

Mind and Body Counseling

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www.MindandBodyCounseling.net

VISITATION AND EXCHANGE SERVICE GUIDELINES AND CONTRACT

The Mind and Body Counseling staff are available to assist parties and the Court in supervising interaction between adults and children and assuring the safety of the children. The guidelines set forth are not negotiable and if they are not followed will be grounds to terminate services at our center.

Please initial beside each section and sign the last page of the document.

SERVICES: _____

Mind and Body Counseling offers three levels of Supervised Visitation

Supervised Visitation Level 1: "Observational Supervision" – on site visitation conducted by trained staff and volunteers. This is the most common and affordable means of having supervised visitation.

Supervised Visitation Level 2: "Interactive Supervision" – visits in the community, often at a parent's home or other child friendly location, conducted by degreed and experienced professionals. This type of visitation must be approved by the courts or arranged by agreement of the parties.

Supervised Visitation Level 3: "Therapeutically Supervised" – visitations that combine supervised visitation with active feedback from a licensed mental health professional with advanced degrees and training. Level 3 supervision is not therapy, but uses many of the same techniques to help improve parent – child interactions.

Mind and Body Counseling also offers Supervised Exchanges: Supervised exchanges take place in the center and are designed to allow exchanges without interaction between the parties. This service also documents the time parties arrive for exchanges.

HOURS OF OPERATION: _____

Mind and Body Counseling's business hours are from 10:00 a.m. until 9 p.m. Monday through Friday. All other hours of operation are dedicated to providing supervised visitation and supervised exchanges to families. Mind and Body Counseling is closed on Independence Day, Thanksgiving Day, Christmas Eve, Christmas Day, New Years Eve, and New Years Day. Visitations on the holidays listed can be scheduled but will be subject the additional costs associated with staffing.

INTAKE: _____

In order to begin services at Mind and Body Counseling, all parties must complete the intake and orientation process. All intake information must be received by 5:00 p.m. at least 48 weekday business hours before the exchange or visit is to occur. Please review the visitation and exchange referral checklist for a list of all required documents. The requesting party will be liable for the \$50.00 intake fee.

After you have completed all required documentation an appointment must be made to complete the intake process and pay the registration fees. Intakes are scheduled during office business hours. Please call us during business hours and we will schedule for the next available appointment.

Children may not be present during the intake appointment. The orientation to the center covers adult information which is not appropriate for children. This will also be a time for you to ask questions regarding services with one of our staff members. This discussion is also not appropriate for children.

If a party is more than 20 minutes late for an intake appointment that appointment will be cancelled.

Parties that fail to show for an intake appointment, cancel an intake appointment without at least one hour notice to the center, or are more than 20 minutes late for their intake appointment will incur a 30 minute case management fee which is due prior to scheduling another appointment for the party.

Mind and Body Counseling will schedule the time of the drop-off and pick-up for exchanges and visits. Mind and Body Counseling will attempt to comply with the hours specified by a court order; however the time and amount of hours for visitations and exchanges for each family will be dependent on the availability of the resources of Mind and Body Counseling. The schedule may be adjusted by Mind and Body Counseling at any time during services.

Mind and Body Counseling will not attempt to arrange unscheduled visits or exchanges within less than 48 weekday business hours.

HOW EXCHANGES AND VISITATIONS OCCUR: _____

Unless fees are specifically addressed in the court order, each party will be responsible for an equal portion of the cost of supervised visitation and exchange services.

For both visitation and exchanges only one adult per side may enter the center premises and exchange the children. The center premises include the **200 yards of the visitation site** on which the center is located.

For supervised exchange services the party receiving the child must arrive in the center no earlier than 30 minutes and no later than 15 minutes prior to the scheduled exchange time or the exchange will be terminated, fees assessed to that party as the canceling party, and the delivering party will be notified. The receiving party is to sign the exchange log and remain in the waiting room. The delivering party is to arrive in the center no sooner than 5 minutes before the designated exchange time and no later than 5 minutes after the designated exchange time or case management fees will be assessed to the delivering party. If the delivering party is more than 15 minutes late the exchange will be cancelled and fees assessed to the delivering party as the canceling party. Upon arrival in the center, the delivering party will sign the exchange log, drop off the child, and immediately depart the premises. The receiving party will remain in the waiting room with the child for 10 minutes after the exchange then depart.

