



## **SUPERVISED VISITATION GUIDELINES**

### **OUR SERVICES**

South Texas Counseling Agency provides individualized supervision of parent-child contact. We coordinate a professionally trained staff who supervise visits in the community, often at a parent's home or other child-friendly location. All administrative functions are handled through our main office.

Our goal in providing supervised visitation is to minimize the emotional hardship that children frequently have to endure as a result of custody litigation, while allowing them to maintain safe and positive contact with their parents and other significant relatives.

These guidelines outline basic expectations and procedures for services. Failure to comply with guidelines may result in termination of our agency's services.

Please initial the bottom of each page and sign at the end of the document.

### **INITIATING SERVICES**

The first step to beginning services is for the parties to obtain a court order or written agreement for supervised visitation services. The order/agreement should detail the following information:

Who is to participate in the supervised visitation sessions? If a stepparent, grandparent, siblings, or any other persons are to be involved along with the visiting parent please name them specifically. Only persons specifically authorized by the order/agreement who have completed the intake process are allowed to be present during/at visits.<sup>1</sup>

When are the visits expected to happen? Supervised visits can generally only be scheduled on weekends. The agency will attempt to comply with specified times; however, the exact time and amount of hours for visitation for each family will depend on the availability of agency staff. Alternatively, the order/agreement can provide basic days (e.g. any time on Saturday, Sunday afternoon, etc.), requested number of hours, and authorization for us to set the specific schedule.

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Where are the visits to happen? Please note in the order or agreement (do not write it here) the parent's exact address or other location for the visits. Alternatively, the order/agreement may state we will designate the location.

How much of the fee for services will each side pay? 100% to one party, 50/50 split, or other arrangements? This should include registration and other administrative fees.

To begin services all adults involved must complete the intake information. Please review the referral checklist for a list of all required documents. After all required documentation and fees are received an orientation appointment must be made to complete the intake process. Please call us during business hours and we will schedule for the next available appointment.

Children should not be present during the adult orientation as it covers information that is not appropriate for children. Once all parties have completed orientation final scheduling arrangements will be made. Please plan ahead – we are providing services in multiple cases and cannot simply drop everything the moment we have your completed information to start services (nor would you want us to ignore your case once we get started in order to deal with other clients).

## **FEES FOR SERVICES**

Clients are jointly responsible for any and all fees incurred and work done in relation to this case, although the court may order a disproportionate division of fees. Payment should be made in the form of check or money order made out to “South Texas Counseling Agency” and mailed to 1544 W Dove Ave McAllen, TX 78504. Returned checks will be charged the maximum fee allowable under law.

Fee Schedule (calculated in 15 minute increments, with a one hour minimum):

Registration.....	\$50.00 per party
Basic staff supervision (brief summary reports) .....	\$50.00/hour
Administrative activity (orientation, correspondence, etc.).....	\$100.00/hour
Court testimony (per staff member, 3 hour minimum charge) <sup>2</sup> .....	\$250.00/hour
Supervision services by the program director <sup>3</sup> .....	\$150.00/hour
Failure to Attend Fee .....	\$50.00
Community Based Supervision Payment for mileage for visitation in settings other than office.....	0.55 per mile and staff rate will be \$60.00/\$160.00/hour

These fees include time scheduled for supervising visits (regardless of whether the visit occurs) as well as any administrative activity, including but not limited to meetings, correspondence, phone contact, electronic communication, and consultation with other family service providers. Additional fees apply for travel outside of Hidalgo County. Copies of records produced are billed at the same fee as charged by the Hidalgo County District Clerk's office.

<sup>2</sup> The minimum time requirement does not apply to telephonic appearances, which are billed in one hour increments based on time reserved for testimony.

<sup>3</sup> Limited availability; please contact our office prior to personally naming the program director to provide services.

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A \$300.00 retainer is due in advance from **each** of the parties. If one party is ordered to pay for all costs of services, the initial retainer is \$600.00. The retainer amount may be adjusted upward to cover approximately one month of visits based on the number of hours of supervision per month. Payments may be charged against the retainer provided that the parties continue to fully replenish the retainer when billed. If a party is late in replenishing the retainer supervised visitation may be suspended until such time as the retainer is replenished. Should services no longer be needed, refunds will be issued only if there is remaining retainer on account for the case, and then only up to the amount of retainer on account. Should one side fail to provide full payment issues of reimbursement may have to be addressed to the court.

