

DSS Policy and Procedure Guide

Division 03: Child Welfare

Chapter 04: Ongoing Case Management/Practice

Item 024: Third Party Visitation

Suggested changes send to: [DSS Child Welfare QA](#)

Issued: **December 3, 2010**

References:

Replaces Issue: **New**

Policy

It is the policy of the Department of Social Services, Child Welfare to allow a third-party person to supervise court ordered visitation between a child(ren) and a parent, guardian, relative or non-relative extended family member.

Purpose

Visitation is a key factor in successful reunification. Some of the goals of third party visitation are to increase the amount of positive interactions a child has with their parent, enable the parent to have natural interactions with their child in an environment that is comfortable and safe; provide enhanced opportunities for the parent to demonstrate positive parenting skills when interacting with their child and to assist in meeting case plan goals.

Procedure

A child and family may benefit from third party visitation if the following has occurred:

- Verification of the court order has been done and there is approval for third party supervised visitation.
- The social worker (SW) has discussed the option of third party supervised visitation with all parties involved, including, but not limited to the person providing supervision, the parent or relative participating in supervised visitation, and the child (if age and developmentally appropriate).
- Please refer to PPG 3-4-3 regarding Visitation Progression.

There are a number of individuals who can be considered as third party supervisor for visitation. For example, family friend, foster parent, or relative agreed by all parties, with whom the child is comfortable and who has been cleared through a criminal background check.

If the court has already given permission for Third Party Supervised Visits:

- Review Attachment E for a better understanding about best practice regarding 3rd Party Supervised Visitation.
- Complete an assessment of the Third Party Supervisor that includes the ability of the identified person to adhere to the rules and guidelines outlined in Attachment A.
- After identifying a potential Third Party Supervisor, the SW will complete the necessary clearances of that person. For individuals who are not licensed foster parents or approved NREFM/relative care givers, the clearances shall include:
 - CWS/CMS
 - [<CLETS>](#)

- Local Sheriff's
- [Megan's Law](#)

Criminal History

It is important to note that criminal history does not exclude an individual from becoming a Third Party Supervisor. The social workers will consult with their social work supervisor (SWS) when criminal history is present. The SW and SWS shall review the information including, but not limited to:

- Type of conviction (violent vs. non-violent)
- Length of time since conviction
- Changes in behavior/lifestyle since the conviction
- Best interest of the child and family

Joint Meeting

Once the prior steps have been completed the SW will schedule a joint meeting with the parents and/or relatives with the identified Third Party Supervisor. The following shall be discussed/reviewed during the joint meeting:

- Review Attachment A with the Third Party Supervisor and parents and/or relatives. Obtain signatures on these documents and keep a copy in the case file.
- Review Attachment B with the parents and/or relatives. Obtain signatures on these documents and keep a copy in the case file.
- Ensure a safe and agreed upon location for the visit has been identified; and there is a commitment from the Third Party Supervisor to provide feedback to the SW and the court about the visit.
- Review Attachments C and D with the Third Party Supervisor.

If third Party Supervised Visits seems appropriate, but the court has not yet granted permission

- If the court has made a previous order regarding visitation that does **not** give permission for Third Party Supervised visits, it is necessary to request a change in the court order. This may be done with a [JV-180 motion](#) **or** through the findings and orders during the course of a scheduled court hearing.
- The SW shall follow all steps identified on page 1 to determine the appropriateness of the Third Party Supervisor.
- The SW will provide detailed information to the court regarding the Third Party Supervisor, the assessment completed, the date of the joint meeting, and signed copies of the Attachment A and B.
- This assessment will be provided to the court and should include not only the clearances, but also a full assessment of the visitation location, the individual's ability to complete the required documentation of the supervised visits, and the individual's ability to follow court orders related to visitation. The SW shall provide detailed information about the Third Party Supervisor in the JV-180 motion or in the court report, demonstrating that DSS has completed an assessment of the individual and they are appropriate to provide supervision for the scheduled visits.

The following attachments are provided to support and clarify roles and responsibilities described in this PPG.