For supervised visitation services, the party visiting the child must arrive in the center no earlier than 30 minutes and no later than 15 minutes prior to the scheduled beginning of the visitation or the visit will be terminated, fees assessed to that party as the canceling party, and the delivering party notified. The visiting party is to sign the visitation log and remain in the waiting room until the child is delivered. The worker will escort the visiting party to a visitation area once the child has arrived. The delivering party is to arrive in the center no sooner than 5 minutes before the designated beginning of the visitation and no later than 5 minutes after the designated beginning of the visitation or case management fees will be assessed to the delivering party. If the delivering party is more than 15 minutes late the visit will be cancelled and fees assessed to the delivering party as the canceling party. Upon arrival in the center, the delivering party will sign the exchange log, drop off the child, and immediately depart the premises.

For supervised visitation services, 5 minutes prior to the designated time to end the visit the visiting party and child will return to the waiting area. The child will remain with the visiting party until the delivering party returns to the center. The delivering party is to return at the exact time designated for the visitation to end, receive the child, and immediately depart. The visiting party is to remain in the waiting room until 10 minutes after the delivering party has received the child and then depart.

All visits are to remain in the room they are assigned during the entire visit unless the party or child needs to use the restroom.

Only adults and children **specifically** authorized by the court or via a "Rule 11" agreement are allowed to discuss the case with staff, cancel appointments, schedule appointments, transport, exchange, or be present during exchanges and visitation with the child. Any party authorized by the court or via a "Rule 11" agreement to be present must complete the entire intake process at least 48 weekday business hours before they may be present at the exchange or visit. No more than three authorized adults at a time may be present during a visitation.

CANCELLATIONS AND MISSED VISITATION/EXCHANGES: _____

The canceling party will incur the **full fee** of the visitation or exchange if they fail to notify Mind and Body Counseling of cancellation by 5:00 p.m. 48 weekday business hours prior to the scheduled visitation or exchange. If both sides fail to show for a visit or exchange, each side will be responsible for their portion of the full fee of the visitation or exchange. The balance will be due prior to the next exchange or visit. If the parties provide the center with written instructions signed by a physician and specifying that the visitation or exchange with the other party should not occur **and** the party notifies the center at least two hours in advance the parties will not be held responsible for the cost of visitation or exchange. The note must contain a statement from the physician **specifically stating that the visitation or exchange should not occur**. A statement such as "the child should not attend school or child care" will not suffice. Letters from the physician must be provided within 48 weekday business hours after the canceled visitation or exchange.

If you go to court and it is decided you will not be using supervised visitation or exchange services any more, you must notify our office. Do not depend on the courts or the other party to do so. If we are not notified by 5:00 p.m. 48 weekday business hours in advance each party will be responsible for an equal portion of the full fee for the visit or exchange.

If two scheduled visits or exchanges have been missed or otherwise do not occur the case may be taken off of the schedule. Parties must make contact with Mind and Body Counseling in order to reinstate services. All parties will be notified when services have been suspended or reinstated via fax to the attorneys or Pro Se parties. If services have not been used for six months all parties will be required to repeat the intake process and pay the intake fees.

INTERACTION DURING THE EXCHANGES AND VISITATIONS: _____

Parties are expected to take care of and be responsible for supervising the children's behavior during visits and exchanges. Parties are expected to set limits and discipline appropriately when needed, however physical discipline of any type (spanking, "swatting," pinching, or any other type of corporal punishment) is not allowed. Children should not be allowed to interfere with other visits or exchanges, harm other people or property, or engage in other inappropriate behaviors. Families are expected to pick up toys, clean up after themselves, and throw away all trash from their visit before leaving.

Children that are potty trained will use the restroom privately without the visiting party. If a child is in diapers or pull-ups a supervisor will remain in the restroom with the visiting party during changes. **All contact between the visiting party and children must**

remain supervised. A diaper changing station is available in the bathroom. Diaper changes may also occur in the visitation rooms at the discretion of the supervisor.

