Division of Child Support Services'-Contract's Unit
Annual Arizona Grant for Access and Visitation Program Application
For ***Supplemental Funds*** Federal Fiscal Year 2015
Start October 1, 2014 and Ends June 30,2015

Completed By: Jon Bearup	Name of County: Gila County
Signature	Title: Deputy Court Administrator

Part I - Access and Visitation–Awarded Grant Allocation

This section has been pre-filled by the Contract's Unit, amounts cannot be altered.

1. Access and Visitation Grant amount awarded by the Division of Child Support Services:	$ 4,100.00
2. You agree to provide the in-kind 10% matching amount (Line 1 amount x 10%=):	$ 455.56
3. Total awarded amount for 2015 Access and Visitation Grant:	$ 4,555.56

How is the A&V Grant Awarded to Participating Arizona Counties for Federal Fiscal Year 2015: Participating counties are automatically awarded a $5,000.00 A&V Base Amount; then an additional amount is awarded on the basis of using a simple formula that incorporates: (1) The number of counties that choose to participate; and (2) The population within the boundaries of each participating county.

Part II - Access and Visitation–Annual Costs of Allowable Activities

Provide a breakdown of how much funding you will allocate for each A&V service for Federal Fiscal Year 2015

SPECIFY THE ANNUAL COSTS NEEDED TO OPERATE EACH SERVICE

Mediation (Both voluntary and mandatory)	$ 2000
Counseling	$
Parent Education	$ 1000
Visitation and Enforcement	$
Development of Parenting Plans and Visitation Guidelines	$ 1555.56
Total A&V Annual Costs *(the amount must match "total awarded" listed in line 3 above)*:	$ 4555.56

Part III - Access and Visitation–Service Description of Offered Activities

Please answer the following questions to provide a clear explanation for each activity you are providing in FFY2015:

MEDIATION (Must focus on AV issues): May be court ordered or voluntary. Is a resource intensive service which typically involves professionals who meet with both parents to resolve parenting disputes and encourage the development of a mutually-agreed upon parenting time-plans. This service must focus on parent-time issues rather than general divorce issues, such as property division, financial asset division, etc.:

1. Describe the service you are providing: Through Gila County's Conciliation Court, Mediation service is conducted for every scheduled dissolution/legal separation, paternity, or any other family law case where minor children are involved in both Payson and Globe. Both the custodial and non-custodial parents are scheduled for mediation and offered the opportunity to participate in arrangements to facilitate access / visitation for both.

2. Describe your goals; what do you intend to achieve and expected outcomes: The goal is to facilitate beneficial child-parent relationships through realistic, fair, and workable parenting plans. Achievement of a stipulated parenting plan, agreed upon by parties without Court direction or unnecessary litigation, is ideal. Access to expanded mediation services for low income pro se parents is being advanced. Through provision of updated forms, with instructions, it is further hoped that pro se parents can advance through the process easier. Mediated agreements assist the parties work together on access and visitation issues, which are the very core of any Family Law proceeding involving children. One of the core topics of the entire mediation process is the issue of access and visitation for the non-custodial parent - mediation often allows the non-custodial parent their first real opportunity to be heard and participate.

3. What is your Application or Referral Process: Court-ordered in one fashion or another. Upon the filing of a new domestic relations case, with minor children, the mediator contacts the parties to schedule a session. The Court may also refer specific cases to mediation for the purpose of establishing a parenting plan at any time during the process. Occasionally, parents will self-refer to obtain this service.

4. **Safety and Security Procedures (A&V contractors should make every reasonable effort to assure the safety and welfare of the children and adults during visitation services). Please explain what security policies and protocols you will have in place to assure the safety needs of the individuals using the visitation services:**
The mediator attempts to mitigate security risks (to self, parties, and staff) prior to the hearing, to the extent possible, by preliminary screening during the telephonic scheduling. Mediation locations in both Payson and Globe are within the courthouse confines and are considered safe zones; parties are so advised. In Payson, Sheriff's Office staff are posted and Mediation is conducted in a conference room amid probation offices. In Globe, all that enter the courthouse undergo magnetometer screening and a checkpoint.

