

SUPERVISED VISITATION GUIDELINES

Court-ordered visits in New York State can be unsupervised, supervised, or therapeutically supervised, and may also involve a safe place of exchange or a monitored exchange. The goals of *supervised therapeutic visitation* are as follows:

1. For a mental health professional (or “Supervisor”) to remain a neutral party who supervises the visits and assists the non-custodial parent to reengage in the parent-child relationship and improve parenting skills; so that the child benefits as much as possible from the contact while contact is interrupted by court process. All parties also explicitly recognize that supervised visitation is not a substitute for psychotherapy for either the child and/or non-custodial parent/guardian.
2. To create a positive and relaxed environment and a safe positive experience for the child. To make sure that the child is free from unnecessary stress. The emotional and physical welfare of the child is the principle concern of the visitation. The visit should benefit the child and not expose the child to harm or danger.
3. While supervising these sessions, the Supervisor is required to be physically present at all times during each visit (this includes accompanying the child to the bathroom), be actively aware of what’s happening during sessions and within the family relationships, and provide opportunities to help improve parenting skills and reestablishing family relationships that are healthy and safe for the child.
4. To pay close attention to the child’s behavior and emotions, assist child/ren in the transition to different family structures, while providing for the safety of the child. Please be aware that the Supervisor will not hesitate to contact the appropriate authorities to aid in the safety for these sessions, including contacting 911 in case of an emergency. The Supervisor may call the custodial parent immediately during a session for an early pick-up, if the session needs to be ended early to ensure the child’s safety.
5. To provide custody evaluators/law guardians and treatment professionals with supplemental information for visitation and treatment planning.

As your supervised therapeutic visitation Supervisor, I, Lisa Dungate, Psy.D., M.A. Mental Health Counseling, Licensed Mental Health Counselor (LMHC) will comply with all the directives from the court order you need to provide during our first session. I also reserve the right to refuse to accept any case when the safety needs and risks

presented by the family cannot be managed. For more information about supervised visitation, you may wish to consult the following online resource:

<http://www.nycourts.gov/courthelp/faqs/childcustody.html>

Before the first visit, I will meet for individual intake interviews with both the custodial and non-custodial parent(s)/legal guardian(s) and with the your child to review the history necessitating this supervised visitation agreement, guidelines for these visits, sign this agreement, complete the intake packet, review my Notice of Privacy Practices, and sign any Releases of Information, as needed. It will also offer an introduction to your child to the setting, the process, and therapeutic visitation Supervisor. It is important that all parties are familiar with supervised therapeutic visitation rules, any court orders, and are prepared for the supervised visits. Please read over these guidelines carefully, ask any questions you may have, and sign in agreement to comply with these guidelines during the course of supervised visitation.

◇ Supervised therapeutic visitation can be difficult and uncomfortable at times. Often there are hurt and angry feelings between the parents. Remember that both parents should be concerned about what is best for the child. Generally, children benefit from having both parents in their lives.

◇ Therapeutic supervision is non-confidential: mental health provider-patient privilege does not apply.

◇ As your Supervisor, I will need releases to speak to and gain information from all relevant parties, including the referring court/law guardian, child's therapist and parents' therapists, as well as evaluators, child's attorney and/or prior Supervisors. You agree that my role is limited to providing treatment and that you will not involve me in any legal dispute, especially a dispute concerning custody or custody arrangements (visitation, etc.). You also agree to instruct your attorneys not to subpoena me or to refer in any court filing to anything I have said or done. If there is a court appointed evaluator, and if appropriate releases are signed and a court order is provided, I will provide general information about supervised visitation which will not include recommendations concerning custody or custody arrangements. I agree that the role of Lisa Dungate, Psy.D., M.A., LMHC is limited to providing supervised therapeutic visitation supervision and that I will not involve her in any legal dispute, especially a dispute concerning custody or custody arrangements (visitation, etc.). I also agree to instruct my attorneys not to subpoena Dr. Dungate, LMHC, or to refer in any court filings to anything she has said or done. If for any reason Lisa Dungate, Psy.D., M.A., LMHC is required to appear as a witness, the party responsible for her participation agrees to reimburse her at the rate of \$300.00 per hour for time spent traveling, preparing reports, testifying, being in attendance, and any other court-related costs. A retainer fee of \$1500.00 will be due before the required court appearance, and costs will be deducted from this fee and applied towards the total balance due resulting in a court appearance.