During supervised visits, parties are expected to interact with the children in a positive and supportive manner. Any communication or behavior that is emotionally or physically threatening to the child will not be allowed. Profanity will not be allowed. Derogatory comments or comments that paint the other parties in a negative light are not allowed.

Interrogation of the child will not be allowed. Interrogation is left to the discretion of the staff or volunteer, but would include using the child to gather information about the custodial party and/or leading the conversation in such a manner that encourages the child to reveal information. Conversations should be natural and directed by the child's interests rather than those of the adult. Conversations should focus on the here and now rather than the future possibilities.

Threats of physical violence will not be tolerated during exchanges and visitations. All parties must conduct themselves in a manner that clearly demonstrates that the well being of the child is the highest priority.

The Mind and Body Counseling "Additional Guidelines for Cases Involving Allegations of Sexual Abuse" will be applied when any formal allegations of a sexual nature have been made regarding the parent and child. Formal allegations are those which have been reported to the court, Child Protective Services, or Law Enforcement and are either still pending or closed with an indictment or "Reason to Believe" disposition.

Discussion of the litigation, the current legal situation, or issues involving the court with the child or other adults during visitation or exchanges is not permitted. This includes any discussion of potential future issues that are not currently authorized by the court, such as "when you get to visit me at home," "when you get to see other family members or friends," "when this is all over..." "We can go to Six Flags," or "if you get to live with me..."

All conversations between the parties and the child must be audible to the person providing the supervised visitation. Unless a staff member is available who understands another language, the conversations between the child and the parties must be in English.

Mind and Body Counseling will allow only the exchange of the children and the items for the children. Neither the exchange or visit site, nor the children, may be used to pass messages, exchange items, make support payments, or serve papers to the other party. Any attempt to serve papers or pass messages at the exchange or during the visit will result in case management fees and possible suspension or termination of services. The only exception to this is that messages regarding **medication** for the children will be allowed to transfer provided the message contains **no other content**. All other messages or information should be handled through the mail, attorney, or other methods which do not involve the center.

Parties are not to deliver messages through the children to Mind and Body Counseling staff. Messages can be faxed, emailed, or mailed to the center.

Gifts may be given to children with restrictions. The staff reserves the right to inspect all gifts prior to presentation to the child. Expect that all gifts will be opened and inspected for appropriate content. A gift is defined as anything that the children can take with them at the end of a visit or exchange. Nothing may be given to the child at any time with the understanding that it is theirs "when they go home" with the visiting party or to keep at the visiting party's home. If a gift is given the children will take the gift with them. Gifts will be moderate and reasonable in number and size. The amount of gifts and sizes of the gifts are restricted to what the children can physically carry in one trip to the other party's vehicle. They should be age appropriate. Money may not be given to the children at any time without prior discussion and consent.

Mind and Body Counseling reserves the right to inspect any items brought by the delivering party or any item from the visiting party prior to presentation to the children.

The staff has the right to determine appropriate and inappropriate behaviors and conversation with the children. **Parties are to comply with the limits set by the staff without complaint, comment, or further explanation during the visit.** Parties may contact the center during business hours as outlined below after a visit.

Parties are not to place their hands on the children in any way the staff deems inappropriate. Unless limited by the court, parties may have appropriate contact with the child. Visiting parties will not be allowed to touch children on their genitalia unless they are changing an infant. The parties are to ensure the children to not expose their genitalia or undergarments during the visitation. If parties encourage the children to assume a position that reveals their genitalia or undergarments the visit may be terminated.

Children may not be physically examined.

The Mind and Body Counseling staff and volunteers are there to observe and record the behaviors and interactions between the adults and children. The supervisor may interact when necessary at their own discretion. Neither party should initiate involvement of the supervisor in conversation or activities.

Parties are not to involve the staff in discussion disparaging the other parties, providing personal information regarding the party or the other parties, getting staff to try to "take sides," or discussing their opinion of the court's orders.

Parties are not to ask personal questions of the staff or volunteers, nor are they to offer food, drink, or other gifts to the staff or volunteers. Bartering between parties and the staff or volunteers is strictly prohibited.

During exchanges and visits, parties are not to discuss with the staff or volunteers the case, litigation, concerns, complaints, questions, or the other party. These issues need to be addressed in writing to the center at times other than during the exchanges.

