

**A TOOLKIT  
FOR  
MONITORED EXCHANGE  
SERVICES**



**INSTITUTE FOR  
FAMILY VIOLENCE STUDIES**

COLLEGE OF SOCIAL WORK  
FLORIDA STATE UNIVERSITY

## **ABOUT THE CLEARINGHOUSE**

The Clearinghouse on Supervised Visitation was created in 1996 to provide technical assistance, training, and research information to visitation providers, the judiciary, law enforcement, and social services agencies. It is a component of the Institute for Family Violence Studies in the Florida State University's College of Social Work. Sharon Maxwell, Ph.D, is the Director of the Institute on Family Violence Studies and Karen Oehme, J.D., is the Program Director for the Clearinghouse.

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## ABOUT THIS TOOLKIT

This Toolkit can be used in two ways:

1. To develop and operate a monitored exchange service as part of an *existing* supervised visitation program, or
2. To create a monitored exchange program in a community without a supervised visitation program.

**Each community is different.  
Some of the suggestions provided in this Toolkit  
may not work in every community.**

The Toolkit has a web-based companion booklet with forms and samples. After reviewing the Toolkit, log onto the website at <http://familyvio.ssw.fsu.edu> to view and download the forms and samples.

## HOW TO USE THIS TOOLKIT

This Toolkit contains information that will help the following organizations and individuals determine what types of monitored exchange programs exist and how to go about establishing a monitored exchange program:

- supervised visitation program administrators,
- judges, court administrators, domestic violence shelters and other organizations,
- community leaders,
- colleges/universities.

The forms and samples on the website will assist them in the collaboration.

## WHAT ARE MONITORED EXCHANGE PROGRAMS?

Monitored exchange programs monitor a child's movement between his custodial and his noncustodial parent immediately before and after unsupervised visitation. Monitored exchange programs provide a safe, neutral setting for the exchange.

### Who Provides Services?

Monitored exchange services are sometimes a component of a supervised visitation program. In other communities, they are provided by a freestanding monitored exchange program. Paid staff and/or volunteers serve as exchange monitors or observers. The staff/volunteers monitor the exchange, document it and report back to the court.

A current list of  
Florida programs  
that provide  
monitored exchange services  
may be found at  
<http://familyvio.ssw.fsu.edu>

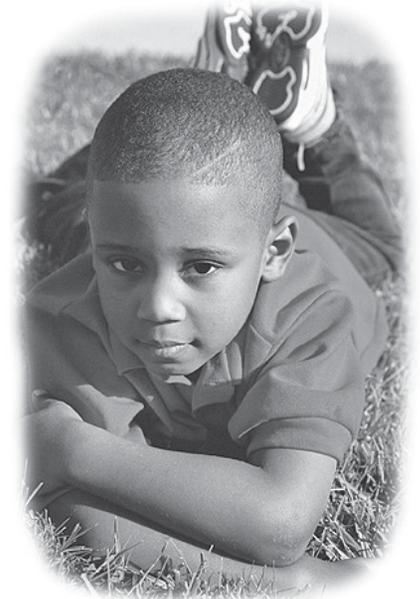
## What are the Purposes and Goals of Monitored Exchange?

The purpose of monitored exchange is to provide a safe, child-friendly place to exchange children and protect them from conflicts between custodial and noncustodial parents. In cases involving domestic violence, the purpose is also to protect the victim of domestic violence, who is usually the custodial parent. The long-term goal of monitored exchange is to have the case progress so that no third party or staff is needed to monitor the exchanges.

### How are Monitored Exchange Programs Funded?

There currently is no designated statewide funding for monitored exchange programs in Florida. Programs are funded by private donations and/or federal or local (county, city) grants. The monitored exchange program may want to apply for 501(c)(3) status under the Federal Income Tax Laws in order to apply for and obtain grants that are only available to such organizations.

More information about applying for nonprofit status is included in Appendix A on the website.



## What are the Costs of Operating a Monitored Exchange Program?

A safe estimate of the annual cost of operating a minimal monitored exchange program which is open only to serve eight families for the initial exchange for one hour on Friday evenings and the return exchange for one hour on Sunday evenings is approximately \$30,000. This is for a program that does not have to pay for the use of a facility or parking lot. One of the costs is insurance. Funds must be designated for two types of insurance:

- *general liability insurance* for the board of directors, staff, volunteers, interns, and clients utilizing its services which covers the program in the event that it is sued due to an injury or incident, and
- *property insurance* to cover the facility in case it is damaged or destroyed, and its contents in case they are stolen, damaged, or destroyed.

A breakdown of the costs is found in Appendix A on the website.

## Are there Fees for the Services?

Most monitored exchange programs charge a fee for the service. However, the fees are insufficient to be the sole financial support of the program. Programs are encouraged to provide services on a sliding fee scale for clients who have limited financial resources.



## When are Monitored Exchange Services Provided?

Most families who participate in monitored exchange programs are involved in child custody litigation. They may be ordered to use monitored exchange by family court judges in cases of divorce or paternity, by judges hearing domestic violence cases, or by judges in criminal court cases. Occasionally, dependency court judges order monitored exchange in cases of child abuse, abandonment or neglect.

## What Issues do Families Typically have who Participate in these Programs?

Almost all of the families using monitored exchange programs are involved in child custody litigation and have experienced severe family dysfunction involving:

- substance abuse,
- mental illness,
- parental sabotage/alienation,
- severe, ongoing conflict over divorce issues such as custody, and/or
- family violence (child abuse and domestic violence).

In domestic violence cases, there may be not only a history of domestic violence but also a court-ordered injunction for protection.

## How is Monitored Exchange Different from Supervised Visitation?

When the court orders a family to use monitored exchange, the judge has decided that the contact during the visit does not need to be monitored, *only* the exchange from the custodial to noncustodial parent needs to be monitored. Thus, staff involvement in monitored exchange cases is limited to the exchange itself, instead of the actual visit.

