California's Access to Visitation Grant Program

Fiscal Years 2002–2003 and 2003–2004

ANNUAL REPORT TO THE CALIFORNIA LEGISLATURE

MARCH 2004

ADMINISTRATIVE OFFICE OF THE COURTS

CENTER FOR FAMILIES, CHILDREN & 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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ACKNOWLEDGMENTS

Many thanks to 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 the 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; Charlene Depner; and the members of the Family and Juvenile Law Advisory Committee—particularly co-chair Judge Mary Ann Grilli, Judge Susan D. Huguenor, Kate Yavenditti, Susan Nordmeyer, and Patricia Foster.

Special thanks to Administrative Office of the Courts staff members Amy Nunez, Michelle Diamond, Marsha Devine, Rowena Rogelio, Carolyn McGovern, Mary Patton Nelson, Evelyn Ho, and Patricia Clemons for assisting in the preparation of this report. In addition, we thank Office of Governmental Affairs staff member Tracy Kenny for her valuable time and professional assistance in the production of the report and extend sincere appreciation to our colleagues Michael Wright and Youn Kim for their leadership and direction as consultants on this report.

Finally, thanks to all our Family Court Services project directors, court subcontractors, and nonprofit agencies and their staffs for their extraordinary efforts and endless hard work and their 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 California families working toward the best interest of their children.

EXECUTIVE SUMMARY

"This program is a gift that is so needed today, and I thank all of you who make it possible."

Client
2001

"This program is a blessing for litigants and their children. It allows parents to have access to their children without hardship."

Family Law Commissioner
2001

Research indicates that the involvement of two parents in a child's life optimizes the child's development.[1] To encourage such involvement by promoting noncustodial parents' access to and visitation of their children, Congress approved the awarding of $10 million in grants to all 50 states, the District of Columbia, and the U.S. territories.[2] The goal of the federal Child Access and Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents is to remove barriers and increase opportunities for biological parents who are not living in the same household as their children to become actively involved in their children's lives.[3]

In California the Judicial Council is charged with administering and distributing the 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.[4] These grants, established under section 391 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996,[5] enable states to establish and administer programs that support and facilitate noncustodial parents' access to and visitation with their children. Such programs include mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision and neutral drop-off and pick-up), and development of guidelines for visitation and alternative custody arrangements.

For California, use of these federal funds is limited by state statute[6] to the following three types of program service activities: supervised visitation and exchange services;[7] education about protecting children during family disruption; and group counseling services for parents and children.

Under Family Code section 3204(d), the Judicial Council is directed to:

> *report to the Legislature on the programs funded . . . 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. . . .

"As an attorney who represents the best interests of the children involved in family law disputes, I have referred many families to the grant program and I have been very impressed with the positive results that it has had on parents and children alike. It is my sincere wish that the program continue and if possible be expanded to meet the growing need for services."

Family Law Attorney
2003

California receives the maximum amount of federal funds, representing 10 percent of the national funding. The funding allocation is based on the number of single-parent households in the state (1,127,062).[8] The total amount of federal funds received in California for fiscal years 2002–2003 and 2003–2004 was $1,940,862. The total amount of grant funds awarded to the courts throughout California was $1,580,000.[9]

Each year, the funding requested by the courts far exceeds available federal funds. For fiscal year 2002–2003, the Administrative Office of the Courts' (AOC) Center for Families, Children & the Courts (CFCC) received 24 grant proposals that together requested $1,684,087 in funding. This exceeded the available federal funds by $884,087. The Judicial Council's Executive and Planning Committee, on behalf of the council, approved the allocation of $800,000 in federal Access to Visitation Grant funds to 16 superior courts whose programs involved 34 counties.[10]

For fiscal year 2003–2004, CFCC received 22 grant proposals requesting $1,259,025 in funding. This exceeded available funds by $479,025. The council's Executive and Planning Committee, on behalf of the council, approved a multiyear funding allocation of $780,000 (per year for 2003–2004 and 2004–2005) in federal Access to Visitation Grant funds to 14 superior courts whose programs involve 27 counties.

The actual number of grant awards to the courts understates the need for funding and the demand for services. Because of limited program funding and because the requested funding will far exceed available federal funds, funding caps for fiscal years 2002–2003 and 2003–2004/2004–2005 were implemented to meet funding requests and to allow some implementation of new court programs where none currently exist (for example, for fiscal years 2003–2004 and 2004–2005, no more than two new programs were eligible to receive funding).

This report provides the state Legislature with details on the programs that were awarded grant funding, the scope of these

programs' services under California's Access to Visitation Grant Program, and the development and implementation of the new state Access to Visitation Grant Program Data Collection and Reporting System, which took effect October 1, 2003, for all grant recipients.

Although no formal recommendations are made in this report, it identifies a major challenge that warrants the Legislature's consideration—maintaining and expanding services despite the impediment of inadequate funding.

In addition, the report discusses three proposed "next steps" to enhance the efficiency and effectiveness of the grant program on national, state, and local levels:

1. Conducting a statewide needs assessment;

2. Evaluating the new state data collection system; and

3. Identifying effective models of practice.

"The agency has provided invaluable services that contribute to the healthy bond and involvement that children need with both of their parents. You can't put a price on this. Unfortunately, money is a determining factor in matters like these and it shouldn't be. We should all do what is best for the young children that we bring into this world, and sometimes we need help. I hope the services provided by our County will stay for a long time and remain affordable to all families who need their help."

Client
200

Introduction

"Thank you so much for being there for my family. We have matured greatly. I have learned that if a parent puts their child first there is a better result."

Client
2001

The great majority of Americans will become parents at some point in their lives.[11] The roles that fathers and mothers play become indispensable to the health and growth of a child. Both the number and type of parents (i.e., biological or step) in a child's household can have strong effects on his or her well-being.[12] The last four decades have seen a dramatic increase in the number of children growing up in homes without fathers.[13] The U.S. Census Bureau's latest statistics (2001) reveal the following: for the people involved in the 1,163,000 divorces granted in 1997, there was a .43 probability of a subsequent marriage ending in divorce, with a total of 1 million children involved.[14]

Since 1960, the number of children living with unmarried parents has exploded. Children living with parents who have never married increased from 0.4 percent in 1960 to 9.3 percent in 1995.[15] In 1996, 7.1 million children lived with a never-married parent.[16] It is estimated that about half of the children in the United States will experience a time in their lives when one parent is absent.[17]

Research indicates that when contact is in the best interest of the child, the involvement of both parents optimizes the well-being of children. In the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) (Pub.L. No. 104–193, 110 Stat. 2258), Congress made substantial changes to the law to strengthen and improve relationships between noncustodial parents and their children, which in turn affect the children's well-being, child support, and custody arrangements.[18] To assist and encourage safe and supportive contact of parents with their children, Congress authorized parental access and visitation programs to help states establish and facilitate parents' involvement in the lives of children.