Meals for the children should occur before or after the visit unless discussed beforehand. Snacks and beverages during visits will be acceptable provided the snack is not likely to soil the center. Snacks are defined as finger foods which do not require extra plates, napkins, or utensils to consume. As an example on a child's birthday a cupcake would be acceptable while a birthday cake would not be. Infants may receive bottles during visits. Formula or expressed breast milk should be provided by the custodial party, along with written information regarding the child's usual eating habits if a nursing infant is visiting at the center.

Video recording, audio recording, or photography is not allowed during exchanges at the Mind and Body Counseling office. Video recording, audio recording, or photography is not allowed during visitation unless authorized by the court or the staff. Parties may not video record, audio record, or photograph other adults or children in the center. **IF UNAUTHORIZED PHOTOGRAPHS, VIDEO RECORDINGS, OR AUDIO RECORDINGS DO OCCUR, THE MEDIA BECOMES PROPERTY OF Mind and Body Counseling.**

OTHER GUIDELINES: _____

The agency clocks determine the correct time concerning appointments, services, lateness, late fees, and cancellations.

The center has the right to terminate individual sessions and suspend or cease future services for any reason deemed necessary, including:

If ongoing contact appears too stressful or traumatic for the child.

The center determines that it cannot effectively address safety or other issues involved in the particular case.

The case places an undue demand on the service's resources.

A party harasses or threatens staff, volunteers, or other parties.

One or both of the parties have failed to comply with the rules of the service.

The delivering party must dress the children in appropriate and unrevealing clothing, or clothing that is not likely to reveal the child's genitalia or undergarments. Children wearing skirts or dresses must have shorts on under their dress.

All parties must be dressed in appropriate attire that does not reveal their genitalia or undergarments.

Fragrances that may cause the children or adults receiving services discomfort will not be allowed. Please understand some of our families may have allergies or other medical conditions which would disrupt their ability to enjoy their time in the center when exposed to powerful colognes or perfumes.

There is no smoking, illegal substance, or alcohol use allowed at any time during supervised visitation or exchanges. Any party who appears to be under the influence of drugs or alcohol will not be permitted to visit or exchange children.

Weapons are not allowed in the center with the exception of guards employed by Mind and Body Counseling or by peace officers that are not current clients of Mind and Body Counseling. Weapons include, but are not limited to, guns, knives, tools, pepper spray, mace, explosives, fireworks, acids, toxic chemicals, or any other similar object. Mind and Body Counseling reserves the right to search any party by means that include but are not limited to frisking and metal detection.

The parties will keep Mind and Body Counseling informed of any changes in attorneys, address, or telephone numbers.

Attempting to contact staff or volunteers outside of the center will be considered harassment and will be grounds for immediate termination of services and possible charges filed against the individual.

Unless a court has prohibited specific interactions during a visit or a licensed health professional provides written documentation regarding a potential emotional or psychological threat to a child from specific interactions, parent-child interaction which falls within the center guidelines will be permitted. This may include the visiting parent and children watching movies or playing games which the custodial parent may not always approve of, as long as such activity is age appropriate.

All staff is required by law to report any reasonable suspicion of child abuse or neglect. This includes physical, sexual, or emotional abuse and physical neglect. We will also contact the appropriate authorities if there is harassment, threats, or physical contact during exchanges.

Parties that are noncompliant with the rules for use of services may be required to complete additional services prior to continuation of supervised visitation or exchanges.

If services are terminated, the parties are not allowed on the premises for any reason without the consent of the staff. Violation will result in prosecution.

CONCERNS, QUESTIONS, AND COMPLAINT PROCEDURES: _____

During the intake and orientation process there will be time set aside to respond to any questions that you might have. Please make sure that you have carefully read these guidelines and that if you have **any** questions you ask them at that time.

After the orientation session all concerns, questions, or complaints by any party must be addressed in writing to the center. No staff member will be able to discuss a concern or complaint with parties or take any action until the consideration is received in writing. Failure to follow this process will result in case management fees being assessed.

Once a complaint/concern is received, the center will respond by phone or in writing, as deemed appropriate, within 10 week days of receipt. All concerns, questions, or complaints are addressed by Mind and Body Counseling staff during weekday business hours.

