

Report to the California Legislature

**CALIFORNIA'S ACCESS TO VISITATION GRANT
PROGRAM FOR ENHANCING RESPONSIBILITY AND
OPPORTUNITY FOR NONRESIDENTIAL PARENTS**

FISCAL YEARS 2001–2002 AND 2002–2003

**Judicial Council of California
Administrative Office of the Courts
Center for Families, Children & the Courts**

February 28, 2003

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Administrative Office of the Courts
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This report has been prepared and submitted to the California Legislature pursuant to Assembly Bill 673.

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Cover: Supervised visitation centers — Parent Education Network (Butte County), Children's Bureau of Southern California (Los Angeles County), and Rally Family Visitation Services of Saint Francis Memorial Hospital (San Francisco County). Photos by Youn Kim (AOC) and Scott Heinze, Development Director, Parent Education Network. Permission granted for use of supervised visitation agency photos.

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ACKNOWLEDGMENTS

We wish to thank the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement, for federal grant funds to establish California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents. We also wish to thank the California Legislature for its support and direction in administration of the grant program.

The Access to Visitation Grant Program staff of the Center for Families, Children & the Courts extends sincere thanks to the following people for their generosity and guidance in the development of this report: Diane Nunn, Julia Weber, and members of the Family and Juvenile Law Advisory Committee—in particular, co-chair Hon. Mary Ann Grilli, Hon. Susan C. Harlan, Hon. Becky Dugan, and Ms. Patricia Chavez-Fallon.

Many thanks to Administrative Office of the Courts staff members Carolyn McGovern, Lura Dymond, Sheila Ng, Evelyn Ho, and Patricia Clemons for assisting in the preparation of this report. In addition, we thank Office of Governmental Affairs staff members Kate Howard, Tracy Kenny, and Kourtney Burdick for their valuable time and professional assistance in production of the report.

Special thanks and appreciation go to colleagues Charlene Depner and Youn Kim for their extraordinary wisdom and vision as consultants on this report.

Finally, thank you to all our grantees, project directors, court subcontractors, and nonprofit agencies and their staffs for their endless hard work and professionalism in improving the lives of parents and children throughout the state. This report could not have been prepared without their expertise and excellence or without the courage of families working for the best interest of their children.

EXECUTIVE SUMMARY

In 1999 the California Legislature enacted Assembly Bill 673 (Honda), which charged the Judicial Council with administering and distributing federal Child Access and Visitation Grant Program funds from the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement.¹ These grants, established under section 391 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (“welfare reform”) (Pub. L. 104-193, 110 Stat. 2258)—also known as title III, subtitle I (Enhancing Responsibility and Opportunity for Nonresidential Parents), section 469b of the Social Security Act²—enable states to establish and administer programs that support and facilitate noncustodial parents’ access to and visitation with their children.

Over the past five years, the U.S. Department of Health and Human Services has awarded a total of \$50 million in block grants to states to promote access and visitation programs to increase noncustodial parents’ involvement in their children’s lives. The federal allocation to each state is based on the number of single-parent households. California has the largest number of single heads of households (1,127,062) in the United States.³ California receives the maximum amount of possible federal funds (approximately \$1 million per year), representing 10 percent of the national funding. Federal regulations earmark grant funds for such activities as mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision, and neutral drop-off and pickup), and development of guidelines for visitation and alternative custody arrangements.⁴

Assembly Bill 673 expressed the Legislature’s intent that funding for the state of California be further limited to the following three types of programs:

- Supervised visitation and exchange services;
- Education about protecting children during family disruption; and
- Group counseling services for parents and children.

AB 673 also provided that all supervised visitation and exchange programs receiving Access to Visitation Grant funds must comply with all requirements of the Uniform

¹ Fam. Code, § 3204(a).

² 42 U.S.C. § 669b.

³ This statistic is based on the fiscal year 2002 funding allocation by the Department of Health and Human Services, Office of Child Support Enforcement, for California’s Access to Visitation Grant Program.

⁴ 110 Stat. 2258.

Standards of Practice for Providers of Supervised Visitation as set forth in section 26.2 of the California Standards of Judicial Administration.

With the support of federal funding, supervised visitation and exchange services, parent education, and group counseling programs are now available in approximately 36 of the 58 counties in California. However, services that are safe, secure, efficient, and affordable do not exist in numerous counties throughout the state. The federal funds have been insufficient to meet the high demand for the types of services funded under this program. The total amount of federal funds received in California for fiscal years 2001–2002 and 2002–2003 was \$1,957,932. The total funds requested by the Superior Courts for this two-year grant period was \$3,182,876. The total amount of grant funds awarded to the courts throughout California was \$1,600,000.

