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FACT SHEET

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California's Access to Visitation Grant Program

The Judicial Council is charged with administering and distributing California's share of the federal Child Access and Visitation Grant funds from the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Support Enforcement. These grants, established under section 391 of the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (Pub.L. No. 104-193, 110 Stat. 2258), title III, section 469B of the Social Security Act, enable states to establish and administer programs that support and facilitate access and visitation by noncustodial parents' with their children. The federal allocation to each state is based on the number of single-parent households—this is a formula grant.

Purpose of the Grant Program

The purpose of the federal Child and Visitation Grant Program is to “remove barriers and increase opportunities for biological parents who are not living in the same household as their children to become actively involved in their children's lives.” Federal grant funding is intended to allow states to develop programs and to provide services that support the goal of increasing noncustodial access to and visitation with their children.

Federal and State Program Goals

Under the federal statute, Child Access and Visitation Grant funds may be used to support and facilitate noncustodial parents' access to and visitation with their children by means of activities, including mediation (both voluntary and mandatory), counseling, education, development of parenting plans, visitation enforcement (including monitoring, supervision, and neutral drop-off and pick-up), and development of guidelines for visitation and alternative custody arrangements.

The use of funds in California, however, is limited by state statute to three types of programs: supervised visitation and exchange services, education about protecting

children during family disruption, and group counseling services for parents and children.

The primary goals of California's Access to Visitation Grant Program are to enable parents and children to participate in supervised visitation, education, and group counseling programs—irrespective of the parents' marital status and whether the parties are currently living separately permanently or temporarily—and to promote and encourage healthy relationships between noncustodial parents and their children while ensuring the children's health, safety, and welfare. The overarching policy goal of California's Access and Visitation Grant Program has been to ensure accessible and available grant-related services statewide, consistent with the federal goal that “increased parental access and visitation not only improve parent-child relationships and outcomes for children but also have been demonstrated to result in improve child support collections, which creates a double win for children—a more engaged parent and improved financial security.” (See Public Law 113-183, section 303).

The grant program receives direction and guidance from the Judicial Council's Executive and Planning Committee, the council's Family and Juvenile Law Advisory Committee, the state Legislature, and the federal Administration for Children & Families, Office of Child Support Enforcement. The council's Family and Juvenile Law Advisory Committee provides recommendations to the council for allocation of funding for the grant program pursuant to Family Code section 3204.

Grant Funding Information

- Family courts throughout California are eligible to apply for and receive these federal Access to Visitation Grant funds. The family law divisions of the superior courts are required to administer the programs.
- Nonprofit agencies desiring to participate as the courts justice partner for the AV funded services are not allowed to apply directly to the Judicial Council for these grant funds but must do so as part of the individual superior court's Access to Visitation Grant application.
- Grant funding allocation is awarded to the superior courts through a competitive statewide request-for-proposals grant application process. Applicants are strongly encouraged to involve multiple courts and counties in their proposed programs and designate on court as the lead administering court.
- Effective fiscal year 2015–2016, the Judicial Council approved a new funding methodology regarding the administration and operation of California's Access to Visitation Grant Program. A copy of the report with the council

recommendations can be downloaded here:

<http://courts.ca.gov/documents/jc-20140220-itemB.pdf>

- The recipients of the Access to Visitation funded services are low-income separated, separating, divorced, or never parents and their children who are involved in custody and visitation proceedings under the Family Code, as well as Title IV-D child support cases.
- Supervised visitation and exchange programs funded under the grant must comply with all requirements of the Uniform Standards of Practice for Providers of Supervised Visitation, as set forth under Standard 5.20 of the California Standards of Judicial Administration and Family Code section 3200.5.

Contact:

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Additional resources:

CFCC Access to Visitation Grant Program, www.courts.ca.gov/cfcc-accessstovisitation.htm

Standard 5.20 (Uniform standards of practice for providers of supervised visitation),

<http://www.courts.ca.gov/7260.htm?title=standards>

Family Code section 3200.5, <http://codes.findlaw.com/ca/family-code/fam-sect-3200-5.html>