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Supervised Visitation Programs: Information for Mothers Who Have Experienced Abuse

Family Violence Prevention Fund

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This Guide is about supervised visitation programs. It was written specifically for mothers who are afraid of their children's father or were abused by him. Every supervised visitation program is different. You have a right to ask questions and to understand how the staff will supervise visits with your children.

If you are afraid of your children's father or are abused by him, there are services, laws and programs that can help. Call the National Domestic Violence Hotline at 1-800-799-SAFE or 1-800-787-3224 (TDD) or see the resources listed at the end of this Guide.

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Family Violence Prevention Fund

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Introduction

This Guide is for mothers who have experienced abuse and whose children are in supervised visitation programs. It will tell you basic information about how supervised visitation programs work and how you can prepare yourself and your children for the experience. If you are afraid of your children's father or were abused by him, then the information in this Guide will be particularly helpful.

If your children are in a visitation program, then you've already taken important steps for you and your children to be safe and to build new lives. Even if the court case didn't end the way you wanted it to, you've already accomplished a lot. You might feel relieved, mad, hopeful, sad, scared, or just plain tired out. Whatever your experience, there are people who understand what you're going through and who care about you and your children.

This Guide will give you some ideas about how to get the help and advocacy you need, including a list of national resources. Whether you're visiting your children or bringing your children to visit, you deserve information and support to be safe and to help your children cope with the changes in their family.

This Guide provides basic, general answers to common questions. It does not provide legal advice or guidance about your particular situation. Because laws, attorneys, courts, judges, and visitation programs can be very different, it is important to get your local information. If you're not sure how to access your local programs, the Resources section at the back of this Guide is a good place to start. If you are still involved in a court case or have legal questions, it may also be helpful to have the advice of a knowledgeable attorney.

Information About Supervised Visitation Programs

What are supervised visitation programs?

There are many different kinds of visitation programs. Some simply try to provide a safe place for children to visit with a parent. For most programs, a safe place means that a staff person watches the visit to make sure that the child is not abused during the visit. Some supervised visitation programs go beyond that to try to teach the visiting adult how to be a better parent. Other programs may offer a therapeutic approach during visits to try to establish or rebuild a damaged relationship between the parent and child. Some programs also provide a safe place for parents to drop off and pick up children for visitation, a service called "visitation exchange" or "supervised exchange."

There are programs specifically designed to supervise visits when one parent has abused the other parent. Sometimes this abuse is called domestic violence. In these families, both the child and a parent may be in danger. So, these programs try to provide supervised visitation that is safe for the child and the parent. You can ask the visitation center in your area if it runs a specialized domestic violence program. For more information see the resource section at end of this Guide.

What should I be able to expect from supervised visitation program staff?

Each supervised visitation program is different, but all should work to keep your children and you safe. Staff will have different styles and approaches. Some will have a lot of experience and knowledge about children and abuse in families, and some will have very little. The following is a list of the things you should look for in any visitation program:

- Staff try to set up rules and procedures for the visitation that keep you and your children safe. They also do what they can to make the visitation a positive experience for your children.
- Staff listen to you, talk to you about the risks you and your children face, and explain what they will do to help you and your children.
- Staff understand how abuse affects a family. They are experienced enough to understand how you and your children might feel about visitation. They are also experienced enough to know that some fathers might try to use visitation to continue the abuse.
- Staff are able to connect you and your children to advocacy and other services in the community.
- Staff value the background and culture of your family. They understand that each family is different and do their best to make visitation work for your family.

How do programs provide a safe environment for visitation?

Most programs use three kinds of safety strategies:

1. *Rules and procedures.* For example, one parent is scheduled to arrive after the other parent in order to keep them from having contact.
2. *Building set-up and physical protections.* For example, metal detectors to scan for weapons, different entrances for each parent to prevent contact, a security person on site, or quick access to police response.

3. *Staff supervision of the visitation.* For example, staff are trained to know how an abusive parent might try to use visitation to continue the threats and control, they do not let an abusive parent use the visitation to get information from the children about the other parent, and they regularly check in with parents to assess whether the safety strategies being used are adequate or should be changed.

Keep in mind that your program may not use the options that are listed in these examples and may offer other ways to keep you and your children safe. Every program will be different, so it is important that you talk with staff about your concerns and work with them to make the best use of the strategies that your program offers.

How do children react to supervised visitation?

Every child's experience is unique and will be affected by his or her age, experience, and parents' behavior. Even children from the same family can have different reactions to a visit. In general, most children know that supervised visitation is an artificial or fake setting and that most families don't have to go to a program to see each other.

Often children have mixed feelings. For example, a child might look forward to seeing her father, but be afraid that he will be angry with her. Some children just try to make one or both parents happy and say whatever they think a parent wants to hear. Others are unsure of what they think or feel. For some children, the supervised setting gives them the security and confidence to challenge or test the visiting parent. There are also children who are afraid of the unfamiliar setting, of seeing a parent, or of being rejected by a parent. It is common for children to worry about what may happen during or after the visit.

Whatever your children's reactions, you can be a very important source of support and guidance to them as they go through this experience.

How can I know if a program will work for me and my children?

