

Making the Most of Visitation

Under current Texas law, CPS must arrange for you to visit with your child no later than five days after CPS is granted TMC. CPS should work with you to create a visitation schedule. **This right can be limited if the court or the DFPS does not think it is in your child’s best interest to visit with you or if allowing visitation conflicts with another court order, such as a protective order.**

A judge can order visitation to be either supervised or unsupervised and order other limits as needed. For example, the judge may order where the visits will occur, who will supervise, or who may be there during them. The rules about visitation should always take into account what is in your child’s best interest at that time. Please see Appendix E on Page 158 to familiarize yourself with documents CPS uses to describe the different stages of visitation, what a visitation plan should look like, when visitation is not authorized, and what CPS documents when it supervises or observes visitation between you and your child.

The right to visit with your child will be one of the most important rights you have during a CPS case. Not only will visits allow you to keep in contact with your children, something that is probably very important emotionally both to you and your child during this difficult separation, but it also gives you the opportunity to show CPS how well you can parent and why the court should allow your children to come home.

The rest of this section describes visitation and offers tips for how to make visitation during a CPS case as meaningful and successful as possible.

Is My Visitation “Supervised” or “Unsupervised”?

When a visit is **supervised**, it means that someone will be watching while you and your child spend time together. Because there are concerns about child safety, CPS wants to make sure that your child is safe during the visit. If you do or say anything that makes the CPS worker feel your child is not safe, she will step in and talk to you about it or end the visit.

In most cases, your first visits will be supervised by a CPS caseworker. Later in your case, the court may allow a family member or a friend to supervise. If visitation goes well for a long time and you have shown that your child can be with you safely, the judge or CPS may decide that visits can be unsupervised.

When a visit is **unsupervised**, it means that you can be alone with your child without anyone watching. This takes time and it is important to be patient and not expect to get unsupervised visits right away or even within the first few months.

What Will Supervised Visitation Be Like?

How CPS handles supervised visits can differ, depending on where you live. Most supervised visits take place at a CPS office. Your child's foster parents or the relative caring for your child will bring your child; you will need to get yourself to the visit. You and your child will be given a special room for the visit. There will usually be a table and chairs or a sofa and there will usually be toys and games in the room. Most rooms have a one-way mirror that a CPS worker will use to watch the visit, although sometimes the CPS worker may be in the room with you.

Your CPS caseworker may be the person supervising the visit or, if she is not available, another CPS employee can supervise. Most of the time, there is no need to talk with the supervisor while you are with your child. But, if there is an emergency or if your child gets very upset or starts acting out and you do not know how to handle the situation, you can always ask the visit supervisor for help. You should also always tell the visit supervisor if you or your child needs to leave the room to use the bathroom or for any other reason.

If you have been accused of physically or sexually abusing your child, there may be limits on how much you can touch your child. Make sure you know these limits before the visit starts! Otherwise, you should feel free to be affectionate with your child the way you normally would.

Sometimes, other people may also want to observe your visit. Your child's CASA worker or your child's lawyer may want to watch how you interact with your child so that they can make better decisions about what to recommend in court. You may not always know when these other people are watching, so always act appropriately!

Most of the time, it is OK to bring snacks, toys, and games with you to a visit. In fact, you **SHOULD** bring these things if you can! However, it is smart to check with your caseworker first.

During the visit, you are completely responsible for your child's needs. This means that if your child is a baby, you should make sure she is fed and that her diaper is changed and you should come prepared with food, if approved by CPS, and diapers, etc. If your children are older, you should make sure that no one gets hurt and that they are not fighting.

Give your child your full attention during every visit! Remember, people are watching how you interact with your child. If you are talking or texting on your cell phone or wearing head phones, it looks like you are not paying attention to your child.

Stay Positive!

Supervised visits can be hard! You may feel like you are being punished, and you might be tempted to complain about the situation to your child or say certain things because you know the CPS worker is watching. Stop and think before you say anything negative and remember that your goal is to get your child home. Stay positive and calm at all times!



IMPORTANT

Check in with your caseworker!

Be on time!

Attend every visit!

Why Is Visitation So Important?

The biggest reason is so that your child can see you! There is no doubt that you and your child miss each other and it is important to spend as much time together as possible. It can be hard to handle the emotions that go along with visiting your child, but it is very important to show your child that you want to see her. It is also important for your child to feel like she can trust you to always show up. Children feel safer and more loved when there is a routine that they can count on.

The other big reason is that visitation gives CPS an opportunity to watch how you interact with your child. Your CPS caseworker's observations can have a **BIG IMPACT** on your case! Everything you do during visits – both good and bad – can be reported to the judge. For this reason, you should take every visit seriously.

