

SUPERIOR COURT OF CALIFORNIA
County of Marin

ADDITIONAL INFORMATION ABOUT OBLIGATIONS OF VISITATION SUPERVISOR

The Standards of Judicial Administration, Standard 5.20, provide for these uniform standards of practice for the non-professional providers (also referred to as “visitation supervisors”) who supervise child visitation.

1. The child(ren) will not be left alone at any time with the person whose visit is being supervised.
2. The visitation supervisor’s judgment will not be questioned in front of the child(ren). Complaints about the visitation supervisor’s decisions must be raised with the mediator, parenting coordinator or court at a later time.
3. The supervised person will not initiate any discussions with the child(ren) about the court case, about any allegations that have been made, about the other party, or about significant future plans, such as to live together or to take trips together.
4. The visitation supervisor must approve any gifts to be given to the child(ren) in advance.
5. The visitation supervisor must advise the court in writing if the supervised person violates any of the rules in these guidelines. The visitation supervisor must provide an oral or written summary of the visits if requested by the court.
6. The visitation supervisor is required by law (see Penal Code § 11166) to report to Child Protective Services if the visitation supervisor has any knowledge, or reasonable suspicion, of any mental suffering inflicted upon the child(ren), if the child(ren)’s emotional wellbeing is endangered in any other way, or if there is any instance of child abuse. The report must be made by telephone as soon as possible. The 24-hour phone number to make reports to Child Protective Services in Marin County is (415) 473-7153. If the incident or events occurred in another county, call Child Protective Services in that county. A visitation supervisor who will be providing supervision outside of Marin County should know the telephone number of the appropriate Child Protective Services agency before the out-of-county visitation begins. Call Family Court Services at (415) 444-7090 with the report as soon as possible after calling Child Protective Services. A written report must be submitted to Child Protective Services within 36 hours on a form provided for this purpose. (Copies of the form are available from Family Court Services.)

Unless specified otherwise, the standards of practice are designed to apply to all non-professional providers, whether the provider is a friend, relative, responsible adult, or any other volunteer operating independently. The goal of these standards of practice is to assure the safety and welfare of the child, adults, and the visitation supervisor. Once safety is assured, the best interest of the child is the paramount consideration at all stages.

QUALIFICATIONS OF THE NON-PROFESSIONAL PROVIDER

While the court makes the final decision as to the manner in which supervision is provided and for any terms or conditions, the court may consider recommendations by the parties and their attorneys, Family Court Services staff, Parenting Coordinators, evaluators, child therapists, and other relevant experienced professionals.

1. A “non-professional provider” is any person who is not paid for providing supervised visitation services. Unless otherwise ordered by the court or stipulated by the parties, the non-professional provider should:
 - a) Be 21 years of age or older;
 - b) Have no conviction for driving under the influence (DUI) within the last 5 years;
 - c) Not have been on probation or parole for the last 10 years;
 - d) Have no record of a conviction for child molestation, child abuse, or other crimes against a person;
 - e) Have proof of automobile insurance and use appropriate vehicle restraints if transporting the child;
 - f) Have no civil, criminal, or juvenile restraining orders within the last 10 years;
 - g) Have no current or past court order in which the provider is the person being supervised;
 - h) Not be financially dependent on the person being supervised;
 - i) Have no conflict of interest under (g); and
 - j) Agree to adhere to and enforce the court order regarding supervised visitation.