Another difference is that most cases involving Injunctions for Protection Against Domestic Violence will *not* be appropriate for monitored exchange. It may be more appropriate for the court to first order services such as a batterer's intervention program, drug and alcohol counseling, and supervised visitation *prior* to deciding that a case is safe enough for monitored exchange.

### When is Monitored Exchange Indicated?

In many cases, parents behave or communicate inappropriately during the exchange of the child from one parent to another. The inappropriate communication or behavior may cause emotional or physical harm to the child. Monitored exchanges may help solve the following problems:

- tardiness regarding exchanges,
- the custodial parent fails to bring the children to exchanges,
- the noncustodial parent fails to attend exchanges,
- people other than the parents attend exchanges,
- parents fail to bring medicines, or important belongings, such as car seats to exchanges, and/or
- parents arrive for the exchange under the influence of drugs or alcohol.

Many cases involving Injunctions for Protection Against Domestic Violence will be ordered to supervised visitation, not monitored exchange, because of the heightened level of risk. However, there may be child custody disputes that involve some history of violence that will be ordered to monitored exchange.

## DEVELOPING A MONITORED EXCHANGE PROGRAM

### Determining if a Community Needs a Monitored Exchange Program

The threshold issue to assess is whether a community needs a monitored exchange program.

Interested community members should begin the process of determining this by setting up a meeting with key stakeholders consisting of:

- the chief judge of the judicial circuit,
- the court administrator,
- a representative of law enforcement,
- a representative of the domestic violence service provider.

Each group member would offer their perceptions — based on his or her experience or roles in dealing with families — of the community's need for monitored exchange services. They could share any statistics they may have regarding the need and designate someone to conduct a needs assessment. A sample *Needs Assessment* is in Appendix A on the website.

Because the court is the body referring most of the cases to the program, the program must have the confidence of the court system in order to operate.

### Advisory Committee

Once a decision has been made by the core group that has conducted a needs assessment and determined that a need exists for a monitored exchange program, then an advisory committee should be developed.

**Members:** Some common stakeholders who could be considered for membership include:

- domestic violence center staff,

- batterers' intervention staff,
- judges who hear family law and domestic violence cases, or their designees,
- attorneys,
- licensed mental health professionals,
- guardian ad litem program staff,
- private and public child welfare staff,
- law enforcement agency staff,
- community leaders who can assist with fundraising,
- victim advocates, and
- probation and parole officers.

**Roles and Responsibilities:** Advisory committee members may have the following roles and responsibilities regarding the monitored exchange program:

- establishing the mission and purpose of the program,
- creating a written plan for developing the program,
- implementing the plan,
- educating and informing community leaders about monitored exchange and why it is a critical component in a coordinated community response to family issues,
- identifying resources to start the program such as donated space, equipment and volunteers (see Appendix A on the website for a list of equipment),
- providing skill and expertise in formulating policies and operational procedures to meet best practice standards and applicable legal requirements (state and federal law, contract requirements),
- providing credibility to the effort to plan the program,
- conducting fund-raising.

Once the program is developed, the committee may continue to:

- advise the staff on needs for certain services in the community,
- advise the staff on training, case staffing and staff development as requested,
- provide an “outside” ear on pertinent issues and assist in problem solving,
- share specialized skills or knowledge with the staff as needed, such as legal knowledge, mental health expertise, security expertise, and
- increase community awareness of the program and its needs.

The committee may want to meet quarterly once the program is established. Minutes of the meetings should be maintained. Members can be rotated annually so that the monitored exchange director is receiving advice from a broad spectrum of the community.

### **Location for the Monitored Exchange Program**

**Site Considerations:** There are several issues to consider when looking for an ideal site for a monitored exchange program, such as security, space and privacy/confidentiality. The location and facility should also meet local, state and federal requirements for health and safety issues. With these requirements in mind, the program should look for a facility with the following features:

- separate parking lots for noncustodial parents and custodial parents which are easily accessible from the road and have separate entrances,
- separate facility entrances for noncustodial and custodial parents,
- compliance with applicable portions of the Americans with Disabilities Act,
- compliance with applicable fire and occupancy standards,

- rooms on a ground level floor,
- positive, safe, nurturing image,
- safe neighborhood,
- easy to monitor for security,
- accessibility to public transportation, such as buses,
- at least three rooms in the facility — one to have the noncustodial parent wait in, one to have the custodial parent bring the children into, and one for staff, supplies, and files,
- rooms located so that the parents do not see each other when they are in the facility at the same time, and
- a facility that is not being used by other groups at the same time the exchanges are occurring.

**Confidentiality and Records:** A monitored exchange program will keep records pertaining to the parents, children and monitored exchange services. A list of the records is on the website in Appendix A. The program must have strict policies and procedures for the keeping and release of these records. In order to protect the records, the program should have the following:

- a room that is accessible only to staff, where records are maintained in a locked file cabinet, and
- a place where parents may make phone calls or interact with the staff.

**Shared Space:** If the program cannot afford to rent or buy space for the exchanges, it may want to use space donated by a religious organization or school at a time when there are no other activities occurring that will violate client confidentiality. The disadvantage of these locations is that children and parents using the exchange program may fear that people they know in the religious organization or school will find out they are using the program.

When using a borrowed location each week for exchanges, the program staff will also need to:

- be careful to leave the premises as they found it,
- bring their own supplies,
- not leave program supplies there unless space is provided to store them, and
- communicate with the religious organization or school staff person who acts as the liaison with the monitored exchange program to ensure a positive relationship.