This report is produced pursuant to Family Code section 3204(d), which provides:

> *The Judicial Council shall report to the Legislature on the programs funded . . . 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. . . .

"Helping estranged parents see their children is not always a popular cause with funding entities, so, the Access to Visitation Grant funds are key to providing these needed services."

Family Court Services, 2003

The report also provides the Legislature with details on the scope of program service delivery 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 the development and implementation of the program's new Data Collection and Reporting System, which took effective October 1, 2003, for all grant recipients in the state.

Background

The California 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 Enforcement.[19] The Child Access and Visitation Program was created under section 469B of title IV-D of the Social Security Act as amended by title III, subtitle I (Enhancing Responsibility and Opportunity for Nonresidential Parents) of PRWORA. The purpose of the grant program is to:

establish and administer programs to support and facilitate non-custodial parents' access to and visitation [with] 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 pick-up), and development of guidelines for visitation and alternative custody arrangements.[20]

Federal funding allocations to the states are based on the number of single-parent households. The year 2000 U.S. Census reported 1,127,062 single-parent households in California, which is a decrease from the previous census. Although California receives the maximum amount of federal funds ($970,431 in 2002–2003), the federal grant funding began to be reduced in fiscal year 2002–

2003.[21] The $970,431 reflects a reduction of approximately $143,000 since the inception of the grant program in 1997.

Each year, the funding requested by the courts has far exceeded available federal funds. The cut in federal funds and the lack of core, stable funding have made it increasingly difficult for the courts and programs to provide and maintain the level of service needed for California's children and families struggling to find affordable assistance.

"We are delighted that the grant will provide a greater depth of service training for professionals and providers involved, and a greater breadth of services to the children in our community who are suffering the difficulties of parental divorce and domestic violence."

Family Law Attorn
200

Program Administration

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.[22] 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, the state Legislature, and the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement. The Administrative Office of the Courts' Center for Families, Children & the Courts (CFCC) has the primary responsibility for administering and managing the grant program.

Allowable Program Service Areas

The enabling federal legislation for grants to states for access and visitation programs requires that the funds be used to help states establish programs that support noncustodial parents' access to and visitation with their children. These services can be provided through grants or contracts with courts, public agencies, and/or nonprofit entities such as community and faith-based organizations. States are required to ensure that such programs are conducted in an effective and efficient manner and contain safeguards that ensure the health and safety of children and their parents.

Although additional activities are eligible for funding under the federal statute, funding for the state of California is limited by state statute to the following three types of programs:

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

Under California 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.[23]

In addition, all supervised visitation and exchange programs funded under the grant must comply with all requirements of the Uniform Standards of Practice for Providers of Supervised Visitation set forth in section 26.2 of the California Standards of Judicial Administration.[24] This includes policies governing safety and security, confidentiality, maintenance and disclosure of records, safety considerations for sexual abuse cases, abduction protocols, and procedures for suspending or terminating visitation services.

> "As parents to our daughter, we have been in an ongoing custody battle for the last four years. We both love our daughter very much and would each like to spend all of our time with her. Since we are no longer together this is unfortunately impossible. Because of our love and commitment to her, many emotional situations have surfaced over the years. I felt bad that we were relying on outsiders to exchange our child. I always wanted our child to interact with both of us - sometimes at the same time. I have learned over time that this might not always be possible. This is where the visitation agency has stepped in. The services provided by them have become an invaluable part of our child's healthy growth and development. Without their help, I don't feel our daughter would be getting the adequate and consistent healthy involvement from both parents that she need. This has resulted in her spending healthier and more productive time with both parents."
>
> Client, 2003

Program Goals

As mandated by Congress, the goal of the federal Child Access and Visitation Grant Program is to remove barriers and increase opportunities for biological parents who are not living in the same

household as their children to become actively involved in their children's lives.[25] 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 the parties are currently living separately on a permanent or temporary basis[26]—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.[27]

"From a prevention perspective, the high quality, accessible, and client-centered services provided through this grant program represent a critical resource for families struggling to create nurturing and healthy environments for their children."

Department of Health & Human Services, 2000

Promotion and Encouragement of Healthy Parent-and-Child Relationships

Research points to an alarming and growing proportion of households without fathers.[28] Twenty-four million children (34 percent) live apart from their biological fathers.[29] About 40 percent of children in fatherless homes have not seen their fathers at all during the past year; 26 percent of absent fathers live in a different state from their children; and 50 percent of children living without their fathers have never set foot in the father's home.[30] This trend is disturbing because research indicates that children who grow up without their fathers consistently score lower on measures of child "well-being."[31]

With nearly 20 million children (27 percent) living in single-parent homes (most lacking a father in the home),[32] PRWORA provided a framework and funding for states to develop new tactics and partnerships to promote noncustodial parents' access to and visitation with their children.[33] Many of the courts with Access to Visitation programs have established collaborative partnerships with local and national entities to promote and encourage the healthy well-being of children experiencing parental divorce or living with never-married parents.

These programs are accomplishing the overall goal of protecting and rebuilding parental relationships after separation and divorce by:

- Providing children with safe access to their parents;
- Promoting parents' sense of financial responsibility to their children;

- Improving compliance with court and child support orders;
- Reducing trauma and exposure to high conflict in children;
- Alleviating children's exposure to further risks or harm where there are allegations or a history of domestic violence, child abuse, or sexual abuse;
- Improving parents' ability to communicate and make decisions with the best interest of their children in mind; and
- Improving parenting skills through modeling and education.

"This program was good for us because it allowed one-on-one interaction without the distraction of relatives who might have supervised our visitation contact. The program allowed for quality time together, which feels priceless."

Client, 2007

Supervised visitation has become the evolving social service for providing scheduled contact between the child and a noncustodial parent in the presence of a third party.[34] Court orders for supervised visitation have increased tremendously in family court as a result of divorce, separation, and domestic violence cases. The utilization of supervised visitation and exchange services provided by trained professionals fosters a neutral, safe, nurturing environment for visitation contact and thus affords a bridge to "normalize" visitation for families.[35]

Supervised visitation and exchange services promote the goal of parental involvement and healthy parent-and-child relationships by:

- Allowing noncustodial parents to establish a relationship with their children;
- Creating and maintaining a physically safe and nurturing environment for parent-and-child contact;
- Providing a structured setting in which the emotional well-being of the child is monitored and abuse and manipulation are not tolerated;
- Teaching parents, when it is appropriate, necessary techniques and skills to help families make the transition to unsupervised visits;
- Ensuring that services are provided by highly skilled, trained professionals; and
- Establishing centrally located service sites so families have the opportunity to keep family bonds in place.

