



# Answers to Commonly Asked Questions about Supervised Parenting Time and Other “Visitation” Services

Responses from  
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## Q: What is supervised parenting time (“visitation<sup>1</sup>”)?

Melissa: Supervised parenting time usually refers to an order from a court requiring a parent to have their parenting time supervised. The order might specify that the supervision is to be done at a supervised parenting time center. However not all orders requiring supervision require a supervised safety center. Sometimes a court order might specify a third party to supervise parenting time, like a friend or relative, or a social worker may be used to supervise visits, for example, in child protection cases. In addition to when a court orders supervision, a custodial parent may ask or require the non-custodial parent to have supervised parenting time if no court order has established the non-custodial parent’s right to parenting time.

Teri: While some supervision may be merely observation of the interaction between the non-custodial parent and child during their parenting time, the courts commonly look for intervention and redirection on inappropriate behaviors. The court or its representatives may also be looking for feedback or information from the supervisor relating to what occurred during those visits. The courts and their officers have often found it beneficial to have written documentation of these observations, therefore any notes taken or reports written frequently are subpoenaed for future hearings in the case.

## Q: Why would supervised parenting time be ordered by a court?

Melissa: Supervised parenting time is usually ordered to protect the safety of the minor child. It may be ordered as part of an order for protection<sup>2</sup> case (OFP), part of a custody or parenting time case in family court<sup>3</sup>, or as part of a child protection case in juvenile court<sup>4</sup> (child in need of protection or services “CHIPS” or termination of parental rights “TPR” case). Supervised parenting time may be ordered due to allegations of—or based on actual evidence of—domestic abuse between the parents, child physical abuse or sexual abuse, parental instability or neglect, chemical dependency or mental illness. In some cases, supervised parenting time may be ordered where the non-custodial parent and child have had little contact and/or the non-custodial parent is inexperienced as a parent.

Teri: The safety of the child is paramount in these cases, but the safety of the adult parties is also imperative. The courts will often err on the side of safety for the child when there are concerns or allegations raised that the child or one parent may be at risk of physical or emotional harm while in the presence of that parent. This is where an unbiased third party’s observation notes can be invaluable to the courts for future custody and parenting time decisions. Most providers also provide supervised or “safe” exchanges. Many clients are ordered to providers to facilitate the exchange of the children for unsupervised parenting time, but assure no contact between the adult parties. This may involve orders for protection or no-contact orders on behalf of one or both of the adults but not on behalf of the children. Some families will be ordered to safe exchanges without any OFP or restraining order.

## Q: What exactly are supervised parenting time centers?

Teri: Supervised parenting time centers are neutral areas where children and their non-custodial parents can safely visit and interact for a specified time, supervised by trained staff and/or volunteers. Centers can be a part of multi-service agencies or independently operated.



**Q: What kind of procedures are in place to protect the safety of the parents and children using the safety center?**

Teri: Each provider has their own standards for security of participating children and families. Children’s Safety Centers is a member of the Supervised Visitation Network. (More information about SVN is at the end of this document.) As part of SVN we ascribe to the following guidelines for security:

- Assurance that parents are kept visually and physically separate to ensure no-contact between parties
- Collaboration with local law enforcement to ensure rapid response
- Safe facility that meets all state and local building, health and fire codes
- Written protocols for emergency situations
- Copies of relevant court documents readily available
- Thorough review of policies and procedures during client intake

Additionally, Children’s Safety Centers has a metal detector wand for all supervised visits (levels A and B). We also require all visiting parents to turn over their license, cell phone, beepers, and car keys during their visits. Visiting parents must also have their bags inspected prior to their visit with their children. During the visit, trained staff and volunteers are able to ensure the safety of children by intervening when needed, de-escalating situations when required, and generally providing a safe and secure setting for all participants.

**Q: Who has to pay for parenting time services?**

Teri: It varies from one provider to another. Some providers are able to cover all costs of service through counties or other government agencies, others have philanthropic grants that may cover a good portion of costs and some require parents to pay all or a portion of costs. At Children’s Safety Centers, costs are covered by all of the above funding sources, leaving a minimal co-payment required by parents using the service and unless otherwise ordered by the court, parent fees are split between the two parents.