Parties may request an appointment to discuss issues other than grievances (which should be submitted in writing). Time set aside for appointments is billed at the same rate as case management. If a party fails to show or is more than 20 minutes late for an appointment the appointment will be cancelled and will incur a 30 minute case management fee which is due prior to scheduling any other appointments for the client.

CASE MANAGEMENT, RECORDS REQUESTS, AND OTHER FEES: _____

Case management fees are charged as noted above, as well as for noncompliance with rules set forth in this document. Mind and Body Counseling staff will occasionally make courtesy calls to parties or attorneys involved in cases; however these contacts are intended to be minimal. Any case requiring more extensive contact with parties or attorneys will also be charged case management fees for time spent interacting outside of the scheduled visitation or exchanges. Case management fees will be charged at a rate of \$60.00 per hour rounded up to the nearest 15-minute increment. Case management fees include time spent interacting with parties and detailing noncompliance that occurred during exchanges or supervised visitation or noncompliance outside of the time of the visit or exchange. The fee will be charged to each party that does not comply. These fees will be due within 10 days of receiving the invoice. Any monies due to the center that are not paid will be subject to a late fee of \$20.00 and \$5.00 per day for everyday after that. At anytime that them monies due the facility are not paid then the center reserves the right to file suit for payment and the party incurring the fees will be responsible for all court costs, attorney fees, late fee and interest accrued by the and applied as the court sees fit.

Files will not be released to parties unless they are *pro se*. Documents will be provided to attorneys and *pro se* parties by way of subpoena or business records affidavit only at a rate of \$25.00 and then \$1.00 per page. Narratives will be provided at the cost of \$150.00 and a business records affidavit will be included for the fee of \$25.00. Documents will not be mailed; they must be picked up by a courier such as FedEx, UPS, or private mail service. Documents will be provided to agents working for the court (such as psychologists or social workers involved in a social study) and fees for such records requests charged to the parties.

If subpoenaed, Mind and Body Counseling will charge the issuing party \$100.00 per hour including all travel time to and from the court, additional fees will include mileage, parking and other expenses from court with a nonrefundable minimum retainer of \$250.00. Payment of the retainer is due 72 weekday business hours prior to the time of the scheduled court appearance. This fee applies for each court visit, whether or not testimony actually takes place.

Case management fees, records fees, subpoena fees, late cancellation fees, and "no show" fees do not count toward the monthly maximum visitation or exchange fee cap.

ACKNOWLEDGMENT OF UNDERSTANDING OF SERVICES, RULES, AND GUIDELINES

The most important rule to remember is that parties are expected to comply with directives from Mind and Body Counseling staff while they are on site, whether for supervised visitation or exchange. Although parties may not understand why an instruction is given or agree with the instruction they are given, the time to address questions and concerns is not during the time assigned for supervised visitation or exchange. In certain cases there may be changes to routine operations in order to accommodate unusual or unforeseen events or needs that may or may not relate to your individual case. Please remember that we are serving a number of families at any given time and that compliance with the rules outlined herein will enhance services to everyone.

These guidelines are not meant to be all encompassing. Additional rules may be appropriate to changing case specifics. Clients receiving Level 2 and Level 3 services will be required to sign additional guidelines for services.

I HAVE READ AND RECEIVED A COPY OF THESE RULES AND HAVE A COPY FOR MYSELF. I UNDERSTAND MIND AND BODY COUNSELING RESERVES THE RIGHT TO REVISE AND/OR CHANGE POLICIES AT ANY TIME OR MODIFY RULES ON A CASE BY CASE BASIS. MY SIGNATURE BELOW INDICATES I UNDERSTAND THESE RULES AND AGREE TO FOLLOW THESE RULES. I UNDERSTAND THAT THE INFORMATION GATHERED DURING EXCHANGES AND SUPERVISED VISITATIONS WILL BE RELEASED TO THE COURT AND OTHERS AUTHORIZED BY THE COURT TO HAVE SUCH INFORMATION. I UNDERSTAND THAT IF I DO NOT COMPLY WITH THESE RULES, THE VISITATION OR EXCHANGES MAY BE SUSPENDED OR TERMINATED AND NOTICE OF SUCH MAY BE PROVIDED TO THE COURT.

Print Name

Signature

Date