THE DEVELOPMENT OF A NON-PROFIT ORGANIZATION, KEEP IN TOUCH, AS A SOLUTION TO THE PROBLEM OF VISITATION

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THE DEVELOPMENT OF A NON-PROFIT ORGANIZATION, KEEP IN TOUCH, AS A SOLUTION TO THE PROBLEM OF VISITATION

A Project
Presented to the
Faculty of
California State University,
San Bernardino

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts
in
Communication Studies

by
Shalom Zen LaPoint-Cox

March 2014
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AS A SOLUTION TO THE PROBLEM OF VISITATION

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ABSTRACT

This project discusses the development of *Keep in Touch*. *Keep in Touch* is a 501(c)(3) non-profit organization which is designed to aid the visitation process. Visitation is concerned with children and their families who have been separated. Reasons for separation vary; however, many children have been separated and would benefit greatly from a local visitation program. Items such as children’s rights, California’s mandatory mediation law, and the current conditions of the family court house in San Bernardino County are all discussed and examined as supporting evidence to the problem of family visitation. The goal of *Keep in Touch* is to provide a comfortable environment, both physical and virtual, that encourages open communication (dialogue) between children and their families. The cultural climate of *Keep in Touch* is one that encourages, supports and nurtures the natural connection between children and their families.
ACKNOWLEDGMENTS

I would like to acknowledge all of the teachers that I have ever had. Specifically, from CSUSB, I would like to thank Dr. Mihaela Popescu and Dr. Bradford Owen for teaching me research skills and allowing me the opportunity to be a member of the GTA program. I would also like to thank the members of my committee, Dr. Ece Algan, Dr. Mo Bahk, and Dr. Rueyling Chuang for working with me and for the instruction that I have received in your classroom. Additionally, I would like to acknowledge Dr. Astrid Sheil, Dr. Mary Fong, and Dr. Jo Anna Grant, with whom I’ve had at least three communication classes.
DEDICATION

I DEVOTE THIS PROJECT TO MY THREE SONS:

Noah Kerian Cox

Jeremiah Zen Cox

and

Sheaden Matthew Cox

May we find friendship and love together in our lifetime.

I also devote this project to Kasey and Aurora; I hope that you too will get a chance to know your brothers.
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CHAPTER ONE

THE PROBLEM OF VISITATION BETWEEN PARENTS AND CHILDREN

The overall goal of this project is to describe the process of creating *Keep in Touch*. *Keep in Touch* is a 501(c)(3) non-profit organization which is designed to aid the visitation process. There are many different factors that contribute to the problem of visitation. Chapter one will take a look at some of the various social structures and how they play a part in the separation of children and their parents.

In an effort to reduce the risk of potential harm caused by the separation of children and their families, *Keep in Touch* will serve as a platform to bring about awareness and to initiate social change. One main area of interest is family importance and how significant it is to keep natural connections with your relatives, especially children with their parents and parents with their children. This project takes a look at some of the structural elements that contribute to the current condition, as well as possible ways to make a difference.

This project draws from a structuralist critique of the institutions of power and control. Structuralism is a qualitative paradigm that explains meaning in terms of systems of relationships, or ‘structures.’ Structuralism suggests that knowledge is based on social structures that have come to be over time; they are usually formed by discourse, and they are concerned with how power is expressed. Poststructuralists argue that structures are cultural products and that
cultural systems of meaning frame the perception and construction of subjective and social reality.

Chapter one explores various social structures and how they play a part in the separation of children and their parents. The family law department will be discussed as one structural concern and falling under its umbrella will be the discussion of a “child’s best interest” principle and also California’s mandatory mediation law. In addition to these contributing factors, the discussion continues with the exploration of the private sector, specifically research on Childhelp; a local private foster and adoption agency. This section will suggest some structural elements that are quite alarming, such as a one-stop approach to investigation, prosecution, and adoption.

This project addresses the complexity of societal values about family life, individual and family autonomy. Children who are adopted, assigned to a guardian, or put into foster care are not the only ones who are in need. The problem of connection between children and their natural relatives extends beyond these areas. Children whose parents separate, divorce, or are deceased also have a need to connect with their natural family members. Keep in Touch is developed as a way to manage relationships between family members who have been victimized by the current judiciary system. Next section will tackle the notion of “child’s best interest.”
Family Law and Deficiencies with the “Child’s Best Interest” Approach

Decisions are being made daily that separate children from their parents or bar them from contact with their relatives. Unfortunately these decisions are made following the current trend in family law to do what is considered in the “child’s best interest”. The goal of this section will be to explore the concept of child’s best interest and to discuss how our judicial system may be sending the wrong message about the importance of family.