The referral to therapeutic supervision is not to be a part of an investigatory process for law enforcement purposes. I will not participate in any family court or other legal process pertaining to this agreement. I will follow rules of mandated reporting. Please review and complete my *Intake Packet* and *Notice of Privacy Practices* (available on the www.truenorthat499glen.com website, prior to the first supervised visitation session.

◇ Each party shall refrain from making derogatory or disparaging remarks, avoid arguments and/or conflicts in front of the child/ren. Supervised therapeutic visitation sessions are a “no conflict zone.” No emotional, physical or sexual abuse will be tolerated. Spanking and hitting is prohibited. Physical abuse could also include such things as pinching, pulling the child, tickling too hard, and playing too rough.

Emotional and verbal abuse includes such behavior as yelling and screaming; calling the child names such as “sissy”, “stupid”, or “dumb”; blaming and accusing the child; making fun of the child; threatening the child with physical abuse, harm to his or her loved ones and animals; or threatening, frightening situations for the child like abandonment or loss of a home and friends. Sexual abuse includes inappropriate touching of the child’s body and inappropriate or suggestive language. As a New York State mandated reporter, I am legally and ethically bound to report any concerns pertaining to your or your child’s, or another’s, safety.

◇ Children may think that the visits are being supervised because of something they did wrong. All parties should explain the visits are not being supervised because of anything they did wrong. Many children are hyper alert to their parents’ situations and moods and are almost always aware of the conflict. Many children have been overburdened by being told too much and need help to establish boundaries and distance from the parents’ disputes. As your Supervisor, I will work to support your child with these conflicting feelings and concerns.

◇ Non-Custodial parent(s) are encouraged to actively interact with your child during the visit, be on your best behavior, and make each visit a good, positive experience with your child. Whispering and quiet talking between your child and yourself is not permitted.

Specific Rules for the Non-custodial Parent:

- Arrive and depart on time.
- Focus on being a good parent to your child.
- Do not use profanity.
- Do not smoke, drink alcohol or use illegal drugs during the visit.
- Understand that the visit will be terminated if you appear to be under the influence of drugs and/or alcohol or engage in any abusive or threatening behavior.
- Do not use cell phones or pagers during visits unless they are required for work.
- Do not bring weapons of any kind to the visit.

- Do not bring other guests to the visit.
- Make no threats or negative remarks about anyone.
- Do not discuss custody, divorce or support issues.
- Get permission from the Supervisor before the visit to bring a camera or cell phone or gifts.
- Remember any conflict is harmful to your child.

Tips for the Non-custodial Parent

- Recognize that being with your child in the presence of someone else may be uncomfortable but it will get easier.
- Do not quiz your child about the other parent's private life, activities and relationships.
- Do not make your child a "messenger" to the other parent.
- Focus on your relationship with your child: so turn off your cell phone.
- Do not make promises to your child about future gifts, trips, visits, or changes in custody. This may cause a lack of trust and unnecessary hurt.
- Understand that no corporal punishment, slapping, hitting or pushing is permitted during the visit.
- Say brief and positive good-byes.
- Understand that your love, patience and commitment will pay off and help you have a better relationship with your child in the future.

◇ Custodial parent(s)/Legal Guardians are encouraged to be appropriately prepared and supportive for the child's visit with the other parent.

Specific Rules for the Custodial Parent:

- Arrive 15 minutes prior to the visitation session, entering via the rear entrance of the office building. Be prepared by the exit to pick up your child promptly at the end of each session, to ensure that you and your child may enter and leave the building without unnecessary interaction with the non-custodial parent.
- Understand that supervised custody can also be a challenge for them.
- Be aware that you have been taking care of your child and have a routine and this change in routines can be upsetting to everyone.
- Understand that supervised visitation can sometimes feel like one more responsibility.
- Recognize your child may ask difficult and important questions surrounding a visit and try to understand how they will affect your child.
- Recognize these visits are for the best interests of your child.

