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## PROCEDURE

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**Series:** Operating Procedures **COA:**  
**CFOP:**

**Procedure Name:** Family Time Visitation and Other Contact with Children in Shelter  
**Procedure Number:** OP1050  
**Reviewed Date:** 02/29/12, 03/22/16  
**Revision #/Date:** (1) 08/05/08, (2) 07/16/2020  
**Effective Date:** 09/30/04

**Applicable to:** All BFP Staff and Contract Providers

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**SUBJECT:** Visitation and Other Contact with Children in Shelter

**PURPOSE:** This operating procedure establishes minimum requirements concerning parent, legal custodian, other caregiver, and care manager visitation and other contact with children in shelter.

**PROCEDURE:**

**Definitions**

**Designee:** For the purposes of this operating procedure, “designee” means a person, contractual provider or other agency or entity named by Brevard Family Partnership to perform duties assigned by Brevard Family Partnership.

**Family time:** is meaningful and regular contact which is intended to allow the parents the opportunity to see how their children are doing; gain confidence; demonstrate protective capacities; and practice what they are learning. Family time also allows children the opportunity to be with parents and other family members they care about. Family time includes opportunities for the parents to:

- (1) Attend any type of school, sporting, or extracurricular activity,
- (2) Attend (in person or by phone) a doctor’s appointment, medication management, therapy sessions (such as family, speech, vocational, or physical), or special needs training (such as nebulizers); and,
- (3) Participate in monitored telephone calls, face-time, skyping, e-mails, letters, exchange of photographs, etc.

Types of Family Connections.

Chapter 39 addresses and encourages family time (also known as “visitation”) on three family relationship levels:

- (1) Family time between the parent and child (s. [39.402\(9\)\(a\)](#), F.S.);
- (2) Family time among siblings who are separated in various placements (s. [39.402\(9\)\(b\)](#), F.S.); and,

(3) Grandparent visitation (s. [39.509](#), F.S.).

c. Family Time/Visitation Quality Ratings. An assessment of the overall “frequency” and “quality” of family time and other visitation opportunities is a required component of Judicial Reviews. To standardize the criteria used for frequency and quality, the following ratings have been developed.

(1) Visitation Frequency (“Compliance” with Case Plan). Update of the overall visitation frequency. Visits that are appreciably shortened by unreasonably late arrival/early departure should be considered missed. Ratings are as follows:

(a) Consistent. Caregiver regularly attends visits or calls in advance to reschedule (90-100% compliance).

(b) Routine. Caregiver may miss visits occasionally and rarely requests to reschedule visits (65-89% compliance).

(c) Sporadic. Caregiver misses or reschedules many scheduled visits (26-64% compliance).

(d) Rarely or Never. Caregiver does not visit or visits 25% or fewer of the allowed visits (0-25% compliance).

(2) Quality of Face-to-Face Visits. Quality of overall visits and other family time opportunities is based on case manager’s direct observation whenever possible, supplemented by observation of child, reports of foster parents, etc. Ratings are as follows:

(a) Excellent. Parent/legal guardian/caregiver **consistently**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child’s development.
3. Responds appropriately to child’s verbal/non-verbal signals.
4. Puts child’s needs ahead of his/her own.
5. Shows empathy toward child.

(b) Adequate. Parent/legal guardian/caregiver **occasionally**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child’s development.
3. Responds appropriately to child’s verbal/non-verbal signals.
4. Puts child’s needs ahead of his/her own.
5. Shows empathy toward child.

(c) Not Adequate. Parent/legal guardian/caregiver **rarely**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child’s development.
3. Responds appropriately to child’s verbal/non-verbal signals.
4. Puts child’s needs ahead of his/her own.
5. Shows empathy toward child.

(d) Adverse. Parent/legal guardian/caregiver **never**:

1. Demonstrates parental role.
2. Demonstrates knowledge of child's development.
3. Responds appropriately to child's verbal/non-verbal signals.
4. Puts child's needs ahead of his/her own.
5. Shows empathy toward child.