COUNSELING (Must focus on AV issues): Includes services provided by mental health professionals to assist parents as they address inter-personal conflicts by focusing on the best interest of the child and the importance of shared parenting. This service provides support for families during the process of establishing or re-establishing relationships between a child and an absent parent Counseling cannot focus on mental health issues, such as alcohol/drug addiction, drug testing, domestic violence, anger management issues or psychological/mental health evaluations; these issues cannot be funded by the AV grant.

1. **Describe the service you are providing:** N/A
2. **Describe your goals; what do you intend to achieve and expected outcomes:** N/A
3. **What is your Application or Referral Process:** N/A
4. **Safety and Security Procedures (A&V contractors should make every reasonable effort to assure the safety and welfare of the children and adults during visitation services). Please explain what security policies and protocols you will have in place to assure the safety needs of the individuals using the visitation services:**
N/A

PARENT EDUCATION (Must focus on AV issues): As a curriculum (multi-class or a single class) that promotes the development of healthy co-parenting relationships, understanding the benefits of shared parenting and parenting time agreements, and learning about the court procedures involved in visitation and custody orders. Parenting classes regarding discipline, child development, basic child care, etc., cannot be funded by the AV grant:

1. **Describe the service you are providing:** Gila County provides the statutory required parenting class for every case involving custody of children, pursuant to AOC Guidelines. The parents attend the two hour class, which takes place in the courthouse (either in Payson or Globe). The class consists of education in the areas of family stabilization, conflict resolution/cooperation, parenting skills, co-parenting and dealing with separation all areas designed to assist parents with access and visitation. The material is presented through audio media (DVDs) and encourages interaction. Classes typically occurs once a week or bi-weekly depending on demand.
2. **Describe your goals; what do you intend to achieve and expected outcomes:** The goal of the parenting class is to educate parents on the impact of family restructuring and/or separation on their children. Another objective is for parents to make educated, informed decisions regarding visitation and access.
3. **What is your Application or Referral Process:** Through coordination with the Clerk of Court, litigants are informed, by notice, upon filing of the requirement. Additionally, the Court may review the case file for certificates when parties appear and subsequently order parents to participate. Statutory requirements (Family Law Title 25) dictate when parties are mandated to attend for example, prior to divorce. Additionally, there have been a few circumstances, albeit rare, where the Court has ordered parents to participate, even post-Decree, based upon the best interests of the child.
4. **Safety and Security Procedures (A&V contractors should make every reasonable effort to assure the safety and welfare of the children and adults during visitation services). Please explain what security policies and protocols you will have in place to assure the safety needs of the individuals using the visitation services:** The mediator attempts to mitigate security risks (to self, parties, and staff) prior to the hearing, to the extent possible, by preliminary screening during the telephonic scheduling. Mediation locations in both Payson and Globe are within the courthouse confines and are considered safe zones; parties are so advised. In Payson, Sheriff's Office staff are posted and Mediation is conducted in a conference room amid probation offices. In Globe, all that enter the courthouse undergo magnetometer screening and a checkpoint.

VISITATION AND ENFORCMENT (Must focus on AV issues): Visitation enforcement includes, but is not limited to services designed to monitor parental compliance of a parenting plan agreement and visitation orders and to resolve

disputes involving parental non-compliance.

- ***Monitored/Therapeutic/Supervised Visitation:*** Services for non-custodial parents–court-ordered or voluntary–who would otherwise be denied access to their children. These services should focus on trained staff supervising the visitations in a safe setting appropriate to the particular issues experienced by the family. Note: If a program is offering "therapeutic visitation" to parents who have had their children removed by child welfare, the AV grant cannot pay for the cost of the therapist to address such issues as anger management, appropriate discipline techniques, general family therapy and/or other issues identified by social services:

1. Describe the service you are providing: N/A
2. Describe your goals; what do you intend to achieve and expected outcomes: N/A
3. What is your Application or Referral Process: N/A
4. Safety and Security Procedures (A&V contractors should make every reasonable effort to assure the safety and welfare of the children and adults during visitation services). Please explain what security policies and protocols you will have in place to assure the safety needs of the individuals using the visitation services: N/A