Tips for the Custodial Parent

- Have the child ready on time and be prompt.
- Reassure the child that you support them in having a pleasant visit with the other parent.

- Do not linger and create an emotional, stressful drop off.
- Do not quiz the child about the visit.
- Do not make the child a messenger to the other parent.

Information for the Child

As a supervised therapeutic visitation Supervisor, I will provide information to your child during our initial meeting prior to the first supervised visitation session:

- Where and when the visits will take place.
- What is going to happen that day.
- How long the visit will last.
- Where the custodial parent will be.
- Any restrictions or special arrangements they need to remember (for example: no gifts or cameras in sessions).
- Review of guidelines to ensure your child's safety, including any rules pertaining to touching during the visit which may only be allowable when initiated by the child.
- At the end of the sessions, I might ask your child what specific things they liked and did not like about the visit that day.

◊ **Developing rituals around the visit:** In order to develop comfort, safety, and familiarity with supervised visitation sessions, we will work on the following in the first several sessions. My goal is to have these rituals be as consistent with those the child is most familiar with and mutually agreed-upon, as possible.

- A familiar way of greeting.
- Similar questions about how they are doing.
- A standard way of saying it is time to start the visit.
- A routine way of preparing the child for the end of the visit.
- An agreed upon signal for ending the visit, saying good-bye and leaving.

◊ **Interventions and Ending a Visit**

When a child shows symptoms of distress, it may be necessary to suspend the visit until the situation can be assessed and the custodial parent(s), law guardian, or the court makes a determination about future physical custodial rules or whether to terminate future contact. As the supervised therapeutic visitation Supervisor, I must terminate the visit if the interactions between the supervised parent and the child have become inappropriate, and rules are not followed or if the situation becomes difficult and report the behavior back to the custodial parent, law guardian, and/ or the Court.

As your Supervisor, I will end a supervised visit at any time if the following occurs:

- Your child appears acutely distressed.
- A parent is not following the rules.
- The child is at risk of imminent harm, either emotionally or physically.

◇ **Changes to Supervised Visitation**

After visits are going well for a reasonable period of time, the parties may agree, or the order may be revised to provide that the visiting parent can start exercising physical custodial time with your child without supervision. It is also possible that the supervised visits will be terminated, shortened or rules changed if it is not going well. If it becomes necessary for me to interrupt or end a visit, I will take the non-custodial parent aside and quietly and calmly explain why I need to interrupt the visit and/or offer ways to solve the problem in order to continue the visit. All parties will be promptly notified, if termination or cancellation is appropriate, including law guardian(s) and/or family court representative as necessary.

Reasons for premature termination of supervised therapeutic visitation may occur if any of the following occur:

- It is too stressful/traumatic for your child and/or he/she refuse to visit with the non-custodial party in such a way or for such a period of time that it raises concerns that continuation of services may be detrimental to the child's safety and emotional wellbeing.
- There is a failure to comply with visitation guidelines/rules by any party
- The supervisor cannot adequately ensure safety of child and/or other party.
- The non-custodial parent is not able to benefit from therapeutic intervention and/or is threatening in any way to any party involved in this agreement and/or on the premises of True North at 499 Glen.
- Nonpayment of fees.
- Excessive demands on the Supervisor's time and resources.

When changes to supervised visitation occur, preparing the child for these changes is important. I will be sure to review the upcoming changes with your child, both during the visit with the non-custodial parent and again in the presence of the custodial parent, so that the child knows what is going to happen. Explaining why the changes are being made is important so the child is not scared, does not attribute the change to something they have done wrong, or feel betrayed by the Supervisor. It may also be appropriate to make referral to other services, for example a family therapist or another supervised visitation supervisor, which I will be sure to provide as needed.

