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Assemblymember Bauer-Kahan's Bill to Protect Children Caught in Custody Battles From Predators Is Sent to Governor

AB 1165 seeks to make comprehensive criminal background checks mandatory for all individuals who work as paid visitation monitors for family visitations

Sacramento, CA – Today, Assembly Bill 1165 by Assemblymember Bauer-Kahan (D-Orinda) was voted off the Assembly floor and sent to Governor Gavin Newsom for his consideration. AB 1165 protects children of families who are going through court-monitored custody proceedings. AB 1165 mandates background checks and in-person training of individuals who act as paid monitors during these court-ordered visits.

"I was appalled to learn that individuals who are paid visitation monitors do not go through any criminal background checks whatsoever" said Bauer-Kahan. "I go through a more stringent background check to go on a school field trip with my children than these individuals who are tasked with monitoring children, often alone, during custody visits."

When courts are involved in custody cases, judges often order a monitor to be present for parental visits or for transferring children from one parent to the other, for a variety of reasons. For example, a parent may have struggled with substance abuse or other behavioral issues and the court has determined he/she is unfit to have solo visitation sessions. However, the industry of these paid monitors is completely unregulated. Many advertise their services online and parents have no way of knowing if monitors have gone through a thorough vetting, because

current law only requires that these paid visitation monitors fill out a declaration stating they have undergone training and have not been convicted of certain crimes (i.e. child molestation, child abuse). This is strictly self-attesting and there is no standard as to whether the form must be submitted to the parents, courts or otherwise.

AB 1165 will put in place new requirements for paid visitation monitors designed to keep our children safer, including criminal background checks using the LiveScan database. It will also require a training course for the monitors, and dictate that 12 of the required 24 hours of training be in-classroom training.

“This Assembly vote put us one step closer to ensuring our kids are safe in the hands of the people charged with watching over them.” said Jennifer Moores, Founder of Change for Justice which sponsored the legislation. “Change for Justice is thrilled to be supporting the Governor’s focus on children, and putting their health and safety as a top priority.”

AB 1165 has received bi-partisan support in both houses and passed the Assembly floor 77 to 0.

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