Child Custody Tool #3: Documenting Visitation and Safety Concerns Log

For Survivor-Parents Navigating Custody, Child Welfare, or Protective Orders



NATIONAL CENTER TO ADVANCE PEACE
for Children, Youth, and Families

The National Center to Advance Peace for Children, Youth, and Families (NCAP) is a coalition led by Caminar Latino and includes Ujima: National Center on Violence Against Women in the Black Community, the Alaska Native Women's Resource Center, the National Indigenous Women's Resource Center, and Futures Without Violence.

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What This Tool Is

This tool is designed to help parents who are survivors of domestic violence and have shared child custody arrangements with the person who uses violence. The tool provides a structured log to document concerns related to:

- Visitation exchanges
- Unsafe or concerning behavior
- Court order violations
- Harassment or coercive control (a pattern of behavior used to control, scare, isolate, or dominate you, such as threats, constant monitoring, financial control, manipulation though the children or attempts to interfere with your parenting)
- Patterns of behavior over time

This log can help you create a clear, factual record of what is happening. This tool is not legal advice. It is a documentation aid.

If you come across legal terms such as “guardian ad litem,” “court order,” or “protective order,” you can refer to our Child Custody Glossary for plain-language explanations.

How The Custody Resources Work Together

This tool is part of a set of child custody resources designed to be used together.

- This log helps you document specific incidents and concerns as they happen.
- The companion tool, Understanding Patterns of Coercive or Concerning Behavior, helps you step back and describe patterns over time.

Using both tools together can help you show not just what happened, but how behaviors are connected and repeated over time.

Why Documentation Matters

In custody or child welfare cases, written records can:

- Help attorneys understand patterns
- Support requests to modify custody or visitation orders
- Help family courts assess parenting capacity and safety concerns
- Provide clarity if there are repeated violations
- Reduce reliance on memory during stressful situations

Documentation can be especially important when behavior is subtle, ongoing, or difficult to explain. It's important to note that over time, the memory of the details of the incidents/exchanges fades, and they blend into each other. In a court of law, facts matter, details matter.

Preparing Documentation for Court

If you are currently involved in a custody case, or anticipate returning to court in the future, organizing documentation early can help you feel more prepared and grounded. Courts often rely on written records when making decisions about:

- Parenting time and visitation
- Modifications to existing orders
- Enforcement of court orders
- Protective orders related to custody
- Ongoing safety concerns

Keeping a clear and consistent log can help demonstrate patterns over time rather than isolated incidents. Even if you are not currently in court, maintaining documentation can provide clarity if circumstances change.

If Child Protective Services (CPS) becomes involved, this documentation may also help you explain safety concerns or provide context about family dynamics. However, this tool is primarily designed to support you in child custody proceedings.

This log can be a helpful tool when preparing for court, but it is important to understand that judges do not always accept logs or personal notes as evidence.

Courts follow specific rules about what can be considered evidence. Because of this, your log may:

- Be used to help you remember details when speaking in court
- Help you explain patterns and concerns to your attorney or advocate
- Support conversations about what evidence may be most helpful to present

In some cases, the log itself may not be accepted as evidence. This can feel confusing or frustrating, especially if you have taken time to document what happened. This does not mean your documentation is not important. Your log can still:

- Help you stay organized
- Support your testimony
- Help your attorney identify what additional evidence may be needed

If you are working with an attorney or advocate, you may want to review your log with them to understand how it can best be used in your case.

When to Use This Log

You may use this tool if:

- The other parent violates a visitation order
- A child returns from visits distressed or reporting concerning statements
- You observe unsafe behavior

- There is intimidation or coercive control
- You notice a repeated pattern of behavior over time that raises safety concerns
- You need to show how incidents connect to existing court orders or safety plans

You do not need a “major” incident to document something. Patterns matter.

How to Use This Tool

1. Complete a new entry for each incident.
2. Write down details as soon as possible after an incident.
3. Stick to observable facts.
4. Use direct quotes when possible.
5. Attach supporting materials (texts, photos, emails, screenshots, reports).
6. Keep the log in a safe location.

Avoid adding conclusions or emotional language in the description section. Courts often respond best to clear, factual descriptions.

Example:
Instead of: “He was acting crazy and out of control.”
Try: “He raised his voice, stood approximately one foot from me, and stated, ‘You will regret this.’”