Paperwork

As your Supervisor will keep brief, unbiased notes on each session; including session dates and times, those present, cancellations or termination of services, and general observations about session content and visitation progress. I will only provide a brief summary of our sessions to your child's law guardian, upon subpoena request, for a fee of \$50 per report. I may also disclose information pertaining to these sessions in mandated reports of suspected child abuse and neglect to the appropriate authority as required by law; and/or in reporting dangerousness or threats of harm to self or others as required by law.

In addition, I will need a copy of relevant court orders regarding custody and visitation, including protective orders. It is always of benefit to my role as your supervisor, if you can provide any copies of relevant psychological evaluations for any party attending supervision, any prior visitation reports, and to obtain releases of information for therapists treating involved parties, law guardian, attorneys, and/or prior visitation supervisors.

Cancellation and Payment Policy

- Fees for this supervised visitation shall be and shall be paid by the non-custodial parent at a cost of \$70/session, with the first two intake and first supervised therapeutic visitation session payment (\$210.00) due at the initial intake. Sessions are between 45 to 60 minutes. At times, some end-of-session time may be devoted to phone calls and/or paperwork on your behalf. Please arrive on time for your appointment. Lateness will result in reduced session time.
- A late payment of \$10 will be applied if payment is not provided each session. I accept personal checks or cash for payment. Returned checks are subject to a \$30 processing fee, which is due at your next appointment. You will be first given the opportunity to pay any outstanding balance, then notified in writing should I need to contact a collections agency regarding any outstanding payments.
- We provide reminder calls as a courtesy to you. However, you are responsible for keeping track of your appointments. If you do not receive a reminder call, this does not excuse a missed appointment.
- If you need to reschedule, please do so with **24-hour notice**, by calling (518) 798-9187 or leaving me a voicemail. Barring emergencies requiring documentation, cancellations with less than 24 hour notice will incur a \$60.00 dollar fee. This fee will be billed directly to you, and is not billable to an insurance company, and will be due at your next appointment or within 30 days of the billing date. Unpaid bills will accrue interest every 30-day billing cycle, with an 18% APR.
- A fee of \$50 will be charged for any written summary required for law guardians, payable by the non-custodial parent.
- The non-custodial parent will be responsible for the session payment, even if the custodial parent is unable to deliver the child to the session. The session fee will also be due if the child and custodial parent show and the non-custodial parent does not. A record of all payments will be recorded by the Supervisor.

◇ Remember the Goals for a Successful Visit

- Improved parenting skills for the visiting parent.
- Improved parent-child relationship.
- Conflict-free experience for everyone.

- A safe and secure setting where the child and their parents visit under the guidance of a trusted person.
- That the child feels emotionally and physically safe during the visit.
- Improved level of trust between the custodial parent and the non-custodial parent.
- Reduced conflict and hostility between parents.
- Increased time between non-custodial parent and the child in the future.
- Progress towards non-supervised visitation.

SIGNED AGREEMENT for SUPERVISED VISITATION

By signing below, we agree to all terms and conditions outlined in this document:

Signature of Non-Custodial Parent	Date
Print Name	
Signature of Parent/Legal Guardian	Date
Print Name	
Signature of Mental Health Provider/Supervised Visitation Supervisor	Date
Print Name	

Lisa Dungate, Psy.D., M.A. Mental Health Counseling, LMHC can be reached at her office during normal business hours at 499 Glen Street, Glens Falls, NY, (518) 798-9187. Please leave a message with the administrative staff or on her confidential voicemail system. She will do her best to return phone calls in a timely manner. However, in the event of an emergency, call 911 or go to your nearest emergency room (Glens Falls Hospital: 518-926-3000 or Saratoga Hospital: 518-583-8313).

You may also consider calling one of the following resources:

Child Protective Hotline: 800-635-1522
 Hopeline: 800-784-2433
 NY Domestic Violence Hotline: 800-942-6906
 Rape/Sexual Violence Hotline: 800-656-4673
 Suicide and Crisis Hotline (Albany): 518-689-4673