Each year, the funding requested by the courts through grant proposals far exceeds available federal funds. As a result, several program issues have become progressively more challenging to address, including:

- ❑ Increased competition for finite federal funds;
- ❑ Inability to fund the increasing demand for services;
- ❑ Growing numbers of clients who are not receiving services;
- ❑ Long waiting lists for clients to receive program services;
- ❑ The difficulty of forming multicounty court collaborations because grant awards cannot be stretched to meet the growing needs of all partners; and
- ❑ Defunding of well-established programs.

Pursuant to California Family Code section 3204(d), the Judicial Council is directed to

report to the Legislature on the programs funded pursuant to this chapter and whether and to what extent those programs are achieving the goal of promoting and encouraging healthy parent and child relationships between noncustodial or joint custodial parents and their children while ensuring the health, safety, and welfare of children, and the other goals described in this chapter.

This report describes the court and county programs awarded grant funding for federal fiscal years 2001–2002 and 2002–2003 and provides information on overall program administration, review and selection processes, and reporting requirements.

Although no specific recommendations are made in this report, one major challenge is evident—the need to identify adequate, stable funding resources for programs to meet the increasing demands of the courts and parents struggling with access to visitation issues.

Introduction

Recent decades have seen the rise of a new norm for American children: divorced and separated parents. Divorce rates in the country began to climb in the 1960s, doubled between 1966 and 1976, and leveled off in the late 1980s. By 1990, most American children could expect to spend a significant portion of their lives with a single parent.⁵ According to 2000 U.S. Census data, California has 1,127,062 children under the age of 18 living in a single-parent household.⁶ A recent study by Amato and Booth (1997), who looked at several trends in family life and their effects on children, found divorce of all factors considered, to have the most negative effect on the well-being of children.⁷

The trends of separation, divorce, and unmarried parents, have potentially adverse effects on the financial, social, emotional, and academic well-being of America's children. Noncustodial parents, generally fathers, struggle to maintain healthy and meaningful relationships with their children. A recent report by Arendell (1995) illustrates the gradual disengagement of noncustodial parents. Contact with separated dads is often minimal, with 30 percent of divorced fathers seeing their children less than once a year and only 25 percent having weekly contact.⁸

In the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Congress made substantial changes to strengthen and improve the relationships between noncustodial parent involvement, children's well-being, child support, and custody arrangements. To address noncustodial parents' concerns regarding parenting time with their children, Congress implemented parental access and visitation programs to help states establish and enforce visitation options.

This report, pursuant to statute, provides the state Legislature with details on the programs funded under California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents (hereinafter called the Access to Visitation Grant Program) and describes the extent to which those programs are accomplishing the goals of promoting and encouraging healthy parent-and-child relationships while ensuring the health, safety, and welfare of the child.

Background

The Judicial Council is charged with administering and distributing federal Child Access and Visitation Grant Program funds from the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support

⁵ H. Shaklee, *Parenting Apart: A Guide for Separated and Divorced Families*, (University of Idaho Extension, 2002).

⁶ See footnote 3.

⁷ P. Amato, and A. Booth, *A Generation at Risk: Growing Up in an Era of Family Upheaval* (Cambridge, Mass.: Harvard university Press, 1997).

⁸ T. Arendell, *Fathers and Divorce*, (Thousand Oaks, Calif.: Sage Press, 1995).

Enforcement.⁹ These grants, established under section 391 of PRWORA, enable states to establish and administer programs that facilitate noncustodial parents' access to and visitation of their children by means of activities including mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision, and neutral drop-off and pickup), and development of guidelines for visitation and alternative custody arrangements.¹⁰ State funding allocations are based on the number of single-parent households. California reported 1,127,062 single-parent households and receives the maximum amount of federal funds (approximately \$1 million annually).¹¹

Based on new 2000 U.S. Census data, California received a reduction in federal grant funding for fiscal year 2002–2003. The inadequacy of current funding to meet the needs of parents and children struggling to access affordable program services creates significant hardships and makes it difficult to improve the well-being of California's families.

Program Administration

During the first four years of funding for the Access to Visitation Grant Program, the California Department of Social Services (CDSS) was the lead agency and applicant for the federal grant funds. An advisory group was convened as instructed by then – existing Family Code section 10101.¹² At the request of the Access to Visitation Advisory Group and CDSS, the Judicial Council was charged with the administration of the grant funds and entered into an interagency agreement with CDSS.

