



## **CHANGE FOR JUSTICE**

### **Professional Visitation Monitors 101**

Professional visitation monitors are often ordered in divorce cases across California to ensure the health and safety of children while they maintain contact with one or both of their parents. Unfortunately, the monitors who are charged with the health and safety of the children in their care often do not have proper training and background checks to make sure they are not adding to the danger of the children. It is important to note that professional monitors have greater requirements for their qualifications over someone who volunteers for the job.

Professional visitation monitors may be court ordered to be present during parent visitation when there is:

- (1) A threat of physical, sexual or mental abuse
- (2) A history of drug or alcohol use
- (3) A threat of parental kidnapping
- (4) A parent who has been convicted of a crime
- (5) A parent who has threatened suicide

### **Educational Requirements For Professional Monitors**

The requirements for paid visitation monitors are spelled out in Family Code section 3200 and Standard 5.20 of the Uniform Standards of Practice for Providers of Supervised Visitation. Professional monitors are not required to have a high school diploma or a background check typically required by other workers or volunteers who are charged with the care and safety of children.

Must be 21 years old or older

- 1) Have no record of DUI within the last 5 years
- 2) Have not been on parole or probation for the past 10 years
- 3) Have no record of a conviction for child molestation, child abuse or other crimes against a person
- 4) Have proof of automobile insurance if transporting the children
- 5) Have no civil, criminal or juvenile restraining orders within the last decade
- 6) No current or past court order with the person being supervised

- 7) Able to speak the language of the person being supervised and the child (or provide an interpreter over the age of 18)
- 8) Adhere to and enforce court orders related to the supervised visitation
- 9) Attend 24 hours of training (can be completed working with a current professional monitor or online)

### **Limited Training**

Professional monitor candidate are required to have 24 hours of training with a professional monitor, online or in the classroom. The instructors are mandated to cover 11 subject areas in anyway they see fit. There are no requirements that the instructor have any working knowledge of the material they are teaching or that the material they teach is correct or timely. The candidates are not required to be tested on the material, or demonstrate any working knowledge of the material that was covered. The certificate given to candidates at the end of the instruction is only considered proof that the monitor candidate attended the training. Once the professional monitors receive their certificate of attendance no continuing education is required.

### **No Background Checks**

Unlike other providers who deal with children such as daycare workers, professional monitors are not required to submit to a background check or be listed on a registry showing they meet the qualifications spelled out in the standards of practice.

### **No Oversight**

Once a professional monitor receives their certificate of attendance there is no oversight to see if they are convicted of any criminal activity even crimes against children such as molestation or abuse. Most courts do not provide a direct avenue for complaints regarding the actions of the provider and no avenue for those complaints to be reviewed and acted upon.

### **No Rating System**

Most counties include a list of professional monitors on their court websites. Providers are included on the list regardless of the number of complaints or lawsuits filed against them for their performance. The court sites specifically indicate the courts do not endorse, evaluate, supervise or monitor the programs.