Remember that visitation can help your case!

VISITATION CAN HELP YOU TO BECOME A BETTER PARENT. CPS will be watching you and your child interact. Your CPS worker may give you feedback after a visit, saying what you did well and what you could do differently. On the other hand, some CPS workers may not talk to you about the visits at all. If this is your situation, ASK your caseworker how the visit went and at your next visit try to make the suggested changes. If you are not sure how to make the changes, ask your caseworker, your lawyer, or your therapist for help. No one is a perfect parent - – everyone can benefit from learning new skills!

VISITATION CAN SHOW CPS THAT YOU ARE WORKING YOUR SERVICES AND MAKING THE CHANGES NEEDED TO HELP YOU BECOME A SAFER PARENT. If visits go well, your caseworker may recommend that a family member be allowed to start supervising visitation instead of CPS; these visits will be more relaxed and can take place at fun places like a park or a restaurant or even your home.

On the other hand, if visits do not go well, you can also end up with fewer or even no visits! This can happen if you miss visits, if you act inappropriately around your children or attend a visit after drinking alcohol or using drugs, or if you don't pay any attention to your children during the visits. Don't let this happen to you!

Before Your Visit

Confirm the visit. Most CPS caseworkers want you to call the day before to confirm that you will attend. It is VERY important that you make that phone call! It's a lot of work to set up a visit and your child will be excited to see you. By failing to confirm or just not showing up, you disappoint your child and leave her feeling frustrated and confused, and you also risk having the caseworker think that you don't care about seeing your child!

When you call, if your CPS worker doesn't answer the phone, leave a clear message stating:

- Your name
- Your child's name
- Date and time of the scheduled visit
- Confirm you will arrive on time

Make a note in your visitation log (page 137) that you called. Remember, if your visit is on a Monday, you may need to confirm on the Friday before. Ask your caseworker what she wants you to do.

KNOW HOW YOU WILL GET THERE. If you don't have a car, make sure you have a way to get there lined up in advance. If a friend or family member is driving you, call and confirm with them the day before. Have a backup plan in case your ride cancels on you. If you are taking the bus, make sure you know what time you have to get to the bus stop. If you can, take an earlier bus just to be safe. If you don't have transportation, it is important to ask your caseworker for help. Don't wait until the last minute!

ASK FOR PERMISSION. If you plan to do anything out of the ordinary, such as bring gifts or clothing or bring a family member with you, ask your caseworker for permission first. Make sure you ask at least several days in advance so that you can get an answer.

BE EARLY. Although it's important to be on time, it is even better to be early! You never know if the bus will be running late or if traffic will be bad. If you show up late, it looks bad for you even if it's not your fault. And if you are running late you need to call to let your caseworker know what is going on! Caseworkers are very busy and have lots of other visits to schedule – if you are late, your CPS worker can cancel the visit and, if it happens too often, you can lose visits. Keep your child in mind – you don't want him to feel like you have ignored him or abandoned him if you don't make it on time.

PREPARATION COUNTS. It is important to show your caseworker that you are prepared for visits. Bring healthy snacks to eat with your child if the visit takes place during lunch or after school. Also bring activities to do with your child. Make sure that the activities are age appropriate and are things that your child likes to do.

After Your Visit

MAKE GOODBYES EASY. Even though saying goodbye to your child can be difficult, you want to make it as easy on your child as possible. Take the last 5 minutes of your visit to plan together what you will do at your next visit. Let your child take home a picture or drawing so he can remember your time together. You and your child can plan to have the same goodbye every visit so you know what to expect.

Ask for tips. Once your child has left, ask the person monitoring the visit two things:

- How did I do?
- What can I do differently?

If you don't know that something you are doing is a problem, you will probably keep doing it at every visit. It is better to know right away if a change needs to be made. Don't be afraid of helpful criticism. Remember, we can ALL improve our parenting skills!

KEEP TRACK. Use the visitation log on page 137 of this book to write down the date and time of the visit. If anything unusual happened, write it down. If your caseworker gave you any feedback, write that down, too. Review the feedback before your next visit. If your caseworker was the one who canceled the visit, make sure you write that down!

KEEP LOOKING FOR PEOPLE WHO CAN SUPERVISE VISITS. Remember, visits may happen outside of the CPS office if you can find someone who can monitor the visit. Ask anyone you know who might be an appropriate visit supervisor, for example: teachers, neighbors, church friends, relatives or extended family, CASA workers, family friends. Any of these people might be able to supervise visits between you and your child, if CPS approves.

