



Considerations for Supervised Visitation When Domestic Violence Is Present

Visitation Arrangements

Adult victims of domestic violence may need assistance in making decisions about or arranging for the abuser to visit with the child. Providing access to the child by a parent who has engaged in battering behaviors must be carefully evaluated, bearing in mind the physical, mental, and emotional safety of the child and the non-offending parent. Visitation arrangements generally fall within the following ranges of restriction:

- Informal and non-restrictive: Liberal access, non-offending parent safe to pick up/drop off child
- Formal and somewhat-restrictive: Friend or family member provides supervision and some specific time and behavior constraints
- Professional and highly-restrictive: Trained professional supervisor and very specific behavior guidelines and safety protocols

Service providers should be knowledgeable in the challenges and benefits of each of these options in order to effectively assist the non-offending parent in safety planning for visitation.

Supervised Visitation

In an effort to provide safety for the non-abusive parent and children, the Court may order an abuser's access to children be restricted via supervised visitation or supervised exchanges. Visits or exchanges may be ordered to occur in a public setting, a designated home or office, or in a visitation center. When domestic violence is present, appointed supervisors must have:

- a. A strong understanding of the safety risks to the non-offending parent (such as stalking, harassment, verbal and/or physical assault, and abduction)
- b. Clearly outlined behavior expectations of the visiting parent that must be thoroughly explained and agreed to in writing by the non-residential parent
- c. The ability to understand and intervene in battering tactics that might cause emotional, mental, or physical harm to the children OR THE NON-OFFENDING PARENT. Such tactics can include, but are not limited to:
 - Sending messages to the other parent through the child via gifts, food, promises, or threats
 - Refusing to pay for services
 - Asking for documentation from the provider stating how "good" the visits are
 - Persistently pushing boundaries or bending rules
 - Non-compliance with or persistently challenging scheduled visit or exchange times;
 - Ongoing battering through use of the Court - repeated requests for changes in service providers, length and frequency of visits, frequent attempts to modify orders, etc – regardless of child's wishes or comfort

Interventions by the visit/exchange supervisor should range from re-direction to visit termination to service suspension and finally to service termination. Service termination should be investigated and considered before appointing a new provider.

- d. Criteria for ordering supervised visitation should include the following considerations:
- Level and intensity of violence or stalking, lethality assessment
 - Immediate safety needs and concerns of the non-offending parent
 - Age and developmental stage of child
 - Housing and financial stability of non-offending parent (for example, if she's in shelter visitation may be a detrimental burden or hardship)
 - Child's exposure to violence
 - Offender's level of accountability for actions – Compliance with other court orders or conditions of orders such as DV assessment, participation in batterers' intervention, substance abuse treatment, parenting classes, mental health evaluations, etc.
- e. Criteria for selecting supervised visitation providers should include the following considerations:
- Extent of training and experience in the power and control dynamics of domestic violence, the impact of DV on children, and battering tactics
 - Security policies and procedures (including safety of non-offending parent before, during, and after service provision, in-depth intake process to determine types and level of risk, physical security protocol, etc)
 - Criteria for case acceptance/rejection/termination
 - Locations and context of services (on- or off-site services, one-on-one visit supervision, group visit supervision, etc)
 - Language and cultural capacity
- f. Finally, it MUST be understood that battering tactics often include efforts to gain custody of children through allegations of child abuse and neglect, substance abuse, and unfit parenting. If the non-residential parent is actually the victim of domestic violence, (even if the allegations are substantiated) it is incumbent upon the service provider to consider all of the above and adjust policies and practices accordingly to provide safety before, during, and after the visit or exchange.