**Undesirable Locations:** Exchanges should not be conducted other than at the monitored exchange program site.

**The Clearinghouse does not advise program staff to go to the home or office of a parent to conduct monitored exchanges, or to conduct them at the homes of the program director or staff because of safety and liability issues.**

Restaurants and parks are also not desirable locations for monitored exchanges. It is not appropriate to use fast food restaurants or shopping centers because of the lack of site control and the liability involved. A police station is not a desirable location because it is not child-friendly, may intimidate children, and does not have staff assigned to monitor the exchange. The fact that the exchange takes place in the station lobby or parking lot may not inhibit inappropriate behavior.



## ESTABLISHING INTERAGENCY COLLABORATION

Once it is determined that a community needs a monitored exchange program, the location and type of program is chosen and the program is created, it should have certain written agreements. These include an agreement with the court and an interagency agreement with each agency with which the program collaborates.

### Working With the Court

**Agreement with the Court:** The monitored exchange program should have a written agreement with the court that will be sending referrals to the program. The court decides what cases it will refer to a program, but at a minimum, the program has the power to accept or decline a case.

A sample *Letter of Agreement with the Court* is in Appendix A of the website.

**Establishing Communication:** It is important for the monitored exchange program to develop a means of communicating with the court about the progress of cases.

- The frequency of communication will depend on the level of judicial case management and periodic review that exists in the program's judicial circuit.
- When the monitored exchange program is created, the director should work with the judges who will be referring cases to establish the roles of the judiciary and the program.
- The director should ask for the judges' support to enforce monitored exchange orders when parents violate the provisions of the order and program rules.

*Written Communication:* Applying the Supreme Court of Florida Minimum Standards for Visitation Program Agreements to monitored exchange programs, the program should immediately (within 72 hours) provide written notice to the court and the parties if:

1. Program services have been suspended or terminated under a condition outlined for termination of the case,
2. The parties agree they can manage exchanges without supervision, or
3. The parties violate specific terms of the monitored exchange contact as provided in the court order for contact.

The program should also communicate with the court:

- by notifying the chief judge in writing of any changes to the program's role, function, operational policies and procedures and/or capacity that affect the program's services provided to the court or its clients,
- by written notice to the referring judge when a case is accepted or declined, and
- upon written or oral request by the judge or her/his judicial assistant for copies of observation reports, incident reports and notices of nonattendance. Programs should use checklists or clear and concise statements to record what happens during the monitored exchange and should avoid including opinions and judgments. The exchange monitor should only report attendance and observable behaviors.

*Inappropriate Communication:* Once the case has been accepted, the program must be extremely careful about how information about cases is released to the court. All communication with the court about case specifics should be communicated in documents provided to both parties and the court, or in a formal court setting.

## Working with Other Agencies

**Interagency Agreements:** When the monitored exchange program and a collaborating agency reach a verbal agreement, they then should formalize a written interagency agreement. The interagency agreement is a contract that should contain the entire agreement between the agency and the monitored exchange program. For example, if the sheriff's department agrees to provide an officer for security during the exchanges, the program should have an interagency agreement with the sheriff's department.

The interagency agreement should include the following:

- an opening statement containing the date the agreement is entered into and the names of the organizations entering into it,
- the monitored exchange program's mission statement if it is independent and separate from a supervised visitation program,
- the organization's mission statement,
- a general statement that the monitored exchange program and the organization are agreeing to collaborate,
- a general statement about what the organization is agreeing to provide and the monitored exchange program is agreeing to provide,
- a list of the specific items and/or services each party is agreeing to provide to the other,
- statements regarding which party is providing liability insurance to cover the actions of the program staff and volunteers and to cover property damage or loss,
- dates by which the responsibilities and obligations of each party will be carried out or accomplished, if applicable,
- signature lines and the names and titles of the persons who have the authority to sign for the organization and the monitored exchange program, and

- lines for the dates each person signs.

See Appendix A on the website for *Sample Interagency Agreements*.

If there are several aspects of the collaboration, they can either be included in one interagency agreement or set forth in separate agreements. For example, if a college is providing the program with a facility and also with students who will volunteer to serve as the exchange monitors, there could be one agreement or two. With two agreements, one would cover the understanding about the facility and the second agreement would cover the understanding regarding the students. Interagency agreements should be updated, if revision is needed, and renewed annually. It is a good idea to allow several weeks to revise agreements and obtain signatures.



## OPERATIONS MANUAL FOR MONITORED EXCHANGE

In addition to interagency agreements, each program providing monitored exchanges should have a written operations manual consisting of a mission statement, goals, policies, and procedures that can be used by the staff and volunteers providing the exchanges.

### Mission Statement and Goals

A mission statement and goals give the monitored exchange program direction. It is important for the committee creating the program to decide what the mission and goals of the program are so that the program may be operated in a consistent, deliberate manner to carry out the mission. Here is a sample *Mission and Goals Statement*.

The mission of The Sunshine Monitored Exchange Program is to provide a place in which the movement of the child from the residential parent to the nonresidential parent immediately before and after unsupervised visitation will be monitored. The Program provides a safe, neutral, child-friendly setting for the exchange.

Monitored exchange is not a long-term solution to a family's problems. The short-term goal is to enable an ongoing relationship between the nonresidential parent and the child by impartially observing the movement of the child from the residential parent to the nonresidential parent. The long-term goal is to facilitate exchanges which are not monitored in most cases and establish less structured monitoring, when possible, in the remaining cases.

## Policies and Procedures

Program policies and procedures are the foundation of the monitored exchange program because they provide a framework for the operation of the program.

### Developing the Policies and Procedures

*Standards:* If the community has a supervised visitation program and then adds a monitored exchange service to it, then both the supervised visitation program and the monitored exchange service operate under the requirements of The Supreme Court of Florida Minimum Standards for Supervised Visitation Program Agreements. At the time the Standards were written, no freestanding monitored exchange programs existed in Florida. The Clearinghouse advises freestanding monitored exchange programs to abide by the Florida Standards for Supervised Visitation Program Agreements. Monitored exchange programs should write their policies and procedures from the requirements set forth in the Standards.