In 1999 Assembly Bill 673 (Honda) (Stats. 1999, ch. 1004) enacted Family Code sections 3201–3204, which charged the Judicial Council with overall responsibility for administering the grant funds. This legislation also repealed the Friend of the Court Act (Fam. Code, §§ 10100–10102).

The Access to Visitation Grant Program receives direction and guidance from the Judicial Council's Executive and Planning Committee, the council's Family and Juvenile Law Advisory Committee, and the Legislature. The Administrative Office of the Courts' Center for Families, Children & the Courts (CFCC) has the primary responsibility for administering the grant program.

⁹ Fam. Code, § 3204(a).

¹⁰ 110 Stat. 2258.

¹¹ See footnotes 3.

¹² The Access to Visitation Advisory Group was composed of representatives from the Judicial Council, the Administrative Office of the Courts, the Family and Juvenile Law Advisory Committee, the Legislature, the State Bar of California, public agencies, and other advocacy groups.

Grant Topics

Funding for the state of California is limited by AB 673 to three types of program services: supervised visitation and exchange services, education about protecting children during family disruption,¹³ and group counseling for parents and children. When supervised visitation and exchange services are offered, information must be provided to the parties about the circumstances under which these services are made available (that is, court order).

Pursuant to Family Code section 3201(b), education about protecting children during family disruption includes education on parenting skills and the impact of parental conflict on children, how to put a parenting agreement into effect, and the responsibility of both parents to comply with custody and visitation orders. Group counseling services under the grant may include services for children as well as for parents or guardians involved in child custody or visitation disputes, regardless of marital status.

Program Goals

As mandated by Congress, the goal of the federal Child Access and Visitation Grant Program is to remove the barriers to and increase the opportunities for biological parents who are not living in the same household as their children to become actively involved in their children's lives.¹⁴ To this end, the goals of California's Access to Visitation Grant Program are to enable parents and children to participate in supervised visitation, education, and group counseling programs—irrespective of marital status and of whether or not the parties are currently living separately on a permanent or temporary basis¹⁵—and to promote and encourage healthy relationships between noncustodial or joint custodial parents and their children while ensuring the health, safety, and welfare of the children.¹⁶

Promotion and Encouragement of Healthy Parent-and-Child Relationships

The national priority, as set forth in the 1996 welfare reform act, is to focus on the well-being of children. In a nation where 23 million children do not live with their biological fathers and 20 million live in single-parent homes (most of them lacking fathers), there are significant implications for the well-being of children.¹⁷ Mothers and fathers both play important roles in the growth and development of children.¹⁸ Noncustodial parents play indispensable roles in the lives of their children. However a policy research study

¹³ The term *parent education* is used as a synonym for “education about protecting children during family disruption.”

¹⁴ Child Access and Visitation Grants: State Profiles Information Memorandum.

¹⁵ Fam. Code, § 3203.

¹⁶ Fam. Code, § 3204(d).

¹⁷ K. Sylvester and K. Reich, *Making Fathers Count, Assessing the Progress of Responsible Fatherhood Efforts*, (Social Action Network, 2002), p. 2.

¹⁸ *Child Trends 2002, Charting Parenthood: A Statistical Portrait of Fathers and Mothers in America*, (Washington, D.C.: Child Trends, 2002).

by Child Trends found that 40 percent of children whose fathers live outside the home have no contact with them, while the other 60 percent had contact an average of 69 days in the last year.¹⁹ The intent of the access to visitation grants is to increase noncustodial parents' access to and visitation with children and to help families improve the relationships between parents and children so they do not lose contact with each other.

The programs funded by the grants are accomplishing the goal of promoting and encouraging healthy parent-and-child relationships by addressing the specific relationship needs and parenting problems posed by separation and divorce; ensuring that parents maintain contact with their children in safe, child-friendly, nurturing environments; teaching parents positive parenting skills; and reducing the risks of harm to parents and children who are involved in domestic violence or other high-conflict situations.

Over the past decade, the major impetus for the growth of services for supervised child access has come from a rapidly expanding need for services for separated and divorced parents.²⁰ This is evidenced by the increase in the number of cases requiring orders for supervised visitation as a result of allegations of domestic violence, substance abuse, child abduction, and mental health issues. Supervised visitation and exchange services allow contact between the parent and child to continue temporarily while the court assesses the conflicting allegations or when the degree of risk to a child may be ongoing. These services promote and encourage healthy parent-and-child relationships by:

- ❑ Allowing parent-and-child contact with the support and intervention of a neutral third person;
- ❑ Creating safe havens for parents and children (especially for victims of domestic violence);
- ❑ Ensuring services are provided by highly skilled, trained professionals;
- ❑ Facilitating opportunities for parental contact in a controlled and protective setting; and
- ❑ Assuring that providers adhere to state standards as models of best practices.