Melissa: It depends on the type of case in which supervision was ordered, the policies of the parenting time center, and what the court orders. The court order may specify which parent or parents are responsible for the fees. If the order does not specify who is responsible for the fees, it is up to the parenting time center. Some centers may ask that both parents split the fees, but if the custodial parent won’t pay, then the cost rests with the non-custodial parent. Other centers may require both parents to split the fees unless otherwise ordered by the

court. There may not be a fee, in some cases, if the county is paying for the service as part of a court case. For example, some visits ordered by Hennepin County Family Court to be supervised at a parenting time center may be paid by the county. However, Hennepin County Family Court Services will not pay for other services, such as monitored exchange services (“safe exchanges”). If supervised parenting time is ordered in a child protection case, the county most commonly pays all fees for which parents would otherwise be responsible.

**Q: Must there be a hearing before a court orders supervised parenting time?**

Melissa: Generally, yes, but remember that if the respondent (the person who may be ordered to supervised parenting time) does not show for a hearing, supervised parenting time may be granted by default. How much time the parents have to prepare for a hearing and what type of evidence is acceptable at the hearing depends on the type of court case in which supervision is being ordered. Also note that some parenting time providers require court orders before providing supervision services, but others will provide services without an order if the parents mutually agree to use the service.

**Q: What happens if the “visiting” parent doesn’t do supervised parenting time as ordered?**

Melissa: If the parent ordered to do parenting time doesn’t comply with a supervised parenting time order, the parent will not get any parenting time with his/her child until something changes. If the parent misses visits or doesn’t comply with the rules of the center, the family may lose their “spot.” It is also important to understand that an order for supervised parenting time may stay in place until a new order is issued, but there are some exceptions. For example, an order for supervised parenting time in an order for protection case, if there is one, usually expires when the order for protection expires, unless it has been incorporated into another order, for example, in a paternity, custody, or parenting time case. (Typically, an order for protection lasts one year.) Sometimes the parents continue to use supervised parenting time at a center beyond the expiration of an OFP and it may be up to the non-custodial parent to get a new order.

**Q: What happens if the custodial parent doesn’t bring the child to the safety center or otherwise comply?**

Teri: Staff work with custodial parents to inform them of consequences associated with non-compliance with the parenting time schedule. If the custodial parent continues to cancel, or is systematically late in bringing the child for

parenting time, services can be suspended or terminated. This communication is documented by staff and goes back to court officials, where the parent could be at risk of sanctions.

Melissa: If the custodial parent isn't cooperating with a court order for supervised parenting time, sanctions could be put in place against that parent. Sanctions could include make-up parenting time, contempt of court, and requiring the custodial parent to pay the non-custodial parent's reasonable attorney fees and costs.<sup>5</sup> Ultimately, a custodial parent who is completely non-cooperative with a court order on parenting time could risk losing custody of the child.

**Q: Are there notes made of visits and who has access to them?**

Teri: Some providers take observation notes of visits, while others record only critical incidents. If notes are taken, they are intended to make observation of interaction between parents, not form opinions of parenting ability or custody. At some programs notes are available to parents without restriction. There may be charges for reproduction of the documents. At Children's Safety Centers, objective observation notes of the visit are recorded by visit monitors. They may be copied and sent to the county referral source if there is a worker following the case. They are then archived for a period of up to 6 years and can be subpoenaed to court. Clients sign releases for Guardians ad Litem and other court workers and social workers to have access to this information. Without a subpoena, parents are only entitled to information about themselves. Information regarding the other party will be redacted from all notes without a subpoena.

Melissa: The availability, cost, and length of notes from visits vary from center to center. Most centers keep observation notes of visits, noting when parents arrive and leave and if anything unusual or significant happens. The notes might detail activities that the parent engaged in with the child, for example, "parent played puzzles with the child for twenty minutes. Child hugged parent goodbye at the end." Sometimes notes go directly to the social worker or custody evaluator involved in the case and a parent must get the notes from them or get a subpoena.

**Q: What are monitored exchange services or safe exchanges?**

Teri: Many supervised parenting time centers provide "monitored" or "safe" exchange services for parents when there is a need to ensure no contact between the two parties but there may be no need for, or order for, supervised parenting time. The center monitors and



documents the arrival and departure of the custodial and non-custodial parents and ensures a safe place for the exchange of the child, but the parenting time happens off-site and is not supervised. The custodial parent and non-custodial parent arrive at different times and do not come into contact with each other. At the Children's Safety Centers, these services typically are used for exchanges on Friday evenings and again on Sunday afternoons for parents who are exchanging the child over the weekend.