The judicial system is part of our country’s foundation. Decisions made by the court system basically work to outline and enforce a belief system. Decisions made by the courts shape and mold our culture. So, it is important that the courts should not make any decisions that could possibly undermine the importance of the family unit.

In general, the modern trend is to place the well-being of the child above preservation of the family unit per se….Historically, promoting family permanence (e.g. keeping the original parent-children relationships intact) has been controversial. At times, priority was given to the family of origin, but due to the best interest of the child principle, there has also been a preference for foster placements and adoption. (Sempek & Woody, 2010, p. 437)

The cultural, spiritual, and personal belief systems of families have no bearing on the decisions being made by the courts. The courts decisions are not contemplated with context to the amount of years a child has spent with a parent,
or the emotional pleadings of family members, rather the court decides “physical custody” based on what is understood as the child’s best interest. The concept of best interests of a child that is often invoked is, to the say the least, not at all clear. Smeyers (2010) contends that while the discourse of rights is clearly important and relevant insofar as the relation between parents, children, and the state; the concept of a child’s best interest impoverishes our understanding of relations between family members when used in an all-inclusive framework (p.271). Unfortunately this conceptual framework does not allow for the wishes or opinions of the parties involved. Take guardianship cases for example; the following excerpt is taken from San Bernardino’s Superior Court’s Web site:

If you decide that a child needs a probate guardianship, the first step in the process of establishing guardianship is to fill out and file the petition and other required documents with the clerk of the court. Some counties have additional “local forms” that need to be filed along with the standard forms. Any interested party or the child, if 12 years or older, may file the petition. Specific persons must be given notice of the petition, unless excused by the court, before the court can hear the case. The court may order that an investigation be completed before it makes its decision. If this occurs, you, the child, and any other persons deemed essential will probably be contacted about the case. The investigator will give the court a report and make a recommendation on what should occur. At that stage, the case may go to trial. The court may grant the petition or may
find that there are insufficient grounds to establish a guardianship. There is a fee for filing a guardianship petition. In addition, you may be charged a fee for a guardianship investigation. If neither you nor the child’s estate can afford to pay the fees, you may request that the court waive the fee requirement. The court clerk can provide you with a fee waiver form (2013, p. 2).

As this example shows, anyone can apply for guardianship status and it is an investigator’s recommendation that guides the court’s proceedings. In my own personal experience, I have found that the investigation involved looking for any behavior that was deemed inappropriate, unsafe, or detrimental to a child’s wellbeing. These constructs of “inappropriate,” “unsafe” and “detrimental” are often subjective, so when used towards a child’s best interest scenario, it can reflect a perspective or opinion. For instance, when my husband and I were investigated, the investigation did not even take into account things like our employment history, college degrees, or our preferred parenting style.

The best interest scenario can inhibit the rights of individual adults to establish and/or maintain nurturing relationships with the child. It appears as if custody cases are like cookie cutters that follow a distinct mold. The cookie cutters are an analogy to the current social structures, which hold certain behaviors to be inappropriate. These so called inappropriate behaviors are truly only opinions; however they are the opinions of the majority in power. Foucault (1978) explains this majority in terms of power, suggesting that power is formed
as discourses channel tenuous modes of behavior. Put simply, certain types of behavior become the accepted norm, and that norm is created through discourse. The societal norm then is what shapes the various fields, such as court rooms, of our society. The judicial branch is then a social institution which serves the function of representing the attitudes and norms of our society. Fillingham (1993) agrees, “These technical fields have had ever-increasing power over people, and these discourses have profoundly shaped the structure of our society” (p.101). Smeyers (2010) reminds us that by accepting overarching norms and values; the social realm is transformed into a system. Such a system may have the capacity to create an “in human” environment (pp. 282-283). Unfortunately, based on my own personal experience, it felt as if the court did not weigh my side of the story or my perspective against the accusations made against me; it appeared to me as if my case was treated like “standard practice” or rather it seemed to follow the cookie cutter mold that is designed with the “righteous mantra” of “for the children” or in legal terms, a child’s best interest. Spinak (2007) echoes this realization when he says, “More fundamentally, before is a powerful portrayal of family and of the power of the state to destroy family; highlighting their beliefs about the psychological, historical, and philosophical underpinnings of the family.”