Talk to the staff about the program and your family's needs. As you talk to the staff you'll know right away if they are willing to listen to you and will take your concerns seriously. You'll also get an idea of how they will try to provide a safe environment for you and your children during the visitation. If the information and options they are offering do not meet your needs or concerns, then the program might not be the best for you and your children. Trust your own judgment. If you're not sure, you may want to give the program a try or ask for more information.

Will the program help me with my court case?

Most programs are not very involved, but some work directly with the court. Ask the staff how their program handles court involvement. Do they try to stay completely out of a court case? Or, do they write reports for the court or make recommendations? Do they charge a fee? Remember that sometimes an attorney or judge will order (subpoena) a program to come to court and bring its records, even if the program doesn't want to be involved. If you are in a legal fight about custody or visitation, what happens at the program and how it is documented—whether you're visiting or bringing the children to visit—might be very important to your case. Therefore, it is important to know what files the program is keeping and what type of information is recorded in those files. A knowledgeable attorney can help you think about how the program's records may help or hurt your court case.

Information on How to Prepare for and Use Visitation Services

What can I do to prepare myself if I'm bringing my children to visit with their father?

If you are concerned about safety, you can talk with program staff to find out what options and resources they have to help. For example, what would the staff do if your children's father left a threatening note on your windshield when your car was parked in the program's lot? The staff should work with you to develop a safety strategy based on your particular needs. You can also talk with your attorney or advocate.

You might want to think about where you'll wait during the visit and plan something to do while it's happening. Ask the program staff if there is a place where you can wait and if they offer any activities. Take some time to think about what you need. This visitation process might be hard for you, and it can be difficult to keep your children's needs and experiences separate from your own. For example, your daughter might really want to see her father while you dread it, or you may want your children to have a relationship with their father and they don't. You deserve and need support, too. Try to find people who understand what you've been through, and who will listen to and support you. Use the visitation time to do something nurturing for yourself.

How can I help prepare my children for visits with their father?

You can start by explaining the visitation process and answering their questions. You might tell them where and when you'll drop them off, where they'll go afterwards, where their father will be, and when you'll pick them up. You can tell them the staff person's name and explain what the staff person's role will be during the visit. Trust your own judgment about your children. You'll know how much information to provide, how to say it in a way that they'll understand, and what their concerns might be. You can also ask the staff for ideas about ways you can help your children get ready for the visit.

Most programs offer some kind of orientation that can be very reassuring to children. At the orientation, your children can see where they'll be dropped off, where they'll visit, and what toys and activities are there. They'll also get a chance to meet the people who work at the program.

Part of your preparation should be listening to your children talk about their ideas and concerns and answering their questions. It is important to support their feelings, whether those feelings are positive or negative. Try to make the visit seem like a regular family activity and explain that other children visit their dads there too. Help them plan activities or think about what items they might bring with them to the visit. You can also ask your children about what they think their father will say or do during the visit, and what they would like to say or do when they see him. If they haven't seen their father in awhile, it might be helpful for them to see a photo of him.

Some children really look forward to visiting. It is important to try to stay positive, even if you don't feel that way. If your children's father was, or still is, abusive, then there are good reasons for you to be wary and protective of your children. It is understandably hard to balance those concerns with the chance for your children to have a safe and positive relationship with their father. It can be helpful to talk to a trusted friend, family member, counselor, or advocate as you decide on the best approach.

If your children have concerns or fears about the visits, talk to them about their options and let them know the people at the program are there to help. For example, if your child is afraid that his father will get mad and start yelling at him, you can explain how staff might take a break or end the visitation for that day. The staff might also arrange for a code word for your children to use if they need a break or want to talk with staff.

What if my children don't want to visit their father?

Encourage them to tell you why they don't want to go. Understanding their concerns will help you to guide them. Answer their questions and try to be positive and encouraging. For example, you might say, "I know it might be scary at first, but you know Sarah (the staff person) will be there the whole time. How about giving it a try?"

It's not easy to bring children to visitation when they don't want to see their father or to know what to say that's positive. It's even harder if he's been abusive. You might need help from a trusted friend, advocate, counselor, or family member to figure out what is best. You can talk with the staff about your children's concerns and work with them to come up with a plan that supports your children. Find out the program's policy when children don't want to visit and how program staff approach these situations.

You might be worried about your children, thinking that even if the staff keeps them physically safe, the visits with their father will hurt them emotionally. It's okay to give your children age-appropriate options, such as, "You can talk with the staff about the visits or ask them for a break if you want one." Make sure your kids know they can always count on you for support.

If you're in a legal fight over custody or visitation, keep in mind that your children's father might try to argue that the children don't want to go because you are "turning your children against him." It may be helpful to have legal advice from an attorney if you think this might happen in your case. Also, keep in mind that program staff aren't the problem or the reason there is conflict in your family. Just like you, they're trying to look out for your children and follow court orders.

What should I do for my children after they visit with their father?

Be available in whatever way your children may need you. Some children will want to tell you about their experiences visiting, just like they do when they come home from school or come in from playing. Even though it may be hard to hear, it is very important to listen. Let them offer what information they choose and try to be supportive and positive. Some children may not want to talk about the visit at all. This can be difficult, especially if you're concerned about the visit and want to know what happened. Be patient. When your children are ready to talk, they'll let you know.

