

**Declaration of Nonprofessional Provider of Court Ordered
Supervised Child Visitation**

I, _____ declare under penalty of perjury that I meet all of the criteria listed below as a nonprofessional provider of court ordered child visitation as found in “Section 26.2 of the California Standards of Judicial Administration Uniform Standards of Practice for Providers of Supervised Visitation.”

1. 21 years of age or older.
2. Have no conviction for driving under the influence (DUI) within last 5 years.
3. Not have been on probation of parole for the last 10 years.
4. Have no record of conviction for child molestation, child abuse, or other crimes against a person.
5. Have proof of automobile insurance if transporting the child.
6. Have no civil, criminal, or juvenile restraining orders within the last 10 years.
7. Have no current or past court order in which the provider is the person being supervised.
8. Not be financially dependent upon the person being supervised.
9. Have no conflict of interest.
10. Agree to adhere to and enforce the court order regarding supervised visitation.

Print Name

Signature

Date

I, _____ agree to abide by and follow the standards listed below as found in “Section 26.2 of the California Standards of Judicial Administration Uniform Standards of Practice for Providers of Supervised Visitation.” I understand that I will be provided a copy of the court order.

Conflict of Interest – All providers should maintain a neutral role by refusing to discuss the merits of the case, or agree with or support one party over another. Any discussion between a provider and the parties should be for the purposes of arranging visitation and providing for the safety of the children. In order to avoid a conflict of interest, no provider should:

- (1) Be financially dependent on the person being supervised;
- (2) Be an employee of the person being supervised;
- (3) Be an employee of or affiliated with any superior or municipal court in the county in which the supervision is ordered unless specified in the employment contract;

Confidentiality – Communications between the parties and the providers of supervised visitation are not protected by any privilege of confidentiality.

Delineation of terms and conditions – The sole responsibility for enforcement of all the terms and conditions of any supervised visitation is the provider’s. The terms and conditions for any supervised visitation, unless otherwise ordered by the court, are as follows:

- (1) Monitor conditions to assure the safety and welfare of child;
- (2) Enforce the frequency and duration of the visits as ordered by the court;
- (3) Avoid any attempt to take sides with either party;
- (4) Ensure that all contact between the child and the noncustodial party is within the providers hearing and sight at all times, and that discussions are audible to the provider, unless a different order is issued by the court;
- (5) Speak in a language spoken by the child and noncustodial party;
- (6) Allow no derogatory comments about the parent, his or her family, caretaker, child, or child’s siblings;
- (7) Allow no discussion of the court case or possible future outcomes;
- (8) Allow no provider nor the child to be used to gather information about the other party or caretaker or to transmit documents, information, or personal possessions;
- (9) Allow no spanking, hitting, or threatening the child;

- (10) Allow no visits to occur while the visiting party appears to be under the influence of alcohol or illegal drugs;
- (11) Allow no emotional, verbal, physical, or sexual abuse; and
- (12) Ensure that the parties follow any additional rules set forth by the provider or the court.

Safety consideration for sexual abuse – In cases where there are allegations of sexual abuse, the following additional terms and conditions are applicable to all providers unless otherwise authorized by the court;

- (1) Allow no exchanges of gifts, money, or cards;
- (2) Allow no photographing, audio taping, or videotaping of the child;
- (3) Allow no physical contact with the child such as lap sitting, hair combing, stroking, hand holding, prolonged hugging, wrestling, tickling, horse playing, changing diapers, or accompanying the child to the bathroom;
- (4) Allow no whispering, passing notes, hand signals, or body signals; and
- (5) Allow no supervised visitation in the location where the alleged sexual abused occurred.

Legal responsibilities and obligations of a provider - All providers of supervised visitation have the following responsibilities and obligations:

- (1) Advise the parties before commencement of supervised visitation that no confidential privilege exists;
- (2) Report suspected child abuse to the appropriate agency, as provided by law, and inform the parties of the provider's obligation to make such reports.

Temporary suspension or termination of supervised visitation – All providers should make every reasonable effort to provide a safe visit for the child and the noncustodial party. However, if a provider determines that the rules of the visits have been violated, the child has become acutely distressed, or the safety of the child or the provider is at risk, the visit may be temporarily interrupted, rescheduled at a later date, or terminated.

All providers should advise both parties of the reasons for the interruption of a visit or termination.

Print Name

Signature

Date