Fees for court appearances or deposition are due at least one week before the scheduled appearance and are nonrefundable within a week of the scheduled appearance as we must clear time on our schedule whether the hearing occurs or not. If an appearance request is received without a minimum of one week notice the appearance fee is due immediately and there will be an additional \$250.00 express charge. Failure to provide the fee as specified constitutes release from the requested appearance.

Please note: We encourage parents to avoid the cost of staff appearances by planning ahead to have records submitted via a business records affidavit. Our staff are not forensic evaluators and will not offer opinions regarding whether parent-child contact should continue to be supervised or not, or on the subjective quality of parent-child interactions. Any feedback offered during the course of supervision relates to addressing issues related to supervision. Our primary focus in this regard is on compliance with supervision guidelines in order to insure the emotional and physical safety of the children involved.

### **LOGISTICS OF SUPERVISED VISITATION**

If the order/agreement designates that the custodial person may select another competent adult to deliver or pick up the child any alternate transporting person must also complete the intake process in advance of any exchange they participate in.

The agency is not able to provide transportation to children or families. Agency staff may not ride in private vehicles or transport children in their vehicles. If transportation is required families must use public transportation (bus, taxi, etc.). The visiting person will be required to pay any fees related to transportation for the supervisor and the children. All visit arrangements (date, time, location, transportation arrangements, etc.) must be coordinated in advance with written confirmation (via the parties' agreement or court order) received by our office no later than 5:00 p.m. on the Wednesday prior to the visit.

The supervisor will contact the parties prior to the visit to make final arrangements for drop off and pick up of the children at a designated time and location. The person being supervised will need to arrive at the designated location at least 10 minutes prior to the start of the scheduled visit and remain at that location until the start of the visit. The drop off location will be separate from the location where the visiting party waits to prevent the clients from interacting. The party being supervised must

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not have any contact with the children until the supervisor arrives. The transporting person will immediately depart after the exchange.

As an example this could be meeting the transporting person in the driveway outside of the home where the visit will be taking place and then walking the children into the home. Another instance could be meeting the transporting person outside an entrance to a shopping mall and then meeting the visiting person inside the mall. Return of the children will be handled in a similar manner, so that the parties do not have direct contact. After the visit concludes the visiting parent will remain at the designated location until released by the supervisor after the children depart. Exact arrangements are made on a case-by-case basis. Final arrangements for exchange of the children are up to the supervisor, and parents are expected to comply with the supervisor's instructions in this regard.

### **CANCELLATIONS AND MISSED VISITS**

Unless fees are otherwise specifically addressed in the court order/agreement the canceling party will incur the full fee of the session if they fail to notify the agency of a cancellation no later than 48 hours in advance. If both sides fail to show for a visit each side will be responsible for their portion of the full fee. Likewise if a visit is cancelled due to noncompliance on the part of one or both parents the noncompliant person(s) will incur the full fee of the session.

Child illness exception: If the canceling party notifies the agency at least two hours in advance that they are canceling the visit due to the child being ill and **they provide the agency with written notification from a physician within 48 hours after the visit** they will not be held responsible for the cost of the supervised visitation session. The note must contain a statement from the physician specifically stating that the visitation should not occur. A statement such as "the child should not attend school or day care" will not suffice.

If it is decided you will not be using supervised visitation services any further you must notify the agency. Do not depend on the courts, your attorney or the other party to do so. If there is a scheduled visit that does not occur because the parties have not notified the agency of a change in the court order/agreement it will be treated like a canceled visit as noted above. Also, all parties must cooperate and follow all stipulations of the court order. If any false, misleading or derogatory activity takes place, the visit will be cut short and payment will be paid in full by responsible parties.

### **INTERACTION DURING SUPERVISED VISITS**

Parties are expected to take care of and be responsible for managing the children's behavior during visits. Parties are expected to set limits and discipline appropriately when needed, however physical discipline of any type (spanking, "swatting," pinching, or any other type of corporal punishment) is not allowed.

Children who are potty trained will use the restroom privately without the visiting party. If a child is in diapers or pull-ups the supervisor will remain with the visiting party during changes.

**All contact between the visiting party and children must remain supervised.**

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Parties are expected to interact with the children in a positive and supportive manner. Any communication or behavior that is emotionally or physically threatening to the child is not permitted. Profanity, derogatory comments, or comments that paint the other parties in a negative light are not permitted.