It can be helpful to have a routine after visits, something that your children can rely on. If you need help figuring what to say to your children when they raise tough issues or fears, ask the program staff or another trusted person for advice.

How much information about the visits will the staff share with parents?

Programs differ, but most do not share information about the visits with the other parent. Programs try to keep the children out of the middle and protecting information about what happens during the visit is one way of doing this. This policy can also help the children feel free to say and do what they want with the parent they are visiting and not have to worry that it will get back to the other parent.

There may be exceptions to this policy and it can help you plan for your safety and the protection of your children if you know what the rules are. For example, will staff warn you if, during the visitation, your children's father threatens to hurt them or you? Will they tell you if something happened during the visit that upset your child? Or, if you are visiting your children, will they report back something that might endanger you or make things harder for your children? You can talk to the staff about what information would help you to protect yourself and your children.

Is it really okay for children to visit with their father, even though he's been violent?

Every child is different. Whether it is harmful for your child will depend on his or her father's behavior and your child's own temperament, personality, and support system. You can help make it easier by supporting your child and reassuring him or her that you'll continue that support no matter what happens with visitation. You can talk with a trusted counselor, therapist, advocate, or attorney to help you make sure you have as accurate a view as possible of any risks to your child. They can also help you plan how best to support your child.

If your child's father follows the program's rules and guidelines, then the visitation should be safe. It will give your child the chance to learn about his or her father in a protected setting. Sometimes children have unrealistic views or fantasies about their fathers. Visits can help children form a more accurate picture. Also, some children really want to see their fathers and enjoy visiting. If your child's father can act appropriately, visits may benefit your child. If your child's father says something hurtful or does something that is scary to your child, work with the program staff to help your child understand what happened and to feel safe again.

If your children are ordered by a judge to visit, then you may have little choice but to bring them to the program. An attorney can help explain your responsibilities and options.

Will the program change my children's father so that he is no longer controlling or violent?

Most programs are not designed for that purpose. They provide a protected environment for visitation, not an intervention to change a person's behavior. The staff will try to provide a safe visit for your children and a safe drop off and pick up for you. Safe visitation doesn't mean that your children's father will stop his violence, threats, intimidation, or attempts to control or scare you—or your children. However, there are some fathers who see how much they've hurt their children and do use the experience to try to become better parents.

If you are afraid or concerned about what he might do, you can talk with program staff. They should take your concerns seriously and work with you to develop a strategy to keep you and your children safe. Trust your own instincts and judgment about what will work. You can also ask for help from an advocate or attorney. There are some resources listed at the end of this Guide.

What should I do if I'm worried he'll manipulate or "fool" the staff (like he does everyone else)?

The first step is to understand the program's rules and guidelines and meet with the staff. Knowing how the program works will help you decide if he is truly fooling anyone. For example, when your child meets with the staff for orientation, they might seem very upbeat about the visitation. You might see this as the staff taking his side and believing his stories, when really they are just trying to make the visitation a positive experience for your child.

Trust your own level of comfort with staff. For example, did you feel that they took the time to understand your situation and the seriousness of your concerns? If you still have concerns you can talk to a staff supervisor. You can also contact an advocate or attorney.

What can I do to prepare for the end of supervised visitation?

If you don't already know, try to find out when visitation at the program will end and what will happen next. For example, will visitation take place without supervision? What will the schedule be? Will you have to have contact with your children's father? Or, will the case go back to court for the judge to decide what happens next? Once you have some idea, you'll be able to make plans for your safety and the safety of your children. You'll also be able to give your children accurate information about what to expect.

What can I do to prepare myself if I'm visiting my children at the program?

Try to stay positive. You have the chance for a fresh start with your children, to spend time with them in a place that is safe for you and full of new toys and activities for them. You'll also have the opportunity to get support around the challenges of parenting.

A consistent routine for every visit is important for children. Think about what routine your children might like. For example, you could read part of a book, draw a picture, ask about what happened in school that week, or talk about what to do at your next visit. Another way to prepare is to think through what questions your children might ask and plan what you'll say. Also, plan ahead to bring things your children might need or want, such as diapers or age appropriate toys, if you can afford them. You can always ask the staff for suggestions about what you can bring or what you might do or say. They can also guide you about potential difficult conversations or worries you may have. It is important that you understand the program's rules and follow them.

If you are concerned about safety, talk with program staff to find out what options and resources they have to help. They can work with you to develop a safety strategy based on your particular needs. You can also talk with your attorney or advocate.

Plan to do something to take care of yourself after each visit. It is not easy to see your children for a limited amount of time in an artificial setting and then leave without them, particularly if you're concerned about their safety. The visit might also raise issues. Sometimes children act in ways that are hurtful to a parent. Your children may say things that might hurt your feelings, such as repeating the same harmful words they have heard their father say to you. They may also be reluctant to see you. Try to stay calm and steady.

You deserve and need support. Try to find people who understand what you've been through, and who will listen to you and help you through difficult times.

How can I help prepare my children if I'm coming to visit them?

