



JUDICIAL COUNCIL OF CALIFORNIA

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MEMORANDUM

Date

June 9, 2020

Action Requested

Please review

To

Access to Visitation Grant Recipients

Deadline

N/A

From

Shelly La Botte, California Access to
Visitation Grant Program Coordinator

Contact

Shelly La Botte, Access to Visitation Grant
Program Coordinator

Center for Families, Children & the Courts

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Subject

Access to Visitation Grant—Continuing and
Reopening Programs During COVID-19 and
Future 2020 Standard 5.20 and Family Code
Section 3200.5 Trainings

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DISCLAIMER: The information shared in this memorandum is not legal advice. Decisions on how and if to provide services needs to be made by each individual and agency pursuant to local city, county, state, and the Center for Disease Control (CDC) guidelines on COVID-19. Information about the evolving health situation is available at the CDC website, click [here](#) and the California Department of Public Health website, click [here](#). Additionally, providers should check their local courts website and talk to their court contacts for information on COVID-19 regarding court operations. The authority to adjust or suspend court operations rests with local court leadership, considering local health authority guidelines. To visit your local court website, click [here](#).

Stay Up to Date

- For court updates, see the California Judicial Branch Self Help Site, click [here](#).
- For information on COVID-19 symptoms and risks, click [here](#).
- For information about social distancing guidelines, click [here](#).
- For information on testing and treatment of COVID-19, click [here](#).
- For free printing resources (e.g., posters, signage, hand washing, etc.), click [here](#)
- If a parent has legal questions or need help finding a lawyer, click [here](#) for

The World Health Organization, the United States Centers for Disease Control and Prevention (CDC), and the State of California recognized that the world, country, and state face a life-threatening pandemic caused by the COVID-19 virus. In response to the spread of COVID-19, Governor Newsom on March 4, 2020, declared a state of emergency in California. Beginning on March 16, 2020, California counties began issuing shelter-in-place or stay-at-home orders. As such, many providers of supervised visitation and exchange services statewide—supervised visitation agencies / centers and private independent providers—for the most part stopped all in-person supervised visitation sessions as set forth under state directive orders to “stay-at-home” or “shelter-in-place” and/or based upon other local, state, and/or county directives. In April 2020, various supervised visitation agencies / centers and private independent providers undertook an assessment regarding whether and how to transition visitation services to using remote technology.

Because every local jurisdiction and court responses to COVID-19 varies, we remind you that we are unable to provide specific guidance or advice for every situation. The CDC, the California Department of Public Health, and local county health departments have recommended increasingly stringent social distancing measures of at least six feet between people and encouraged vulnerable individuals to avoid public spaces. Accordingly, each agency and professional provider needs to make their own decision on the provision of services pursuant to CDC guidelines and their own local city and county directives. We understand that each provider and agency have different challenges regarding how to craft the best protections to maintain safeguards and to protect the health of staff and families when and/or if programs are considering reopening services given the changing landscape of COVID-19.

Resuming Services During COVID-19

Most grant recipient programs, and statewide providers of supervised visitation and exchange services are considering how program operations and onsite visitation services may resume in the context of safety under COVID-19. Based on the impact of the pandemic’s financial and operational challenges posed by COVID-19, programs may consider using a hybrid approach for resuming Access to Visitation (AV) services. This should include continuation and/or expansion of virtual visitation services for some families, and for other families deciding whether, when, and how to transition in a limited manner to onsite service delivery under guidance set forth by state and local public health directives.

