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Danger Zone

Battered Mothers and Their Families in Supervised Visitation

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Supervised visitation centers (SVCs) have developed rapidly across the United States. Increasingly, courts are restricting contact between abusive intimate partners and their children by ordering visitation or exchanges to occur at SVCs. This article describes some of the key lessons the authors learned over 18 months of planning and then another 18 months of implementation at a SVC developed specifically to serve families for whom domestic violence was their primary reason for referral. The authors have organized their experiences around five major themes: (a) battered women in supervised visitation, (b) how battering continues during supervised visitation, (c) how rules at the SVC evolved over the first 18 months of implementation, (d) the importance of well-trained visit monitors, and (e) the need to embed SVCs within a larger context of coordinated community responses to domestic violence.

Keywords: *battered women; batterers; children; supervised visitation centers*

The crises represented by domestic violence and its immediate aftermath are the primary focus of current interventions with battered women and their families. Services focus on crisis telephone support, safe shelter, police response, and legal advocacy within the criminal justice system. Yet, there is considerable evidence that battering continues even after couples have separated (Hardesty, 2002; Jaffe, Lemon, & Poisson, 2002). Fleury, Sullivan, and Bybee (2000) found that more than one third (36%) of the 135 battered women they studied were reassaulted during separation from their perpetrators. Leighton (1989) found that a quarter of the 235 Canadian battered women he interviewed reported threats by a perpetrator during child visitations.

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In many cases of adult domestic violence, the court will assign continued contact between a child and his or her noncustodial parent. Contact may range from informal, unsupervised visits to highly structured and professionally supervised visitation in centers set up for this purpose. Kernic, Monary-Ernsdorff, Kopsell, and Holt (2005) found in a study of 257 selected divorce cases with documented domestic violence that in only 23.6% of these cases was information about the domestic violence submitted into evidence. However, the courts did restrict fathers' access in 71.2% of the cases with evidence or allegations of domestic violence compared to only 17.5% of cases without such evidence or allegations. Judges specifically assigned supervised visitation in 25.6% of cases with substantiated domestic violence compared to only 4.6% of the time when there was no evidence or allegation of domestic violence. Thoennes and Pearson (1999) found that 82% of court officers responding in their national survey favored supervised visitation when violence was alleged between parents. Clear in these data is the fact that even with evidence of domestic violence the courts are reluctant to cut off contact between a violent parent and his or her children.

Supervised visitation programs have developed rapidly across the United States. The services offered can include child exchange, off-site supervision, telephone contact, multifamily group visitation, one-on-one sessions, and therapeutic supervision (Center for Families, Children and the Courts, 2000; Thoennes & Pearson, 1999). The SVCs were initially developed as a way to permit parents to spend time with children who were placed outside the home due to child abuse or neglect, but the uses of such programs have expanded to include a wider range of problems, such as domestic violence, parental mental illness, substance abuse, threat of abduction, and reinitiating contact between parents and their children.

The Center for Families, Children and the Courts (2000) had reported that domestic violence is a key issue that brings families to California's SVCs. The use of SVCs in cases of domestic violence has increased for a number of reasons, including the National Council of Juvenile and Family Court Judges' (1994) effort to promote a model code regarding domestic violence over the past decade. The model code suggested states adopt a rebuttable presumption statute presuming it is not in the best interest of a child for a parent who perpetrates domestic violence to be given sole or joint custody of the child. Almost half of the states have now adopted such legislation (see Dunford-Jackson, 2004). Studying the effects of rebuttable presumption laws, Morrill, Dai, Dunn, Sung, and Smith (2005) found that in states with such laws judges were significantly more likely (69%) to assign structured visitation for non-custodial parent contact with a child than in states without such provisions (54%).