It is important to keep in mind that you'll need to follow any court orders, program rules, or limits placed on your contact with the children. If you are allowed to write or talk on the phone, you can let your children know ahead of time how much you're looking forward to the visit. Otherwise, you might need to wait for the first visit. Think about things your children might want to do during the visit and ask them what they'd like to do. For example, you might talk to them about what games they'd like to play, or what book they'd like you to read to them, or whether they'd like to draw a picture or kick a soccer ball around. If the visit can include a meal, you might ask them what food they'd like you to bring. During your visit, you and your children can plan together what you'll do at the next visit. You can also ask the staff how you can help your children get ready for visits.

Problems and Questions

What if I have concerns or questions about the program?

It is important to keep in mind that each program is unique and will have its own way of trying to provide a safe environment. Also, each family is unique and your local program may work with your family in a way that is different from other families. You have the right to ask questions and to understand how the staff will supervise the visits with your children.

Think about your questions and concerns beforehand and make a list of the things that are most important to you. The information in this Guide will give you some good ideas about what you need to know and what questions to ask. It may be helpful to start by asking for more information about the program's rules and how they do things. Consider bringing a friend or advocate with you when you talk about your concerns to help you remember what is said, to support you, and to give you a "second opinion" as you think about your options.

If you are not satisfied with the responses you get from staff, then you can also explore whether there are other programs your family might use. Changing programs might be difficult if your children's father doesn't agree or if the court ordered your family to use a particular program. There may also be a concern about who will pay for the service. It may be helpful to talk to an advocate or attorney about the change.

Where can I get more information?

Although there are a variety of sources for more information, it can be frustrating to try to find knowledgeable, affordable sources of information that you trust. Your local visitation program, domestic violence program, or your attorney (if you have one) are good places to start. Trust your judgment. If you feel that you can't trust a person or that the person is not being helpful, then try someone else. You deserve useful, accurate information. The resources listed in the back of this Guide include websites and other ways to get more information.

Key Questions to Ask About Supervised Visitation Programs

1. How does the program provide a safe visitation environment for parents and for children?
 - What rules and procedures are followed?
 - Is there a grievance or complaint process?
 - What level of supervision is provided by staff?
 - How is the building set up? What physical protections are available?
 - Is there an intake or orientation process that allows a parent to describe her situation and concerns? Is the staff willing to meet with a parent, understand her specific safety concerns, and work with her to put safety strategies in place? Will the staff respond if that parent's safety needs or concerns change?
 - How does the program respond to threats, violence against a child or parent? What is the level of their domestic violence knowledge and experience?
 - Will the staff inform a parent if something happened during visitation that raised safety or other serious concerns?
 - Does the program provide a space for a non-visiting parent to wait during the visitation?
 - Will the program connect parents and children to domestic violence and other services in the community?
2. How does the program try to make the visitation a positive experience for children?
 - Do they offer an orientation session for children?
 - What toys, games or activities are available?
 - How does the staff support the particular culture and circumstances of each child and family? Do the rules and procedures allow for celebrations, holidays, traditions, or religious practices of different cultures?
 - What, if any, direction will staff provide a visiting parent?
 - What, if any, follow-up or support do staff provide a child after a visit?
 - How will staff respond if a child is upset or wants to end a visit?
3. What role, if any, will the program play in the custody/visitation court case?
 - If the program does not get involved, will they refer a parent to an attorney or other legal resources?
4. How does the program collect, record, and handle information about families?
 - What information does the program collect? How is it recorded?
 - Who has access to the files?
 - How does a program protect private information?
 - What information will be shared with a visiting parent, a parent bringing children to visitation, or the children?

- What information might be shared with the court?

5. Other questions you may want to ask:

National Links to Local Resources

Domestic Violence Services and Advocacy:

The National Domestic Violence Hotline: 1-800-799-SAFE or 1-800-787-3224 (TDD).

Help is available to callers 24 hours a day, 365 days a year. Hotline advocates are available for victims and anyone calling on their behalf to provide crisis intervention, safety planning, information and referrals to agencies in all 50 states, Puerto Rico and the U.S. Virgin Islands. Assistance is available in English and Spanish with access to more than 140 languages through interpreter services.

E-mail: ndvh@ndvh.org or deafhelp@ndvh.org (By its nature, email sent and received is not secure and might be read or intercepted by an abuser.) Website: <http://www.thehotline.org/>

Sexual Assault, Abuse, Incest Services and Advocacy:

Rape, Abuse & Incest National Network (RAINN): 1-800-656-HOPE

Call toll-free 24 hours a day anywhere in the U.S. Provides confidential counseling and support for survivors of sexual assault. The hotline automatically routes calls to the nearest rape crisis center that is a member of the RAINN network by reading the area code and the prefix of the caller's phone number.

E-mail: RAINNmail@aol.com (By its nature, email sent and received is not secure and might be read or intercepted by an abuser.) Website: <http://www.rainn.org>

Attorneys:

Attorneys who handle custody/visitation issues are often referred to as "family law" or "matrimonial law" attorneys. Attorneys with knowledge about safety, violence, and abuse issues might use the phrase "domestic violence" or "family violence" or "abuse/neglect" to describe their practice. You can get contact information for attorneys from the phone book, Bar Association or other attorney groups, legal hotlines, and websites. For example, the American Bar Association has information for the public about finding and hiring an attorney at <http://apps.americanbar.org/legalservices/findlegalhelp/main.cfm?id=MN>. As with hiring any professional, it is always best to have references and to do your own screening to see if he or she will meet your particular needs.