Access to Visitation Grant Program staff have provided courts and community-based grantees with statewide trainings and technical assistance (such as grantee orientation, roundtable forums, focus group meetings, and conference workshops). They have conducted court site visits to address program issues and obstacles in providing supervised visitation services and to help reinforce and ensure healthy parent-and-child relationships in program service delivery. Compliance with the Uniform Standards of Practice for Providers of Supervised Visitation requires supervised visitation programs to exercise certain minimum safety and security procedures to encourage (and protect)

¹⁹ Id. p. xii.

²⁰ R. Straus, "Supervised Visitation and Family Violence," *Family Law Quarterly* (Summer 1995) 29(2), p. 230.

parent-and-child relationships (intake forms to screen and assess for safety risks; separate orientations and interviews with parents; written child abduction procedures; policies to respond to allegations or suspicions of abuse, intimidation, or inappropriate behavior; copies of protective orders, protocols for declining unsafe or high-risk cases).

Access to Visitation Grant Program staff have been working closely with grantees to evaluate how effectively the funded programs are meeting the objectives of providing safe access for children and their parents. All grant applicants for federal fiscal year 2002 were required to submit a plan for program evaluation and client feedback. These plans outline what steps have been or will be used to get feedback about the proposed program. In addition to measuring the frequency of program use, grantees are asked to assess their own performance by gathering feedback from users, other service providers, and their communities. Feedback from this system is used to identify program strengths and weaknesses and to improve overall service delivery.

Parent education and group counseling services have successfully accomplished the goal of promoting and encouraging healthy parent-and-child relationships by assisting parents in developing the necessary tools needed to effectively parent, and by instructing them on how to put a parenting agreement into effect and how to resolve custody and visitation disputes through positive, practical communication skills.

The following are some of the parent education programs funded by the grants that help promote and encourage healthy parent-and-child relationships.

- ❑ Kids' Turn (San Diego, Napa, and Shasta Counties): This is a nationally recognized educational program that offers workshops and counseling for families with separated or divorced parents. Kids' Turn teaches family members the skills that can improve communication between children and parents and help parents understand their children's experience during and after divorce.²¹
- ❑ Parenting Apart Program (Mendocino County): This is a mandatory educational workshop for parents who are divorcing, separated, or involved in custody and visitation disputes. The workshop focuses on the needs of the children before, during, and after the family experiences transition and teaches parents the importance of co-parenting in order to ensure healthy parent-and-child relationships.
- ❑ High-Conflict Parenting Program (Contra Costa County): This parenting program is designed for parents in chronic conflict. The goal is to educate and provide high-conflict, high-risk parents with the skills necessary to effectively

²¹ San Francisco County Kids' Turn program brochure.

communicate and to understand the emotional effects of their conflict on their children.

- ❑ Cooperating as Separated Parents Program (Shasta County): This program for separated parents consists of 12-hours of classes that teach them co-parenting skills and practical techniques to allow them to build a healthy business like relationship for the overall well-being of their children.
- ❑ Shared Parenting Support Program (Shasta County): This program focuses on stopping destructive parental behavior and teaching positive parenting skills within a therapeutic environment in order to ensure healthy parent-and-child relationships. This program is unique because it includes extended family members.
- ❑ Co-Parenting Essentials Class Program (COPE) (Santa Barbara County): This 16 hour, 8-week class for high-conflict parents is designed to teach them problem-solving skills as a means of facilitating the parents' disengagement from conflict.
- ❑ Solutions Toward Optimum Parenting Program (STOP) (San Luis Obispo): This program offers parents solution-focused group therapy as an effort to decrease acrimony between estranged parents.

These grant programs allow parents the opportunity to interact with their children in a safe, secure environment and teach families how to communicate and cooperatively share parental responsibility.

Programs Funded for Fiscal Years 2001–2002 and 2002–2003

Each year, beginning in 1997, the federal Office of Child Support Enforcement has allocated a total of approximately \$10 million to states to support activities that establish or facilitate noncustodial parents' access to and visitation with their children. The Judicial Council is required to annually apply for the federal grant funds and award funding to superior courts throughout California.