Additionally, the parent education and group counseling services supported by Access to Visitation Grants have achieved the goals of promoting and encouraging healthy parent-and-child relationships by:

- Providing opportunities for parents to establish and maintain relationships with their children;
- Teaching parents to interact with each other and their children in a manner that promotes positive communication, interaction, and parenting skills;
- Facilitating the healthy development and well-being of children by encouraging parents to focus on the needs of their children; and
- Teaching parents practical problem-solving skills so they can cooperatively share parental responsibility and resolve custody and visitation disputes.

"This program provid us with a safe and guaranteed place to spend time on a weekly basis. The staff was very supportive and friend. They provided the appropriate setting for my child and me to be together and do activities, like making arts and crafts."

Clien
200

Programs Funded for Fiscal Years 2002–2003 and 2003–2004

Under state law the Judicial Council is required to annually submit an application to the federal Administration for Children and Families—pursuant to section 669B of PRWORA—for a grant to fund child custody and visitation programs.[36]

The Access to Visitation Grant funds are awarded to California family courts through a competitive proposal process. Applicants are strongly encouraged to involve multiple courts and counties in their proposed programs and to designate one court as the lead or administering court. Courts may contract with nonprofit agencies and other community-based organizations to provide services, but contract agreements are made only with the designated superior court. The Access to Visitation Advisory Group intended that the funds be used for services that can be consolidated or coordinated with existing family services.[37]

Program Funding Preference

The Access to Visitation Grant Program is not a continuation grant; courts have had to apply for new funding each year. In the past, the result has been that federal funding from this grant has been renewed for some courts, enabling their program services to continue, while for other courts the limitations on available funding have meant that programs could not continue to operate.[38] Given this financial hardship and the uncertainty of the state's financial situation, the Judicial Council approved a multiyear funding cycle for fiscal years 2003–2004 and 2004–2005. This allows courts adequate time to implement their program services,

build program continuity, and alleviate the burden of continually reapplying for funding, subject to the availability of federal funds.

The Judicial Council also approved, for fiscal years 2003–2004 and 2004–2005, a funding preference for existing programs [39] and multicourt county collaborations. To provide opportunities for new programs,[40] however, the grant application indicated that up to two new programs would be recommended for funding.

Furthermore, to ensure the most efficient use of funds, a midyear reallocation[41] will be conducted each fiscal year, and funds may be redistributed among grantees to ensure that all available funds are used.

> "In our county there was no low-cost or no-cost assistance for self-represented litigants who had child custody or visitation problems. Noncustodial parents frequently complained that they were not able to see their children. Visitation is definitely related to child support in a more important way than just being a factor for the calculation of the amount of support. The parent education services provided with the Access to Visitation Grant funding have been a tremendous help to the court. Now I have a resource to which I can refer self-represented parents with a custody or visitation problem."
>
> Family Law Commissioner, 2003

Grant Award Amounts

In fiscal year 2002–2003, funding was capped at $80,000 for any one applicant court. However, to address the funding concerns of courts with larger populations, a funding allocation cap based on county population size was established for fiscal years 2003–2004 and 2004–2005. This cap offered both increases and decreases of grant funds for existing programs. The following are the maximum grant amounts for which courts could apply:[42]

- $45,000 for counties or collaboratives in which the population is less than 250,000;
- $60,000 for counties or collaboratives in which the population is over 250,000 but less than 1 million; and
- $100,000 for counties or collaboratives in which the population is over 1 million.

Since the $80,000 cap was no longer in effect, a new program could apply for the maximum amount in the category that fit its population size.

The total federal funds received for the two-year grant period were $1,940,862. The total grant funds awarded to the courts throughout California were $1,580,000.[43] The total funding requested by superior courts for fiscal years 2002–2003 and 2003–2004 was $2,943,112. The funding requests for the two-year grant period exceeded the available funds by $1,363,112.

Requested funding does not represent the need for services since funding caps put a ceiling on the requests and because the courts in places that need the services do not always have the resources to submit an application.

Table 1 shows the grants awarded to the superior courts in fiscal years 2002–2003 and 2003–2004. Two maps (one for each fiscal year) are attached as Appendix A to highlight the geographical dispersion of services. A list of the superior courts that received grant funding, along with their court subcontractors (community-based nonprofit agencies) and program summaries, is attached as Appendix B.

Comments From 2002 Parent Education Workshop

"There was not enough time."

"My child opened up and felt safe to talk to me."

"My child talks more instead of fighting."

"It was nice to see us parents work toward a common goal. I felt my daughter enjoyed coming to a place where thoughts and emotions were discussed and handled."

Table 1. Funding Allocation and Ranges of Grant Awards

Grant Fiscal Year	Federal Grant Allocation to the State	Range of Grant Awards	Grant Awards to the Applicant Courts	Court/ County Collaborations
2002–2003	$970,431	$80,000 maximum *(grant awards ranged from $18,000 to $80,000)*	16	34
2003–2004	$970,431	Maximum awards based on population size *(grant awards ranged from $45,000 to $100,000)*	14	27

Review and Selection Process

The Judicial Council determines the final number of grants and their amounts.[44] It is the intention of the council to approve as many proposals as possible while ensuring that each project it approves would provide beneficial services and satisfy the overall goals of the program. Special consideration is also given to proposals that coordinate supervised visitation and exchange services, education, and group counseling with existing programs and services based in court and community collaborations.[45]

Because the requested funding far exceeded the amount available to award and the types of services funded under the program are in high demand, the methodology used to review and select grant

proposals 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 selection process, the Family Law Subcommittee approved the establishment of the Selection Review Committee (SRC), consisting of eight members from the Family and Juvenile Law Advisory Committee and one CFCC staff attorney, to review the grant proposals and submit funding recommendations directly to the council's Executive and Planning Committee. Additional CFCC staff members acted as facilitators and recorders for the group but did not score or rate any of the grant proposals.

"I thank you for setting up this great program. My child and I really enjoy our time together. All the staff members have become part of our family. I hope this program becomes big to satisfy the growing need and perhaps be able to provide another day for me to visit."