- ***Neutral Drop-Off/Pick-Up:*** Services for high-conflict parents and their children in a neutral environment for the safe exchange of a child from the custodial parent to the non-custodial parent or vice versa. These services are often available through community and faith-based organizations and/or supervised visitation centers. Note: A transporter retrieving a child from a grandparent/legal guardian and taking a child to a supervised visitation with parents is not considered an AV service to the grandparent/legal guardian. It is only an AV service if the conflict between the grandparent/legal guardian and the parent(s) is so high that the visit would not occur without the "Neutral Drop-Off/Pick-Up" service:

1. Describe the service you are providing: N/A
2. Describe your goals; what do you intend to achieve and expected outcomes: N/A
3. What is your Application or Referral Process: N/A
4. Safety and Security Procedures (A&V contractors should make every reasonable effort to assure the safety and welfare of the children and adults during visitation services). Please explain what security policies and protocols you will have in place to assure the safety needs of the individuals using the visitation services: N/A

- ***Visitation Compliance Monitoring:*** Services usually court-connected designed to monitor parental compliance of a court order for visitation and/or custody, or parenting plan agreement, and/or to resolve disputes over non-compliance:

1. Describe the service you are providing: N/A
2. Describe your goals; what do you intend to achieve and expected outcomes: N/A
3. What is your Application or Referral Process: N/A
4. Safety and Security Procedures (A&V contractors should make every reasonable effort to assure the safety and welfare of the children and adults during visitation services). Please explain what security policies and protocols you will have in place to assure the safety needs of the individuals using the visitation services: N/A

DEVELOPMENT OF PARENTING PLANS AND VISITATION GUIDELINES (Must focus on AV issues): Involve the participation of both parents to resolve conflict and collaboratively reach parenting agreements. These plans should not focus on other issues that may arise between conflicted parents (financial, property division, etc.)

1. Describe the service you are providing: Mediation services are automatically scheduled in every divorce and legal separation where minor children are involved, regardless of whether the case is *pro per* or not. The Gila County Conciliation Court frequently refers new custody cases prior to any hearing being set, as well as

repeatedly-contested cases after one or more hearings. The Courts also frequently refer post-decree and post-custody cases to mediation where one of the parents believes that he or she is being denied access to and parenting time with, his or her child. Change of employment can result in a need for parenting time to be modified. This issue can typically readily be resolved in mediations, again assuring that each party has access to, and parenting time with, the children.

2. **Describe your goals; what do you intend to achieve and expected outcomes:** To formulate a workable, mutually satisfactory, and sustainable parenting time agreement which can be ratified and adopted by the Court and which guarantees fair access for the non-custodial parent. It is hoped that, through mediation services, the parents can achieve equitable visitation with their child(ren). Stipulated parenting plans, ensuring fair access and visitation, are recorded in the mediator's monthly report and enters the official record if/when adopted by the Court in formal proceedings.
3. **Application or Referral Process:** Domestic Relations / Family Law cases – referral is typically through court order (Conciliation Court) or personal solicitation.
4. **Safety and Security Procedures (A&V contractors should make every reasonable effort to assure the safety and welfare of the children and adults during visitation services). Please explain what security policies and protocols you will have in place to assure the safety needs of the individuals using the visitation services:** The mediator attempts to mitigate security risks (to self, parties, and staff) prior to the hearing, to the extent possible, by preliminary screening during the telephonic scheduling. Mediation locations in both Payson and Globe are within the courthouse confines and are considered safe zones; parties are so advised. In Payson, Sheriff's Office staff are posted and Mediation is conducted in a conference room amid probation offices. In Globe, all that enter the courthouse undergo magnetometer screening and a checkpoint.