Although SVCs aim to facilitate safety for families experiencing domestic violence, violence may continue even when structured and supervised visitation or exchanges are in place. The murder of Melanie Edwards and her 2-year-old daughter, Carli, by Melanie's estranged husband, Carlton, as they left a supervised visitation program in the

Seattle area in December 1998 (Barker, 1998) illustrates many concerns about continued abuse and safety during visitation and exchanges. Sadly, though Melanie had taken many precautions, including selling her car to buy one that her husband would be less likely to notice or track, Carlton was still able to use the court-ordered contact point to carry out the ultimate act of domestic violence. He waited for Melanie after his scheduled visit with Carli and then shot and killed both Melanie and Carli outside the supervised visitation center (SVC). Although murders like these are extreme and somewhat rare, continued abuse during supervised visitation is common. A survey of 14 Canadian supervised visitation programs showed that even in these highly controlled settings abuse continues (Park, Peterson-Badali, & Jenkins, 1997).

The National Council of Juvenile and Family Court Judges (1994, 1999) has responded to situations like that of the Edwards family by cautioning that supervised visitation be provided only when safety and security measures are taken and staff are well trained in the unique dangers raised by domestic violence perpetrators. Some supervised visitation programs are taking steps to enhance security for families experiencing domestic violence. Suggested security measures include closer supervision of domestic violence-related visitations by trained staff, staggered arrival and departure times, separate entrances for mothers and fathers, escorts to cars, and center's access to police through direct electronic connections (Park et al., 1997).

This article describes some of the key lessons we learned over 18 months of planning and then the subsequent 18 months of implementation at a SVC developed specifically to serve families for whom adult domestic violence was the primary reason for referral. We found that many dangers continued for battered mothers and their children when using our center. In this article, we outline the major issues that arose during our first year and a half in operation as well as our responses to them. Our experiences are organized around five major themes: (a) battered women's experiences in supervised visitation, (b) how battering continues during supervised visitation, (c) how rules at the SVC evolved over the first 18 months of implementation, (d) the importance of well-trained visit monitors, and (e) the need to embed SVCs within a larger context of coordinated community responses to domestic violence.

City of Kent's Safe Havens Visitation Center

The Safe Havens Supervised Visitation and Safe Exchange Initiative was begun by the Department of Justice's Office on Violence Against Women (OVW) in 2002 to explore how supervised visitation services might be changed to account for the unique safety issues surrounding domestic violence and access to children. The City of Kent, WA, was selected as one of four demonstration sites (along with Chicago; Santa Clara County, CA; and the state of Michigan) and received funding in January 2003 to plan and implement a state-of-the-art supervised visitation and exchange center. Collaborative partners included the King County Superior Court, King

County Coalition Against Domestic Violence, Washington State Coalition Against Domestic Violence, the Young Women's Christian Association (YWCA) of Seattle and South King County, Chaya (a program for South Asian battered women), and Communities Against Rape and Abuse. In January 2005, after 18 months of extensive planning and preparation, the Safe Havens Visitation Center opened its doors for business. The center is currently fully grant funded and serves only those families in which one parent needs protection from the other due to a history of domestic violence.

The mission of the Kent Safe Havens Visitation Center is to provide a safe, accessible, and culturally sensitive supervised visitation and exchange program for families affected by domestic violence, sexual assault, child abuse, and stalking. Our SVC aims to increase safety for victims of domestic violence and decrease opportunities for further abuse regardless of which parent is designated as the nonresidential party. We define domestic violence as a pattern of behaviors and ongoing threats to safety that one person uses to dominate, control, and/or coerce another person through physical, emotional, and sexual abuse.

Battered Mothers in Supervised Visitation

Our SVC staff has extensive experience in working with victims of domestic violence in advocacy settings. Because women usually see advocates as their allies and a source of support, we were surprised to discover that many mothers bringing their children to the SVC were angry or confused about the court-ordered visitation and highly distrustful of us. We were often viewed as part of a court system, and some feared the program was structured more to meet the needs of the visiting fathers than those of the women and children. Sometimes, these views were reinforced by previous experiences with other SVCs, where the intake process might only include interviews with the noncustodial parent and little interaction with the mother. We also quickly came to understand that most of the mothers bringing children to the center did not necessarily define themselves as battered women and were not utilizing community-based domestic violence advocacy services even though it seemed clear they could benefit from such services.