Programs are strongly encouraged when continuing and reopening programs in the midst of COVID-19, that guidelines protect the health, safety, and wellbeing of users if allowing onsite visitation to resume. In addition, providers are strongly encouraged to develop an operations continuity plan to support the continuity of service delivery during the likely resurgence of [COVID-19](#). Planning considerations in reconstituting operations during a pandemic must include institution of a clear set of concrete measures to help blunt the impact of COVID. Determine how plans, policies, and practices may need to be adaptable to safeguard staff and families during reopening and follow appropriate state and local COVID-19 health and safety directives and recommended [mitigation](#) measures. For instance, this may include but is not limited to:

1. Maintain and protect the health and safety of all front and center including:
 - Information about [coronavirus symptoms and risks](#);
 - Information about [social distancing guidelines](#); and
 - Information about [testing and treatment of COVID-19](#).
2. Ensure measured responsible decision making based on the best reliable and available data and public health expertise.
3. Consider a time-phased approach in order to adequately prepare for revised program operations and re-opening strategies and guidelines.
4. Provide effective communication that is ongoing, reliable, and consistent.
5. Use a [trauma-informed approach](#) when resuming service delivery; and
6. Institute safety protocols and practices consistent with public health directives.

Enclosed is a document developed by the Florida Clearinghouse on Supervised Visitation at the Institute for Family Violence Studies, College of Social Work, Florida State titled, “*Advice from the Clearinghouse on Supervised Visitation*” that may assist programs in developing strategies if allowing in-person supervised visitation and exchange services. Additionally, enclosed is an AV handout on *Considerations for Continuing and Reopening Programs* during the pandemic.

2020 Standard 5.20 and Family Code section 3200.5 Trainings and COVID-19

Effective January 1, 2020, Family Code section 3200.5(e)(10)(A) provided that the professional provider of supervised visitation must “complete 24 hours of training prior to providing visitation services, including at least 12 hours of classroom instruction in the following subjects...” Given the COVID-19 pandemic, the Judicial Council, Operations and Programs Division, Center for Families, Children & the Courts immediately suspended all in-person trainings and meetings. In addition, because of the continued safety risks posed by COVID-19, Judicial Council program staff has been advised to plan for converting in-person trainings to a remote platform for the remainder of fiscal year 2020.

Additionally, questions have been raised regarding the 12-hours training requirement under the statute. Judicial Council program staff has determined that—during the COVID-19 pandemic period—the “12-hours of classroom instruction” will be applied broadly to the Standard 5.20 – Family Code section 3200.5 trainings. The 2020 Standard 5.20 and Family Code section 3200.5 trainings will be provided and converted to live classroom instruction using Web Ex and/or another appropriate application/s. This is not an online training, as generally, an online training allows the individual to self-pace and customize the training to suit an individual’s specific learning needs. Furthermore, consistent with the underlying intent behind AB 1634 and AB 1165, online completion of the Standard 5.20 and FC section 3200.5 training for professional providers has not been recommended.

Moreover, Judicial Council program staff is working to convert the Standard 5.20 training curricula content to the appropriate method for classroom instruction, and so future 2020 dates for the training will be sent when finalized. Please note that the Standard 5.20/ FC section 3200.5 trainings will be offered on a regional basis for professional providers (e.g., those participants that registered for Sacramento, Orange, Solvang, or other county locations for 2020), and grant

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recipients will enroll in the training designed for AV grantees. Exceptions will apply, as applicable. In addition, we understand due to demand and capacity, we will schedule the classroom instruction trainings more frequently before the end of the fiscal year. Finally, if there any new staff that need immediate training, please contact me as soon as possible.

Likewise, under the COVID-19 period, Access to Visitation Grant recipients are permitted to have lead, experienced subject matter expert staff, done in consultation with the AV Program Manager, to provide approved in-house training for staff seeking compliance with Standard 5.20 requirements. **The training agenda must be approved by the Judicial Council AV program manager.** In addition, as required under the contract agreement, post the COVID-19 period, new staff will be required to complete the in-person Standard 5.20 and FC section 3200.5 training provided by the Judicial Council and/or CASVSP, or other partnering or approved entity.

While the state begins to relax and ease restrictions on shelter-in-place and stay-at-home orders, please stay safe and stay ready and prepared to ensure workplace safety if resuming AV services as part of your reopening.

Thank you for the work that you do in keeping California families safe.

If you have any questions or need additional information, feel free to contact Shelly La Botte, Access to Visitation Grant Program Coordinator at 916-643-7065 or email to shelly.labotte@jud.ca.gov.