Part IV - Access and Visitation–Evaluation and Monitoring

In accordance with 45 CFR Part 303 – Standards for Program Operations, the State must monitor, evaluate and report data specific to programs funded under Grants to States for Access and Visitation:

A. **Effective October 1, 2014, for Federal Fiscal Year 2015, the following shall be submitted monthly to the DCSS Contracts' Unit for processing A&V expenditures; in accordance with; your Intergovernmental Agreement (IGA), Section 10.0, "Reporting Requirements," and Section 11.0, "Payment Requirements:"...This information shall be submitted by the 15th day of the month following the month services were provided:**

- DCSS' Contracts Unit's "Access and Visitation Expenditure by Service Report" (see attached): This is a new report required to be completed by the County's A&V Program on a monthly basis.
- DCSS' Contracts Unit's "Monthly Summary - The Local Service Provider Worksheet" (see attached): This is a new report required to be completed by the County's A&V Program on a monthly basis.
- Certified Public Expenditure Statements (validating expenses): When claiming for "personal services," "employee-related expenses," "professional and outside services," etc., please ensure you attach copies of time sheets, receipt of payments for A&V services, travel claims for mileage, etc. so we can properly validate your expenses.

B. **For Federal Fiscal Year 2015, Insurance must be submitted to the DCSS Contracts' Unit; in accordance with, your IGA, Section 26.0, Indemnification, and Section 27.2, Insurance Requirements For Any Contractors Used By A Party to the IGA:**

- <u>This applies only to Contractors used by a governmental entity, not to the governmental entity itself</u>. For example; if mediation services aren't a county program, and the county subcontracts with a privatized mediation service, this company must carry insurance coverage as specified in Section 26.0 and Section 27.2 in the IGA. Proof of insurance must be submitted to the Contracts Unit for review and approval. See the attached insurance requirements the Contractor/Sub-contractor shall comply with. The Contractor/Sub-contractor can provide the attachment to their insurance company.

Equal Opportunity Employer/Program • Under Titles VI and VII of the Civil Rights Act of 1964 (Title VI & VII), and the Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Title II of the Genetic Information Nondiscrimination Act (GINA) of 2008; the Department prohibits discrimination in admissions, programs, services, activities, or employment based on race, color, religion, sex, national origin, age, disability, genetics and retaliation. The Department must make a reasonable accommodation to allow a person with a disability to take part in a program, service or activity. For example, this means if necessary, the Department must provide sign language interpreters for people who are deaf, a wheelchair accessible location, or enlarged print materials. It also means that the Department will take any other reasonable action that allows you to take part in and understand a program or activity, including making reasonable changes to an activity. If you believe that you will not be able to understand or take part in a program or activity because of your disability, please let us know of your disability needs in advance if at all possible. To request this document in alternative format or for further information about this policy, INSERT SPECIFIC LANGUAGE HERE; TTY/TDD Services: 7-1-1. • Free language assistance for DES services is available upon request.

GILA COUNTY
ACCESS AND VISITATION SERVICES

Gila County currently provides the following services which facilitate and impact parent access and visitation with children. Unfortunately, these services are currently provided only through Gila County's one mediator, based primarily on budgetary factors. It has been our observation that when parents are able to reach an agreement, even if only a partial agreement, as to access and parenting time with their children, they are more likely to comply with the plan; some conflict is curtailed; and, the children and parties benefit. Conversely, when parents are not involved in mediation and only subject to Court orders, they may become more combative, less cooperative, and negatively impact the children when they exercise parenting time. Hopefully, through mediation, we can break the cycle, at least to some degree.

I. PARENTING PLAN MEDIATIONS.

A. Divorces and legal separations. These mediations are automatically scheduled in every divorce and legal separation where minor children are involved, regardless of whether the case is *pro per* or not. It has been abundantly clear that the quicker the parties are able to meet and discuss parenting time, the more quickly each parent is assured meaningful access with the children. These mediations cover all divorce and legal separation cases with minor children in both Payson and Globe.

B. Custody cases (parties not married). The Gila County Superior Courts frequently refer new custody cases prior to any hearing being set, as well as repeatedly contested cases after one or more hearings. Again, these are for Payson and Globe, and include all cases, whether *pro per* or not. Clearly, again, having the parties attend mediation where they can work together toward access to, and parenting time with, their children is frequently preferable to a Court issuing orders which a parent is then possibly more reluctant to follow. Oftentimes, parents have never met with each other about each having time with their children.

II. **POST-CASE PARENTING ISSUES**. The Courts also frequently refer post-decree and post-custody cases to mediation where one of the parents believes that he or she is being denied access to and parenting time with, his or her child. We have found that the problems oftentimes arise from misunderstandings between the parties.