*List of Recommended Policies and Procedures:* Examples of the policies and procedures which should be written are:

- program structure/administration,
- types of services,
- referral process,
- waiting list,
- accepting and declining cases,
- intake process,
- communication with the court and other agencies,
- rules for client behavior,
- payment of fees,
- hours of operation,
- provision of services for children and adults with disabilities and who speak languages other than English, including sign language,

- security,
- emergency protocol,
- grievance,
- confidentiality, record management, and release of information,
- employment and volunteers,
- data collection,
- length of time a family is allowed to use the program, and
- discharge and termination of cases.

These components are explained more in depth in Appendix A on the website. Policies and procedures should be updated annually. The committee creating the program should develop the policies and procedures.

*Distribution and Use:* Copies of the policies and procedures should be provided to judges and referring agencies. Parents and attorneys may also request them. They should also be used to train staff and volunteers. Programs should implement policies and procedures consistently to avoid accusations of favoritism, and to ensure that the program's mission and goals are achieved.

## REFERRALS FOR MONITORED EXCHANGE

### Laying the Foundation for Referrals

Ensuring that the program can adequately and safely monitor exchanges is the first issue to address prior to accepting referrals. In addition to the Agreement with the Court and the operations manual mentioned above, the program should have:

- a standard court order that grants the program access to needed case information (see below for more information),
- protocols for obtaining background material on the family prior to deciding to accept or decline the case, and
- appropriate staff training for types of cases referred.

### Sources of Referrals

A monitored exchange program may choose to accept cases that are referred by:

- court order,
- agreement of the parents themselves,
- other agencies, or
- any combination of these sources.

The chart on the following pages gives the essential elements of a standard court order and the rationale for each element.

**CAUTION**

The disadvantage of a program accepting a case on the basis of a parental agreement and without a court order is that there will be no enforcement mechanism to ensure the exchanges occur and no sanction for a party who violates the agreement. Thus, if the noncustodial parent does not show up for an exchange, or the custodial parent does not bring the child to an exchange, no recourse is available to either parent. This can render the parents' monitored exchange agreement virtually meaningless.

Element of Court Order	Rationale
Names of the adults and children who will participate in the monitored exchange program.	Parents may attempt to bring others to the exchanges who may create security risks or complicate the process. Parents may need to have someone to pick up and drop off children for them when they are unable to do so.
The schedule of dates and times for the exchanges.	Communicates to the parents what is expected of them in order to comply.
Location of the exchanges.	Informs the parent of where they will need to be.
What the parents must do to initiate use of the program.	Informs parents of their responsibility to initiate use of the program and puts program on notice that the case has been ordered to monitored exchange.

Element of Court Order	Rationale
Fee amount for exchange, in what form payment must be made, to whom checks should be made out, when to make payment, consequence for nonpayment.	Communicates to the parents what fees are required.
Who is responsible for paying fee.	Informs parents and program of who is responsible.
Parties are ordered to follow rules, policies and procedures, and directives of staff.	Gives the program court authority to enforce their rules and decisions.
Provision for court to add case specific terms and conditions of monitored exchange and space to write them.	Allows court to tailor order to needs of family and notify parents of additional terms and conditions.
Court will be notified of parental noncompliance and may consider it in making future decisions regarding the children and parents.	Notifies parents of program communication with court and importance of compliance to their case.
Program has authority to suspend or terminate use of program.	Notifies parents of program's authority and role in case.
Cancellation and attendance provisions.	Puts parents on notice of what is expected of them and consequences of their behavior.
Any fines program imposes for failing to cancel or picking up child late.	Informs parents of fines and gives the program court authority to enforce them.
Provision regarding time frame in which the parties must begin to use the program or else the order expires.	Prevents parents from waiting to use the program during which time their situation may change and the order would no longer be appropriate.

Element of Court Order	Rationale
Provision regarding how long the court wants the parties to use the program before they return to court or go to the next step in their case.	Communicates to the parents how long they can expect to use the program and the amount of time they have to work on the issues that brought them to the program.
Provision giving law enforcement authority to use all reasonable means to return a kidnapped child to the custodial parent.	Gives law enforcement the authority needed without having to have an emergency hearing and obtain a court order granting them authority.
Attach program rules.	Keeps judges and parents informed of program rules and expectations.
A list of who is given a copy of the order which includes the monitored exchange program.	Ensures the parties to the case, their attorneys, and the program have notice of which cases are ordered to use monitored exchange.

### Considerations in Decision-Making

Upon receipt of a referral, the monitored exchange program director should determine whether the case is appropriate for program services. Several elements should be considered when making the decision:

- the volatile nature of the case or client,
- whether the staff is adequately trained to manage issues identified in the intake information,
- security,
- program resources, and
- conflict of interest.

A *Conflict of Interest Checklist* is included in Appendix A on the website.

Appropriate for a Monitored Exchange Program	Inappropriate for a Monitored Exchange Program
The custodial parent has not had the child available for visits as required by the court order.	The noncustodial parent has a history of stalking the custodial parent.
The noncustodial parent does not show up for visits.	The noncustodial parent has threatened to abduct the children.
The parents have not been attending visits on time.	The noncustodial parent has a history of chronic substance abuse.
The parents have insulted each other during exchanges of the children in the past, but are attending counseling separately to resolve their disagreements amicably.	The noncustodial parent has a history of violence and threats toward the custodial parent and/or other people. This type of case may be appropriate for supervised visitation because it has a level of danger that makes monitored exchange unsafe due to the history of violence and threats.
The parents have allowed boyfriends and girlfriends to be present during exchanges and those persons have behaved inappropriately.	The noncustodial parent does not own a car, has no access to reliable public transportation, and has no one to drive them to the program.
The exchanges conducted by the parents have had problems due to one parent's mental health status, but that parent has begun taking appropriate medication and is willing to provide the court or attorneys with documentation of compliance with court requirements.	

