

# **VISITATION MATTERS**

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**2025 A/N/D AND TPR COURSE**

# WHY DO WE ORDER VISITATION?



Because we are required to and because it's right.

# WHY DO WE ORDER VISITATION?

- Required by 7B-905.1 (or the reasons for no visitation)
  - Starting at nonsecure custody
  - Every order thereafter that continues placement away from parent
  - Including grant of custody or guardianship to relative or other
  - In person and must specify minimum frequency and duration
  - Electronic visitation: In re: K.B, A.M.H., M.S.H.
    - Not a substitute for in-person
    - Can supplement in-person (50-13.2 requirements)
    - Must make findings sufficient to deny visitation to order electronic only
- Parents' constitutional rights
- Children's need to see their parents
- Children need to see their siblings (if not placed together): 7B-505 and 903.1

Q. 2 to Speech to Judge

Another few months go by and you find out your dad got a girlfriend named Emily. you want to meet her but you can't, they're too far away. Another few months pass and after a court date your allowed a 2 day visit. When you arrive you run into your dad's arms and try to spend as much time getting to know ur new Mom while hanging with dad and ur twin. Few months later another 2 day visit where you bring decor to decorate your room & plan to live in 2 days. Few months later a 8 hr visit where you try to spend every second of the day with ur family.

# WHEN CAN WE STOP IT?

- Parent has forfeited his/her right to visitation
  - Circumstances?
  - Child victim in abuse case
  - Parent misconduct during visits
  - Parent repeatedly misses visits?
- It is in the child's best interests to deny visitation
  - Caution: don't jeopardize permanence
  - Last resort
  - Impact on child, parents, the case if visits limited or suspended
- Not for positive drug screen alone

# WHAT ARE SOCIAL WORKERS TAUGHT?



VISITATION MATTERS  
FOR PERMANENCE!

# AN HOUR A WEEK?



## WHY?

# ONCE A WEEK?



## WHY?



# ONLY AT DSS?



## WHY?

# SUPERVISED VS. UNSUPERVISED

- WHOSE DECISION?
- IMPORTANT STEP: MOVING THE NEEDLE.
- RYLANDS LAW VISITS: 7B-903.1(c)
  - 2 OBSERVATIONS OF AT LEAST AN HOUR
  - AT LEAST 7 DAYS APART
  - WITHIN 30 DAYS OF DISPOSITION HEARING IF DSS RECOMMENDING
  - FOR UNSUPERVISED VISITS OR THP/PHYSICAL CUSTODY
  - ONLY REQUIRED ONCE

# RYLAN'S LAW VISITS

- WHY HAVE THESE VISITS?
- REQUIRED FINDINGS:
  - UNSUPERVISED VISITS
    - BEST INTEREST
    - MY RECOMMENDATION: IF IN HOME: SAFE HOME
  - THP/PHYSICAL CUSTODY
    - BEST INTEREST
    - RECEIVE PROPER CARE AND SUPERVISION IN SAFE HOME

# SAFE HOME

- 7B-101(19): NOT AT SUBSTANTIAL RISK OF PHYSICAL OR EMOTIONAL ABUSE OR NEGLECT
  - WHAT DOES “SUBSTANTIAL” MEAN
  - TRANSITION FROM SUPERVISED TO UNSUPERVISED MAJOR DECISION
  - LIFE/DEATH? (NOT SINCE REMOVAL DECISION)
  - WHAT DOES DSS LOOK AT?
    - SMOKE DETECTORS
    - BODIES OF WATER
    - GUNS
    - AGE-APPROPRIATE SAFETY-PROOFING
    - OTHERS

# **NCJFCJ@ SUMMER CONFERENCE**

- GOAL: PERMANENCE
- PERMANENCE AFFECTED BY VISITATION
- DOUBLING 1 HOUR TO 2 HOURS CAN BE SIGNIFICANT
- NHC: 12 MONTH MARK IN TRIAL: 14% INCREASE IN PERMANENCE IN A YEAR
- TOOK ADDITIONAL RESOURCES, BUT....

# BE CREATIVE

- OTHER SUPERVISORS (GET OUT OF THE BUILDING!)
  - RELATIVES
  - NON-FAMILY RESOURCES
  - OTHERS: EVERY FAMILY DIFFERENT
  - TIME AND FREQUENCY EXPANSION
    - 6 HOURS A DAY TOO MUCH?
    - OH, THE LOOKS YOU'LL GET!
- ADVOCATE: THE JUDGE GETS TO SAY!