Other Helpful Websites:

Battered Women's Justice Project – Criminal Justice Office:<http://www.bwjp.org>

The Battered Women's Justice Project's Criminal Justice Office offers training, technical assistance, and consultation on the most promising practices of the criminal justice system in addressing domestic violence. Criminal Justice staff can provide information and analyses on effective policing, prosecuting, sentencing, and monitoring of domestic violence offenders.

Family Violence Prevention Fund<http://www.futureswithoutviolence.org/>

The Family Violence Prevention Fund works to prevent violence within the home and in the community, to help those whose lives are devastated by violence because everyone has the right to live free of violence.

National Coalition Against Domestic Violence<http://www.ncadv.org>

NCADV's work includes coalition building; support for the provision of community-based, non-violent alternatives—such as safe home and shelter programs—for battered women and their children; public education and technical assistance; policy development; and efforts to eradicate social conditions which contribute to violence against women and children.

Violence Against Women Network (VAWnet)<http://www.vawnet.org>

VAWnet is an easily accessible and comprehensive collection of full-text, searchable electronic resources on domestic violence, sexual violence and related issues.

National Council of Juvenile and Family Court Judges– Family Violence Department: <http://www.ncjfcj.org> or 1-800-527-3223 or 1-800-52-PEACE

The Family Violence Department (FVD) of the National Council of Juvenile and Family Court Judges (NCJFCJ) advances social change in courts and communities across the country by providing cuttingedge training, technical assistance, and policy development on issues of family violence. The FVD partners with Praxis International to provide technical assistance to the Safe Havens: Supervised Visitation and Safe Exchange Grant Program. Funded by OVW, the technical assistance supports supervised visitation grantees in their efforts to increase the number of centers available, to enhance the quality of services, and to increase their ability to assist victims of domestic violence, child abuse, sexual assault, and stalking.

Praxis International<http://www.praxisinternational.org>

Praxis provides technical assistance (TA) and networking opportunities for programs funded by the Safe Havens: Supervised Visitation and Safe Exchange Program, Office on Violence Against Women, U.S. Department of Justice.

Supervised Visitation Resources:

Supervised Visitation Network<http://www.svnetwork.net>

The Supervised Visitation Network is a multi-national nonprofit membership organization that is a network of agencies and individuals who are interested in assuring that children can have safe, conflict-free access to parents with whom they do not reside.

Supervised Visitation Clearinghouse, Florida State University College of Social Work<http://familyvio.csw.fsu.edu/clearinghouse/>

The Clearinghouse provides technical assistance to supervised visitation programs and disseminates best practices to the field.

The Supervised Visitation and Safe Exchange Grant Program http://www.ovw.usdoj.gov/safehaven_desc.htm

This discretionary grant program helps create safe places for visitation with and exchange of children in cases of domestic violence, child abuse, sexual assault, or stalking. Eligible applicants are States, units of local government, and Indian tribal governments.

Family Violence Prevention Fund

The Family Violence Prevention Fund works to prevent violence within the home, and in the community, to help those whose lives are devastated by violence because everyone has the right to live free of violence.

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Additional information about this site can be obtained by reading **About VAWOR**.

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Strategies to Improve Supervised Visitation Services in Domestic Violence Cases

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authors commissioned by

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1. Common Behaviors of Batterers Seen at Supervised Visitation Programs

Abstract

Supervised visitation (or access) is the evolving social service providing scheduled contact between the child (ren) in a family and the child(ren)'s biological, adoptive or other relative in the presence of a third party (Straus, 1995 ; Wright, 2001). Historically, supervised visitation services have been provided in child welfare situations where a child is in a court-ordered, out-of-home placement due to allegations or findings of abuse or neglect. In the past decade, however, there has been an increased reliance by the court upon supervised visitation services in family law cases, particularly those involving domestic violence (Straus, 1995 ; Saunders,1998 ; NCJFCJ,1995). This trend has been supported by research findings documenting the detrimental impact upon children who witness domestic violence, as well as, research confirming the increased risk of harm for both children and adults when domestic violence has been disclosed and some official action has taken place against the alleged perpetrator. While supervised visitation services can provide a measure of safety to victims, practice experiences and research are beginning to emerge suggesting that supervised visitation in domestic violence cases is not a panacea in all cases (McMahan &Pence, 1995 ; Oehme, 1997).

This article describes the evolution of supervised visitation services for domestic violence cases, notes legal trends in these cases, describes practice concerns, and presents strategies to improve the safety of participants when supervised visitation, due to domestic violence, is court-ordered.

The Evolution of Supervised Visitation: From Child Welfare to Domestic Violence Case Visitation

Research on child witnessing of domestic violence has been well documented (Edleson, 1999 ; Straus, 1995 ; Wolfe et al, 1986). These respective research findings consistently report that child witnesses exhibit more behavioral problems, cognitive disturbances, emotional disorders (depression, anxiety, anger) and somatic concerns than do their counterparts in homes where domestic violence does not occur. In the mid 1980s, domestic violence victim advocates, using this body of research, began to call for the use of supervised visitation services for their clients as a means to reduce the potential for harm to both the victim and child (Straus, 1995 ; McMahon & Pence, 1995). This stemmed from the acknowledgment of the impact of domestic violence upon child witnesses, as well as, the recognition that when the court is considering orders for protection and custody, danger to the victim is at its greatest (i.e. the victim has revealed her abuse to the court, requested an order for protection and perhaps sought shelter in a confidential location with the assistance of a domestic violence victim advocate). While far safer than unsupervised access or visits supervised by family members, the supervised visitation programs used by the court were initially designed to serve dependency (child welfare) cases with very different goals, security issues, and staffing issues.