All family courts in California are eligible to apply for and receive Access to Visitation Grant funds through a competitive request-for-proposals (RFP) grant application process (see Appendix C). Program administrators are encouraged to collaborate with other courts in other counties to maximize the use of resources, with one court acting as lead agency or administering court. The family law division of the superior court is required to administer the program. The Access to Visitation Advisory Group intended that the funds be used for services that can be consolidated or coordinated with existing family services. Many of the programs involve multiple courts, counties, and community-based nonprofit organizations.

The total funding requested by Superior Courts for fiscal years 2001–2002 and 2002–2003 was \$3,182,867. The total amount of grant funds awarded to courts throughout California was \$1,600,000. The total federal funds received for the two-year grant period was \$1,957,932.

To encourage proposals that could be fully funded, requests were capped at \$80,000 for each grant cycle. A list of the superior courts that received grant funding, along with their subcontractors (nonprofit agencies) and program summaries, is attached to this report as Appendix A. Figure 1 shows the federal funding allocation and the range of grant awards for each grant cycle. Figures 2 and 3 shows the grant awards to the superior courts. A map is attached as Appendix B to highlight the geographical location of services.

Figure 1. Funding Allocation and Ranges of Grant Awards

Grant Fiscal Year	Federal Grant Allocation to the State	Ranges of Grant Awards	Grant Awards to the Courts	Counties Represented
2001–2002	\$987,501	\$30,000–\$80,000 <i>(grant awards ranged from \$30,000 to \$80,000)</i>	14	28
2002–2003	\$970,431	\$80,000 maximum <i>(grant awards ranged from \$18,000 to \$80,000)</i>	16	36

Figure 2. Court Grant Awards for Fiscal Year 2001–2002

- Superior Court of Contra Costa County—\$30,000
- Superior Court of Los Angeles County—\$80,000
- Superior Court of Mendocino County—\$80,000
- Superior Court of Merced County—\$30,000
- Superior Court of Napa County—\$30,000
- Superior Court of Sacramento County—\$55,000
- Superior Court of San Bernardino County—\$67,500
- Superior Court of San Diego County—\$47,500
- Unified Family Court, Superior Court of San Francisco County—\$80,000
- Superior Court of Santa Barbara County—\$80,000
- Superior Court of Santa Clara County—\$80,000
- Superior Court of Shasta County—\$80,000

Superior Court of Sonoma County—\$30,000
Superior Court of Tulare County—\$30,000

Figure 3. Court Grant Awards for Fiscal Year 2002–2003

Superior Court of Amador County—\$48,000
Superior Court of Butte County—\$50,000
Superior Court of Los Angeles County—\$80,000
Superior Court of Madera County—\$30,000
Superior Court of Mendocino County—\$80,000
Superior Court of Merced County—\$30,000
Superior Court of Napa County—\$25,000
Superior Court of Sacramento County—\$64,000
Superior Court of San Diego County—\$18,436
Unified Family Court, Superior Court of San Francisco County —\$50,000
Superior Court of Santa Clara County—\$80,000
Superior Court of Santa Cruz County—\$64,000
Superior Court of Shasta County—\$80,000
Superior Court of Sonoma County—\$34,500
Superior Court of Tulare County—\$36,064
Superior Court of Yuba County—\$30,000

For fiscal year 2001–2002, the Judicial Council received 23 grant applications representing 40 counties; for fiscal year 2002–2003, the council received 24 proposals representing 46 counties.

The number of counties represented has fluctuated during the past several years as a result of courts applying as single-site programs rather than as part of a comprehensive partnership. Even though collaboration among courts and counties has been strongly encouraged to maximize the use of resources, such collaboration remains challenging given that the grant awards are small and difficult to spread out among partnerships.²² Because of the lack of adequate funding, many counties do not receive funding.

Federal grant funds have been insufficient to meet the high demand for the types of services funded under this grant program. Each year, the funding requested by the courts through grant proposals far exceeds available federal funds. As a result, the following program issues have become increasingly challenging:

- Increased competition for finite federal funds;

²² Judicial Council, Administrative Office of the Courts, *A Report to the Legislature: California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents, The First Five Years*, (March 2002), p. 11.

- ❑ Inability to fund the increasing demand for services;
- ❑ Growing numbers of clients who are not receiving services;
- ❑ Long waiting lists for clients to receive program services;
- ❑ The difficulty of forming multicounty court collaborations because grant awards cannot be stretched to meet the growing needs of all partners; and
- ❑ Defunding of well-established programs.