Discussion of the litigation, the current legal situation, or issues involving the court with the child or other adults is not permitted. This includes any discussion of potential future issues that are not currently authorized by the court, such as "when this is all over," or "if you get to live with me..."

All conversations between the parties and the children must be audible to the person supervising the visit. **Conversations between the child and the parties must be in English unless a staff member is available who is multilingual.**

Interrogation of the child is not permitted. What behavior constitutes interrogation is left to the discretion of the supervisor, but includes using the child to gather information about the custodial party and/or leading the conversation in such a manner that encourages the child to reveal such information. Conversations should be natural and directed by the children's interests.

Conversations should focus on the here and now rather than the future possibilities.

Children are not to be physically examined or inspected during supervised visitation.

Threats of physical violence will not be tolerated. All parties must conduct themselves in a manner that clearly demonstrates that the well being of the child is their highest priority.

The supervising staff will determine appropriate and inappropriate behaviors and conversation with the children. Parties are to comply with the limits set by the staff without complaint, comment, or further explanation during the visit. Parties may contact the agency during business hours after the visit if they have questions regarding staff directives.

No cameras or video equipment will be permitted during visitation. All cell phones/cameras will be picked up at the beginning of each visitation and returned immediately upon completion of visitation. Please turn off all communication tools (e-mail, Skype, cel & smart phones, etc.) or place them in "airplane" mode at the start of the supervised visit. Visiting parents can text, email, or check messages after the visit. **If parents demonstrate they would rather text or talk on the phone than interact with the children visits will be terminated.** Children are not allowed to talk on the phone or interact with others online (including online gaming) during visits as it is not possible to properly supervise such interactions. Access to the Internet will be at the supervisor's discretion. All communication programs such as Skype, instant messaging, and email must be logged off before the child is allowed to access the computer or other Internet-capable device. The supervisor must be able to see all Internet activity at all times or online access will be terminated by the supervisor.

The agency will allow only the exchange of the children and the items for the children. Neither the visitation site nor the children should be used to pass messages, exchange items, or serve the other party or the agency. The only exception to this is that messages regarding medication for the children will be allowed provided the message contains no other content. All other messages or information should be handled through the mail, attorneys, or other methods that do not involve the visitation time.

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Gifts may be given to children, however gifts should be new, in original (sealed) factory packaging. **Nothing should be given to the child at any time with the understanding that it is theirs "when they go home" with the visiting party or that the gift is otherwise not freely given.** Gifts should be moderate in cost, reasonable in number and size, and age appropriate. The amount of gifts and sizes of the gifts are restricted to what the children can easily carry in one trip to the other party's vehicle. **The agency reserves the right to inspect any items brought by the delivering party or any item from the visiting party prior to presentation to the children.** Parties are not to place their hands on the children in any way the staff deems inappropriate. Unless limited by the court, parties may have appropriate contact with the child. The parties are to ensure the children do not inappropriately expose themselves during the visitation. If parties encourage the children to assume inappropriate poses the visit may be terminated.

### **INTERACTION WITH SUPERVISING STAFF**

The supervisor is present to observe and record the behaviors of and interactions between the adults and children. Supervisors may interact when necessary at their own discretion. Neither party should initiate involvement of the supervisor in conversation or activities. **Parties are not to ask personal questions of the staff, nor are they to offer food or other gifts to staff.**

**Bartering between parties and the staff is strictly prohibited.**

Parties are not to involve the staff in discussion disparaging the other parties, providing personal information regarding themselves or the other parties, getting staff to try to "take sides," or discussing their opinion of the court's orders. This includes any discussion regarding the case, ongoing litigation, concerns, complaints, or anything related to the other party. These issues need to be addressed in writing to the agency at times other than during scheduled services. Outside of notifications to the supervisor of immediate issues occurring on the day of a supervised visit all case-related communication should be directed to the administrative office.

All supervisors are required by law to report any reasonable suspicion of child abuse or neglect. This includes physical, sexual, or emotional abuse and physical neglect. Staff will also contact the appropriate authorities if there is harassment, threats, or physical contact during exchanges.

### **OTHER GUIDELINES**

The agency clocks determine the correct time concerning appointments, services, lateness, and cancellations.