The SVC staff decided that changes were needed to better meet the needs of custodial mothers. We tried to make the mothers' waiting area more friendly and useful for those who prefer to stay on-site during visits. We added a comfortable couch, a lending library, and a computer terminal with Internet access. More importantly, we also made an effort to reach out to the mothers in a more systematic way. We made sure to frequently check in with mothers, often having one staff member spend the full visit hour sitting with a waiting mother and simply listening. We purposefully tried to have many different staff members check in with each mother throughout the duration of her time using the center. This helped the mother understand that all of

the staff knew her family history and encouraged her to express her concerns as needed. However, we struggled with the fine line between being supportive and leading her to view us as her advocates. We were committed to providing excellent visitation services that take into account ongoing battering, and to do so we had to be very clear about the limitations of our role. We felt we could not act as advocates and maintain our credibility within the legal community. Instead, we worked diligently to connect the clients we served with other providers who could truly assist them in getting their needs met.

As a result of these experiences, we see SVCs as a location that offers great opportunity to provide advocacy for battered women. Most of these mothers are dealing with the complex issues of reconstructing their lives after separation from their children's father. Some, but not all, mothers are in need of postseparation advocacy services that may not necessarily be immediate and crisis oriented but rather focused on defending or asserting their rights as parents, repairing damage to the mother-child relationship that is often undermined by abusive partners, and developing a stable and safe environment for themselves and their children.

The SVCs are generally not equipped to offer extensive advocacy services to battered mothers. One solution might be to colocate advocates at SVCs, so that during their children's visits with noncustodial fathers the mothers can receive advocacy services. Colocated advocates from another agency (rather than on-staff advocates) would permit confidential services and avoid potential conflicts of interest. This model would have the added benefit of developing a more coordinated response and provide mothers with easier access to other services. For example, several of the mothers bringing their children to our SVC were in the midst of financial decline. Many had to increase work hours or take second jobs to make ends meet. Some had been suddenly thrown into the work force with no strong experience and were receiving minimal wages. Finding time to meet with an advocate can be viewed as just another hassle. We found that many mothers use their time at the SVC to work on their parenting plans, fill out court paperwork, or review the stacks of brochures and information they collected. This could be a perfect time to meet with an advocate and receive meaningful assistance and emotional support.

How Men Who Batter Continue Their Abuse During Supervised Visitation

During our first 18 months in operation, we were consistently surprised and awed by the battering tactics we witnessed at the SVC. Within a month of opening our doors, we realized how easily our program could become part of the batterer's methods to control his victim, despite our extensive experience and training. From the very first contact with a family ordered to the SVC, it is essential that staff be consistent in the messages conveyed. For example, fathers often called our center to

schedule an intake as ordered by court, but they spent the majority of the call trying to figure out if our staff had already spoken with the other parent, what she told us, what her plans were, and the schedule of her intake. Many would call a second or third time, attempting to talk with different staff members in an effort to gain more or different information. We quickly discovered that any inconsistency on our part would be used against the other parent. As a result, very early we developed a staff communication log to track all interactions with clients and implemented weekly case-consultation meetings to discuss every family we served. These efforts proved to be invaluable in strategizing how to increase safety for mothers and children and decrease opportunities for fathers to use SVC staff as informants.

Simply scheduling the first visit becomes a battering tactic with many of the fathers we are serving. For example, many will complete the intake process and repeatedly insist that they will do anything to see their children as soon as possible and are available anytime. Quite commonly, when a first visit appointment is offered, these same men will ask for a different time, accept, and then cancel at the last minute, stating they are looking for another provider or demand a time slot they know the other parent can't accommodate followed by a threat to file contempt charges against her if she does not bring the child as ordered. Once services begin, fathers often try to send messages to the other parent through their children in very subtle and, in fact, quite brilliant ways. For example, one father had been violating his protection order by calling his estranged wife's cell phone and leaving her messages that she should come back to him. When she changed her number, his behavior at the center also changed. At his next visit, instead of playing with his children, he became sullen and withdrawn causing his children to ask why he was mad at them. He came to his next supervised visit wearing excessive cologne and, at the end of the visit, during his goodbye hugs, managed to rub his neck all over the kids so they reeked of his scent. This was a very effective way of making sure his estranged wife would be reminded of him throughout the rest of the day.