### Example of Potential Dangers at Monitored Exchange

In Toronto, Canada, a noncustodial father killed his daughter after a monitored exchange. When he did not return the children on time after a visit, the custodial mother was not alarmed. She had told the judge that her ex-husband would not hurt the children and only needed monitored exchange, although he had exhibited road rage, had a record of being violent toward others, and had been violent toward her. When the police found the father, he led them to a place in the woods where he had left his daughter after slitting her throat. His son was unharmed and left at a relative's home.

### Cases Involving Domestic Violence

Monitored exchange is *not* a service that is appropriate for most cases involving Injunctions for Protection Against Domestic Violence. If at intake the staff notes these factors which reveal heightened danger, then the case is not suitable for monitored exchange:

- escalation of physical or other forms of violence,
- recent acquisition or change in use of weapons,
- suicidal or homicidal ideation, threats, or attempts,
- change in substance use/abuse patterns,
- stalking or other surveillance/monitoring behavior,
- centrality of the victim (whether the victim is the center of the noncustodial parent's focus in life),
- jealousy/obsessiveness about, or preoccupation with, the victim,
- mental health concerns connected with the violent behavior,
- other criminal behavior or injunctions,
- increase in personal risk taking (e.g. violation of restraining orders),
- interference with the victim's help-seeking attempts,

- imprisonment of the victim in her home,
- symbolic violence, including the destruction of the victims' pets or property,
- the victim's attempt to flee the batterer or to terminate the relationship, and/or
- batterer's access to the victim or her family.

None of these indicators alone suggest that a batterer will kill his partner or commit other forms of severe violence. Generally though, the more indicators that are present the greater the risk. Also, an effective risk assessment will focus not only on the presence of risk factors, but also on recent changes in behavior suggesting an escalation of risk.

If the custodial parent does not have an Injunction for Protection Against Domestic Violence against the noncustodial parent but there is some history of abuse, the monitored exchange program should obtain the opinions of a domestic violence advocate and the victim, and obtain criminal background check results regarding the noncustodial parent. This information should be carefully considered in making the decision to accept or decline the case.

### CAUTION

The best practice is to have a risk assessment conducted by a qualified, experienced professional and/or a domestic violence advocate.

### Sources of Case Information

The program should decide what information it will require about the case before making a decision to accept or decline it.

**Written Information:** Information the program could include:

- current and past court orders regarding each parent and the family, including Injunctions for Protection Against Domestic Violence,
- pleadings or similar written records of allegations in court cases involving the parents and family,
- what other services the family is receiving, what agencies are supplying them, names and phone numbers of contact persons at those agencies,
- Department of Children and Family Services (DCF) and/or Community Based Care (CBC) reports or summaries,
- existing risk assessments of the parents,
- evidence the parents have or have not successfully completed evaluation and treatment programs for substance abuse, domestic violence, mental health and other issues,
- special needs, such as a foreign language interpreter, sign language interpreter, medical assistance,
- existing mental health evaluations of the parents, and
- criminal background reports.

**Intake Interview:** The program director or their designee should conduct an intake interview as part of the information gathering process. Some best practice guidelines are that interviews should be conducted:

- by the person making the decision to accept or decline the case so that they can ask any questions that arise during the interview in order to make the decision,
- in person rather than over the telephone in order to observe the person's demeanor,
- separately for each parent and outside of the presence of the children to protect confidentiality, protect the children from information that is inappropriate for them to hear, and encourage free and open disclosure and sharing of information,
- as soon as possible after the case is ordered to use monitored exchange so that services can start before the order expires,

- using a written list of questions to obtain relevant, needed information, and
- in a place that is safe for the person who is being interviewed and the staff person doing the interview, especially in cases known to involve domestic violence.

A sample *Intake Interview* sheet is in Appendix B of the website.

After gathering this information, programs should read and review it to consider the risk of violence.

### Program Rules

The monitored exchange program should craft written rules regarding the behavior of parents while they are at the program site and during the exchange. Rules which promote the safety of everyone involved in the exchange should be included in the list. Staff should go over the rules with each parent at intake and answer any questions they may have. The parent should then sign the rules and be given a copy of them. Staff should hold parents accountable to the rules.

See Appendix B for *Sample Monitored Exchange Rules*.

### REMEMBER

**Do not discriminate against any client due to race, religion, gender, sexual orientation, national origin, age, disability, marital status or the ability to pay.**

## Decision to Accept or Decline a Case

Several outcomes may result from the decision-making process:

1. Accept the referral,
2. Put the case on a waiting list, or
3. The monitored exchange program staff thinks they do not have adequate case background material to make a decision to accept or decline the referral. Two decisions may result:
  - request additional background material and decline the referral until case material is provided, or
  - decline referral.
4. After review of material and case staffing, further outcomes may emerge:
  - program may request an evaluation of the child and/or parents or consultation with the child and/or parents' therapists,
  - based upon review of the case material provided, decline the referral because it is inappropriate, or
  - based upon review of the case material provided, accept the case.

The referral source, the parties, and their attorneys should be notified about the decision to accept or decline the case. If the case is accepted, the program should communicate with the parents and their attorneys to begin the exchanges.

A sample *Notification Letter to the Referral Source* and a sample *Letter Beginning the Exchanges* are in Appendix B of the website.

## PROTOCOL FOR PROVIDING MONITORED EXCHANGE

### Preparing the Parents and Children

A monitored exchange program should develop an orientation session specific to parents and another for children in order to educate them, avoid misunderstandings and ensure a safe, smooth, child-friendly exchange.

During the orientation the parents and children could receive the following:

- a tour of the site,
- an age-appropriate explanation of what will occur during the exchange,
- answers to their questions and concerns, and
- written copies of rules and procedures they should follow.

