

	<b>GEORGIA DIVISION OF FAMILY AND CHILDREN SERVICES CHILD WELFARE POLICY MANUAL</b>			
	<b>Chapter:</b>	(10) Foster Care	<b>Effective Date:</b>	July 2019
	<b>Policy Title:</b>	Visitation		
	<b>Policy Number:</b>	10.19	<b>Previous Policy #:</b>	NA

**CODES/REFERENCES**

O.C.G.A § 19-7-3 Actions by Grandparents or Other Family Members for Visitation Rights or Intervention; Revocation or Amendment of Visitation Rights; Appointment of Guardian Ad Litem; Mediation; Hearing; Notification to Family Members of Child's Participation In Events  
 O.C.G.A § 15-11-2 Definitions  
 O.C.G.A § 15-11-112 Court ordered visitation

**REQUIREMENTS**

- The Division of Family and Children Services (DFCS) shall:
1. Allow reasonable visitation that is consistent with the age and developmental needs of a child in compliance with the order of the Juvenile Court that it is in the child's best interest. The court's order shall specify the frequency, duration, and terms of visitation including whether visitation shall be supervised or unsupervised<sup>1</sup>.
  2. Make a request to the court that visitation be supervised, monitored or otherwise restricted when child safety cannot be reasonably assured during unsupervised visits.
  3. Arrange for each child who enters foster care to have a face-to-face family (parent/caregiver and sibling) visit **no later than** seven calendar days from the date of removal unless the court restricts such visitation. If the child is placed out of state or a significant distance (more than 75 miles) away from the family, the initial contact may be by telephone or Skype.
  4. Develop a written visitation plan as part of the Case Plan to support continued contact between the child and parents, siblings, and significant others in the child's life. At minimum, parents shall visit bi-weekly (once every two weeks) with their children, unless the court specifies another frequency.
  5. Increase the frequency of parent-child visitation for young children (birth to five years of age) when reunification is the permanency plan in order to facilitate bonding and child well-being. Unless the court specifies another visitation arrangement, below is the minimum frequency for parent-child visitation involving younger children (birth to five years of age) with a permanency plan of reunification:
    - a. Children ages 0-2 visit with parents at least two times per week
    - b. Children ages 3-5 visit with parents at least one time per week
  6. Initiate and maintain visitation between children and potential kinship caregivers (relative and fictive kin) when appropriate, as soon as they are identified to support and

<sup>1</sup> There shall be a presumption that visitation will be unsupervised unless the court finds that unsupervised visitation is not in a child's best interest.

maintain connections within the kinship circle. Visitation may occur during the kinship caregiver assessment process, when appropriate.

7. Allow the use of visiting resources other than the child's birth parents if it is deemed to be in the best interest of the child. This includes family members, friends, or fictive kin with whom the child has a significant, positive relationship. An approved, written assessment of the visiting resource is required.
8. Document all visitation plans under the Visitation Plan Tab in Georgia SHINES.
9. Update the visitation plan as ordered by the court within 30 calendar days of the request.
10. Ensure all visits in Georgia SHINES within 72 hours of occurrence, including any missed visits.

## PROCEDURES

### The DFCS Social Services Case Manager (SSCM) will:

1. At the time of removal, make a recommendation to the court regarding the appropriateness of unsupervised visitation. Ensure the court's response is documented in the court order and in the Legal Detail in Georgia SHINES.
2. At the time of removal, reassure members of the removal household that visitation with the child being removed will occur on a regular basis and that arrangements will be made to schedule a face-to-face visit within **seven calendar days** unless there are court-ordered restrictions.
3. Contact the birth family and the placement resource **no later** than three calendar days from the date of removal to schedule the initial visit. It is recommended that the initial parent-child visits occur within 24 hours of removal. Have the following discussions with the identified parties as indicated below:
  - a. Parents/Caregivers (both mother and father): Discuss the details of the initial visit (time, date, location, level of supervision and attendees). Identify other committed adults who may visit with the child (ren).
  - b. Child (ren): Discuss other committed individuals with whom the child would like to stay connected. Reassure the child that the initial visit is in the process of being scheduled.
  - c. Placement resource: Discuss who will transport the child to the visit, the level of supervision required, who will provide supervision and what role (if any) the placement resource is expected to play during the visitation (e.g. provide supervision, provide support to the birth family, etc.).
4. After the initial visit, develop a formal, written visitation plan that will be followed for the duration of the case, or until a change is needed.
5. Consider the following when scheduling parent – child visitation:
  - a. Age of the child: Younger children require more frequent visits to develop or maintain bonding with parents/caregivers;
  - b. Permanency plan for the child: Concurrent planning services may require more frequent visitation to facilitate reunification;
  - c. Least restrictive setting that does not compromise child safety (e.g., parks, playgrounds, etc.);
  - d. Child's eating, sleeping, activity patterns, and after school activities;
  - e. Parent's work schedule or other responsibilities;
  - f. Activities and responsibilities of the placement resource;
  - g. Providing parenting opportunities: Ways to involve parents in routine/regular activities of parenting such as feeding, changing diapers and other direct care