Currently the court has the power to decide custody, guardianship and visitation rights of children. These decisions are based on what is in the best interest of the child. What is a child’s best interest? What factors are used to
define this broad concept? “If we analyze the best interests’ principle as a whole, there is no particular explanation of its application. It does not outline any particular duties, nor does it state precise rules” (Zarmatten, 2010, p.485). Therefore a judicial decision based on a child’s best interest is extremely subjective. This project acknowledges the fact that subjective perceptions and cookie cutter case molds are being used to make permanent decisions, and that many children are being torn from their natural relatives and re-ordered with guardians and the like.

Courts, Custody and Visitation

As stated, the purpose of this graduate project is to put together a non-profit organization that focuses on communication between children and their estranged family members. Specifically, the organization titled “Keep in Touch” is an organization that will help facilitate visits between children and their biological family members. This is a service that is in great need as there are a high number of divorces, guardianship cases, and other litigating circumstances which result in the separation of children and their families. According to Schoffer (2005), divorce has affected more than one million children each year for the past ten years. If current trends continue, 40 –50% of first marriages in the United States will end in divorce. This divorce-affected culture is, “marked by . . . single mothers and vanished fathers, of divided households and split parenting, of fractured parent-child bonds and fragmented families . . .” (Schoffer, 2005,
Children face dramatic transitions during their parents’ separation and divorce. Lazarus explains,

It may not be easy to determine the specific effects divorce will have on children, but one thing is certain—divorce causes children to cope with loss. Spending less time with one parent, their home as they know it will never be the same. (1999, p. 334)

This is one area where *Keep in Touch* offers a solution. *Keep in Touch* will be available to parents and their children during this time of transition. *Keep in Touch* will focus on the children’s needs such as feelings of exclusion, feelings of isolation and feelings of loneliness during this critical time of change and upheaval, also known as divorce. As a result of their exclusion, children express anger and frustration about being left out. Feeling left out creates an absence of valuable communication between parents and children at crucial moments of family transition (change) and this can cause considerable stress in children. Thus, *Keep in Touch* intends to aid these families’ needs for acceptance, inclusion, and importance.

**Mediation**

When parents file for a divorce they are required to go to divorce mediation. Schoffer (2005) defines mediation as “…a process of dispute resolution facilitated by a neutral third party/mediator who invokes problem-solving negotiations aimed at enabling parties to reach an agreement that addresses their respective psychological and economic interests” (p. 324).
Traditionally mediation is supposed to empower parents to make important family decisions such as custody, instead of having to go to court and work it out in front of a judge. The following excerpt reflects California’s mandatory mediation law.

In 1981, California became the first state in the country to enact mandatory child custody mediation legislation. Today, all family law cases, even those with histories or allegations of domestic violence, are subject to mediation. The legislative intent in promulgating the mandatory custody mediation program was noble. The program was designed to reduce animosity between parents, develop agreements that keep children's best interests paramount, and allow children close and continuing contact with both their parents (Boxer-Macomber, 2003, p.1).

This passage reflects the major goal of Keep in Touch, allowing children to have close and continuing contact with both their parents. It also makes reference to families who deal with domestic violence. Since the mandatory mediation law has been enacted there have been disputes about whether or not it is fair to make victims of domestic violence participate in mediation. Often times victims of domestic violence do not want to be forced to engage in any type of conversation about the “violent situation” especially with a third party and this is usually due to a developed pattern of fear. That being said, “California has taken significant steps to ensure that its Family Court mediators are prepared to identify and handle custody mediations where there are histories or allegations of domestic violence” (Boxer-Macomber, 2003, p. 891). California mediators
require specific knowledge, coupled with experience and a formal education. The following section describes the qualifications of being a family court mediator.

**Mediator Competency.**

First, to become a family court mediator, an individual must have the following minimum qualifications:

1. A master’s degree in psychology, social work, marriage, family and child counseling, or other behavioral science substantially related to marriage and family interpersonal relationships.

2. At least two years of experience in counseling or psychotherapy, or both, preferably in a setting related to the areas of responsibility of the family conciliation court and with the ethnic population to be served.