### Protocol for Exchange in a Facility

Typically there are two locations for providing monitored exchange services for the advisory committee to consider: exchanges in a facility or in a parking lot. Monitored exchange in a facility requires that the children be transferred to the noncustodial parent using a staggered arrival procedure. Each program should create procedures to accommodate its own referrals. The following is an example of such a procedure:

- the noncustodial parent arrives for the exchange first, enters the facility and signs in,
- the custodial parent arrives 15 minutes later, brings the children into the facility and signs them in,
- the program staff takes the children to the noncustodial parent while the custodial parent leaves the premises, and

- the noncustodial parent and children leave together 15 minutes after the custodial parent has left. The custodial parent is not allowed to linger in the facility or parking lot.

For the return exchange this procedure is followed:

- the noncustodial parent brings the children into the facility and signs them in,
- the custodial parent arrives 15 minutes later and staff transfers the children to that parent,
- the custodial parent and children leave the premises, and
- the noncustodial parent leaves 15 minutes later.

This protocol helps prevent stalking and attempts to keep parents from having any verbal exchanges or physical confrontation.

### Protocol for Exchange in a Parking Lot

The second option for monitored exchange, in a parking lot or adjacent parking lots, requires enough distance in the lot to separate the parents during the exchange. An example of a procedure for this type of exchange is:

- the noncustodial parent arrives and parks in the parking lot,
- the custodial parent arrives 15 minutes later with the children and parks in a separate, adjacent parking lot,
- an exchange monitor transfers the children from the custodial parent's car to the noncustodial parent's car,
- the custodial parent leaves the parking lot, and
- the noncustodial parent is allowed to leave 15 minutes later.

The return exchange consists of:

- the noncustodial parent arrives with the children and parks,
- the custodial parent arrives 15 minutes later and parks in a separate, adjacent parking lot,

- an exchange monitor transfers the children from the noncustodial parent's car to the custodial parent's car,
- the custodial parent and children leave the parking lot, and
- the noncustodial parent is allowed to leave 15 minutes later.

Parents may be able to see each other in parking lots, so the potential for them to engage in inappropriate dialogue and behavior is greater with this model. The staff also has less control if an incident occurs because the parents are in their cars or are walking to and from public transportation.

**Be sure to notify the Clearinghouse on Supervised Visitation  
when you open a monitored exchange program  
so that it can be listed in the directories for Florida programs.**

### Protocol for Communication Regarding Children

The monitored exchange program may want to facilitate the passing of information regarding the children from the custodial to noncustodial parent at the initial exchange and from the noncustodial to custodial parent at the return exchange.

It is suggested that the program have a form for written communication that staff would take from the parent, review for compliance with program rules about appropriate communication, and then pass to the other parent. There could be two different forms to cover issues appropriate to different ages of children. For example, one form could cover children ages birth to 12 years and a second form could cover ages 13 through 18 years. The information given on the form could include:

- the date,

- the children's names,
- instructions regarding food and meals,
- instructions about medication and illnesses,
- instructions about homework or extracurricular lessons that need to be completed (music, art, sports),
- instructions about toilet training for toddlers,
- instructions about clothing, and
- a list of belongings being sent with the children that need to be returned, such as eyeglasses, retainers, hearing aids, calculators, homework, or phones.

The program may want to make a copy of the forms for the case file before giving the original to the parent. Consideration should be given as to what steps the program will take if the parents cannot communicate by appropriately using the form. One labor intensive possibility is that program staff would fill out the form by asking the parent questions instead of allowing the parent to complete the form on his or her own. The danger is that parents will use the form to abuse or harass the other parent.

A sample form is in Appendix B on the website.

### Incidents that May Arise During Monitored Exchange

Existing monitored exchange programs have reported incidents that have occurred during program operation. It would be beneficial to create procedures for handling such situations, to create rules to prevent them and to train staff in effective responses. Programs should anticipate that situations like these may arise:

- program is informed by custodial parent that the noncustodial parent's driver's license has been suspended, yet the noncustodial parent drives her car to the exchange,

- noncustodial parent arrives to pick up the child without a car seat although the law requires a child his age to use one,
- custodial parent smells of alcohol and appears to be intoxicated when dropping off child,
- exchange monitor notices bruises on the child when conducting the exchange and the child, without being asked, discloses that the custodial (or noncustodial parent) hit him,
- the custodial (or noncustodial) parent brings a child who is not named in the court order as part of the exchange with them to the exchange and the staff suspects the child has been abused due to an observable bruise or a disclosure by the child,
- custodial parent brings a sick child to the exchange and does not want to allow the exchange to take place due to the illness,
- custodial parent brings a sick child to the exchange, the noncustodial parent does not want to visit with the child because the child is sick and the custodial parent does not want to care for the child over the weekend because she has made other plans,
- sheriff's deputy comes to program to serve a warrant for arrest on the noncustodial parent who is supposed to have weekend visitation with the children, and/or
- sheriff's deputy notices what appears to be illegal drugs, pornography, contraband, or weapons in plain view in the noncustodial parent's car before the exchange takes place to give the parent her weekend visitation.

### Termination of an Exchange and Case

When these situations arise, a program may terminate an exchange or terminate the family's use of the program.

The program should have a procedure for refusing to allow an exchange or terminating one.

A suggested *Procedure for Terminating an Exchange* is in Appendix A on the website.

A program may discharge a case entirely for these reasons:

- safety concerns or other issues involved in the case that cannot be effectively addressed by the program,
- the case places an undue demand on the program's resources,
- one or both of the clients have failed to comply with the exchange agreement, the directives of the staff, or the court's order of referral,
- the client continually refuses to pay court ordered fees for services,
- one or both parents no longer wish to use the program,
- the parents have used the program for the length of time specified in the court order or allowed under the program's policies and procedures and have not obtained another court order to continue, and/or
- the parents are unable to continue due to death, illness, or relocation.

