



# **MULTI-DISCIPLINARY CHILD ABUSE & NEGLECT INSTITUTE**

## **The Family Time Practice Guide: Introduction and Challenges to Implementation**

**Judge R. Michael Key**

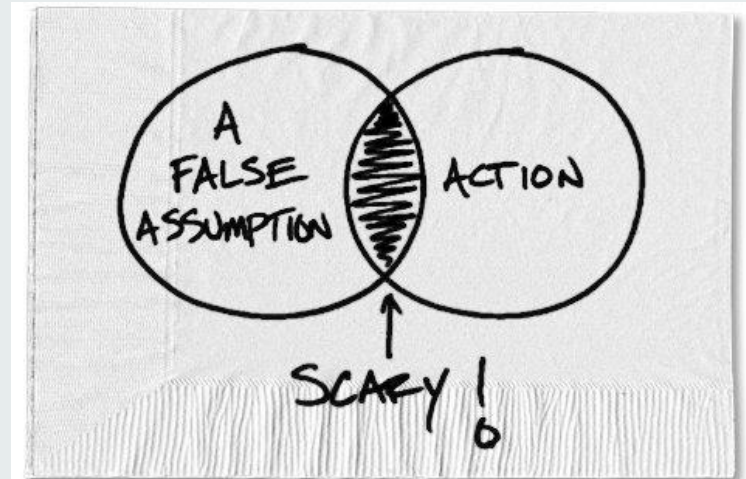
**National Council of Juvenile and Family Court Judges and  
Georgia Supreme Court Committee on Justice for Children**



**Georgia,  
2020**

# ASSUMPTIONS

- ❖ Everyone agrees with the importance of meaningful family time for children in care
- ❖ Everyone understands the difference in “visitation” and “family time”
- ❖ Everyone wants to provide the most and highest quality family time possible
- ❖ Family time is healthy for most children in care
- ❖ Family time is healthy for most children of incarcerated parents



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# LEARNING OBJECTIVES

- ❖ Know the history of the Family Time Practice Guide
- ❖ Identify some of the challenges to implementation of the Family Time Practice Guide
- ❖ Learn ways to overcome some of the challenges to implementation of Family Time Practice Guide



# THE HISTORY OF THE FAMILY TIME PRACTICE GUIDE



January 23, 2020

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# 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

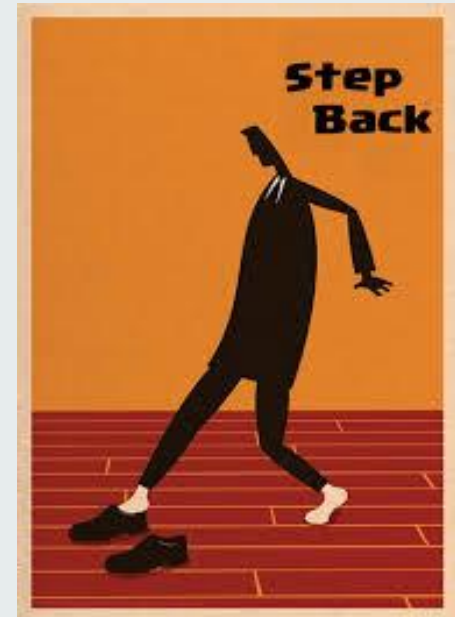


# RELEVANT BEST INTEREST FACTORS

- ❖ 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 UNDER THE FAMILY TIME PRACTICE GUIDE

## 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



# FREQUENCY AND DURATION UNDER DFCS POLICY

## Minimum Family Time Unless the Court Specifies Another Visitation Arrangement

Age	Family Time Frequency
Birth to 2 years	Not less than two times per week
3 years to 5 years	Not less than one time per week
All children	Not less than once every other week

# 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. →



# FAMILY TIME AT THE TROUP COUNTY JAIL

- Initially just one hour once a week on Tuesdays
- Initially no more than five families
- Initially just children in foster care
- Facilitated by parent aide
- Family friendly room
- Parent unshackled
- Deputy in the room as innocuous as possible
- Appropriate toys, books, etc.



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# FAMILY REUNIFICATION ROOM



# NEXT STEPS

## What are your next steps?

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



# QUESTIONS