Review Process and Selection Criteria

Family Code section 3204(b)(2) requires the Judicial Council to approve as many requests for proposals as possible while assuring that each proposal “would provide beneficial services and satisfy the overall goals of the program,”²³ and to give special consideration for funding to programs that “coordinate supervised visitation and exchange services, education, and group counseling with existing court-based programs and services.”²⁴

The methodology for grant review and selection was designed to maximize the availability of services and resources that meet the funding and evaluation criteria set forth in Family Code section 3204(b)(2). To ensure a fair and unbiased process, the Family Law Subcommittee of the Family and Juvenile Law Advisory Committee approved the establishment of a Selection Review Committee (SRC) to evaluate and score proposals using the criteria set forth by statute.

The SRC²⁵ devised a three-tier screening system. All of the grant proposals were evaluated and scored comparatively on a numerical point system. Each criterion that was included in a proposal’s narrative section had a maximum point value (See Appendix C, asterisks denote the criteria set forth by statute). SRC members used both a reviewer rating sheet, with clear, quantifiable measures for evaluation and scoring of the proposals, and a rating scale to tabulate the applicant’s response to each question.

The SRC had the additional discretion to consider funding based on:

- ❑ Geographically located services; and
- ❑ The applicant’s history of fiscal management and program administration.

²³ Fam. Code, § 3204(b)(2).

²⁴ Fam. Code, § 3204(b)(3).

²⁵ The Selection Review Committee consisted of experts representing professional staff at the Judicial Council, the Administrative Office of the Courts, and the Center for Families, Children & the Courts; members of the Family and Juvenile Law Advisory Committee; and members of other Judicial Council advisory committees.

Reporting Requirements—Participant Data

Each year, the demand for these types of services and the number of families anticipated to be served have increased tremendously. Figure 4 shows the numbers of program participants for the fiscal year 2001–2002 grant period. The most widely used service provided through access to visitation grants has been supervised visitation and exchange services. The category of supervised visitation represents one-on-one visitation and group visitation services.

Figure 4. Numbers of Participants

	Fiscal Year 2001–2002
Group counseling	884
Parent education	1853
Supervised visitation	6914
Therapeutic visitation	148
Neutral drop-off/pickup	2602
Total number of participants	12,401

The number of participants in the programs funded by the Access to Visitation Grant Program is collected at the end of the fiscal year (including data for fathers, mothers, and children). The number of participants for fiscal year 2002–2003 will not be available until the end of December 2003.

Under federal law, each state receiving a Child Access and Visitation Grant Program allocation is required to annually “monitor, evaluate, and report on such programs in accordance with regulations prescribed by an OMB-approved survey.”²⁶ The data in the report must include: (1) the identification and geographic locations of service providers; (2) the type of child access services provided; (3) the number of persons served; and (4) the socioeconomic characteristics of the persons served.

Based on data reported by the U. S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement, the grant program serves nearly 50,000 parents each year, evenly divided between fathers and mothers.²⁷

Grantees for the state of California are required, under the terms of the standard contract agreement, to submit a quarterly progress report on services and participant data.

Future Policy Considerations

With the support of federal grant funding, programs for supervised visitation and exchange, parent education, and group counseling are now available in approximately 36 of the 58 counties in California. However, services that are safe, secure, efficient, and

²⁶ 45 C.F.R. 303.

²⁷ U. S. Department of Health and Human Services, “Promoting Responsible Fatherhood” (Fact Sheet), August 26, 2002.

affordable still do not exist in numerous counties (predominately rural communities) throughout the state. This resource shortage creates a significant hardship for parents who do not have access to their children, as well as for judicial officers, who must choose whether to make informal visitation arrangements (such as use of family members or friends who are untrained and unskilled) or to order no visitation at all.

Identification of Adequate Funding Resources

Despite the gains of the federal Child Access and Visitation Grant Program, the most significant obstacle to service delivery expressed by the courts, grantees, and subcontractors has been the lack of adequate, stable funding. Virtually all supervised visitation programs operate as nonprofit entities. Fees for service support only part of the program. Therefore all programs rely on some form of subsidy, usually a combination of support from a parent agency, foundation grants, individual contributions, and contracts with state agencies.²⁸ In the long term, stable, reliable funding is essential to making supervised visitation services widely available.

Since inception of the federal grant program, sustainability has been a key policy goal. All of the grantees are required to develop and implement strategies to supplement federal funds with other sources of funding. Each year, in the grant application, applicants must submit a funding plan and course of action that describes (1) current funding sources for the program; (2) the program's proposed development plan for the fiscal year, including resources for supplemental funding; and (3) results of previous funding efforts. In addition, programs are required to provide a 15 percent (nonfederal) fund match.