- responsibilities, attending child's school functions, medical appointments, sports activities, etc.
6. Observe the child's visits with the birth family to assess parenting skills, attachment, and interaction of the parent and child. Providers and foster parents may help supervise visits but are no substitute for SSCM observations. When providers are utilized for supervision of visits, written documentation is required.
  7. Discuss with parents, child, and placement providers any observations, issues or concerns surrounding the visits.
  8. Increase the frequency and duration of family visits as the case progresses closer to reunification in accordance with court guidelines for visitation.
  9. In accordance with court guidelines for visitation, allow visitation in the home of the parent as a step in transitioning the child from the placement resource back into the parent's home. The child's safety during home visits must be reasonably assured.

**When a visiting resource has been identified, the SSCM will:**

1. Ascertain whether the child has a significant, positive relationship with the visiting resource being considered.
2. Arrange a face-to-face contact with the proposed visiting resource to initiate a thorough assessment prior to any visit occurring. If the resource is planning to care for the child in his/her own home, this contact must be made in the person's home.
3. Discuss the following areas and prepare a written summary called a "Visiting Resource Evaluation" on the Contact Detail page in Georgia SHINES:
  - a. Identifying information (i.e., name, sex, date of birth, address, telephone number, etc.)
  - b. Caregiver Safety Screenings in accordance with policy [19.9 Case Management: Safety Screenings](#):
    - i. Child Protective Services (CPS) History
    - ii. Sexual Offender Registry
    - iii. Department of Corrections
    - iv. Board of Pardons and Parole
  - c. Criminal Records Check (CRC) in accordance with policy [19.8 Case Management: Criminal Records Checks](#) for all adult household members if visits will occur in the home of the visiting resource
  - d. Health Status
  - e. Physical Home Environment:
    - i. Must be clean and hazard-free with sufficient space;
    - ii. Gas heaters must be vented;
    - iii. Must have functioning smoke alarms on each level;
    - iv. Must have a functioning carbon monoxide detector if a gas heater, gas water heater, or gas oven is present; and
    - v. Must have a functioning fire extinguisher.
  - f. Understanding of Child Development
  - g. Understanding of the DFCS Discipline Policy:
    - i. Review and obtain signature of the visiting resource; and
    - ii. Provide a copy to the visiting resource.
  - h. Number, sex, and ages of children in the home with the child in care (Determine if the visiting resource can care for another child)
  - i. Other adults who will be present during visits

- j. General plan for contacts with the visiting resource (i.e. frequency, duration, activities, etc.)
- k. Approval or Non-Approval (signature and date of SSCM, and County Director/Designee)
4. Make home visits to monitor the appropriateness of the visiting resource no less frequently than once every six months.
5. Document how utilization of the visiting resource is in the best interest of the child on the Contact Detail page in Georgia SHINES.

**If parents object to any individual having visits with their child while in DFCS custody, the SSCM will:**

1. Evaluate the reasons for the parental objection.
2. Assess the significance of the child's relationship to the individual and the impact on the child if visits are not allowed.
3. Determine if visitation with the individual in question is contrary to the safety or well-being of the child.
4. Obtain supervisory approval and provide written justification to the court for any decision to override a parental objection.
5. In accordance with court guidelines for visitation, ensure the visits with the individual in question are supervised.

<b>PRACTICE GUIDANCE</b>
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**Why are visits important?**

A child's confusion and anxiety can be greatly reduced by arranging some form of contact with birth family as soon as possible following placement. Doing so reassures a child that the parent is still available and concerned about him/her. Another psychological advantage for the child is that he/she senses parental "permission" to be placed away from the parent. This alleviates much of the guilt most children feel when placed. As always, safety of the child is a paramount concern when considering the benefits of parent-child contacts. Visits provide caregivers with opportunities to practice appropriate parenting behavior and obtain feedback. Visits provide the agency opportunities to assess parental readiness and capacity for reunification, which is documented in the case record and Case Plan. When supervising visits, the SSCM can assess how visitation affects the parent and the child, as well as the quality of the interaction. Visits are considered to be supervised only when there is direct oversight of the interaction between a child and the person(s) with whom the child is visiting. The person supervising the visit should be physically present for the duration of the visit and be able to **see** and **hear** everything that is occurring during the visit. The person supervising the visit should also be able to intervene quickly to protect a child from harm if a threat to a child's safety emerges at any point during a visit.