The agency has the right to terminate individual sessions and suspend or cease future services for any reason deemed necessary, including:

- If ongoing contact appears too stressful or traumatic for the child
- The agency determines that it cannot effectively address safety or other issues involved in the particular case
- The case places an undue demand on the agency's resources
- A party harasses or threatens staff or other parties
- One or both of the parties fail to comply with guidelines for service

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The children and the parties should be dressed in appropriate and unrevealing clothing. Children wearing skirts or dresses should have shorts on under their dress.

There is no smoking, alcohol use, or other substance use allowed at any time during supervised visitation.

**Parents are not allowed to carry weapons of any sort during supervised visitation.** Parents should secure any weapons in the home so that they are not accessible during supervised visitation. Weapons include, but are not limited to, guns, knives, tools, pepper spray, mace, explosives, fireworks, acids, chemicals, or any other similar object.

Unless a court has prohibited specific interactions during a visit or a licensed health professional provides written documentation regarding a potential emotional or psychological threat to a child from specific interactions, parent-child interaction that falls within the agency guidelines will be permitted. This may include the visiting parent and children watching movies or playing games that the custodial parent may not always approve of, as long as such activity is **age appropriate**.

### **QUESTIONS AND COMMUNICATION WITH OUR OFFICE**

During the orientation process there will be time set aside to respond to any questions that you might have. Please make sure that you have read these guidelines carefully and that if you have any questions you ask them at that time. After the orientation session please direct any questions to the Program Director in writing. Staff members are only assigned to supervise visitation sessions and cannot fully respond to questions regarding agency policy or case related issues. Please do not attempt to contact us by e-mail. Communication to our office should occur in writing to the mailing address or fax number above.

We are glad to schedule additional time following the orientation to discuss questions or case related issues. If you have a complaint regarding agency policies or staff conduct, please submit it in writing to the Program Director within 48 hours of learning of the issue. Complaints received outside of this timeframe are not viewed as serious concerns on your part, and we will not expend staff time on them. Once we receive your complaint the Program Director will follow up as appropriate. If you have a complaint regarding the court order, please contact your attorney. Fees for administrative activities are charged as noted above. Staff will occasionally make courtesy calls (at no charge) to parties or their attorneys, however these contacts are intended to be minimal. Any case requiring more extensive contact with parties or attorneys will also be charged for time spent interacting outside of the scheduled visitation, including detailing any noncompliance issues.

### **RECORDS REQUESTS**

Copies of records will be provided to parties in response to written requests. A business records affidavit can be supplied with record copies if requested. Information regarding supervised visits will be provided to agents working for the court, such as psychologists or social workers involved in a social study or amicus attorneys. Time spent interacting with agents of the court will be charged to the parties.

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Disclaimer for released records: information released is based on staff observations. When providing supervised visitation, we do not provide evaluations of the families who use our services or make recommendations about future arrangements for parent-child access. The observations are of parent-child contacts that have occurred in a structured and protected setting. No prediction is intended about how contacts between the same parent(s) and child(ren) might occur in a less protected setting and without supervision. Care should be exercised by the users of these observations in making such predictions.

**ACKNOWLEDGEMENT OF UNDERSTANDING**

The most important guideline to remember is that parties are expected to comply with directives from the supervisor during visits. Although parties may not understand why an instruction is given or agree with the instruction they are given, the time to address questions and concerns is not during the time assigned for supervised visitation.

These guidelines are not meant to be all encompassing. Additional arrangements may be appropriate based on changing case specifics.

**I HAVE RECEIVED AND READ A COPY OF THESE GUIDELINES. I UNDERSTAND THE SUPERVISING AGENCY RESERVES THE RIGHT TO REVISE AND/OR CHANGE POLICIES AT ANY TIME OR MODIFY GUIDELINES ON A CASE-BY-CASE BASIS. MY SIGNATURE BELOW INDICATES I UNDERSTAND THESE GUIDELINES AND AGREE TO FOLLOW THEM. I UNDERSTAND THAT THE INFORMATION GATHERED DURING SUPERVISED VISITS MAY BE RELEASED TO THE COURT AND OTHERS AUTHORIZED BY THE COURT TO HAVE SUCH INFORMATION. I UNDERSTAND THAT IF I DO NOT COMPLY WITH THESE GUIDELINES SUPERVISED VISITS MAY BE SUSPENDED OR TERMINATED AND NOTICE OF SUCH MAY BE PROVIDED TO THE COURT.**

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

Client: \_\_\_\_\_

\_\_\_\_\_ Signature Printed Name

Initial: \_\_\_\_\_