In another case, a father brought in a specialty coffee drink to his visit. Staff assumed the drink was for him; however, when the visit started he gave it to his 3-year-old son. At the end of the visit, when staff brought the child and the drink out to the waiting mother, she was visibly shaken. She explained that during their relationship, this man forbade her or her child to have caffeine, chocolate, or sugar with the exception of this particular drink, which she was only allowed when she was behaving in a manner he deemed as acceptable. This was the drink the child brought to her from the supervised visit reminding her that he was still very much in control of their lives.

Evolving Rules at the SVC

The examples above provide a glimpse into why clear and consistent guidelines and behavioral expectations are critical in dealing with the issues and challenges that

arise during supervised visitation. We began services with some very broad guidelines about arrival and departure, scheduling, and visit behavior, based on the assumption that if we had too many specific rules we would be forced to bend them more frequently. However, almost immediately every vague expectation was challenged, and we discovered that any inconsistency on our part was used to split staff and undermine our credibility. We reacted by discarding our philosophy of flexibility and adding more rules. However, this proved only to increase the perception of an adversarial relationship between clients and staff, thereby leading to a much more hostile environment and potentially increasing danger for all of us. Sadly, we found ourselves in a power struggle with many of our clients as we tried to catch them, and they tried to figure out ways to get around our rules.

As a result, we have come full circle as an agency on this issue and now work to be clearer with each client from the very beginning. This means explaining that we are here to keep adults and children safe in and around the SVC, before, during, and after visits and that every intervention is based on these goals. We work to be responsive as opposed to reactive. For example, when the father (in one of the examples mentioned earlier) rubbed cologne all over his children, our reaction was to post notices in both waiting rooms asking all clients to refrain from wearing colognes and perfumes in the visitation area. However, when we were able to step back from the situation and respond rationally, we realized we needed to simply discuss our concerns in a respectful manner with the father in question. We have come to accept that we cannot create a one-size-fits-all program. Each family comes to us with different issues and circumstances. Some clients require more time and energy than others, and we must be ready and able to explain what the expectations for the client are, both verbally and in writing.

The Importance of Well-Trained and Skillful Monitors

Being clear and consistent from the beginning requires well-trained and skillful visit monitors. Over the past 3 years, we have toured other SVCs across the nation, attended multiple institutes and conferences specific to domestic violence and supervised visitation, and participated in several think tanks focused on documentation of contacts with families and promising practices for building partnerships with advocates, judges, and court personnel. We have had endless discussions and debates about the role of supervised visitation providers and read visitation notes by visit monitors from other non-Safe Havens programs that seem to dismiss battering altogether. These notes have become excellent learning tools.

For example, one visit monitor's report from a local, non-Safe Havens center described an incident where a visiting father and his children were walking back to the program center from an off-site visit to a nearby park when the father stopped at his car, reached in, and retrieved roses and a card for the mother. This visit monitor

read the card, documented that she did not see anything of concern, and so allowed the children to accept the gift. This may seem benign if the monitor views his or her role as simply documenting interactions and activities of the visit. However, in this particular case, the custodial parent and children had a life-time order for protection resulting from serious domestic violence, stalking, and threats of murder and abduction. Viewed through the lens of domestic violence, this scene is fraught with potential danger. The father could have easily abducted the children when he walked them to his car, he could have pulled out a weapon, or the card and flowers could have delivered a threatening message only the mother would understand. Visit monitors need to be conscientious at all times of potential risks to physical and emotional safety of mothers and their children and be willing to react quickly and effectively.

Monitors also have the difficult task of intervening. Under the best of circumstances, it is difficult to confront people about negative behavior. Add to this the context of domestic violence, where visiting fathers have been court mandated to supervised visitation. At our SVC, many were not enrolled in any kind of intervention programs and had seldom been held accountable for their actions. Well-trained monitors can intervene in a way that does not make children feel responsible for the behavior of their parent and that models how conflict can be dealt with in a safe way. For example, we have worked with several families in which it has been common practice for the batterer to drill their children for information about the other parent to find out where they go, who they talk to, and the like. This may lead a child to feel disloyal to one parent or the other or to feel responsible for negative consequences that might arise from offering such information. At our SVC, when a visiting parent attempts to get information from the child, we offer a quick and simple reminder that he is here just to visit his children and not to talk about the mom. Another example is when visiting parents try to force their children to have more physical contact than the children are comfortable with; for instance, they may want to whisper something to them or embrace them as they begin to sob. A skilled monitor should notice when children are pulling away or trying to divert dad's attention elsewhere and can direct him to other activities.