Client
2000

Reviewers were assigned to read and evaluate the proposals based on population size (i.e., all proposals from existing programs eligible to apply for $100,000 were scored by the same reviewers, and all proposals from existing programs eligible to apply for $60,000 were scored together). New programs were not evaluated or scored in comparison with existing proposals. Reviewers were instructed to complete a draft score on each proposal. When the SRC reviewers met in their subgroup, they discussed the proposals and developed a single reviewer rating sheet based on the consensus of the reviewers in that group. The final rating sheet contained each group's consensus score for each proposal.

All of the grant proposals were evaluated and scored comparatively by at least three SRC reviewers on a scale of 0–100 points. Each criterion in the proposal narrative section was assigned a maximum point value. SRC members utilized both (1) a reviewer rating sheet that provided clear, quantifiable measures for evaluation and scoring of the proposals and (2) a rating scale to tabulate the applicants' scores on each question.

Proposals were evaluated and scored on the basis of the following criteria:

- Need for the project (10 points);
- Availability of services to a broad population (10 points);
- Collaboration and coordination with other community services (15 points);
- Ability to expand and enhance existing services (15 points);
- Program service delivery (25 points);

"The County District Attorney Family Support Division is charged with the responsibility of establishing paternity, financial, and medical support orders primarily for children whose parents are unable to cooperate in payment of child support. One of the most significant barriers that participants cite as the reason for noncooperation in payment of child support is a dispute over custody and visitation. This program has been instrumental in educating noncustodial parents on the importance of support and parent involvement. The program evaluation data has consistently demonstrated that when noncustodial parents are encouraged to become personally involved with their children, through either access to visitation or increased custodial responsibilities, their commitment to providing financial support increases dramatically."

District Attorney Office, 2003

- Program evaluation and outcome measures (15 points); and
- Budget and budget narrative (10 points).

Additionally, the following values and principles were considered in evaluating each grant application:[46]

(a) Evidence of strong court and community support;
(b) Promotion and encouragement of healthy relationships between noncustodial parents and their children;
(c) Innovative service delivery;
(d) Efficient use of federal grant funds; and
(e) Overall cost-effectiveness.

While no points were awarded for factors (a) through (e), the Selection Review Committee sought to ensure (1) diversity of geography, population, and court size; and (2) selection of applicants with a history of sound fiscal management and program administration.

Program Evaluation

Federal Reporting Requirements

Each state grantee is required to "monitor, evaluate, and report on such programs in accordance with regulations prescribed by an Office of Management and Budget (OMB) approved survey."[47] All state program managers and local project administrators are required to collect and submit an annual report on two types of data:

- *Program description*, including program goals, service areas, types of activities, and referral processes; and

- *Participant characteristics*, including the total number of program participants and the number of participants who completed the program.

In addition, the federal Office of Child Support Enforcement (OCSE) has expressed a strong interest in various types of program outcomes, especially whether participation in the program led to any of the following results:

- Increased payment of child support;

- Improved child behavior;
- Improved parental relationships;
- Household formation; and
- Increased noncustodial parenting time with children.[48]

State Reporting Requirements

The federally required survey is designed to capture data on other states' use of Child Access and Visitation funds, particularly, mediation and parent education services. In contrast, California focuses its funding on supervised visitation and exchange services, parent education, and group counseling. Consequently, California requires all grant recipients to also report on supervised visitation and exchange services, parent education, and group counseling services for parents and children.

In California, local projects are required to submit monthly reports to the AOC that include both state-required and federally required data as a condition of receiving grant funds.

State Access to Visitation Data Collection and Reporting System

To assist local projects with federal and state reporting requirements, the AOC's Center for Families, Children & the Courts (CFCC) project management team, consisting of program and research staff, recently developed an automated data collection and reporting system. The purpose of the system is to ensure that:

- Federal and state reporting requirements are met;
- Uniform, consistent data are collected and reported;
- Information is readily available that can be used to educate, inform, and report to the courts, the Legislature, and community-based professionals on the overall effectiveness of California's Access to Visitation Grant Program;
- Local projects have access to data for program monitoring and quality improvement; and
- Data collection and reporting are streamlined and efficient.

Security and client confidentiality are paramount in California's data collection and reporting system. No information that identifies individuals or families is reported to the AOC. Local projects are required to adopt protocols, developed at the AOC, that are aimed at ensuring ethical practices and confidentiality of

client records with respect to their grants and the data collection system.

The new data collection system consists of the following elements:

- A parent feedback survey to measure program outcomes, such as whether participation in the program has led to increased payment of child support by the participating parent;
- Reports on the type of service (i.e., supervised visitation, supervised exchange services, parent education, or group counseling) and number of service delivery hours, sorted by individual, family, site, and county; and
- Frequency reports on data captured by other program questions, such as safety or reasons for referral or terminating services.

I really enjoyed the class a lot. Here the program teaches you a lot and is more descriptive with explanations, which has made me bring out some very good ideas on how to be a better parent. I know this is just a pilot program to see how well it does, but I hope the program continues for an indefinite period of time and does not shut down due to budget cuts, as the other agency program did."

Client
2003

The AOC Access to Visitation project management team will support local projects by providing:

- Statewide training on and technical assistance with the data collection and reporting system;
- Data collection survey instruments and materials, including a step-by-step user guide to the database application and a data collection and reporting handbook; and
- Assistance with data collection protocols and guidelines.

In addition, the AOC project management team will monitor the data reports for consistency and quality and will provide summary reports to individual projects, applicant courts, and project subcontractors.

The data collection and reporting system was implemented October 1, 2003. All grantees and subcontractors are now required to use it as a condition of receiving funding.

Participants in Federal Fiscal Year 2002–2003

Grantees are required to report the number of participants in the Access to Visitation project. Table 2 shows the number of program participants in federal fiscal year 2002–2003. "Participants" include both custodial and noncustodial parents.

Table 2. Program Participants in Fiscal Year 2002–2003

Access to Visitation Program Services	Number of Participants
Supervised visitation	4,654
Therapeutic visitation	148
Exchange services (i.e., neutral drop-off and pick-up)	1,663
Parent education	767
Group counseling	64
Total	7,296

*The data for fiscal year 2002–2003 were reported with the new 2003 federal OMB survey, which requested only a total of participants for custodial and noncustodial parents. The number of participants does not include the children as in the old federal report survey. The number of participants reflects data collected from October 1, 2002, through September 30, 2003.

