

Basic and Best Practices in Ensuring Meaningful Family Time for Children in Care

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Georgia Supreme Court Committee on Justice for Children and National Council of Juvenile and Family Court Judges



MD CANI Part Three 2019

LEARNING OBJECTIVES



 Know the history of the Family Time Practice Guide
Understand the shift from "visitation" to "family time"
Address some of the challenges to implementation of meaningful family time
Discuss next steps



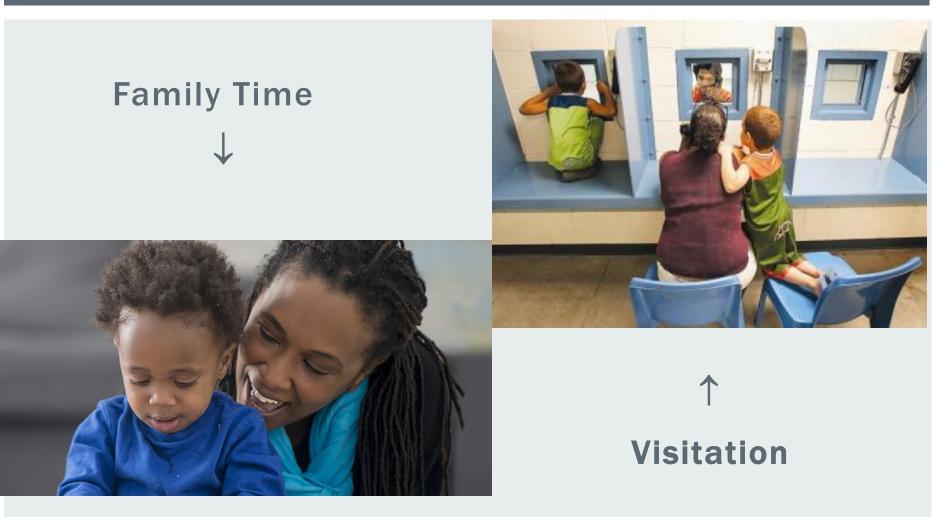
THE HISTORY OF THE FAMILY TIME PRACTICE GUIDE



August 8, 2019



WHY "FAMILY TIME"?



FAMILY TIME AND GEORGIA LAW

- A period of access...in order to maintain parental and familial involvement
- Reasonable...consistent with the age and
 - developmental needs
- Consistent with the child's best interest
- Specify frequency, duration and terms



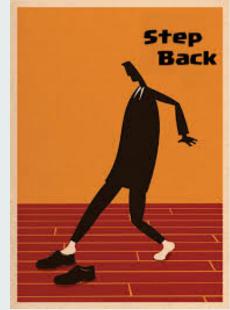
- Court review for appropriateness
 - where there is a lack of substantial progress

RELEVANT BEST INTEREST FACTORS

- Physical safety
- Love, affection, bonding and emotional ties to parent, siblings, etc.
- Child's need for stability and continuity of relationships with wide range of people
- Child's sense of attachments, including sense of security and familiarity, and continuity of affection for child
- Capacity and disposition of parent to care for child and give love, affection, and guidance
- Home environment
- Stability of family unit
- Mental and physical health of all individuals
- Child's background and ties, including familial, cultural, and religious
- Uniqueness of every family
- Child's wishes
- Family violence
- Recommendations of court-appointed evaluator or GAL August 8, 2019

PRESUMPTION FOR UNSUPERVISED VISITATION

- * "There shall be a presumption that visitation shall be unsupervised unless the court finds that unsupervised visitation is not in a child's best interests." O.C.G.A. Section 15-11-12(B)
- Is that really happening?
- * If not, why not?
- What factors should we consider
 - requiring supervision?
- ✤Make it a process.
- Begin with unsupervised and walk it back one step at a time from the least restrictive to the most restrictive.



FREQUENCY AND DURATION

Presum	ntive	Fami	lv Time
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Age	Presumptive Family Time Frequency and Duration	
Birth to 3 years	1 ½ to 2 hours three times per week	
3 years to 12 years	2 or more hours at least two times per week	
12 years to 18 years	1 or more hours one or two times per week, with consideration for the youth's scheduled activities	

COMMON CHALLENGES TO FAMILY TIME

- Parental drug use
- Failure to comply with case plan or rules in treatment
- Pattern of missed family
 - time
- **Out-of-county placement**
- Transportation
- Bias, fear, laziness?
- Others?



INCARCERATED PARENTS FLIP THE SCRIPT

Why can't incarcerated parents visit with their children?



"Why can't children visit with their incarcerated parents?

INCARCERATED PARENTS

•We need to move...

from here... \rightarrow

to here...



to here. \rightarrow





NEXT STEPS

What are your next steps?

How do we implement state-wide?

What are your next steps locally?