Many fathers see SVC staff as adversaries regardless of our efforts to demonstrate neutrality. Monitors must weigh the benefits of intervening in the moment versus having a discussion with the parent after a visit. This is a fine line that must be walked at all times. In some visits, the act of intervening by the monitor is seen as aggressive and can escalate the visiting parent's behavior, thereby increasing the danger level for everyone. For some fathers, a nonverbal intervention with the promise for an explanation after the visit is all that is needed. There are others, however, who require verbal interventions, and sometimes a visit must be terminated until the batterer learns to cease their inappropriate and abusive behaviors in the visitation setting. Thinking through which interventions are most effective for which parent can be extremely difficult in the best of situations. Add to this the myriad of personalities and possibly threatening behavior, and it becomes clear why the monitor must be an individual who is confident and

grounded in his or her understanding of the dynamics of domestic violence, has had good training in multiple arenas and solid experience in providing direct service to battered women, and is supported by peers, the court, and others in the domestic violence community.

Continuous staff debriefing and dialogue are essential to self-care. This includes learning to shake it off, finding humor where we can, connecting with other supervised visitation providers, and frequent and public acknowledgement for a job well done.

The other side of the coin is that many batterers see the monitor and their role as an opportunity for getting a good parenting report to give to the court. This is perhaps one of the more typical ways in which fathers use their children to continue to batter the mother. As Bancroft and Silverman (2002) suggested, battering fathers make every effort to look good when under supervision. Fathers often tell us at intake that they have been the primary caregiver for the children, all the way from feeding them to changing diapers to taking them to the doctor. During visits, many will bring snacks and offer to play games or ask to help with homework. Although this is a positive product of supervised visitation, it has no bearing on whether this type of interaction would occur in another setting. Nor does it relate to whether the batterer has stopped battering. Unfortunately, visitation supervisors who do not take battering and domestic violence allegations into account often write glowing reports about the noncustodial parent's visits. These reports can then be used by the father in court as proof that he is a great father and should be allowed unsupervised access to his children. Often the courts, impressed by such positive findings, will agree and subsequently change orders to permit him more access to his children. It is then that battering may continue unimpeded.

A perfect example of this occurred at our SVC. We had one visiting parent who was a delight to supervise. He often brought picnic lunches to the visit and would set up the visiting area with lots of games and activities for his young child during the visit. Then we overheard him tell another visiting parent that he was having his child's mother followed night and day; he was facing a criminal stalking charge at the time. As per our SVC's policy regarding threats to safety, we informed the mother of his comment and then informed him that we had done so. He was furious. He stated that he did not see how that had anything to do with his fathering and that he was expecting a good assessment from us. We reminded him that we did not provide parenting assessments and from then on his visits changed completely. He rarely spoke to the child during visits and stopped setting up games altogether. Within a month, he stopped showing up at appointed times and then stopped scheduling visits.

When domestic violence is the primary reason for referral to supervised visitation, we believe that it is altogether inappropriate to offer parenting evaluations based on the visitation itself. It has been our experience that most fathers assume that we are going to provide reports on their parenting to the court. As demonstrated

above, the quality of the visits can change significantly when batterers clearly understand that the SVC will not provide written parenting evaluations or recommendations to the court. In addition, it is imperative to remember that nonproblematic visits do not indicate safety for the mother and children between visits. We have no way of knowing if the batterer has indeed stopped his abusive behavior, and his use of positive behaviors during supervised visits may be yet another tactic to gain an advantage over the mother.

Embedding Supervised Visitation Within a Coordinated Response

One of the more problematic aspects of providing this service has been the realization that there is not a strong network among systems-based services for men who batter to make serious change in their behaviors and attitudes. We are committed to modeling compassion, empathy, and kindness, though at the same time being very direct and open about battering tactics. However, many of the fathers using our services have been ordered to use the SVC by a civil court and are not enrolled in batterer intervention programs. If they are enrolled in such a program, they often choose one that does not have a meaningful connection to the domestic violence advocacy community or a visible commitment to holding batterers accountable. For example, one batterer intervention program facilitator called us to ask how the visits were going for one of the men also enrolled in his program. He stated he was preparing to write a report on behalf of his client recommending a move to unsupervised visitation. This facilitator had never seen the children in question.