"This program makes it so much easier, especially in domestic violence cases, for the transition from supervised visitation to more exchange or regular visitation. It allows the family a chance to break away from each other, get out of the cycle, and to have successful visitations without incidents, and both parents are more comfortable transitioning to a less restrictive visitation order and like when a relative or friend supervises the visit."

Family Law Commissioner, 2003

Challenging Issues and Demands for Services

Since the inception of the grant program in 1997, counties have developed successful informational and educational materials (e.g., brochures, pamphlets, videos, training curricula, parent education handbooks) to assist courts, professional practitioners, and pro per litigants.[49] In addition, models of service delivery have been implemented to meet the diverse and unique needs of the courts and county communities (these include parent education programs conducted in partnership with the local family law facilitator's office; partnerships with Kids' Turn programs; supervised visitation under the auspices of Court Appointed Special Advocate [CASA] organizations; and collaborations with domestic violence agencies, community colleges, and legal service providers).[50]

Despite the many accomplishments of the federal Child Access and Visitation Grant Program, inadequate funding impedes the individual projects' ability to maintain services. They struggle to meet the growing demand for services without compromising the overall program's ability to demonstrate success to federal funders.

Supervised Visitation in Domestic Violence Cases

Historically, supervised visitation was provided in child welfare cases due to allegations or findings of abuse or neglect.[51] In the past decade courts have increased their reliance on supervised visitation services in family law cases, particularly those involving domestic violence (Straus, 1995; Saunders, 1998; NCJFCJ, 1995). The prevalence of domestic violence in California adds to the demands placed on supervised visitation service providers:

"This program reaches an economically, culturally, and racially diverse population, many of whom would not have any opportunity for child/parent access but for this service. This service also provides important information to the participating parents that enables them to better relate to their children and meet their needs."

Family Court Service 200

- According to a report from the California Research Bureau on the prevalence of domestic violence in California, between 31 and 34 percent of California women report having experienced domestic violence at some point in their lives.[52]
- During the year 2000, 6 percent of women in California (or 700,000 women) experienced domestic violence in their homes, a proportion three times the national average.[53]
- Law enforcement agencies throughout the state report a total of 196,569 domestic violence–related calls for assistance in 2002.[54]
- In 1999 an estimated 91,500 families participated in child custody mediation. Among those families, 44 percent reported that they had obtained restraining orders.[55]

While visitation centers and services are becoming important pieces of a coordinated response to domestic violence, key considerations remain: although visitation centers can help reduce some of the risks of violence during parent-and-child contact they are not a guarantee of safety for family members; they do little to improve the ability of a batterer to parent in a responsible, nonviolent way; and funding for supervised visitation centers is uncertain.[56] However, a range of community interventions, of which supervised visitation is only one, is necessary to enhance safety for victims and their children.[57]

Language Diversity

California is the most populous state in the nation. Its court system, with more than 8 million cases in 460 court locations, serves over 34 million people—12.5 percent of the total U.S. population.[58] California's courts are challenged with serving this huge and growing population, which is one of the most culturally and linguistically diverse in the United States. Recent immigrants—three-quarters of them are from Mexico or Asia—now constitute almost 26 percent of California's population, a proportion that exceeds that in any other state.[59] California residents speak 224 different languages and innumerable dialects.[60]

Access issues created by the state's diversity challenge service providers, most of whom have indicated that they do not have the multilingual capacity to serve the diverse populations. The precise needs of projects remain poorly understood. According to

participant data from Access to Visitation Grant recipient quarterly reports (which contain demographic information), clients who use supervised visitation roughly mirror the demographics of the counties in which they reside: 56 percent of clients are Caucasian; 23 percent are Hispanics; and Native Americans, African Americans, and Asian Americans each constitute less than 5 percent of the total population served. However, more systematic information on the language and cultural diversity of the families served by the Access to Visitation Grant Program is needed.[61]

"For parent education programs in our court, more funding would mean that all residents of the county would have equal access to such classes and some residents of the county would not have to bear an heavier burden regarding transportation arrangements, costs, and child care in order to attend."

Family Court Service 200

Geographic Diversity

In addition to access issues created by the state's diversity, inadequate funding has made it difficult for courts and communities to offer geographically accessible visitation sites for many families. Although services may exist in a community, in many jurisdictions the greatest obstacle to services for families is simply getting themselves to where the services are.

With the support of federal funding, programs for supervised visitation and exchange, parent education, and group counseling are now available in approximately 36 of the 58 counties in California.[62] Nevertheless, safe, secure, efficient services provided by highly skilled, trained professionals still do not exist in numerous counties. In particular, poor urban neighborhoods and families in rural counties are underserved.

Rural counties. According to the California Association of Counties, 22 of California's 58 counties are identified as "rural."[63] Only seven of these rural counties are able to offer even limited supervised visitation and parent education services. Most rural counties have few or no defined metropolitan areas where there is easy access to multiple services. Great distances separate towns from each other, and isolated residences from towns. Public transportation is limited, particularly outside city limits.

Despite these obstacles, rural court programs have been very innovative in developing ways of serving needy families that include offering families (even if on a limited basis) bus subsidies, transportation tickets, and gas vouchers. These measures have helped alleviate anxiety and hesitation for families who waver about or put off visitation contact with their children or attendance at scheduled parent education workshops.

"Lack of funding for staffing to provide sufficient services to meet the community need has been a major barrier. With additional funding, we estimate that the number of families we could serve would have increased by at least 50 percent—twice the number of families we did serve."

Family Court Service 200

Urban counties. Large, urban counties face their own geographic challenges. The size of court jurisdictions such as Los Angeles, Orange, and San Diego Counties and their neighboring counties and the distance between them make regional collaboration difficult and not very cost-effective, since it would deplete financial resources that are already inadequate. For example, the local court program in San Mateo County, which stretches from San Francisco to Santa Clara, serves a population base of over 700,000 people. However, these large, populous counties do conduct cross-jurisdictional collaboration trainings and information exchanges on techniques to improve the delivery of services to families. Geographic challenges remain, including the parents' ability to pay for child care for children while traveling back and forth, due to the lack of ample program staffing and funding.

Transportation is only one of a variety of issues that create formidable challenges for both rural and urban families trying to access court-ordered services. Language barriers, along with the absence of centrally located service sites, facility space for visitation services, additional subsidies to assist families with financial difficulties and transportation issues, and funding for adequate staffing, continue to have significant impacts on the parents and children seeking Access to Visitation Grant services.