# BE CREATIVE

- How about visits at court
  - Families while waiting for cases
  - Parents who are incarcerated who are brought to court (my evolution)
  - What can you do to facilitate?
- How about visits at jail/prison? (my evolution)
  - Lots of work being done around children of incarcerated parents
  - Coastal Horizons Program based in Wake County
- Why is this important?
  - Trauma informed
  - Tone of the case

# BE CREATIVE

- Intensive reunification program in NHC
  - Origin of the work: reunifying drug addicted moms with their NAS babies
  - Historic outcome in similar cases
  - Origin of our project
    - Bonding is the key
    - Key to parent's recovery
    - Key to reunification



# IRP

- INTENSIVE AND INTENTIONAL
- VISITATION ALMOST EVERY DAY
- CFT E/O WEEK WITH TEAM AND FAMILY
- ATTACHMENT V. BONDING
- MOTIVATES
- RESULTS:
  - ~55% **TRIAL HOME PLACEMENT** IN 5.5 MONTHS
  - COMPARE TO **PERMANENCE** IN 12
  - GOAL?

# SAFE BABY COURTS (0-3)

## The Safe Babies Court Team™ Approach



ZERO TO THREE's SBCT approach applies the science of early childhood development in meeting the urgent needs of infants and toddlers and strengthening their families.

- The target population is children birth to three years of age under court jurisdiction, who are in foster care or at risk of removal, and their families.
- The goal is to advance the health and well-being of very young children and their families, so they flourish.
- SBCTs promote healthy early childhood development, support family resiliency, and build community capacity to prevent child abuse and neglect.



### THE CHALLENGE

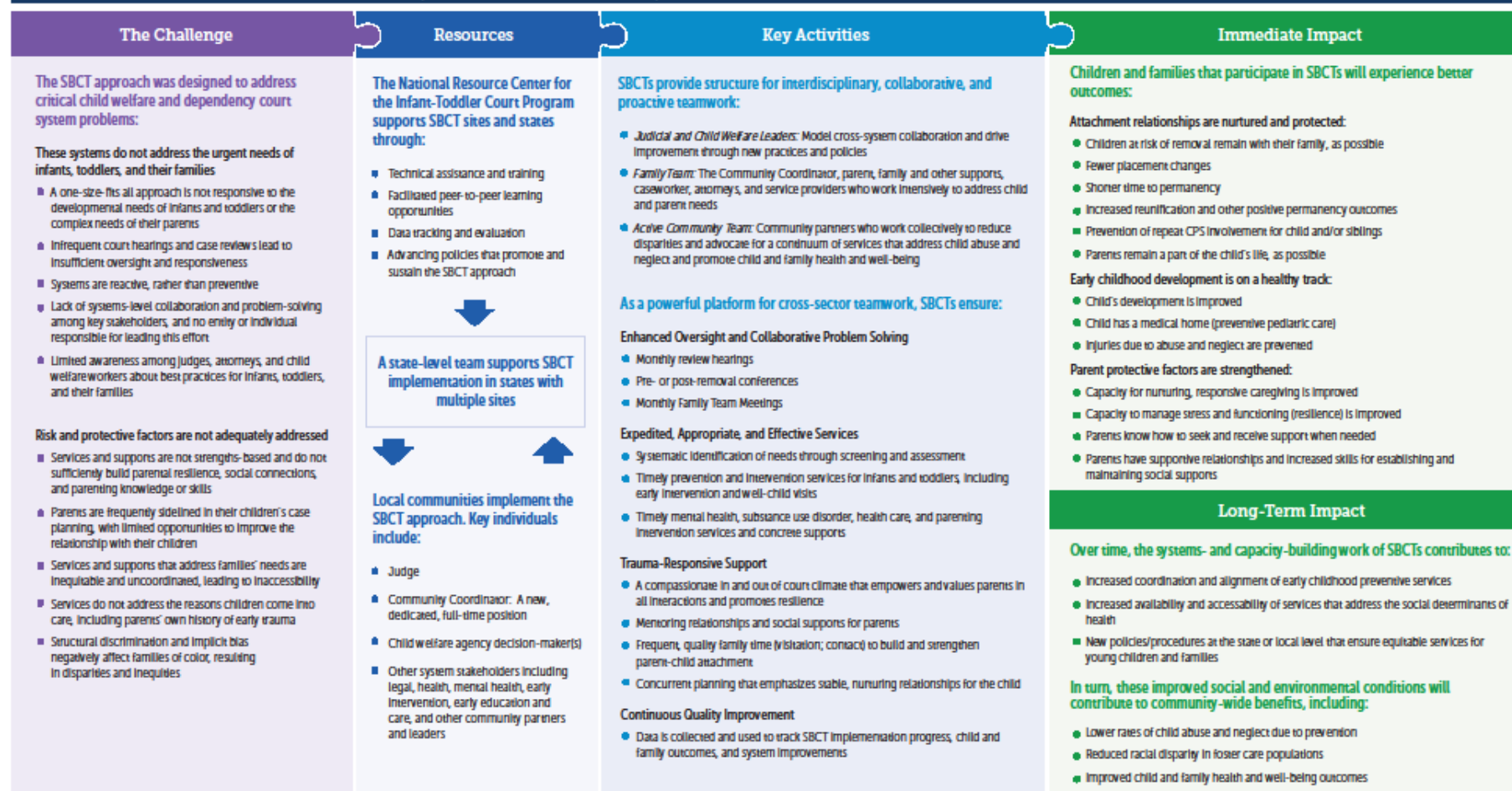
- Child welfare and dependency court systems are not designed to address the urgent needs of infants, toddlers and their families
- Risk and protective factors are not adequately addressed