- [Attachment A](#) - Third Party Supervisor Guidelines and Agreement
- [Attachment B](#) - Third Party Supervised Visitation Guidelines for Parents/Visitors
- [Attachment C](#) - Third Party Supervised Visit Narrative (email)
- [Attachment D](#) - Third Party Supervised Visit Narrative (handwritten)
- [Attachment E](#) - Best Practice Guide for Third Party Supervised Visitation

The Attachments shown on the following pages are for example only. To use a useable attachment click on the links above.

Third Party Supervisor's Instructions
TERMS AND CONDITIONS FOR 3rd PARTY SUPERVISED VISITS
"Visitation is Critical to a Successful Reunification"

Standards for 3rd party supervisors:

1. 21 years of age or older
2. Is not currently on probation/parole and has not been for at a minimum of 10 years
3. Has no conviction for child molestation, child abuse or other crimes against a person, and/or be a 290 registrant.
4. IF TRANSPORTING THE CHILDREN: have proof of valid automobile insurance, registration and drivers license; up to date car seats if applicable
5. Have no civil, criminal, or juvenile restraining orders within past 10 years
6. Have no current or past orders from the court in which the provider is the person being supervised
7. Agree to adhere to and enforce the court order regarding supervised visitation
8. Have no conflict of interest as defined below:
 - a. All providers shall maintain a neutral role
 - b. No 3rd party shall be financially dependent, and employee or intimately involved with the parties.
 - c. Not be an employee or affiliated with any superior or municipal court in county where supervised visits are ordered.

The 3rd party supervisor bears the sole responsibility for enforcement of all the terms and conditions of any supervised visitation. Unless otherwise ordered by the court, the 3rd party supervisor should:

1. Assure the safety and welfare of the child.
2. Enforce the frequency and duration of the visits as ordered by the court.
3. Avoid any attempt to take sides with either party.
4. Ensure that all contact between the child and the non-custodial party is within the 3rd party Supervisor's hearing and sight at all times, and that discussions are audible to the 3rd party Supervisor
5. Speak in a language spoken by the child and the visiting party.
6. Allow no derogatory comments about the other parent, his or her family, caretaker, child, or child's siblings.
7. Allow no discussion of the court case, possible future outcomes or placement.
8. Allow neither the 3rd party Supervisor nor the child to be used to gather information about the other party or caretaker or to transmit documents, information, or personal possessions.
9. Allow no spanking, hitting, whispering or threatening the child.
10. Allow no visits to occur while the visiting party appears to be under the influence of alcohol or illegal drugs.
11. Allow no emotional, verbal, physical, or sexual abuse.
12. Ensure that the parties follow any additional rules set forth by the 3rd party Supervisor or the court (e.g., all visitors must be pre-approved).
13. No cellular/telephone contact during visitation including text messaging.

**Third Party Supervisor's Instructions
TERMS AND CONDITIONS FOR 3rd PARTY SUPERVISED VISITS**

SAFETY CONSIDERATIONS FOR SEXUAL ABUSE CASES

In cases where there are allegations of sexual abuse, in addition to the requirements above, the 3rd party Supervisor should comply with the following terms and conditions, unless otherwise ordered by the court:

1. Allow no exchanges of gifts, money, or cards.
2. Allow no photographing, audio taping, or videotaping of the child/ren.
3. Allow no physical contact with the child such as lap sitting, hair combing, stroking, hand holding, prolonged hugging, wrestling, tickling, and horse playing, changing diapers, or accompanying the child to the bathroom.
4. Allow no whispering, passing notes, hand signals, or body signals.
5. Allow no supervised visitation in the location where the alleged sexual abuse occurred.

LEGAL RESPONSIBILITIES AND OBLIGATIONS FOR ALL THIRD PARTY SUPERVISORS

1. Advise the parties before commencement of supervised visitation that no confidential privilege exists.
2. Report suspected child abuse to the appropriate agency, as provided by law, and inform the parties of the 3rd party Supervisor obligation to make such reports.
3. Implement the terms and conditions as specified above.
4. Suspend or terminate visitation when appropriate.

TEMPORARY SUSPENSION OR TERMINATION OF SUPERVISED VISITATION

1. All 3rd party Supervisor should make every reasonable effort to provide a safe visit for the child and the visiting party.
2. However, if a 3rd Party Supervisor determines that the rules of the visit have been violated, the child has become acutely distressed, or the safety of the child or the 3rd party Supervisor is at risk, the visit may be temporarily interrupted, rescheduled at a later date, or terminated.
3. All interruptions or terminations of visits should be reported to the social worker as soon as possible.
4. All 3rd party Supervisor should advise both parties of the reasons for interruption of a visit or termination, if warranted.