Reduced Access to Services

Children's safety is compromised. When safe visitation options are not available for the parents, children may be allowed to spend "unsupervised" time with a parent and be placed at risk of further harm, or informal visitation arrangements may be made using "nonprofessional" providers (i.e., family member or friends), who most often are untrained and unskilled. The use of such "nonprofessional" providers for cases involving domestic violence, child abuse, or sexual abuse may compromise the safety of victims and children because these providers lack certain skills and expertise that are essential for these specialized cases.

Waiting lists. Many of the Access to Visitation programs have waiting lists for families who will receive services. In some counties the waiting time varies from one day to three weeks for regular supervised visitation services and from one day to eight weeks for therapeutic and supportive visitation services. In other jurisdictions, programs monitor capacity and let the court know

how many *new* families the program can accommodate. There are many times when no new families can be accommodated. One county program indicated that its judge could have referred more families if more program space had been available. In another locale the average waiting time for a family to receive grant-based services (i.e., sliding-scale or no fees because of grant subsidies) is three to six weeks.

In most jurisdictions, programs have constraints on the number of clients they can serve and the amount of visitation time they can offer clients. The difficulty for these programs is whether to discontinue services prematurely due to inadequate time—which does an injustice to both the child and the parents—or schedule less visitation time per family in order to divide up services more equitably among "all" families. When program demand for services expands and the need for financial assistance increases, programs are put in the delicate position of choosing whether to help more clients financially without an increase in grant money or inform families who need support that they will have to decrease or stop visitations or seek other (less favorable) options, if the court order permits.

In the interim, families who are unable to access "immediate" court-ordered services can alternatively: (1) wait until an opening arises at the visitation or parent education agency; (2) convert to a fee-for-service visitation client, with costs depending on income level; or (3) have no contact because the court may not order supervised visitation or exchange services if either there is a risk of harm or a "professional provider" is not available. In most jurisdictions there are no private providers to help meet the demand for services.

Affordability. The number of low-income children in California increased by almost 1.6 million in 2001, from 2.77 million to 4.36 million.[64] At the beginning of 2001, 1 in 6 poor children in the United States lived in California, compared to about 1 in 10 two decades before.[65] The number of California's children in poverty increased by 850,000 in 2001, from 1.27 million to 2.12 million.[66]

Additionally, immigration has had a major influence on the changing demographic profile of California's poor and low-income families.[67] Some 46 percent of *all* children in California are immigrants (the majority within this group being Hispanic), and nearly 60 percent of the *poor* children in California are

immigrants.[68] This demographic profile of California's poor and low-income families highlights the necessity of delivering "affordable" and cost-effective services to the parents and children who need them.

"The provision of reasonable priced or sliding-scale supervision for visitation and exchanges is essential to the orderly process of healing a family from domestic violence, going homes conflict, substance abuse problems, and other severe parental mental health issues."

Local Family Law Bar
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The general policy of the grant programs is to make a minimum level of services available to all families regardless of the ability to pay. Under the grant program, the family law division of the superior court in each county must approve sliding-scale fees that are based on the ability of families, including low-income families, to pay.[69] While the large majority of grant clients have low or extremely low incomes, access to services, even on a sliding scale, grows increasingly difficult given the economic realties of parents living in California. The unemployment rate in California is 6.7 percent,[70] and approximately 14.2 percent of persons in the state live in poverty.[71] Even if there were enough private providers to furnish all the needed visitation and parent education services, poor families would not be able to afford the prohibitive fees ($30 to $80 per hour).

The poverty rate—with all its implications for health care, housing, education, child care, and social services—is one of the nation's most important measures of child well-being.[72] Socio-economically, clients receiving Access to Visitation Grant services in California tend to be in the low-income category, which is similar to clients served in other supervised visitation programs around the country.[73] Additional costs to these families would be a severe hardship and would only continue to inadvertently push families deeper into poverty. With so many families living at or below the poverty level, any cost to parents would be detrimental. Supplemental funding to help subsidize payment for these services would help ensure assistance for poor and low-income families.

The credibility of the program is reduced in the community, eroding overall effectiveness. The inability to fund Access to Visitation projects year round has made some judges and families skeptical about even using the grant services.

The following quotations from project staff illustrate the increasing demand for "more services" to meet the significant unmet needs of parents and their children:

Comments From 2002 Parent Education Workshop

"What I liked so much about this workshop was that the information was about kids and parenting and the other parent is now more open and is conversing with the kids."

"I wish we had more sessions for processing time."

"It is easier to talk with my children about the divorce and sharing time."

"I liked learning ways to listen better to my children. It helped me deal with how to not react to the other parent's actions."

"The workshop was too short, we need at least three more meetings."

If we experience a waiting list for supervised visitation we will be forced to go back to the prior common practice of having a relative supervise the visit, or no contact will occur between the child and the noncustodial parent until a time slot becomes available. If supervised exchange services become full capacity, which is anticipated within the next two months, we will have to go back to exchanges taking place at local restaurants. This is supposed to offer a partial sense of security but is not safe based on past experiences we have encountered, which precipitated the creation of the supervised visitation and exchange program. If our parenting classes become full, clients will have to wait until the next class becomes available, which could be a maximum of 8 weeks. What will these families do while waiting for services that may or may not become available?

Currently, we have 80 people signed up for our workshop that is set to begin in January 2003. Because it is our last funded workshop this year, we plan to continue adding groups to that workshop to serve all who apply up to the start date. Our wait accumulates at the rate of about 80 family members every three months. In April we will have a wait list of 80 and currently have no funds to conduct any spring workshop. Without match donations and fundraisers (which is not guaranteed) we would have a wait list over 300 by our next funded (fall) workshop.

Besides the wait list that will develop without additional funding, there will be many families on that list who because of the wait will never be able to attend. We also face the dire fact that when we have to turn away applicants it weakens our program as a whole. Our respected position in the community lowers, particularly within the professional community. When attorneys, therapists and judges have recommended their clients come to us, they expect us to be able to serve those clients' needs. We are a rural community and our program has an excellent reputation, so any inability to serve greatly damages us in our community.

Future Considerations—Next Steps

Statewide Needs Assessment

"I thank you for making this place a safe place to let my daughter see her father. It helps a lot. This is a good safe place."

Client, 2004

It is anticipated that the grant program will utilize data from the new state data collection and reporting system to assist it in making effective policy and practice recommendations to the courts and the Legislature. Whether conceptual problems or evaluative conclusions will result from the data is yet unclear. However, to determine which (or whether) public policies should be changed to promote access and visitation services for noncustodial parents and their children, the Access to Visitation project staff would like to conduct a statewide needs assessment during fiscal year 2004–2005. The goal is for the needs assessment to provide a systematic exploration of the way things are and the way they should be.[74]

The purpose of the needs assessment will be to:

- Provide a blueprint to help facilitate program growth and sustainability;
- Learn about the impact of the grant program on clients, court, and community;
- Determine which parts of the program are working, for whom, and under what conditions;
- Identify important priorities and trends that may affect future services; and
- Improve the overall quality of service delivery.