3. Knowledge of the court system of California and the procedures used in family law cases.

4. Knowledge of other resources in the community to which clients can be referred for assistance.

5. Knowledge of adult psychopathology and the psychology of families.

6. Knowledge of child development, child abuse, clinical issues relating to children, the effects of divorce on children, the effects of domestic violence on children, and child custody research sufficient to enable a counselor to assess the mental health needs of children (Boxer-Macomber, 2003, p.892).
Given that mediators are trained to acknowledge victims' domestic violence experiences, it is their job to assist in the development of practical and safe custody and visitation plans. It is up to the mediator to inform parents of their options, which will ease family transitions and honor the child's best interests. This is another area where *Keep in Touch* provides a solution. *Keep in Touch* will provide visitation assistance and options for people experiencing a separation. Therefore, *Keep in Touch* aims to be a community resource for assistance that mediators can refer their clients to, which is one of the job descriptions of a mediator as stated in qualification number four above.

The Private Sector

The search for supporting evidence to prove that the problem of communication between children and their parents exists, has led to the private sector; businesses like private foster agencies and private adoption agencies should be considered when discussing this problem through a structural lens. There are numerous private adoption and foster agencies.

A private adoption agency is an organization that is licensed through their state that allows them to complete adoptions, prepare home studies and post placement reports, as well as supervise and complete the adoption finalization. There are thousands of private adoption agencies that are either a profit or non-profit organization. Private agencies can make their
own requirements when requirements fit within the licensing guidelines of their state. (Adoption.com, 2014)

Children’s Bureau (2012) According to the AFCARS Report, which is a federally mandated data collection program, there were 400,540 children in foster care on September 30, 2011. Out of those, 104,236 children were waiting to be adopted. 50,516 children were adopted with public child welfare agencies; leaving the other 50,000 children to be adopted through private agencies. As this statistic suggests, there are 50,000 children adopted through the private sector each year.

The leading private corporation in San Bernardino County is called Childhelp. Childhelp was founded in 1959 by Sara O’Meara and Yvonne Fedderson. Childhelp originally started as “International Orphans” and began with the support of 11 Japanese-American children, found wandering the streets of Tokyo (Childhelp, 2014). Within three weeks of start-up the number of children they supported increased to over 100 (Childhelp, 2014).

In 1974, through collaboration with "Operation Baby Lift", thousands of orphans are rescued from Vietnam and brought to the United States for adoption. Nancy Reagan suggests to Sara and Yvonne that I.O.I. address the problem of child abuse and neglect in the United States. (Childhelp, 2014)

Over the years this organization has grown and expanded. Currently there are numerous programs and locations that this organization serves. Some
of their programs include: National Child Abuse Hotline, Foster Care, Adoption, Residential Treatment, Advocacy Centers, School programs, and in Riverside there is a Nonpublic School and an International Hot line number. The website for Childhelp has detailed information regarding each program. Interestingly, the Advocacy Program calls itself a “one-stop approach” to the investigation of child abuse. Involved with the advocacy program are professionals from law enforcement, child protective services, medicine, mental health and prosecution (Childhelp, 2014). Further notes from the website reveal that this program, “…reduces the time victims and their families spend assisting with the investigation…. reduces police and Child Protective Services investigative time, and enables quicker prosecutions through more efficient case processing” (Childhelp, 2014).

I called the Childhelp office located in Redlands, CA and asked for an interview with the office manager, Ms. Quinn. The interview revealed that at this moment the Redlands office has 60 children in foster care. I asked Ms. Quinn how Childhelp obtained their clientele, or cases, and she said that they have a county referral process. I asked her if this was anything like a MOU and she said yes. A MOU is a “Memorandum of Understanding” between two parties; in this case the San Bernardino Courts and Childhelp. I asked Ms. Quinn how Childhelp is funded and she clarified that although they are a private corporation, they are still considered non-profit and that they receive a large part of their funding from County Services for children. The official name of this source is,
“County of San Bernardino Children and Family Services,” additional information can be found on San Bernardino County’s website. Their mission reads,

The mission of Children and Family Services is to protect endangered children, preserve and strengthen their families, and develop alternative family settings. Services as mandated by law and regulation, will be provided in the least intrusive manner with a family centered focus. This mission is accomplished in collaboration with the family, a wide variety of public and private agencies and members of the community. (County of San Bernardino Children and Family Services, 2014)