TIP SHEET: MAKE VISITS FUN!

HEALTHY SNACKS:

- *Fruits like apples, oranges, bananas, grapes, or raisins or vegetables and dips like carrot sticks and ranch dressing, or celery sticks and peanut butter*
- *Crackers and cheese, rice cakes, trail mix, juice boxes*
- *If you bring food that can spoil, like yogurt or milk, be sure to keep it cold*
- *It is OK to bring sweets like chocolate or cookies on special occasions, but do not only bring those types of food; keep them as a treat*
- *Your children may ask for food like potato chips and cokes, but try to find healthier alternatives like vegetable chips or chocolate milk; teaching your children healthy eating habits is a parenting skill that CPS will want to see*

FUN ACTIVITIES:

AGES 0 – 2

Peek-a-boo, nursery rhymes, singing and bouncing, naming body parts and colors

AGES 3 – 12

Drawing and coloring, making a craft together, read a book together, play a board game, make up a funny story and act it out

AGES 13 – 18

Work on homework, talk about friends and school, paint fingernails or braid hair, play cards



TIP SHEET: VISITATION DOS AND DON'TS

DON'T DO THIS!

DO THIS INSTEAD!

Talk about the case, your CPS caseworker, your child's foster parent, or anyone else involved in your case

Stay focused on the positive – talk to your child about the progress you are making. Have you found a new job? Did you start school? Did you find an apartment? Ask about your child's progress. How is school going? Is she enjoying playing a sport or music? Is she making new friends?

Talk to or text friends on your phone during the visit

TURN YOUR PHONE OFF! Even if the conversation is important, talking or texting during a visit will make your CPS worker think you are ignoring your child. Talk to your child about her day and play games with your child instead.

Act annoyed if your child cries

If your child is sad, comfort her. Talk calmly to your child about how she feels. Understand that she is dealing with many different emotions, just like you are. She might be crying to get your attention because she misses you or is worried about you.

Punish your child by spanking, grabbing, pushing, yelling, or screaming

NEVER use physical punishment during a visit! NEVER yell at your child during a visit! Talk calmly to your child about their behavior and what the consequences of that behavior will be. If you truly cannot control the situation, ask the supervisor for help.

Talk to your child about problems you are having

If you talk about your problems, your child may worry about you and be scared that she may not get to come home. Instead, before each visit, try to come up with at least two good things that have happened to you since your last visit and tell you child about those things. For example, you might have an upcoming job interview or you might have completed a class and been given a certificate.

Tell your child that he will be coming home soon (Unless your caseworker tells you that you can say this!)

You cannot know for sure when your child will be able to come home, so don't get his hopes up. Instead, continue to tell your child how much you love and miss him and that you are working hard to make sure he is taken care of. Focus on the things you DO know will happen – for example, you might remind him that you have another visit scheduled for next week, and you are really looking forward to it. If your child asks "When can I come home?" you can say, "I don't know, but I hope it is soon, and I am so glad I get to see you now!"

DON'T DO THIS!**DO THIS INSTEAD!**

Get angry or depressed because visits are supervised

First of all, be patient and remember that if visits go well, they may not have to be supervised. Second, talk to people in your life about how you are feeling. Tell your friends or family about the visit ahead of time so that you can have support ready afterward. Finally, remember all the ways that supervised visitation can actually help your case; take advantage of those opportunities.

Get jealous if your child talks about how much he likes his foster parents or foster home

Although it can be hard to think about your child having fun without you, remember how important it is that your child be happy and healthy. Tell your child that you are glad he is happy and safe at his foster parents' house, and that you are grateful that his foster parents are taking such good care of him. Remember that you are his parent and he will always love you in a special way.

Get angry or punish your child if she does not seem happy to see you

Your child may feel sad or scared going to a visit because she knows you will have to leave her again. Talk to her about her feelings. Tell her you understand that she may be sad and that is OK. Remember that it may take several visits before she acts normally around you. If she seems sad all the time, you might talk to your caseworker about getting her a therapist to talk to.

Show favoritism to one child over another

Treat all of your children the same. Spend a part of the visit individually with each one, if possible. If not, include all your children in any activity. If CPS thinks that you're neglectful or abusive toward one child that can be a reason to take all your children away.

Use curse words or other harsh language

Never speak inappropriately in front of your child during the visit. Even if you are sad or angry, you must stay positive during the visit. Talk about happy things and make sure to have fun.

Show up to the visit under the influence of drugs or alcohol

NEVER visit with your child when you are under the influence or smell like drugs or alcohol. If you have an addiction that is not under control, you need to speak to your lawyer about getting help immediately.