**a. Visitation and Other Contacts between the Child and Parent, Legal Custodian, or Other Caregivers**

a. Pursuant to section 39.402(9)

b. (a) At any shelter hearing, the department shall provide to the court a recommendation for scheduled contact between the child and parents, if appropriate. The court shall determine visitation rights absent a clear and convincing showing that visitation is not in the best interest of the child. Any order for visitation or other contact must conform to s. [39.0139](#). If visitation is ordered but will not commence within 72 hours of the shelter hearing, the department shall provide justification to the court.

c. (b) If siblings who are removed from the home cannot be placed together, the department shall provide to the court a recommendation for frequent visitation or other ongoing interaction between the siblings unless this interaction would be contrary to a sibling's safety or well-being. If visitation among siblings is ordered but will not commence within 72 hours after the shelter hearing, the department shall provide justification to the court for the delay.

If visitation by the parent, legal custodian, or other caregiver presents a threat of harm to the child or is otherwise deemed by the assigned care manager not to be in the best interests of the child, the assigned care manager must provide the child welfare attorney with a recommendation and justification for initial or subsequent restriction or denial of visitation so that the attorney can include it in the shelter petition. The care manager must also ensure that the recommended restriction is included within the predisposition study.

d. If the court specifically orders that no visitation shall take place, or that visitation shall be at a certain location or time, that order must be followed until modified by the court.

e. If supervised visitation is ordered but location or time is not specified by the court, visits between the parent, legal custodian, or other caregiver and the child must be arranged and supervised by the assigned care manager or other appropriate designee.

f. Absent a court ordered location or available site at a shelter home, institutional facility, or contracted agency, the assigned care manager or other appropriate designee shall arrange for the child's transportation to a neutral setting and ensure that sight and sound supervision is available during the visit. The shelter parent or facility or provider staff must be notified in advance of a planned visit and be provided with the name of the person who will be providing transportation for the child.

g. If the parents, legal custodians, or other caregivers disagree with the conditions that are established by Brevard Family Partnership or designee for the supervised visitation, the care manager must advise the CLS attorney who will schedule the matter for review by the court.

- h. Telephone calls and letters should also be considered as a way to maintain contact between the parent, legal custodian or other caregiver and the child of suitable age. Calls may be arranged by the assigned care manager to occur at the care manager's office or some other appropriate location. Letters from a parent, legal custodian or other caregiver must be sent to the Brevard Family Partnership care center to be delivered, unopened, to the child. If circumstances arise which appear to warrant a third party monitoring of calls or opening of letters by the care manager, the court must grant prior approval before Brevard Family Partnership takes such action.

**b. Contacts Between the Care Manager and the Child**

- a. The assigned care manager must make and document a minimum of at least two contacts per week in each case involving a child in shelter care. One of these contacts must be face-to-face with the child and the shelter parent or provider to discuss the child's adjustment, to explain to the child what is happening and why, and to address any other concerns that may be expressed by the child or the shelter parent or provider. In cases where the assigned care manager is unable to communicate with the child due to age or other incapacity, the contact will be made directly with the shelter parent or provider.
- b. During contacts, the assigned care manager must pay attention to the condition of the shelter home or facility, the number of children currently placed there so its licensed capacity is not exceeded, the treatment that the children receive from the shelter parent or provider, and other factors which affect the child. All concerns noted must be relayed to the shelter parent or provider who is responsible for the supervision of the shelter home or facility and to licensing staff, as appropriate.

**c. Contacts By Attorneys and Non-Brevard Family Partnership Professionals**

- a. The assigned care manager must arrange visits by attorneys and other non-Brevard Family Partnership professionals who are working with the child, except for the guardian ad litem.
- b. The guardian ad litem is permitted to visit the child at the shelter home or facility and to take the child away from the shelter home or facility without the permission of the assigned care manager. The care manager must advise the shelter parent or provider of the guardian ad litem's involvement with the child and the ability of the guardian ad litem to remove the child from the shelter home or facility. However, Brevard Family Partnership staff shall work with the guardian ad litem to develop protocols that will allow proper notice to the child and temporary caregiver so they may have input into the time and place of visits.

BY DIRECTION OF THE CHIEF EXECUTIVE OFFICER



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PHILIP J. SCARPELLI  
Chief Executive Officer  
Brevard Family Partnership Family of Agencies

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