Childhelp seems to be in line with this philosophy as they state,

For over 20 years, Childhelp’s Foster Family and Adoption Programs of California has been connecting loving families with children by actively recruiting, certifying and training foster/adoptive families in Southern California. From its offices in Hollywood and Redlands, critical services can be offered and provided to children most in need. Currently, there are more than 100,000 children in California’s foster care system. Childhelp provides both foster care and adoption services to youth and families. Childhelp also completes S.A.F.E. adoption home studies and assists families in preparing for adoptive placement. (Childhelp, 2014)

As this excerpt explains, there are quite a lot of children who may have visitation needs. I know from personal experience that I would much rather enjoy
a visit with my child at a neutral location than at the center responsible for their foster care.

Expert Interviews

In an effort to better understand the mediation process and the effect it has on families in San Bernardino County, I contacted the San Bernardino County Mediation Department to ask for an interview. On Friday, October 11, 2013, I had a phone interview with Amber Jones, Child Custody Recommending Counselor (See Appendix A, for interview questions). Ms. Jones confirmed that mediation was mandated by California Law, and because of this, the mediation department is full. Ms. Jones explained how the mediation process works. She says that both parties are supposed to attend a presentation/orientation before attending the mediation session. The orientation can be done on-line or in person, and they are available two Fridays a month. The orientation is meant to prepare the couple for their mediation session so they will know what to expect. At the mediation appointment, the child custody specialist works with the parents to develop a parenting plan on how to share legal custody.

Upon arrival both parents fill out a questionnaire for information purposes. Whoever filed the petition gets to speak first. Ms. Jones says that she usually doesn’t interview children unless the judge orders it or if it is for a specific purpose. She said that it is at the mediator’s discretion whether or not to interview the children.
In the mediation secession the parents try to work out an agreement for custody and visitation. Ms. Jones says that the judge will usually order whatever agreement is made at the mediation secession. If no agreement is made, then the mediator will make a recommendation based on what they feel is in the child’s “best interest”. I asked Ms. Jones what factors are considered in deciding best interest. She said items such as: Are the children safe and are there any possible risk factors such as: is there a criminal history, substance abuse, has there been an absence from the home, domestic violence, and mental health issues, are used to make decisions. Ms. Jones said that the judge will usually make decisions based on the mediator’s recommendations.

I asked Ms. Jones if there have been any major changes in the Mediation Department in the last 5-10 years. She said that they are extremely busy and that there is a 3-5 month waiting time to get an appointment. She said you can get an emergency order called an Ex-Parte that will go through in 24 hours. She also said that they are working on a streamline process to make it more workable for society.

Ms. Jones said that the toughest part of her job is managing her time and the huge amount of paperwork. She also commented on the toughness of having to deal with highly emotional parents. She admitted that often the parents cry in her office. She commented that it is worthwhile to help the children.
I ended the interview by asking her opinion about opening a visitation organization. She said it was definitely needed, especially a low cost agency as most professional mediators charge between $30-$150 an hour.

In addition to interviewing the mediation department, I also had an interview with a family law judge. On Friday, October 11, 2013, I had a phone interview with Commissioner Michael Torchia. Judge Torchia works for the San Bernardino County Family Law court.

Judge Torchia confirmed that the San Bernardino county courts are swamped. He said that sometimes he reviews 35-40 cases a day and that approximately 35% of those cases deal with visitation. He says that these cases often take several trips, sometimes more, to the court house before they are decided on.

Judge Torchia explains that family law deals with dissolution, domestic violence, paternity cases, and support. He said that guardianship cases are handled by probate and that probate is different than family law.

When discussing visitation, Judge Torchia says that the general policy arrangement is to seek frequent contact. He said that each case is different and the decisions are based on what is considered in the child’s best interest. I asked Commissioner Torchia what factors are considered in deciding best interest. He considers items such as child abuse, stability, if parents are trying to use children against each other, and drug use. Judge Torchia says that the court considers drug use as detrimental to the child.
I asked Commissioner Torchia if any major changes in Family Law have been made in the last 5-10 years. He said that there are different rules to conduct the cases, there are large amounts of cases, and that most clients represent themselves. Judge Torchia suggested that because of the economy many people simply cannot afford lawyers. Since many people are representing themselves the cases take longer to process due to lack of familiarity with the court procedures.