The call by advocates for use of supervised visitation in domestic violence cases was followed closely by changes in judicial practices. In 1994, the National Council of Juvenile and Family Court Judges promoted the Model Code on Domestic and Family Violence which addressed the need to utilize supervised visitation services when domestic violence is present. The American Bar Association also recommended the use of these services (ABA, 2000). Additionally some state legislatures have begun to mandate supervised visitation (Ver Steegh, 2000).

A national study on supervised visitation programs by Thoennes and Pearson (1999) identified 94 programs in the United States providing supervised visitation services for dependency cases, family law cases, or both types of referrals. The membership organization for supervised visitation providers, the Supervised Visitation Network, lists 161 agencies providing these services in 2001. Most programs have evolved in the last ten years. Some began as programs focusing upon dependency visitations. Dependency cases are described as cases in which parents, who had abused or neglected their children, maintain contact with their children (who are in out-of-home placements) while they receive supplementary services. Few programs were initiated primarily as family law programs to provide the non-custodial parent access to children either due to divorce, domestic violence or some other type of family law situation. Most programs now serve both types of referrals.

While the model has been historically used by child welfare officials as a critical tool in working toward family reunification, critical examination of the model is necessary if it is to work safely for families experiencing domestic violence. A brief analysis of organizational variables between supervised visitation in dependency cases and those in domestic violence cases reveals critical distinctions. Goals between the two services differ as do parental characteristics, judicial involvement, the provision of supplementary services and security needs of participants (Thoennes & Pearson, 1999).

In dependency cases, the goal of supervised visitation is to support the reunification of the child with their parent (Wright, 2001). In domestic violence cases, there is no goal of reunifying the family. In fact, if child welfare officials are also involved in the case, the victim may face failure to protect charges upon returning to the abusive partner. Research by Thoennes and Pearson (1999) as well as Wright (2001) reveals that mothers, in dependency cases utilizing supervised visitation services, typically exhibit substance abuse histories, poor parenting skills, and neglectful behaviors toward their children. Fathers in dependency cases are reported to be more physically and sexually abusive. In contrast, in domestic violence cases seen in supervised visitation programs, fathers have typically been reported for domestic violence. They often exhibit controlling, threatening and physically violent behaviors and may have threatened to kill their partners and/or children if they leave them.

Judicial involvement also varies considerably between these two types of cases. Most frequently in dependency cases, dependency hearings have resulted in the child being removed from the care of the parent(s) and placed under the care of the state. Subsequent scheduled judicial hearings will determine whether the child is returned or whether parental rights are terminated. Often in dependency cases, the child will have a court-appointed guardian ad litem, as well as, a case manager. In domestic violence cases there is often an order for protection preventing the alleged perpetrator from contacting the victim and an order for supervised visitation. Typically there is no scheduled judicial review unless a violation of order for protection occurs.

In dependency cases, parents are often receiving mandated evaluations for mental health and substance abuse problems, as well as, assistance with parenting skills. A child welfare case manager is frequently assigned to each family and they oversee the development of a case plan and review compliance with it including, participation in supervised visitation services. In contrast, families using supervised visitation services because of

domestic violence are often receiving few ancillary social services and do not typically have a case manager or any designated case plan monitored by a legal entity. If services are provided they may be offered through domestic violence centers, while the mother is receiving shelter, or through a batterers intervention program (Straus, 1995; McMahon et al, 1999). If problems of compliance with the provision of supervised visitation services emerge, the court may or may not be informed in a timely fashion.

Finally, security arrangements or security philosophy differ between these two service models. In dependency cases, security is very much focused upon the child's safety during scheduled visits to prevent further emotional, physical or sexual abuse or possible abduction by the visiting parent. In domestic violence cases, security arrangements must focus upon the child's safety and also the safety of the parent that who has also experienced abuse.

In most dependency cases seen at supervised visitation programs, violence has occurred in the past within the family, and while the threat of revictimization of the child is always a possibility, it is far more remote on site given our understanding of child abuse. However, it has been documented that there is a very real possibility for immediate violent behaviors targeted at partners or children in visitation settings in domestic violence cases.

Recognizing Common Batterers Behaviors In Supervised Visitation Settings

While the assumption has been that the level of violence will be reduced or eliminated if supervised visitation is ordered in domestic violence cases, practitioners report that batterers exhibit similar behavioral patterns while utilizing supervised visitation services.

Staff of the Clearinghouse on Supervised Visitation collected examples of behaviors commonly displayed by alleged batterers who were referred to supervised visitation programs in Florida in 2001. As the examples in the following table indicate, the same behaviors of batterers described in the literature, are observed in supervised visitation programs.