A sample *Notice of Termination* is in Appendix B on the website.

## SECURITY

Most cases involving Injunctions for Protection Against Domestic Violence will not be appropriate for monitored exchange. It may be more appropriate for the court to first order services such as a batterer's intervention program, drug and alcohol counseling, and supervised visitation prior to deciding that a case is safe enough for monitored exchange.

### Security Staff

The best practice is for monitored exchange programs to have a uniformed law enforcement officer present during monitored exchanges due to the incidents mentioned above and because:

- an officer has the legal authority to make arrests when necessary and to carry a firearm,
- the presence of an officer often deters parents from engaging in illegal behavior,
- an officer can use a hand-held metal detector to see if a parent is armed and then has the authority and training to disarm the parent, and
- an officer can also enforce the program's decision not to exchange the child to a noncustodial parent who comes to the exchange in an obviously intoxicated or drugged state or is unable to pass a breathalyzer test administered to the parent by program staff pursuant to a court order.



**Duties and Responsibilities of Security Staff:** Security staff provide critical support to the safety of monitored exchanges. Security staff may:

- design security, crisis, and emergency plans for the program or review the ones the program has,
- monitor the exchange facility and grounds for risks to safety of program participants,
- use metal detectors to check for weapons,
- use breathalyzers to check for alcohol abuse or intoxication,
- disarm all participants of weapons,
- ensure that noncustodial parents and custodial parents do not interact or have any opportunity to interact either in program facility or parking areas,
- monitor parking areas,
- escort parents from the parking lot to the facility if parking is not near the facility entrance,
- ensure that only people who need to be at the exchange are present,
- monitor program security system,
- terminate exchanges when program rules are violated,
- be informed regarding all Injunctions for Protection Against Domestic Violence,
- make arrests as necessary or call in law enforcement officers to make arrests, and
- testify in court as to observations of particular exchanges, incidents or families.

In some programs, security staff may also be required to:

- conduct criminal background screening,
- collect fees and make bank deposits,
- attend staff meetings,
- train staff on security procedures, and/or
- administer drug/alcohol screenings to employees.

Melanie Edwards and her seven-year-old daughter were shot and killed by Mrs. Edwards' estranged husband at a Seattle, Washington monitored exchange program. The shooting took place after Mr. Edwards had returned Carli to the program following a visit. Mr. Edwards was allowed to leave before his wife and daughter. He shot them shortly after Mrs. Edwards got to her car and buckled Carli into the back seat.

**Specialized Training:** Due to the histories of the families ordered to use monitored exchange, security staff should have specialized training in:

- CPR and first aid,
- domestic violence dynamics,
- substance abuse issues,
- child abuse and neglect, including sexual abuse,
- court procedures, and
- divorce and its effects on family members.

A list of specialized skills and abilities security staff should have is in Appendix A on the website.

## Security Devices

The program may want to use the following tools to enhance security:

- metal detector or wand,
- panic buttons for staff with pager for officer, or two-way radios for staff,
- phones with intercom system if program has more than one phone,
- first aid kits, fire extinguishers, flashlights (rechargeable-turn on when power goes out),
- security surveillance cameras that record and are located near exterior doors and in the parking lots to document both critical incidents and an absence of incidents, and to be used by an extra staff person to watch on a monitor as other staff conduct exchanges,
- outside lighting to ensure that everyone can see and be seen, and
- alcohol and drug testing devices to be used by security officer if a parent is suspected of being under the influence of drugs or alcohol.

## Environmental Security

The following measures address ways to enhance the environmental security of the facility:

- post the address of the building and the phone number there on the phones,
- have the floor plan or blue print readily available in case of hostage situation,
- clearly mark and light all exits, and tell all staff where the exits are,
- post signs prohibiting hand guns and other weapon on property, and
- keep security officers' names and badge numbers handy, if the program has officers on site.

## Staff Security Training and Procedures

For security purposes, staff training should include this information:

- which rooms have locking doors, phones and windows to see 911 response,
- a code word to alert staff when a critical incident arises or that they need to evacuate (e.g. Code Red),
- a crisis plan that staff have practiced including emergency and evacuation procedures,
- crisis response and de-escalation techniques,
- lethality indicators,
- weapons to notice,
- how to use security devices,
- what the program's security officer is responsible for doing (searching bags, using weapons detector wand),
- what to report to the security officer, and
- how to make a 911 call.



## Information in Files

This information should be included in the program's files to strengthen security:

- current addresses and phone numbers of each client and updates regarding their case information,
- date of birth of each client,
- photocopy of each client's license or photo ID,
- photograph of each client (including children),
- make, model, year, color, and plates of vehicle client drives,
- custody orders as well as protective/restraining/no contact orders.

## STAFF

### Whom To Use

A monitored exchange program may choose to use community volunteers, students, or paid staff to monitor the exchanges.

For information about using students as exchange monitors, see *The Perfect Match: A Toolkit for Collaboration Between Florida's Colleges and Universities and Supervised Visitation Programs* on the website.

### Requirements for Exchange Monitors

In Florida, an exchange monitor is defined as the individual trained and authorized by a program to observe the movement of a child from the custodial to noncustodial parent at the beginning of an unsupervised noncustodial parent/child visit and from the noncustodial parent back to the custodial parent at the end of the visit. The monitor documents their observations of this transfer.

The Supreme Court of Florida Minimum Standards for Supervised Visitation Program Agreements do not include specific standards for freestanding monitored exchange programs. However, it is recommended that programs use the Standards regarding volunteers, staff and their training. The program should also include requirements for volunteers and staff that are set forth in its funding contracts.