I understand my responsibility as a 3rd party Supervisor and agree that I am willing and able to follow the instructions as described above.

3rd Party Supervisor's
Signature _____ Date _____

I understand my responsibility as a Parent/Visitor and agree that I am willing and able to follow the instructions set forth by the 3rd party supervisor.

Parent/Visitor's
Signature _____ Date _____
Parent/Visitor's
Signature _____ Date _____

I acknowledge that 3rd party supervised visitation has been approved by the court and this document has been reviewed with the parent/visitor and the 3rd party supervisor.

Social Worker's
Signature _____ Date _____

“Visitation is Critical to a Successful Reunification”

Your visits, including telephone calls, are being supervised to ensure a protective and supportive environment for you and the child(ren). These visits have been court ordered and are part of the child’s case plan. The terms of the THIRD PARTY SUPERVISED visitation are as follows:

1. If you will need to miss a visit, call the contact person at least 24 hours in advance.
2. Be on time for your visits.
3. At all times follow directions given by the 3rd party Supervisor
3. Arrive for the visit clean and sober. Use of alcohol or illegal drugs during the visit is cause for immediate termination of the visit.
4. Only those who have been previously planned for and approved by the Social Worker may visit.
5. Communicate only in a language understood by both the 3rd party Supervisor and the child.
6. Derogatory comments about the other parent, his or her family, caretaker, child, or child's siblings are not permitted.
7. Discussions of the court case, allegations, future outcomes and/or placement are not permitted.
8. Remain in visual and hearing range of the 3rd party Supervisor at all times.
9. Attempting to use the 3rd party Supervisor or the child to gather information about the other party or caretaker or to transmit documents, information, or personal possessions is not permitted.
10. Spanking, hitting, whispering or threatening the child is not permitted.
11. Cooperate with the 3rd party Supervisor in appropriately ending the visit at the pre-arranged time.
12. No cellular/telephone contact during the visit, including text messaging.

SAFETY CONSIDERATIONS FOR SEXUAL ABUSE CASES

In cases where there are allegations of sexual abuse, in addition to the requirements above, the following terms and conditions apply, unless otherwise ordered by the court:

1. No exchanges of gifts, money, or cards.
2. No photographing, audio taping, or videotaping of the child.
3. No physical contact with the child such as lap sitting, hair combing, stroking, hand holding, prolonged hugging, wrestling, tickling, horse playing, changing diapers, or accompanying the child to the bathroom.
4. No covert communication such as whispering, passing notes, hand signals, or body signals.
5. Visitation may not take place in the location where the alleged sexual abuse occurred..

The Supervisor may terminate the visit at any time if any of the above instructions are not followed, or if any other behavior occurs which the THIRD PARTY SUPERVISOR deems inappropriate or if the child appears unduly distressed. By signing below, I am indicating my understanding and responsibilities as a Parent/Visitor participating in third party supervised visits.

Parent/Visitor’s
Signature _____ Date _____

Parent/Visit’s
Signature _____ Date _____

DSS 3rd Party Supervised Visitation Narrative Form

PLEASE EMAIL THIS FORM TO CWSVisitation@co.fresno.ca.us WITHIN 5 BUSINESS DAYS OF THE VISIT
OR PROVIDE A WRITTEN COPY TO THE SOCIAL WORKER

Name of Person Supervising Visit:	Scheduled Visitation Time:
Case Name:	Duration of Visit:
	Date of Visit:

Individuals Participating in the Visit			
ADULTS		CHILD(REN)	
List the name and relationship of all adults visiting.		List the name and relationship of all children visiting. Note: You may have more than one focus child. Focus child(ren) should be any child with an open DSS case.	
Name	Relationship	Name	Relationship
1.	Relationship:	1.	Relationship:
2.	Relationship:	2.	Relationship:
3.	Relationship:	3.	Relationship:
4.	Relationship:	4.	Relationship:
5.	Relationship:	5.	Relationship:
6.	Relationship:	6.	Relationship:
Please list any additional adults or children and their relationship here:			