It is anticipated that this project will be a joint partnership with the Access to Visitation project staff and CFCC research staff. Conceivably, the survey will be distributed to all Access to Visitation Grant recipients and possibly other superior courts not funded by the grant program, in order to generate a statewide perspective on the program service areas.

Evaluation of Data Collection System

For fiscal years 2004–2005 and 2005–2006, the AOC's Access to Visitation Program staff and research staff will conduct an in-depth analysis of the program outcome measures to determine whether the grant program is increasing noncustodial parents' time with their children. This analysis will include an evaluation of the relationships between access services and payments of child support. In addition, staff will evaluate all of the variables not

I know the court made the right choi starting up a parenting class and having such good instructors who reall care about helping families succeed. I hop the parenting education class will continue beyond its pilot program. I am very honored to attend it and very proud to have learn so much. Thank you

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included in the federal report or the service hours report, including a review and analysis of the data collection forms.

It is anticipated that the data collection findings will provide up-to-date information on the efficiency and effectiveness of services provided under the Child Access and Visitation Grant. The information collected will be used to:

- Support ongoing funding;
- Improve the scope and quality of services provided by court and community collaborations;
- Measure the progress of the program; and
- Inform policymakers and local county courts about supervised visitation and exchange services, parent education, and group counseling services.

Effective Models of Practice

The services funded by Access to Visitation Grants are essential to the well-being of California's children and families. Since the inception of the grant program, court and community service providers have established high-quality service approaches and innovative practices. The sharing of "lessons learned" with other courts could assist in building greater program sustainability because courts could learn from each other, be evaluated across sites, and produce effective practices that could be disseminated on national, state, and local levels. The possibility of replicating effective models of practice in jurisdictions throughout the state where program services do not exist deserves the Legislature's consideration.

For fiscal years 2004–2005 and 2005–2006, the AOC's Access to Visitation staff would identify and evaluate effective practices regarding supervised visitation and parent education services and report to the Legislature and the Judicial Council on the "implications of implementing such programs statewide (where appropriate)—including the benefits of the programs and their potential impacts on judicial resources."[75]

Summary and Conclusion

Children's access to their parents is essential if we want children to grow up in a stable and healthy environment. The grant program is helping promote and support positive parenting and continuous

I participated in the parent education classes, and the instructors were engaging and the course materials and content were highly relevant. I believe that all families involved in separation and divorce could benefit from this counseling. I highly recommend this program for separated and divorced parents who truly want the best for their children."

Family Law Attorn
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efforts to meet the needs of children through healthy parent-and-child bonds. And yet the increasing scarcity of resources continues to create considerable obstacles to maintaining current service levels and meeting the ever-increasing demand for services. The creation and implementation of stabilized funding would help ensure that much-needed services are widely available, accessible, and affordable for California families.

The AOC's Access to Visitation Program staff will continue to work 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 to assess the effectiveness of the grant program while ensuring the health, safety, and welfare of children.

Endnotes

[1] Child Trends, *Charting Parenthood: A Statistical Portrait of Fathers and Mothers in America* (2002).

[2] U.S. Department of Health and Human Services, Administration of Children and Families, press release (Oct. 3, 1997).

[3] U.S. Department of Health and Human Services, Administration of Children and Families, Office of Child Support Enforcement, State Access and Visitation Program Directors and Administrators: State Profiles Information, memorandum (June 13, 2001).

[4] Fam. Code, § 3204(a).

[5] Pub.L. No. 104-193 (Aug. 22, 1996), 110 Stat. 2258—also known as title III, subtitle I (Enhancing Responsibility and Opportunity for Nonresidential Parents), section 469b of the Social Security Act.

[6] Fam. Code, § 3204(b)(1).

[7] All supervised visitation and exchange programs funded under the grant must comply with all requirements of the Uniform Standards of Practice for Providers of Supervised Visitation set forth in section 26.2 of the California Standards of Judicial Administration.

[8] This statistic is based on the fiscal years 2002 and 2003 federal funding allocation by the U.S. Department of Health and Human Services, Office of Child Support Enforcement, for California's Access to Visitation Grant Program.

[9] Each year a total of approximately $187,000 is allocated to the AOC for administration of the grant program.

[10] The family law divisions of the superior courts must administer the programs, but program administrators are strongly encouraged to collaborate with other county courts, with one court acting as lead agency or administering court. Approval of the grant award(s) is to the applicant court—the superior court that submitted the grant application. The grant applications include proposals from single applicant courts and from multicounty court collaborations in which grant funds would be shared across jurisdictions.

[11] Child Trends, p. xii.

[12] Child Trends; T. Halle, "Family Structure" (summer 2004) *Child Trends Databank* <www.childtrendsdatabank.org /indicators/59FamilyStructure.cfm>.

[13] U.S. Department of Health and Human Services, "Promoting Responsible Fatherhood," fact sheet (Apr. 26, 2002).

[14] D. Pollack and S. Mason, "Mandatory Visitation: In the Best Interest of the Child" (Jan. 2004) 42(1) *Family Court Review* 74.

[15] Reuters, "Number of Children With Unmarried Parents Up" (Nov. 19, 1996),

<http://www.queerparents.org/unmarried.html>. This (citation) fact was one of many in the 1996 House Ways and Means Committee's annual "Green Book," a 1,441-page compilation of charts, tables, and text that gives a picture of the country and federal social programs.

[16] M. Parke, "Are Married Parents Really Better for Children? What Research Says About the Effects of Family Structure on Child Well-Being" (May 2003) *Couples and Marriage Research and Policy Brief* 4.

[17] Pollack and Mason, p. 75.

[18] Judicial Council of California, Administrative Office of the Courts, *California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents*, *Fiscal Years 2001–2002 and 2002–2003* (Feb. 2003) p. 4.

[19] Fam. Code, § 3204(a).

[20] 42 U.S.C. § 669b.

[21] This statistic is based on the fiscal years 2002 and 2003 federal funding allocation by the Department of Health and Human Services, Office of Child Support Enforcement, for California's Access to Visitation Grant Program.

[22] Judicial Council, AOC (Feb. 2003) p. 5.

[23] *Id.* at p. 6.