Table 1. Common Behaviors of Batterers Seen at Supervised Visitation Programs

Behavior	Manifestation at Supervised Visitation Program
Denial of Abuse/Minimizations	Children may ask parent, "why did you hit mommy?" Visiting parent may deny hitting child's mother, say it was accident or minimize his action. Or he may say it's the fault of mother he has to see child at visitation program. One program reports a 12 year old asked his father why he chased his mother with a knife. Father denied doing it saying the mother told him to say that. This occurred despite witnesses to the knife incident.
Blaming partner	Frequently supervised visitation staff report that a batterer will tell staff "this is all my wife's fault," "she's the one who brought this on."
Control/Manipulation	Often batterers will question, or challenge program rules or suggest exceptions to rules should be made of them. This is seen in examples of refusing to arrive or depart per requirements, bringing unauthorized individuals to visits, bringing gifts or food to visits which may be disallowed, attempting to take videos or photographs. Tearing up rules or throwing intake forms across room.
Attacking Parenting Skills	Involving staff in apparent false allegations of child abuse against parent who has been abused, trying to use staff to call Abuse Registry. Makes disparaging remarks about mother, "you need to clean up better than mommy."
Making Covert/Overt Threats	Program staff report incidents of batterers showing a weapons permit when asked for identification, driving around visitation site at time of scheduled visits but not coming into program as well as verbally threatening to harm staff, volunteers, judge, partner, etc. during visits. Law enforcement officers referred to programs have come for scheduled visits in full uniform wearing their weapons despite instructions to the contrary.
Involving Children	During scheduled visitations, batterers may attempt to question children about their current living arrangements (particularly if they are staying at shelter or another undisclosed location); inquire about what their plans are, where they are attending school; or, may try and find out who the child's mother is seeing. Additionally batterers may utilize visitation times as a vehicle to get children to convey messages back to other parent.
Stalking	Following a parent who is leaving a program, recording information about parents car. One program reports two examples of cases when the perpetrator had custody. In one case he left with the child prior to his wife (non-custodial) but waited for her in a nearby parking lot. In another, a non-custodial mother picked up her child for a monitored exchange and was

Behavior	Manifestation at Supervised Visitation Program
	followed to a neighboring city by her abuser. Perpetrators may reveal stalking incidents during conviction with their children during visit Questions such as Where were you all last night? or Why weren't you in school yesterday?
Financial Abuse/ Manipulation	Refusing to pay for scheduled visits, not going to pay to see my kids. Paying in pennies or other small coins. Saying they will not bring food for visits because they're paying child support to mother and she should make sure food is available for father's visit.
Animal Abuse	Batterers may inform child during visit that a beloved pet has died or had to be given away since the child was not longer in the home. One program reported a father bringing the child's pet rabbit to the program knowing the child would not be able to take it back to the shelter where he was staying.
Physical Violence	At least three murders of have occurred on-site or in parking lots of supervised visitation programs in recent years. Other programs report murders or physical assaults by non-custodial parents off site but while family was utilizing services.
Suicide	Visiting parent telling child and/or staff how depressed he is and how he might just end it all.

Strategies to Improve Supervised Visitation in Domestic Violence Cases

If supervised visitation programs are to continue to be used in domestic violence cases, there must be a more critical examination of the current provision of services in programs with the goals of enhancing the safety of participants and confronting evidence of domestic violence as it is manifested in supervised visitation programs. There are a number of strategies that can be recommended but they must be addressed system-wide and become part of a coordinated community response to ending domestic violence.

Judicial Strategies

- A formal evaluation of the alleged perpetrator and the victim should be ordered prior to the court-order for supervised visitation. A key component of this evaluation must be a lethality assessment. The evaluation should be conducted by a mental health professional who has had specific domestic violence training in conducting such evaluations.
- If domestic violence is confirmed, judges should order the batterer to complete a certified batterers intervention program before ordering supervised visitation. This is currently mandated in Louisiana (Ver Steegh, 2000).
- Once a family court judge orders supervised visitation, a schedule for judicial review of the case must be established and maintained (NYSPCC, 2000).
- Family law judges should collaborate with their local supervised visitation programs on a regular basis regarding non-case specific issues which involve operational and policy aspects of the program. Program limitations in accepting certain cases should be delineated, procedures for handling court orders from other jurisdictions should be established, procedures for providing services to families with special needs covered under the American with Disabilities Act should be determined.
- Family law judges must acknowledge that supervised visitation programs are not appropriate in all domestic violence cases. The potential for lethality is so great in some cases, as has been demonstrated by program reports and experiences, that visitation programs cannot offer an adequate assurance of safety.
- Courts should work with their local supervised visitation providers to develop formal letters of agreement which specifically outline policies and procedures for accepting domestic violence referrals, conditions of supervised visitation orders, and the role of the supervised visitation monitor (Saunders, 1998 ; NCJFCJ, 1995 ; Ver Steegh, 2000).
- Courts should collaborate with their supervised visitation providers in developing observation report forms for visits or exchanges and establish a mechanism for these reports to be conveyed back to the court on a routine basis (NYSPCC, 2000).
- Finally, courts must acknowledge that supervised visitation services are provided in a very artificial setting. While the visit or exchange may go well and there are not reports of violence, it must not automatically be inferred from a family's experience that unsupervised visitation will be without risk (Straus, 1998). Further

evaluation by domestic violence experts is necessary before the order for supervised visitation is withdrawn.