Visitation Description
Provide a brief description regarding the child(ren)'s arrival and greeting with the parent or relative visiting:
Provide a description of the interactions and activities during the visit:
Strengths during the visit:
Challenges during the visit:
Interventions provided by the visitation supervisor to address challenges (if appropriate):
Provide a brief description regarding the child(ren)'s separation from the parent or relative at the end of the visit:
Other Comments for the Social Worker or Court regarding the visit:

Visitation – Scheduled but did not occur
ONLY COMPLETE THIS SECTION IF THE VISIT WAS SCHEDULED BUT DID NOT OCCUR FOR ANY REASON
<input type="checkbox"/> No show – child(ren) <input type="checkbox"/> No show – parent/relative <input type="checkbox"/> Canceled by Social Worker <input type="checkbox"/> Canceled by other party – Name of party:
If canceled, please provide a reason for the cancelation:

DSS 3rd Party Supervised Visitation Narrative Form

PLEASE EMAIL THIS FORM TO CWSVisitation@co.fresno.ca.us WITHIN 5 BUSINESS DAYS OF THE VISIT
OR PROVIDE A WRITTEN COPY TO THE SOCIAL WORKER

Name of Person Supervising Visit:	Scheduled Visitation Time:
Case Name:	Duration of Visit:
	Date of Visit:

Individuals Participating in the Visit

ADULTS List the name and relationship of all adults visiting.		CHILD(REN) List the name and relationship of all children visiting. EXAMPLE: focus child (any child with an open DSS case), non-dependent sibling, cousin, or OTHER. Note: you may have more than one focus child.	
<u>Name</u>	<u>Relationship</u>	<u>Name</u>	<u>Relationship</u>
1.	Relationship:	1.	Relationship:
2.	Relationship:	2.	Relationship:
3.	Relationship:	3.	Relationship:
4.	Relationship:	4.	Relationship:
5.	Relationship:	5.	Relationship:
6.	Relationship:	6.	Relationship:

Please list any additional adults or children and their relationship here:

Visitation Description

Provide a brief description regarding the child(ren)'s arrival and greeting with the parent or relative visiting:

Provide a description of the interactions and activities during the visit:

Strengths during the visit:

Challenges during the visit:

Interventions provided by the visitation supervisor to address challenges (if appropriate):

DSS 3rd Party Supervised Visitation Narrative Form

PLEASE EMAIL THIS FORM TO CWSVisitation@co.fresno.ca.us WITHIN 5 BUSINESS DAYS OF THE VISIT
OR PROVIDE A WRITTEN COPY TO THE SOCIAL WORKER

Provide a brief description regarding the child(ren)'s separation from the parent or relative at the end of the visit:

Other Comments for the Social Worker or Court regarding the visit:

Visitation – Scheduled but did not occur

ONLY COMPLETE THIS SECTION IF THE VISIT WAS SCHEDULED BUT DID NOT OCCUR FOR ANY REASON

- No show – child(ren) No show – parent/relative Canceled by Social Worker
 Canceled by other party – Name of party:

If canceled, please provide a reason for the cancelation:

Third Party Supervised Visitation

Best Practice Guidelines

Third party visitation can be a benefit in meeting case plan goals. For example, it can provide a more natural environment for the child to visit with his/her family; it allows more flexibility for both parents and caregivers about where/when visits can take place; it promotes a supportive and lasting relationship between the caregiver and the parent; it helps the child see that everyone is working together – the child does not need to split loyalties or choose between the caregiver and the parent; and it promotes the practice that everyone is part of the team to support the child and the birth family.

Separation from a parent is difficult for a child of any age. Visitation provides an opportunity for reconnecting and re-establishing the parent/child relationship in a safe and healthy setting after removal from the home of origin has occurred. Visitation provides the necessary element for return of the child to the parent's home. Without the parent/child relationship, there can be no successful reunification process.

One of the ways care givers or others can support the continuation of family relationships is by joining the team of support for the family. In particular, becoming a third party supervisor can provide unique opportunities for mentoring a parent and providing a visitation environment where a child feels safe and secure. Often, the people who have supported the family through the reunification process become part of the support network and safety-net for the child and family after the child returns home.

It is important for the social worker to be available to answer questions or address concerns for anyone supervising or participating in third party supervised visitation. Being part of the team that supports the child and family necessitates open and honest communication throughout the life of the case.