# SAFE BABY COURTS (0-3)

## The Safe Babies Court Team™ (SBCT) Approach: Logic Model Advancing the Health and Well-Being of Infants, Toddlers, and their Families



Serving children 0 to 3 under court jurisdiction, in foster care or at risk of removal, and their families



# WHY DO WE DO THIS WORK?

- Because permanence for children matters
- Because visitation affects outcomes for children
- Because all of our children are all of our children
- And because we care deeply about our role and our work
- And because of who we work for.....

We the People of the  
insure domestic Tranquility, provide for the common defence  
and our Posterity, do ordain and establish this Constitution,  
Article I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.  
Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have Qualifications requisite for Electors of the most numerous Branch of the State Legislature.  
No Person shall be a Representative who shall not have attained to the Age of twenty five Years and been seven Years a Citizen of the United States, who shall be, when elected, an Inhabitant of that State in which he shall be chosen.  
The House shall have the sole Power of Impeachment.  
The Senate shall have the sole Power to try all Impeachments, when seated. If not seated, the Chief Justice and two Judges shall sit.  
The Trial of Impeachments shall be held in open Court. The Accused shall have the Right of being heard by Counsel, and of presenting and examining Witnesses in his Defence.  
No Person shall be convicted without the Concurrence of two thirds of the Members present.  
Judgment in Cases of Impeachment shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office of Honor or Trust, or to exercise any Function of the State.  
The President, Judges, and all civil Officers shall be tried by the Senate.  
The Senate shall have the sole and exclusive Power to declare War, to grant Letters of Marque and Reprisal, to raise and support Armies, but no Appropriation of Money for that Purpose shall be for a longer Term than two Years; provided that they may by Law grant an Extension of the last mentioned Term.  
The Senate shall have the sole and exclusive Power to regulate the Commerce with foreign Nations, to regulate Commerce with the several States, and the Commerce among the States.  
The Senate shall have the sole and exclusive Power to borrow Money on the Credit of the United States, to fix the Sum and to determine the Conditions in which it shall be borrowed.  
The Senate shall have the sole and exclusive Power to dispose of and determine the Capture of any Vessels on the Sea, and to make and determine all Rules and Regulations concerning the same.  
The Senate shall have the sole and exclusive Power to enter into Treaties, provided two thirds of the Senators present concur.  
The Senate shall have the sole and exclusive Power to confirm and reject all Appointments, made by the President, of Ambassadors, other public Ministers and Consuls, Judges of the Supreme and inferior Courts, and all other Officers of the United States, whose Appointments are by and with the Advice and Consent of the Senate.  
The Senate shall have the sole and exclusive Power to advise and consent to all Declarations of War, and all Authorizations of the Use of the Armed Forces of the United States, and to all Extensions of the last mentioned Term.  
The Senate shall have the sole and exclusive Power to receive and transmit all Communications, and to receive and transmit all Messages from the President.  
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