[24] Fam. Code, § 3202(a).

[25] See note 3.

[26] Fam. Code, § 3203.

[27] Fam. Code, § 3204(d).

[28] Welfare Information Network, (Oct. 1999) 3(8) *Resources for Welfare Decisions* <www.financeprojectinfo.org/Publications /heidiresourceoct.htm>.

[29] W. H. Horn and T. Sylvester, *Father Facts*, 4th ed., "Top Ten Father Facts" (National Fatherhood Initiative, 1994–2002) p. 1 <www.fatherhood.org/fatherfacts/topten.htm>.

[30] *Ibid.*

[31] "Research Notes" at p. 2.

[32] Id., "Top Ten Father Facts", at p. 1.

[33] Welfare Information Network (Oct. 1999) 3(8) *Resources for Welfare Decisions*, <www.financeprojectinfo.org/Publications /heidiresourceoct.htm>.

[34] M. S. Maxwell and K. Oehme, commissioned by Violence Against Women Online Resources, S*trategies to Improve Supervised Visitation Services in Domestic Violence Cases* (Oct. 2001) p. 1.

[35] Judicial Council of California, Administrative Office of the Courts, *California's Access to Visitation Grant Program for Enhancing Responsibility and Opportunity for Nonresidential Parents*, *The First Five Years* (March 2002) p. 8.

[36] Fam. Code, § 3204(a).

[37] Judicial Council, AOC (Feb. 2003) p. 9.

[38] Every grant recipient is required to submit a funding development plan to ensure program sustainability in the absence of continued federal grant funds.

[39] Under the RFP grant application, *existing programs* were courts or programs that received funding from the Access to Visitation Grant Program for fiscal year 2002–2003. An existing program must propose the same administration and operation it had in fiscal year 2002–2003 to keep its "existing program" status. A grant recipient who makes changes in any component of program service delivery (such as adding a new priority service area or a new county/court collaboration partner) is considered a new program.

[40] A *new program* was defined as a court program that had never received funding from the Access to Visitation Grant Program or a previously defunded program. Multicourt collaborations that broke up, formed new court/county collaborations, or added new program services were considered new programs.

[41] The program manager anticipates reviewing the spending patterns of the court and subcontractors for expenditures reimbursable under the grant. Grant recipients will receive a midyear reallocation questionnaire each fiscal year to assist in evaluating and projecting the program's funding needs and to determine whether courts will use their full allocations. The ability of the AOC to allocate additional funds depends on the court's spending pattern and the return of funds by counties and collaboratives that do not anticipate using their full allocations.

[42] The $45,000 and $60,000 funding cap was modeled after the AOC's CASA grant program, and the $100,000 cap was consistent with the approximate amount of total funds received and spent in previous years by grant recipients.

[43] See note 9.

[44] Fam. Code, § 3204(b)(2).

[45] Fam. Code, § 3204(b)(3).

[46] Meritorious ranking of proposals is one criterion for funding recommendations but does not guarantee that any proposal will be fully funded. The SRC values and principles committee tried to ensure that the proposed recommendations for funding considered these values and principles when evaluating a grant application as a whole compared with other grant applications, but no points were allocated to any grant application for any value or principle.

[47] 45 C.F.R. § 303.

[48] U.S. Department of Health and Human Services, Administration of Children and Families, Office of Child Support Enforcement, Revised Research Plan for Task Order 27: An Evaluation of Participant Outcomes Access & Visitation Program and Family Court-Child Support Data Exchange Pilot, memorandum (Feb. 20, 2003).

[49] Judicial Council, AOC (March 2002) p. 14.

[50] *Ibid.*
[51] M. S. Maxwell and K. Oehme, commissioned by Violence Against Women Online Resources, S*trategies to Improve Supervised Visitation Services in Domestic Violence Cases* (Oct. 2001) p. 1.
[52] A. Bugarin, *The Prevalence of Domestic Violence in California*, (California Research Bureau, Nov. 2002) p. 5.
[53] *Ibid.*
[54] Office of the California Attorney General, "Domestic Violence–Related Calls for Assistance Per Year," 2002, *Key Facts at a Glance*, <http://www.caag.state.ca.us/cjsc>.
[55] Administrative Office of the Courts, Center for Families, Children & the Courts, Statewide Uniform Statistical Reporting System (SUSRS), *1999 Client Baseline Study.*
[56] M. Sherran and S. Hampton, "*Supervised Visitation in Cases of Domestic Violence*" (spring 1999), *Juvenile and Family Court Journal*, 18.
[57] *Id.* at p. 19.
[58] Judicial Council, *2002 Annual Report*, p. 16.
[59] *Id.* at p. 10.
[60] *Ibid.*
[61] A major impetus for the development of the new state data collection system was to gather a more accurate profile of the families being served under the grant program. It is our hope that the statistical data information will substantially enrich our understanding of the needs of underserved families, as well as contribute important information on whether parents are able to receive services in English; whether services are being provided in the language the parents are most comfortable speaking; individual income; and whether coming to an agency program raises any concerns for the parents about their safety or their children's safety.
[62] Judicial Council, AOC (Feb. 2003) p. 13.
[63] The definition of "rural" is based on geographic factors, population density, and historical perspective.
[64] J. S. Palmer, Y. Song, and Hsien-Hen Lu, *The Changing Face of Child Poverty in California*, National Center for Children in Poverty, State Child Poverty Update (Aug. 2002) p. 1.
[65] *Ibid.*
[66] *Ibid.*
[67] *Ibid.*
[68] *Ibid.*
[69] Fam. Code, § 3204(c).
[70] State of California, Department of Finance, *California Employment Data, Unemployment Rate for California and U.S.*, (Jan. 2004). <http://www.dof.ca.gov/HTML/FS_DATA/LatestEconData/FS_Employment.htm>.
[71] U.S. Census Bureau, *State and County QuickFacts*, 2001 <http://quickfacts.census.gov/qfd/states/06000.html>.

[72] D. Joseph, *Poverty in the United States: 2000* (U.S. Census Bureau Current Population Reports, Internet Release 2000) p. 13-1.

[73] J. Pearson and N. Thoennes, "Supervised Visitation: A Portrait of Programs and Clients" (Dec. 1997).

[74] R. H. Rouda and M. E. Kusy, Jr., "Needs Assessment: The First Step" (1995) 1.

[75] Judicial Council of California, *Leading Justice Into the Future: Operational Plan for California's Judicial Branch, Fiscal Years 2003–2004 Through 2005–2006* (Dec. 5, 2003) p. 11.