Program Strategies

- Staff and volunteers of programs serving domestic violence cases must be adequately trained in the dynamics of domestic violence, the impact of domestic violence upon child witnesses, behaviors common to batterers and how these behaviors are manifested in supervised visitation settings. They must also be informed about legal remedies, such as orders for protection (NYSPCC,2000 ; Maxwell &Robinson, 1998).
- Programs must require participants to share orders for protection with staff and these orders should be placed in the family's case file. If the program employs security officers, they should also be given an opportunity to review the order (NYSPCC, 2000).
- Program staff and volunteers must pay strict attention to the confidentiality of program participants. No information about addresses, living arrangements, means of transportation, telephone numbers and children's school should be released. To violate a participant's confidentiality in this manner could dramatically increase the physical risk to the victim and the child(ren).
- Supervised visitation programs that provide services in domestic violence cases must have thoroughly thought out security arrangements to protect adult participants, children, staff and volunteers, as well as, other program participants. These measures should include consideration of the use of on-site law enforcement staff, staggered arrival and departure times for custodial/non-custodial parents, parking lot security, site lighting, etc (NYSPCC, 2000 ; Oehme, 1997). Some programs without on-site security report having metal detectors to detect the presence of knives or guns. This seems to be a poor attempt to enhance security, since if a weapon is detected it would be the responsibility of program staff to remove it and possibly be harmed or resisted in the process.
- The Supervised Visitation Network (SVN) has developed recommended standards and guidelines for practice (Straus et al, 1998). While these standards and guidelines are currently recommendations, as opposed to requirements, they do serve as some measure of best practice in this field and should be utilized by programs offering these services.
- Supervised visitation programs often exist as external entities to child welfare agencies or to the court. These programs are not typically monitored, certified or licensed to ensure that services are provided in an appropriate manner. It is critical that states take necessary legislative action to ensure that these providers meet some uniform certification standard. Currently, only Kansas has statutes regarding the certification of supervised visitation providers. Florida has failed in its past two legislative sessions to pass an initial bill on monitoring (Clearinghouse on Supervised Visitation, Bar and Bench, 2001).

Further Recommendations

There are additional recommendations which can be important in reducing the risk of further harm to program participants in supervised visitation programs:

- Research is needed to better understand the extent to which program participants may be revictimized while receiving supervised visitation services (Saunders, 1998 ; McMahon &Pence, 1995). Currently, because most programs are not monitored nor certified in some fashion, there is no uniform tracking of critical incidents at sites which affect the safety of families. Data is needed to better understand the impact of supervised visitation upon both the child and adult-victim, their perceptions of safety, outcome measures on the use of these services, etc. Practitioners, as well as, the judiciary need to better understand the types of domestic violence cases which are best served by supervised visitation programs and the ones which benefit least or ones which may actually risk further harm if referred.
- Funding remains a critical need for nearly all supervised visitation programs (Johnston, 2000). As noted by Thoennes and Pearson (1999) and Straus et al (1998), most programs currently rely extensively upon volunteers and lack the resources for paid staff, security staff, etc. Some programs have been successful in using Victim of Crime Act funds, Rural &Child Victimization grants, and other sources to support efforts, while other programs rely entirely upon local grants. There has been great interest in the possibility of having Violence Against Women Act II funds designated specifically for supervised visitation programs, but as of yet this provision has not been funded by Congress (Wellstone & Wellstone, 2001).
- Technical Assistance needs to be made available to providers of supervised visitation services to ensure adequate training, attention to security, case management, etc. Additional technical assistance should also

be available to the judiciary and law enforcement officials. Currently the Supervised Visitation Network publishes a bi-annual newsletter for their membership and hosts an annual training conference. The Clearinghouse on Supervised Visitation provides technical assistance primarily to Florida providers and the Florida judiciary, but has also made technical assistance available to others around the country. The Clearinghouse publishes two newsletters, Bar & Bench for the judiciary and The Networker, as well as a law enforcement guide. In 1998, the Clearinghouse produced a competency-based training manual for agencies considering starting a program. There is a great need for additional assistance to providers, the judiciary, and others involved in using supervised visitation services in order to establish more consistent practices and thus to ensure safer services.

Conclusion

Supervised visitation services have historically been used in child welfare cases to provide an opportunity for the non-custodial parent to have safe, scheduled contact with the child(ren) who have been removed from the home due to abuse or neglect. In recent years these services have been adopted by family court judges for use in domestic violence cases to allow the alleged batterer to have contact with his children. Typically this occurs in situations when an injunction for protection has been ordered, the abused spouse is in shelter or in situations in which there is potential for on-going harm to a parent. Supervised visitation services in such cases can be an important component in avoiding further incidences of domestic violence. However, emerging practice experiences from supervised visitation practitioners in the field suggest that modifications need to be made in these services in order to meet the unique needs of domestic violence cases. As the use of supervised visitation is increasingly used for domestic violence cases, many practitioners report that batterers exhibit many of the same types of battering behaviors on site of supervised visitation programs as they do in other settings. This behavior endangers their partners, children and staff of these programs. Safeguards must be considered which address judicial practices, staff training, funding and oversight, as well as, research on the effectiveness of the use of these programs for domestic violence cases.

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