We have also come to realize how little battered women's advocates and supervised visitation providers know about each other's services. In fact, when we initially began this project, as advocates we were aware of only one other supervised visitation provider in our area. As we have become more entrenched in this service arena and women have begun to request our program, we have learned of multiple supervised visitation providers—private, for-profit, and not-for-profit—that exist in our community. To our knowledge, none of these programs is actively connected to domestic violence services or advocacy programs.

It is critically important to develop and nurture a partnership between the domestic violence advocacy community and SVCs. The SVCs should be part of a coordinated community response that includes women's advocates, batterers' intervention providers, law enforcement, family law attorneys, judges, social workers, child advocates, and probation officers. Through dialogue, cross-training, and collaboration, we can increase safety for battered women and children and perhaps begin to collectively hold batterers accountable for their abusive behaviors.

Finally, attorneys and judges are an important part of a community's response. Whether attorneys are representing men who batter or battered women, they need

more education about postseparation battering tactics, including how SVCs can be helpful or harmful. As a practical matter, attorneys tend to be involved in helping their clients select particular SVC programs when there is such a choice. An attorney knowledgeable about domestic violence and choices among SVCs could help a client connect to a preferred program and understand its benefits and limitations. In addition, attorneys should strive to help clients articulate any safety concerns for themselves or their children to aid the court in making decisions that increase safety and accountability. For example, a battered woman might develop a parenting plan that outlines certain steps that need to be completed before visitation is increased or made less restrictive, such as successful completion of a perpetrator treatment program, no violations of protective orders for a specified length of time, and consistent compliance with court recommendations. Parenting plans might include phases of parenting time that progress as various conditions are met by the batterer. By extension, better-informed attorneys can indirectly increase the court's awareness of SVCs that have taken the extra steps necessary to safeguard battered mothers and their children. Direct education of the judiciary about postseparation battering tactics and the impact of domestic violence on children is also an important step in achieving safe outcomes for mothers and children. Similarly, educating attorneys and judges about why SVCs should not make parenting assessments or recommendations and who is competent to report back to the court about the batterer's parenting could prevent further abuse and possible tragedy for children or their parents.

Conclusion

Our experience leads us to the following conclusions:

- Battered mothers do not always see SVCs as an ally for their safety, and we must better organize services to support them.
- Battering may continue in explicit and more subtle ways, even during supervised visits and the interactions surrounding them, requiring vigilance on the part of SVC staff.
- Clear, consistent, and documented communication from the beginning of contact with all parties is essential when working with domestic violence perpetrators.
- Well-trained and skillful monitors who are extremely sensitive to the issues of domestic violence and strategies of perpetrators are the critical component of success for SVCs working with these families.
- Successful SVCs must be a part of a larger, coordinated community response to domestic violence that allows battered mothers, their children, and violent fathers to access the array of services and interventions necessary to achieve safe families.

These points cannot be stressed enough. Battered mothers using SVCs come with complex safety planning needs that are many times unmet. This situation presents an opportunity for advocacy services that are desperately needed and could be available in

SVCs through collaborative arrangements with battered women's service providers. In addition, abusive behavior on the part of the violent men continues in subtle ways, for example, through the use of perfume or coffee cups, and extreme ways, such as in the case of Melanie and Carli Edwards. These behaviors require clear and consistent rules governing child contact. Continuing abuse during child visits and the need for clear and consistent rules require highly skilled SVC staff who are informed, united, and vigilant with regard to interventions and who communicate clearly with all parties involved.

Given the full spectrum of ways abuse can continue at SVCs, there is a great need for the SVC community to reach out to and work with the domestic violence advocacy community to increase physical and emotional safety during visitations and exchanges. A strong and mutually respectful working relationship between SVCs, local courts, and the domestic violence advocacy community must be a priority for all partners in a coordinated response to domestic violence that ensures safety for mothers and their children.

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