The Access to Visitation Grant is not a continuing grant. Courts must apply for new funding each year. For some programs, lack of renewed funding has meant that the program could no longer operate. Many of the grantees, however, have been successful in augmenting federal funds with supplemental funding. The following is a list of diverse supplemental funding sources for access to visitation grantees:²⁹

- ❑ Trial Court Funding (San Francisco and Del Norte Counties)
- ❑ State Court Trust Fund (Napa County)
- ❑ United Way
- ❑ Proposition 10 (parent education and therapeutic visitation)
- ❑ Office of Child Abuse Prevention, Intervention, and Treatment (CAPIT) grant fund

²⁸ R. Straus, "Supervised Visitation and Family Violence," *Family Law Quarterly* (Summer 1995) 29(2), p. 235.

²⁹ This list is generated from the applicant courts responses in the CFCC-RFP grant application narrative section. While some of the grantees may have been successful in obtaining funding, the list is an indication of their intent to seek additional funding from various sources.

- ❑ Office on Violence Against Women³⁰
- ❑ Victims of Crime Act (therapeutic supervised visitation)
- ❑ California Health and Human Service Agency
- ❑ U.S. Office of Child Support Enforcement
- ❑ Local Family Bar Association
- ❑ Child Abuse Council (local jurisdictions)
- ❑ Children's Trust Fund
- ❑ Hospital (San Francisco County only)
- ❑ Private and public foundations
- ❑ Corporate and community foundations
- ❑ Community block grants
- ❑ Community retailer businesses
- ❑ Church organizations
- ❑ Rotary and other service clubs (for example, Soroptimist, Kiwanis)

Other mechanisms for generating program revenue have included in-kind gifts, in-kind contributions from the court, individual donations, auxiliary and fundraising events, client fees, small city grants, and localized trainings.

Although most of the grantees receive some additional funding, stable, consistent, and dependable “annual core” funding from private and public entities has not materialized. Identification of adequate funding resources is needed for courts and communities throughout the state to enable the continuation of existing program services and expansion of services to counties not currently funded.

The challenges surrounding lack of adequate funding resources are further supported and documented in a new draft report commissioned by the federal Office of Child Support Enforcement (OCSE) to specifically identify and document some promising and innovative models of service delivery and interagency collaboration. This draft report³¹ is a compilation of papers prepared by an outside consultant to paint a picture of the scope of activities funded by the federal grant program. Program operations were not considered in the report. A review of state access to visitation grant programs leads to the following conclusions:

1. *Limited funds.* The report states “Access to Visitation grant funds fall far short of meeting state needs. As a result, most states restrict services to a small number of

³⁰ Grant funds under the Safe Havens: Supervised Visitation and Safe Exchange Grant Program, is strictly limited to supervised visitation and exchange services, by and between parents, in situations involving domestic violence, child abuse, sexual assault, or stalking only. The Safe Havens Grant Program and the Access to Visitation Grant Program are separate federal programs with different program goals and scope and eligibility requirements.

³¹ Draft Access to Visitation Programs: Promising Practices, September 2002.

jurisdictions, they target services to a limited population (e.g., low-income parents) and/or they limit the number of services they offer.”

2. *Supplemental funds from other sources.* Supplemental funding is being utilized as a “few states have contributed monies from other sources (e.g., surplus TANF dollars, appropriations from the state’s general fund, judicial department funds) to supplement their A/V funds. However, in 2002, these other funding sources are facing huge cutbacks because of state budget shortfalls, which has meant a reduction in funding available for these program services.”

California’s Access to Visitation Grant Program has been working creatively to address this enormous challenge. In collaboration with program grantees, the Administrative Office of the Courts (AOC) has been very proactive in building partnership relationships with the courts and community-based programs in identifying ongoing or complementary funding resources. This has resulted in several grantees submitting grant proposals to other AOC grant programs: Drug Court—Family Treatment Mini-Grants; Drug Court—Substance Abuse Mini-Grants; Trial Court Innovation Grants; and the Unified Courts for Families—Mentor Courts Program. Other various collaborative partnerships (possible funding sources) are being formed to work together in the face of decreased federal funding, state budget cuts, and the shifting of court and grant funding priorities. This has included linkages with faith-based organizations, state and local child support agencies, Temporary Assistance to Needy Families (TANF), and Cal Works program for parent education services, and domestic violence agencies.

