

Praxis International Presents.....  
An Audio Conference Training Series: Documentation, Confidentiality and Record-keeping in Supervised Visitation Centers

Supervised Visitation and Safe Exchange: Documentation in Cases Involving Battering and Other Forms of Domestic Violence

**Practice Considerations**

The following information has been compiled from the Supervised Visitation Grant Program Guiding Principles, a forthcoming paper from the National Council of Juvenile and Family Court Judges, and the experiences of the Supervised Visitation Grant Program Demonstration Initiative sites.

Summary of points presented at the November 4, 2009, Audio Conference Training, Part 1: Documentation Dilemmas

1. Orientation
  - a. Keep information collected to a minimum.
  - b. Meet separately with parties and talk with them instead of relying on the forms they hand in.
  - c. Maintain a separate file for each family member.
  - d. Keep location and contact information in a separate file that is not accessible to parties.
  - e. Be clear about the lack of confidentiality of information collected or observed.
  
2. Observations
  - a. Keep notes to a minimum.
  - b. Avoid recording details about a client's parenting of the children, unless directly related to the reason for the referral and the safety of children and adult victims.
  - c. Put a bold cautionary note on all forms and reports regarding the limits of the information.
  - d. Require subpoenas before responding to records requests.
  
3. Reports to the court/referral source
  - a. Avoid including details about a client's parenting of the children or custody and visitation arrangements, unless directly related to the reason for the referral and safety of children and adult victims.
  - b. Include an explanation of why the family was referred to the center; provide context for the information in the report.

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The following excerpt is from *Building Safety, Repairing Harm: Lessons from the Office on Violence Against Women's Safe Havens: Supervised Visitation and Safe Exchange Grant Program – Demonstration Initiative*. Available at [www.praxisinternational.org](http://www.praxisinternational.org), Supervised Visitation Program materials.

**Strategies for taking a critical look at documentation practices:**

- ✓ Conduct a guided reading of several case files and ask these questions of each document and related process:
  - Who needs protection and what kind of protection?
  - Why complete this form or report?  
What is its purpose?  
How is it used?
  - Why is this question asked?
  - Who benefits from this information?
  - How can this information be used to harm those in need of protection?
  - Where does this form or report go from here and how is it used?
  - How is the information collected here related to protection and safety of child and adult victims of battering?
  
- ✓ Conduct a complete review of the legal parameters of confidential communication and documentation operating in the local jurisdiction.
  
- ✓ Develop a clear, legally sound policy around record keeping practices and the limits of confidentiality.
  
- ✓ Define what and how information can be released, and who can receive it.
  
- ✓ Develop a release of information process and document that allows the person granting it to determine: 1) an expiration date and explanation of how to terminate the release before that date and how to extend it beyond that date; 2) clear indication of to whom information can be released; 3) what information can be released; and, 4) how information can be released, such as phone, fax, personal delivery, or mail.
  
- ✓ Develop a procedure to address the long-term security of information, including what records will be maintained at the conclusion of services and for how long, and what will be destroyed.

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- ✓ Address safety and other considerations around data storage (paper and electronic formats).
- ✓ Review and address how families are informed of the center's record keeping practices and limitations of the protections in place.
- ✓ Convene a panel of survivors and advocates and review the forms, brochures, and other documents that family members complete and that explain visitation services.
  - Pay particular attention to how these documents are understood or misunderstood.
  - Explore ways in which presentation or completion of the material addresses culture and identity.
  - Discuss what the center should know about a survivor's experience and the best ways to gather that information.