A. Contested issues. These can include a wide spectrum of issues, for instance one parent wants to let a child be tattooed and the other parent disagrees; fights with new extended families; continuing arguments, etc., resulting in one parent denying parenting time to the other parent. Mediation allows the parties to address the issues in a safe environment in order to move forward and assure each parent parenting time.

B. Change of employment and thus parenting time needs to be modified. This issue can typically readily be resolved in mediations, again assuring that each party has access to, and parenting time with, the children. This issue primarily arises in the Globe area where many parents do shift work at the mines, with their schedules changing regularly.

C. One parent wishes to relocate with the child. There are sometimes limitations on job opportunities in Gila County, resulting in one parent needing to relocate in order to earn even a minimal living. The Courts refer these parents to mediation in the hope that a plan can be worked out to facilitate contact with each parent, while at the same time allowing both parents to enjoy gainful employment. This is an issue that is particularly suited for mediation rather than having a Court grant or deny a request to relocate with a Child and ultimately impact parenting time with BOTH parents.

D. Child (usually older) starts refusing to see a parent. Again, the Courts refer these cases to mediation to allow the parents to (i) identify the possible issues; (ii) recognize and acknowledge the Child's difficulties - or the parents' difficulties; (iii) talk about services available to assist the Child and the parents; and, (iv) facilitate the parents with coming up with a plan to assure parenting time for both parents, while at the same time not further alienating the Child.

III. **DEPENDENCIES.** The Gila County Mediator also handles the pre-hearing conferences, pretrial mediations, and permanency mediations in all dependencies in Payson and Globe. Necessarily the mediations deal with parenting access to Children. Importantly, however, Gila County is also facilitating and coordinating mediation in parallel divorce and/or custody cases where the parents are already subject to the dependency. In this way, we can facilitate access to children and parenting time, while at the same time, providing for the safety of children by following the dictates and guidelines of the pending dependency action.

IV. **GUARDIANSHIPS.** We also provide mediation services to facilitate agreements for parental contact with children where the children are the subject of guardianships with those other than parents. For instance, we have had criminal (and other) cases where the children are in a guardianship with someone other than a parent, and a mediation will be facilitated for the family members to facilitate parenting time among family members, including parents.

V. **PARENTING CLASSES.** Gila County provides the statutory required parenting class for every case involving custody of Children, pursuant to AOC Guidelines. Emphasis is placed on the importance of parental contact with Children, services available, dealing with stressful situations, dealing with new significant others, dealing with the other parent, etc., in order to attempt to elevate the issue of the Children's best interests above the parents' negative relationship. We have had excellent feedback from parents that the class has helped them limit fighting with the

other parent, other family members, etc., and focus on the need of the Children to have parenting time with each parent, as well as family members.

VI. FUTURE GOALS. With sincere regret, Gila County will be saying farewell to Doris Robinson Wait our mediator for the last eight years. While under her stewardship, the Gila County Courts have benefited greatly not only due to her exemplary service, but also her innovative approach and expansion of the program. Our newly appointed mediator, Carolyn Clark, has been involved in the local courts, in a variety of capacities, for some time. Additionally, she has spent the past year personally litigating domestic relations cases and serving as appointed counsel in guardianship and dependency matters. Ms Clark will be working with Ms Wait for the next two months (May and June) to train and develop future initiatives. One major goal of the Gila County Superior Court is to implement an Early Resolution Project through inter-office coordination. It should be pointed out that, although it is expected that this project will be explored and possibly planned in FY 2015, there is no date for actual implementation.

VII. UPDATE – January 2015. Implementation of a limited scope "Early Resolution Project" began in January, 2015. The initial phase includes 1) a regulated case-tracking / case management program; 2) Expanded Mediation services (i.e. division of assets / debts); and 3) a new web-portal offering information and easily accessible forms. The first two items began as scheduled; the development and institution of the web-portal has taken longer. Once the initial phase is complete, the court will assess whether or not to expand into a full-scale "Early Resolution Program", with an Alternative Dispute Resolution sub-unit and court-officers with limited judicial powers (Family Law Commissioner, Parenting Coordinator etc.).