The Supreme Court requirements for visit monitors are that they:

1. Be 19 years old,
2. Have acceptable results from a background check in accordance with Florida Department of Law Enforcement standards for child care providers,
3. Attend a screening interview with the program director or his/her designee that includes:
  - a. an application review,
  - b. executing a signed statement which addresses the areas of confidentiality (a *Sample Code of Confidentiality* which should be read and signed by monitors is in Appendix B on the website),
  - c. executing an affidavit of moral character,
  - d. executing an affidavit of disclosure that lists any and all active pending criminal or civil litigation (a *Sample Affidavit of Disclosure* is in Appendix B on the website), and
4. Successfully complete minimum training requirements.

A *Sample Training Record* is in Appendix B on the website.

**Special Qualities, Skills, and Abilities:** The program may want to look for staff/volunteers who have:

- experience with children,
- willingness to interact with all cultural, socio-economic, ethnic groups and those with alternative life styles,
- supportive/positive attitude,
- maturity,

- good verbal communication and writing skills,
- willingness to learn and be trained, accept and act upon constructive criticism, and
- calm, patient temperament.

## CAUTION

The *Affidavit of Good Moral Character* is a document generated by The Florida Department of Children and Family Services and is subject to change according to changes in Florida law. The monitored exchange program staff should obtain the latest affidavit by contacting the district DCF and/or CBC employee responsible for background screening.

A *Sample Affidavit of Good Moral Character* is in Appendix B on the website.

**Criminal Background Checks:** In order to conduct background checks in accordance with Florida Department of Law Enforcement standards for child care providers, monitored exchange program personnel should contact the DCF/CBC employee who handles background screening. The screening employee can send the program:

1. A booklet which contains the steps and forms for conducting a background check, and
2. Appropriate fingerprint cards. (These fingerprint cards have pre-printed information and are not the same as the card the police or sheriff's department would use to fingerprint a person.)

A *List of Steps for Conducting a Criminal Background Check* is in Appendix B on the website.

## Training

**Who Trains the Staff:** The program's funding source may specify training requirements for staff. The person who trains and supervises the staff should also meet the Florida Supreme Court's training requirements.

**Requirements for Training Staff:** Prior to monitoring exchanges, persons serving as exchange monitors should complete:

- two hours of orientation training in the following areas: practice; policy and procedures; use of forms; confidentiality; security; levels of supervision; observation techniques and recording observations, and
- five hours in a mentoring program with a practicing exchange monitor either at an existing exchange program or with a licensed professional who has at least one year of experience in monitoring exchanges.

**Topics for Training:** The monitors should have competency-based training which should include, but not be limited to the areas of:

- child development,
- child abuse indicators,
- mental health,
- substance abuse,
- parental alienation,
- domestic violence,
- communication skills,
- cultural diversity, and
- crisis intervention.

Additional topics the program may want to include are:

- neutrality,
- confidentiality,
- professionalism,
- emergency procedures,

- parenting skills,
- dynamics of divorce and separation,
- personal issues which affect the types of cases monitor is comfortable exchanging,
- how to report disclosures made during monitored exchange of abuse, neglect or abandonment to the Florida Child Abuse Hotline,
- basic understanding of laws governing separation, divorce, child welfare, and
- ethical dilemmas.

**Staff Understanding of Confidentiality:** Clear job descriptions and effective training enable the staff to know who is allowed to disclose information to the parties and their attorneys and what may be disclosed. Exchange monitors should be trained to:

- refer parents who request copies of written records to the program director,
- refer parents with questions about their cases or program procedures to the case supervisor or the program director,
- know how much information they can orally share with either parent regarding the child's or other parent's behavior during the exchange, and
- keep everything they observe and hear at the monitored exchange program confidential.

**Resource Materials:** The Florida Clearinghouse on Supervised Visitation has training materials on its website at <http://familyvio.ssw.fsu.edu> and publishes the following training materials:

- *A Competency-Based Training Manual for Florida's Supervised Visitation Programs,*
- *Law Enforcement Guide to Supervised Visitation Programs,*
- *Child Sexual Abuse Referrals: A Curriculum for Supervised Visitation Providers* (this curriculum is also available in an online tutorial program available at the website <http://familyvio.ssw.fsu.edu>),

- *The Perfect Match: A Toolkit for Collaboration Between Florida's Colleges and Universities & Supervised Visitation Programs,* and
- *Referrals to Supervised Visitation: A Manual for Florida's Judges.*

The international Supervised Visitation Network's website is [www.svnetwork.net](http://www.svnetwork.net) and SVN publishes the NYSPCC Professionals' Handbook on Providing Supervised Visitation.

The FSU Clearinghouse on Supervised Visitation has a library of written materials to use for training and videotapes that can be borrowed by monitored exchange programs.

*Be sure to log onto*

**<http://familyvio.ssw.fsu.edu>**

for the companion set of forms referred to for use with this Toolkit. Appendix A includes the forms needed to plan for and establish a monitored exchange program and Appendix B includes forms for program operation.

## CLEARINGHOUSE RESOURCES

- *Competency Based Training Manual for Supervised Visitation Providers*
- *Child Sexual Abuse Referrals: A Curriculum for Supervised Visitation Providers*
- *Referrals to Supervised Visitation: A Manual for Florida's Judges*
- *Family Visitation Times*, a quarterly newsletter
- *Law Enforcement Guide to Supervised Visitation*
- *The Perfect Match: A Toolkit for Collaboration Between Florida's Colleges and Universities and Supervised Visitation Programs*
- *Starting a New Supervised Visitation Center*, an informational brochure
- *Bar & Bench Visitation Report*, a judicial newsletter
- Technical assistance to existing and emerging programs
- Web Page, including message board and online tutorial program for Child Sexual Abuse Referrals: A Curriculum for Supervised Visitation Providers: <http://familyvio.ssw.fsu.edu>
- Video introducing parents to the Supervised Visitation process

## ADDITIONAL CONTACTS

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