

## **Suggestions for Orders and/or Agreements for Supervised Access**

Where a court order specifies that a parent must be granted access to a child, it is the best practice of the Supervised Access Centre to endeavor to honour such a judgement to the best of its ability and subject to the discretionary power of the Program Coordinator, Court orders will be followed according to the spirit of the law and the availability of staff and facility.

Addressing the following issues in a court order or agreement may reduce possible conflict and misunderstandings thereby reducing the chance that a matter will have to return to court or require legal intervention.

### **HOURS, DAYS DURATION:**

Except in special circumstances court orders should set out the number of hours and the number of visits per week and whether the visits or exchanges are on the weekend or mid-week, but should not specify the actual day or time. This allows Centres to offer service during times and days that are immediately available. It reduces the possibility of families being placed on a waiting list.

Centres have limited hours of operation and may not be open during hours or days specified in an order.

A three-hour maximum for visits is recommended (although some Centres allow a maximum of 2-2.5 hours). Centre staff have determined that longer visits in the Centre are difficult on children and adults due to the limited nature of the facilities.

### **NAMING THE CENTRE:**

#### **Suggested wording:**

**“Supervised visits/exchanges are to take place at a supervised access centre such as (name of centre).”**

By also having a clause that allows for another Centre, yet unnamed, to be mutually agreed upon, families that move or require changes may do so because it is already in their court order. This way, the Centre is not put in the position of approving the change, which in any case they do not have the authority to do.

### **REVIEW MECHANISMS:**

Supervised Access Centre staff cannot advise families about whether or not they should continue supervised visits or exchanges. They also cannot advise whether a family should move from visits to exchanges or increase the duration

of visits. As a result, families who often do not know how to change their access orders may remain at the Centre when they no longer need its services. Sometimes the result is waiting lists and delays for families that do need the service.

It has been found to be helpful when Court orders contain a mechanism for reviewing the need for supervised access.

Interim court orders that set return dates or specify the number of supervised visits or exchanges to occur before a return to court are helpful.

Final court orders specifying that there is supervised access until such time as the parties mutually agree to a change in the access arrangement through mediation, assessment, or a return to court for a variation of the existing court order are helpful.

#### **OTHER ISSUES TO ADDRESS:**

1. Holidays such as:

- a) long weekends;
- b) school holidays;
- c) family holidays

1. Make –up visits and exchanges:

Unless specified in an order, any cancellation of supervised visits and exchanges by the custodial parent or non-custodial party will be made up in accordance with the procedures and policies established by the Centre.

2. Restrictions as to the consumption of alcohol or illegal controlled substances prior to or during the supervised visitation or exchange should be addressed.

3. Child Car Restraints:

Who is responsible for providing appropriate child restraints (car seats/boosters)?

4. Medication:

Responsibility for provision and administration of medication during supervised visitation should be specified. In the absence of such instructions, the custodial parent will be expected to provide the required medication and usage instructions and the non-custodial parent will administer it. Centre staff and volunteers will not administer medications.

5. Photographs:

Are photographs of the child allowed to be taken and/or are they to be provided by the custodial parent? (Note: Some Centres do not allow photographs to be taken on site.)

The taking of photographs, if permitted, will be in accordance with any rules established by the supervised access provider. (Note: Video cameras, cell phones, pagers and other electronic devices are not allowed in the centres.)

6. Gifts and Food:

The provision of gifts and/or food by the non-custodial parties, if permitted, will be conducted in accordance with any rules established by the supervised access provider.

7. Fee Payment:

Unless specified in the order, any costs incurred in connection with the supervised visitation or exchange or with the preparation of reports by the supervised access provider will be apportioned between the custodial parent and non-custodial party.