**Supporting Parents**

The SSCM has the responsibility to reach out to parents and assure that a pattern of regular visitation is established early in placement. The younger the child, the more frequent visitation is needed for the child to maintain a relationship with the parent. Parents may require strong encouragement and support to exercise their visitation rights. The parent who misses visits, shows up late, seems disinterested, etc., may be experiencing great discomfort at having to continually face the reality of having the child taken away. The parent may respond to a better

understanding of how important visitation is to the child when encouraged by the SSCM. Visits should be planned to allow meaningful parent-child interaction and the development of a positive relationship between the family and the placement resource.

An incarcerated parent and parents living out of county/state retain visitation rights. It may be necessary for DFCS to arrange for or to provide transportation where agency resources permit. Pre-planning the visit with the parent, child and placement resource may be helpful. If the parent has difficulty relating to the child, the agency may be able to help the parent develop more effective ways to engage the child such as incorporating activities, games, etc. The parent and child may also need help understanding when and how to end a visit and say good-bye. Post-visit discussions with the child, parent and placement resource may be helpful when planning for the next visit.

Professional validation is needed from a licensed therapist, psychologist, or psychiatrist before deciding that visitation with parents, grandparents, siblings, etc. is detrimental to a child's well-being.

### **Maintain Open Communication**

Open dialogue around the issue of visitation needs to be maintained among all parties involved. Visitation between parents and children may be stressful. The reasons for placement and separation may surface, along with strong feelings on the part of both the parents and children around those issues. Typically, children will express their feelings through their behavior prior to or following a visit (e.g., aggressiveness, temper tantrums, bed-wetting, angry outbursts, crying, etc.). Children who are particularly upset by visits may need additional assistance and support to verbalize their feelings about the parent, the reasons they are in foster care, and expectations regarding having visits with their family.

### **Parent-Child Visitation (Parenting Opportunities)**

Limited contact between parents and their children is often anxiety provoking for children, and therefore more frequent visitation with their parents is best. Parents who visit frequently with their children have the best chance of being reunified with them. Visitation helps to facilitate bonding between parents and their children and provides opportunities for parents to "practice" parenting their children. Involving foster parents in developing the parent-child visits promotes partnership parenting, which builds supportive relationships. When reunification is the permanency plan goal, increased visitation with parents is critical to facilitate bonding and child wellbeing for children ages 0-5. Policy has established a required minimum frequency for visitation, but more frequent visitation is strongly encouraged.

Other parenting opportunities should be provided for parents to "practice" learned skills/knowledge that can facilitate earlier reunification. Examples of other forms of meaningful contact include letters, cards, calls, email, Skype, social media, etc. Telephone contact is also encouraged, when it is safe and appropriate to do so. Discussions regarding the type and frequency of contacts should occur on an ongoing basis as the case progresses.

### **Visiting Resources**

Visiting resources provide support for children in care through positive, supportive interaction. They may provide social and/or cultural experiences of short duration (not to exceed two consecutive days or a weekend) to a child with whom there is a relationship that has been determined to be positive and significant and does not interfere with permanency for the child.

A decision to arrange/approve visiting resources must be in the best interest of the child. Once a visiting resource has been identified, an assessment of the resource must be completed prior to any visit occurring.

### **Pictures**

During visitation, DFCS staff and service providers should take the opportunity to photograph a child's interaction with their parents, siblings, extended family, friends, etc. Each child should be encouraged to add the pictures to their Life Book, which will offer a record of their experiences in foster care. Pictures may also help provide parents with additional motivation to take the steps necessary to reunify their family as soon as possible.

### **Skype**

Skype is a service that allows users to communicate with other people over the internet by voice (using a microphone), by video (using a webcam), and instant messaging. There is no charge for calls between users within the Skype service. However, there is a charge for calls to landline telephones and mobile devices. Charges are processed via a debit-based user account system.

### **Family Member Rights to Visit**

The term "family member" encompasses grandparents, great-grandparents, siblings of the parents of a minor child in foster care. If DFCS does not grant family member visitation, the family member has the legal right to petition the court for visitation rights with a minor child when:

1. The minor child's parents are separated or divorced;
2. The parental rights of either parent have been terminated;
3. The parent of the child is deceased; or
4. The child has been adopted by the child's blood relative or by a stepparent.

Reasonable visitation rights between the family member and the child may be granted if the court finds:

1. The health or welfare of the child would be harmed unless such visitation is granted; and
2. The best interest of the child would be served by granting the visitation request.

**NOTE:** In no case shall the granting of visitation rights to a family member interfere with a child's school or regularly scheduled extracurricular activities.

### **Fictive Kin**

"Fictive kin" means a person who is known to a child as a relative, but is not, in fact, related to the child by blood, marriage or adoption but who prior to his or her placement in foster care was known to the family, has a substantial and positive relationship with the child, and is willing and able to provide a suitable home for the child.

<b>FORMS AND TOOLS</b>
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N/A