



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

**Judge R. Michael Key and  
Dr. Priscilla Faulkner**

**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

2  
0  
0  
4





# WHY “FAMILY TIME”?

Family Time



Visitation

# 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

# 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

## Presumptive Family Time

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... →  
to here...



to here. →



# NEXT STEPS

## What are your next steps?

- ❖ How do we implement state-wide?
- ❖ What are your next steps locally?



# QUESTIONS