**Q: What is "therapeutic parenting time"? Are these services offered at safety centers?**

Melissa: There is no definition in Minnesota law for "therapeutic parenting time." The term is often used to refer to parenting time that occurs with mental health professionals providing therapy/counseling during a supervised visit between the non-custodial parent and child. Therapeutic parenting time might be ordered in a case where there is a strained relationship between the parent and child or some other history between the parent and child that warrants some type of professional mental health assistance to make it safe. Note, however, that there are few professionals providing this service and that it is typically not covered under health insurance (whereas family therapy may be covered).

Teri: According to the Supervised Visitation Network (SVN), therapeutic supervision is conjoint parent-child therapy conducted by a licensed or certified mental health professional also trained to provide supervised parenting time. This includes a student or intern in training for a post-graduate degree under the direct supervision of a licensed or certified mental health professional.

Some providers may offer services such as parent coaching or supported visits. SVN defines this as follows: supportive supervised parenting time is contact between a non-custodial parent and one or more children in the presence of a third person, in which the supervisor is actively involved in promoting behavioral change in the parent/child relationships. Supportive supervision may also be referred to as “directed,” “educational,” or “facilitated parenting time.”

### Q: What are some tips to ensure that supervised parenting time goes well?

Teri: (1) Make sure that the court order is clear – about who pays and what services are ordered. To allow maximum flexibility for scheduling, we prefer that the court order not state a specific schedule but instead state the amount of visits per week that are being ordered and allow us to coordinate the schedule between the parents along with our schedule as the provider. (2) Remind clients of the neutrality of most professional providers and the value this may provide them by having objective observations made of behaviors and interactions between parent and child. Also let them know that staff is not there to stand in judgment of their parenting. This may better prepare parents for a more positive visit experience from the start. Records can then be made available to the court. Most often the courts deem documents from a professional supervised parenting time provider to be credible and without bias.

Melissa: (1) Make sure that both parents understand what is expected of them. It is extremely important that parents not be late and that visits not be missed because availability at most centers is limited. (2) Emphasize the positives. For non-custodial fathers who may be reluctant to use a supervised center, I emphasize the usual limited and temporary nature of the supervision and that the use of a safety center can be an opportunity for the father to demonstrate his attachment to his child and skills in parenting in a neutral setting. I find this is particularly important to stress in certain types of cases, for example, in child protection cases where many fathers feel that they are being unfairly required to do supervision. (3) Understand the consequences. Not doing supervised parenting time, once it is ordered in a court case, will be held against the parent unless there is good reason for not participating.

### END NOTES:

<sup>1</sup> The legal term in Minnesota for visitation, time spent between the non-custodial parent and child, is parenting time.

<sup>2</sup> Under the law governing orders for protection in domestic abuse cases, the court “shall condition or restrict parenting time as to time, place, duration or supervision, or deny parenting time entirely, as needed to guard the safety of the victim or children.” Minn. Stat. § 518B.01, subd. 6(a)(4) (2006).

<sup>3</sup> In determining custody and parenting time, family court can restrict parenting time, including ordering supervision, if it finds, after a hearing, that parenting time is “likely to endanger the child’s physical or emotional health or impair the child’s emotional development.” Minn. Stat. § 518.175, subd. 1(a) (2006).

<sup>4</sup> In a child protection proceeding, if the court orders the child to be placed outside of the child’s home or present residence, the court “shall set reasonable rules for supervised or unsupervised parental parenting time that contributes to the objectives of the court order and the maintenance of the familial relationship. No parent may be denied parenting time unless the court finds at the disposition hearing that the parenting time would act to prevent the achievement of the order’s objectives or that it would endanger the child’s physical or emotional well-being.” Minn. Stat. § 260C.201, subd. 6 (2006).

<sup>5</sup> This is not an exhaustive list of remedies. See Minn. Stat. § 518.175, subd. 5 (2006).

**About SVN:** The Supervised Visitation Network is an international association of access parenting time providers, organized as a non-profit. The mission of SVN is to facilitate opportunities for children to have safe and conflict-free access to both parents through a continuum of child access services delivered by competent providers. For more information on SVN or about supervised parenting time for parents, providers and referring professionals, or to find an SVN site near you, please visit their website at: [www.svnetwork.net](http://www.svnetwork.net).



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