Several grantees have been successful in establishing new collaborative partnerships with national and local entities as a means to supplement and/or support aspects of their program. These entities require additional specialized services. These new potential funding venues are:

- The California Children and Families Act of 1998 Proposition 10; imposes a 50 cents per pack tax on tobacco products to fund programs is designed to provide, in a community-by-community basis, all children prenatal to five years of age with a comprehensive, integrated system of early childhood development services. Through the integration of health care, quality child care, parent education, and effective intervention programs for families at risk, children and their parents and caregivers will be provided with the tools necessary to foster secure, healthy, and loving attachments.³² The use of Proposition 10 funds as a possible funding resource for parental education and support services illustrates the successful efforts of grantees to link with local community agencies to provide supplemental funding. Many researchers hold that directing programs and services to young children (prenatal to age five) and their families and improving collaboration

³² California Children & Families Commission mission statement www.cafc.ca.gov.

among service providers improves both the responsiveness and effectiveness of services that support the well-being of children.³³

- The Safe Havens: Supervised Visitation and Safe Exchange Grant Program is a grant program recently established by the U.S. Department of Justice, Office of Justice Programs, Office on Violence Against Women. It provides an opportunity for communities to support supervised visitation and safe exchange of children, by and between parents, in situations involving domestic violence, child abuse, sexual assault, or stalking. The program is established by the Violence Against Women Act of 2000 (VAWA 2000).³⁴ Several California courts³⁵ (also Access to Visitation Grant recipients) were awarded grant funding to expand and enhance existing program operations for supervised visitation services. The four county collaboration of Monterey, San Mateo, Santa Clara, and Santa Cruz counties was selected as one of four national demonstration sites that will identify, develop, and implement promising practices in the field of supervised visitation.

The dialogue between courts and communities has been exceptionally rewarding and encouraging as programs continue to work with “new partners” who share a common mission and purpose, directly relating to the furtherance of the Judicial Council goals of access, fairness, and diversity; independence and accountability by securing additional resources; and quality of justice and service to the public.

The continuous outreach efforts by the courts and grantees to other national, state, and local organizations; the collaboration among multiservice agencies; and the sharing of information and resources to create and enhance program services have proven to be very cost-effective; reinforcing the goal of maximizing the use of program resources. Even though attempts have been made to reduce program costs (through sliding scale fees, caps on frequency and length of visitation sessions, and no charge for intake/orientation services), existing programs may still face major setbacks if adequate funding continues to be unavailable. This could result in termination of court/county visitation programs; greater reductions in program service delivery, longer waiting lists for families to receive services, elimination of satellite sites, and fees that are cost-prohibitive for low-income families. However, it is the intent of grant program administrators to vigorously work to

³³ D. Illig, *Thoughts on Implementing Proposition 10, The California Children and Families First Act* (April 1999), p. 3.

³⁴ Office of Justice Programs, Violence Against Women Office (VAWO), Safe Havens: Supervised Visitation and Safe Exchange Grant Program, 2002 Program Brief.

³⁵ The Unified Family Court of San Francisco County is part of a collaboration partnership for a local implementation grant for the City of San Francisco under the VAWO Safe Havens Grant Program. The Superior Court of Monterey County, Superior Court of San Mateo County, Superior Court of Santa Clara County, and the Superior Court of Santa Cruz County, as court collaborations under the grant application of the City Counsel Office of Santa Clara County, were selected as one of four national demonstration sites for the VAWO Safe Havens Grant Program.

identify court - and community-based resources, as well as other public and private sources, to support the goals of this federal grant program.

Conclusion

The tremendous demand and need for these program services and the availability of *few* additional funding sources have created significant and challenging issues toward overall statewide administration and operation of the grant program and for increasing noncustodial parents' access to and visitation with their children. This report provides the Legislature with information pertaining to the programs funded through the Access to Visitation Grant Program and their attainment of the goal of promoting and encouraging healthy parent-and-child relationships while ensuring the health, safety, and welfare of the children.

While the greatest success of the grant program has been the expansion, in scope and availability, of program services statewide for parents struggling with access to visitation issues, lack of available, affordable, accessible, and adequately "identifiable" resources is a challenge that deserves future consideration in order to improve the well-being of California's children and families.

The AOC's Access to Visitation Grant Program staff look forward to strengthening and enhancing these programs' services statewide and expanding this valuable grant program by working closely with the Legislature; the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement; the Judicial Council; the council's Executive and Planning Committee; and the Family and Juvenile Law Advisory Committee.