Safety Reminder

Keep this log somewhere safe. If you believe the other parent monitors your devices, consider:

- Keeping a paper copy outside the home
- Storing it with a trusted advocate or attorney
- Using a secure cloud account not accessible to the other party

Important Note

If you choose to share this log with a court, attorney, or CPS, it may become part of the official record. This means that others involved in the case, including attorneys or the other party, may review it and ask questions about what is included (or not included). Because of this, the log may be used during court proceedings to:

- Ask follow-up questions about specific entries
- Compare your written notes to testimony or other evidence
- Raise questions about details that may be missing, unclear, or inconsistent

This does not mean you should not document what is happening. Documentation can be a powerful tool. However, it is important to:

- Be as accurate and consistent as possible
- Stick to observable facts rather than conclusions
- Write entries as soon as you can after something happens

If you have an attorney or advocate, you may also want to review your documentation with them before sharing it in a legal setting.



SECTION 1: Basic Information

Survivor/Parent Name:

_____

Child(ren) Name(s):

_____

_____

_____

Case Type: ☐ Child Welfare ☐ Custody ☐ Divorce

☐ Protective Order ☐Other (*If applicable*)_____

Court/Agency Involved:

_____

Case Number (*if applicable*):

_____

Person Using Violence ("PUV") Name:

_____

PUV Relationship to Child:

_____

Applicable Court Order(s):

_____

(ex: Visitation Order, Safety Plan, No-Contact Order)

SECTION 2: Incident/Concern Log

(Complete a new entry for each incident or ongoing concern.)

A. <u>DATE, TIME, LOCATION</u>

Date of Incident: _____ Time of Incident (*If known*):

_____

Location or Context: *(ex: exchange location, supervised visitation center, phone/video call, school, repeated pattern over time):*_____

_____

_____

_____

_____

B. TYPE OF ISSUE (Check all that apply):

☐Visitation Concerns
☐Court order violation
☐Controlling or coercive behavior
☐Failure to return child on time
☐Substance use concern
☐Ongoing Pattern of Concerning Behavior
☐Harassment or Intimidation
☐Threats (spoken, written, implied)
☐Unsafe behavior around child(ren)
☐Interference with medical care or schooling
☐ Use of violence or physical force
☐Using the child to send messages or gather information
☐Other concern (describe in detail):

_____

_____

_____

C. DESCRIPTION OF OCCURRENCE/WHAT HAPPENED:

Describe what happened or what you are noticing. Include who was involved and what was said or done. If this is ongoing, explain the pattern:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____
_____
_____
_____
_____

Describe exact words used, if any:

_____
_____
_____
_____
_____
_____
_____
_____
_____

D. IMPACT ON CHILD(REN) *(if applicable)*:

Describe what you observed:

☐Child appeared upset, scared, or withdrawn ☐Child resisted or expressed fear about visits
☐Physical complaints (such as stomachaches, headaches, mental/emotional or physical pain)
☐Changes in behavior, mood, or sleep
Child statements (write their words exactly):

_____
_____
_____
_____
_____
_____

Additional Observations:

_____

_____
_____
_____
_____
_____

E. COURT ORDER OR SAFETY PLAN CONNECTION (If applicable):

Relevant order, rule, or agreement:

_____
_____
_____

How this incident or concern relates to that order:

_____
_____
_____

F. WITNESSES OR THIRD PARTIES

Names:

_____
_____
_____
_____

Role: (*Ex: visitation supervisor, teacher, family member*)

_____
_____
_____

G. DOCUMENTS OR PROOF (*If available, please attach to back of log)*

☐Text messages or emails ☐Voicemails
☐Photos or videos ☐Call logs
☐Visitation center notes ☐Police or incident report
☐Medical or school records ☐Witness statements
☐Other (*describe*)*:*

_____
_____

Additional Notes on Materials:

_____
_____
_____
_____
_____

H. STEPS TAKEN AFTER INCIDENT (*If applicable*)

☐Contacted an attorney ☐Contacted caseworker or CPS
☐Contacted

guardian ad litem ☐Asked for help or support
☐Contacted court investigator
☐ Sought medical or mental health care ☐Made a police report
☐Other (*describe*):

_____

Additional Details:

_____
_____
_____
_____

I. STATEMENT OF ACCURACY

Name (print):

_____

Signature:

_____
___

Date Log Written: _____

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