother
- The children shall have no contact with a specific family member
- The mother shall have no contact with a specific family member in the presence of the children
- The monitor shall facilitate visitation between the child(ren) and the siblings, by phone, by electronic means and in person to the extent possible.
WHAT ARE THE COMPONENTS FOR THE COURT ORDER?

- Who (attendees at visits)
- When (number hours)
- Where (on/off site)
- Required compliance of provider’s procedures by both parties.
- Required intake process by both parties and children
- Who will pay for the service.
- Any domestic violence restrictions
- Delineated support for the provider’s decisions in the event of conflict with custodial parent’s opinion.
- Transportation (is the noncustodial parent prohibited from driving the children with the supervised Visitation monitor in the vehicle.)
WHAT ARE THE MOST EFFECTIVE COMPONENTS FOR THE COURT ORDERED VISITATION?
WHAT SHOULD JUDGES KNOW ABOUT COURT ORDERED VISITATION?

- Matching the needs of the family with a provider
- Assist the family in understanding the neutral role of the supervised visitation monitor
- Refrain from asking the provider to make custody-evaluative recommendations
- Attempt ease custodial parents anxiety
- Understand role of the provider in avoiding further abdication of parental authority.

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WHAT ARE THE RESULTS OF SUPERVISED VISITATION?
REFERRALS MADE BY
- Court
- Attorney
- Therapist
- 211 Infoline
- Self referrals
- Other

Phone Intake for Basic Information
- Contact Information
- Initial Assessment
  - Domestic Violence/abuse
  - Addiction
  - Criminal Charges
  - Mental Health and Physical Capacity of participants
- Why need for visitation
- Where

Assignment to Monitor

Intake Scheduled with Each Party

Visitation Session Scheduled
# Reasons for Supervised Visitation Referrals

<table>
<thead>
<tr>
<th>Reason</th>
<th>Frequency</th>
<th>Percentage</th>
<th>Valid Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Abuse/Neglect</td>
<td>676</td>
<td>24.4</td>
<td>24.7</td>
</tr>
<tr>
<td>Parental Substance Abuse</td>
<td>584</td>
<td>21.1</td>
<td>21.4</td>
</tr>
<tr>
<td>Domestic Violence</td>
<td>935</td>
<td>33.8</td>
<td>34.2</td>
</tr>
<tr>
<td>Parental Mental Health</td>
<td>145</td>
<td>5.2</td>
<td>5.3</td>
</tr>
<tr>
<td>Other Parental Misconduct</td>
<td>82</td>
<td>3.0</td>
<td>3.0</td>
</tr>
<tr>
<td>Death of Sibling</td>
<td>8</td>
<td>.3</td>
<td>.3</td>
</tr>
<tr>
<td>Other</td>
<td>305</td>
<td>11.0</td>
<td>11.2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2735</strong></td>
<td><strong>98.8</strong></td>
<td><strong>100.0</strong></td>
</tr>
</tbody>
</table>

*Clearinghouse on Supervised Visitation, School of Social Work (FSU) 2012*
FIELD REPORT

The Toby Center for Family Transitions
1021 Lakeland Hills Blvd, Lakeland, FL 33805
Tel. 863-644-0310

FIELD REPORT FOR SUPERVISED VISITATION

<table>
<thead>
<tr>
<th>Case Name</th>
<th>Monitor(s) Present:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participating Names of Adults Present:</td>
<td></td>
</tr>
<tr>
<td>Names of Children Present:</td>
<td></td>
</tr>
<tr>
<td>Date of Visit</td>
<td>Time of Visit</td>
</tr>
<tr>
<td>Name of Visitation Supervisor:</td>
<td>Date Report Completed:</td>
</tr>
</tbody>
</table>

- Were the Parents Tardy? Yes or No? If yes, How Late?
- Was the Visit Terminated? Yes or No? If yes, What Time?

- Reason(s) for Terminating Visit: Over 15 minutes late
  - Name-calling
  - Parents ignored Supervisor's instructions
  - Parents' Aggression
  - Parents showed aggression
  - Foul Language
  - Parent's threatening behavior
  - Children out of control
  - Parents made comments or tried to influence the children about the case

- Other Reason:

Please describe briefly the specific behaviors that prompted the check mark, for example, specific foul language used by parent in front of the children.

(IF MORE SPACE IS NEEDED, PLEASE USE ANOTHER SHEET.)

**Hazardous conditions, if applicable, could include, but are not limited to:**

<table>
<thead>
<tr>
<th>Possible Hazard</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leaking gas from stove or heating unit</td>
<td></td>
</tr>
<tr>
<td>Dangerous substances or objects stored in reach of children or in cabinets</td>
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</tr>
<tr>
<td>Lack of water or utilities</td>
<td></td>
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<tr>
<td>Inadequate heat/plumbing/electricity</td>
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<tr>
<td>Perishable food not properly stored</td>
<td></td>
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<tr>
<td>Evidence of human or animal waste</td>
<td></td>
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</tbody>
</table>

**PLEASE DESCRIBE WHAT HAPPENED DURING THE VISIT REGARDING THE INTERACTION BETWEEN THE PARENTS AND THE CHILDREN:**

(IF MORE SPACE IS NEEDED, USE ANOTHER SHEET)
CONFIDENTIALITY OF RECORDS

- Field reports are available to each party upon request.
- Field notes and other related documents are available solely by subpoena with prepayments.
- Programs shall maintain all records for 5 years following suspension of visitation.
- Employees may not discuss care information to anyone outside the provider workplace.
- Domestic violence cases require withholding of addresses or child school information unless courts provided.
REPORTING TO THE COURT

“Reports to the court must be submitted in each case immediately upon a critical incident. Other reports can be generated pursuant to program policies, but must also be sent to all parties, their attorneys, and the attorney for the child, if applicable.”

Final report to the legislature, recommendations of the Supervised Visitation Standards Committee, Pg. 59

(http://faimlyvio.csw.fsu.edu/wp-content/uploads/2012/02/Final_Report_to_Legislature.pdf)

- Field Reports – summary documentation of the visitation session
- Field Notes – concurrent notes taken by Toby Center family monitor during the visitation session
- File Records – all documents in the client file including court order, judicial and other findings, all field reports, notes and critical incidents
- Critical Incident Reports – where inappropriate behavior is observed, violations, abuse or law enforcement involvement.
WHAT ARE THE MOST IMPORTANT OUTCOMES FOR USE IN LITIGATION?
Q & A
2. Yevonne M. Baran, LPC-S, LMFT-SC, NCC – prepared PP
3. Adverse Childhood Experiences; Implications for Supervised Visitation by Karen Oehme, J.D. Powerpoint.