



Series: Operating Procedures **COA:**
Procedure Name: Visitation and Other Contact with Children In Shelter
Procedure Number: OP-1050
Revision #/Date: (1) 08/05/08
Effective Date: 09/30/04

Applicable to: All CBCB Staff and Contract Providers

SUBJECT: Visitation and Other Contact with Children In Shelter

PURPOSE: This operating procedure establishes minimum requirements concerning parent, legal custodian, other caregiver, and care manager visitation and other contact with children in shelter.

PROCEDURE:

Definitions

Designee: For the purposes of this operating procedure, "designee" means a person, contractual provider or other agency or entity named by CBC of Brevard to perform duties assigned by CBC of Brevard.

1. Visitation and Other Contacts between the Child and Parent, Legal Custodian, or Other Caregivers

- a. Pursuant to section 39.402(9), Florida Statutes (F.S.), "At any shelter hearing the court shall determine visitation rights absent a clear and convincing showing that visitation is not in the best interest of the child." If visitation by the parent, legal custodian, or other caregiver presents a threat of harm to the child or is otherwise deemed by the assigned care manager not to be in the best interests of the child, the assigned care manager must provide the child welfare attorney with a recommendation and justification for initial or subsequent restriction or denial of visitation so that the attorney can include it in the shelter petition. The care manager must also ensure that the recommended restriction is included within the predisposition study.
- b. If the court specifically orders that no visitation shall take place, or that visitation shall be at a certain location or time, that order must be followed until modified by the court.
- c. If supervised visitation is ordered but location or time is not specified by the court, visits between the parent, legal custodian, or other caregiver and the child must be arranged and supervised by the assigned care manager.
- d. Absent a court ordered location or available site at a shelter home, institutional facility, or contracted agency, the assigned care manager shall arrange for the child's transportation to a neutral setting and ensure that sight and sound supervision is available during the visit. The shelter parent or facility or provider staff must be notified in advance of a planned visit

and be provided with the name of the person who will be providing transportation for the child.

- e. If the parents, legal custodians or other caregivers disagree with the conditions that are established by CBC of Brevard or designee for the supervised visitation, the care manager must advise the CLS attorney who will schedule the matter for review by the court.
- f. Telephone calls and letters should also be considered as a way to maintain contact between the parent, legal custodian or other caregiver and the child of suitable age. Calls may be arranged by the assigned care manager to occur at the care manager's office or some other appropriate location. Letters from a parent, legal custodian or other caregiver must be sent to the CBC of Brevard care center to be delivered, unopened, to the child. If circumstances arise which appear to warrant a third party monitoring of calls or opening of letters by the care manager, the court must grant prior approval before CBC of Brevard takes such action.

2. Contacts Between the Care Manager and the Child

- a. The assigned care manager must make and document a minimum of at least two contacts per week in each case involving a child in shelter care. One of these contacts must be face-to-face with the child and the shelter parent or provider to discuss the child's adjustment, to explain to the child what is happening and why, and to address any other concerns that may be expressed by the child or the shelter parent or provider. In cases where the assigned care manager is unable to communicate with the child due to age or other incapacity, the contact will be made directly with the shelter parent or provider.
- b. During contacts, the assigned care manager must pay attention to the condition of the shelter home or facility, the number of children currently placed there so its licensed capacity is not exceeded, the treatment that the children receive from the shelter parent or provider, and other factors which affect the child. All concerns noted must be relayed to the shelter parent or provider who is responsible for the supervision of the shelter home or facility and to licensing staff, as appropriate.

3. Contacts By Attorneys and Non-CBC of Brevard Professionals

- a. The assigned care manager must arrange visits by attorneys and other non-CBC of Brevard professionals who are working with the child, except for the guardian ad litem.
- b. The guardian ad litem is allowed to visit the child at the shelter home or facility and to take the child away from the shelter home or facility without the permission of the assigned care manager. The care manager must advise the shelter parent or provider of the guardian ad litem's involvement with the child and the ability of the guardian ad litem to remove the child from the shelter home or facility. However, CBC of Brevard staff shall work with the guardian ad litem to develop protocols that will allow proper notice to the child and temporary caregiver so they may have input into the time and place of visits.

BY DIRECTION OF THE CHIEF EXECUTIVE
OFFICER:



DR. PATRÍCIA NELLIUS-GUTHRIE
Chief Executive Officer
CBC of Brevard, Inc.

APPROVAL DATE: 11/4/08