I asked Judge Torchia what he thought about opening a visitation center and he said that there was a definite need for that. He also commented that San Bernardino has an excellent mediation department.

As a researcher and a master’s student we are taught to look for gaps in current research and literature and then to try to account for those gaps by filling in missing pieces or to contribute to the puzzle that is the social problem or concern that we are working on. In this case, a trend towards social attitudes or a possible record of discourse which may have contributed to the current state of affairs in the family law department has been discussed. As confirmed by expert interviews, many people in San Bernardino County are experiencing mandatory mediation and custody/visitation orders. As such, the problem of continued communication between children and their families has been illustrated. This project aims at providing a solution to this problem.
Family Communication

Braithwaite (1993) suggests that there is a need to examine family communication in more depth and this exploration is crucial to the growth and development in the area of family communications (p.103). Braithwaite (1993) also suggested that there was a need for family communication researchers to develop a model that focuses more on the system of interrelationships among family members and less on the individual. She furthers that families are complex systems and as such, a model should be developed that studies families and change over time. Since the 1990s, the field of family communication has grown considerably with the development of family communication theories.

According to the latest family research, children are often left out of the research concerning family communication (Miller-day, Pezalla, Chestnut, 2013). They reported that “only 3.7% of all published articles in leading communication journals focused on children, a number far less than 10% speculated in previous research” (Miller-day, Pezella, & Chestnut, 2013). This data suggests that the solution to this communication problem should not only find a way to keep kids connected with their families, but also, that the solution should aim at collecting research to further our knowledge in the area of family communications.

What characterizes your family? Could you adequately describe your family by showing a picture of them? How about adding a description of each person? Neither of these approaches would be sufficient to
communicate what your family is because a family is more than a collection of persons. In order to fully understand family life, you would need to look at how the members interact with one another, how they influence one another, the different ways communication functions in the family, and how the family changes over time. (Littlejohn & Foss, 2011, p.49).

Next I will discuss the ontological, epistemological and axiological rationale for establishing a non-profit organization, *Keep in Touch that* will lead communication between children and their separated family members.

**Philosophical Assumptions**

**Ontology**

Ontology deals with what exists and what the nature of reality is. The type of ontological perspective one takes when conducting research, reflects the type of “worldview” the researcher is working from. Huff (2009) suggests that it is necessary for all scholars to be thoughtful about the philosophical foundation of their activities (p.111). She furthers that by providing an ontological position, others will be able to understand the context from which the researcher is working from (Huff, 2009, p.110). Understanding the derivative of a researchers conceptual knowledge, should allow others to adapt possible alternative points of view (Huff, 2009, p.110). The availability to consider alternative points of view will be necessary to induce social change.
The founding ontological position for *Keep in Touch* is Social Constructivism. The ontology of Social Constructivism is, “Individuals and groups participate in the creation of their perceived reality” (Huff, 2009, p.113). Since the argument about a child’s best interest seems to be revolving around some subjective belief system, a social constructivist position seems warranted. Also, since *Keep in Touch was founded* based on the principle that connection with biological family members is not only valuable, but also conducive to one’s psychological health, creating a platform to voice these opinions is also consistent with a Social Constructivist position.

This is a good opportunity to raise a simple point about the severity of the court’s action. From the social constructivist position, knowledge is not given but rather created from individuals and groups. That being said, some of the current attitudes reflecting a child’s best interest are, at best, subjective. In my opinion, these ideas reflect nothing more than a created perspective by a majority who has current power.

A parent has a natural position in the life of their child, or at least that was the case up until about twenty years ago when in 1989 the Convention on the Rights of the Child was ratified by all states but two (Cortese, 2009, p. 331). It was approximately around this time when social attitudes regarding the relevance of children and their condition began to evolve.

The language of children’s rights, and also the language of those who criticize and resist such rights, became embedded in the professional
discourse of educators, social workers and legal practitioners. It came to constitute the backdrop to an increasingly felt need for a new agenda, one in which policies and practices are grounded in reflective re-examination of experience with the case for the child across professional cultures. At the same time, while the awareness grew that children are not solely the “property” of their parents nor the passive recipients of laws giving judges the power to determine what is best for them, the need to compare legal and social perspectives cross-culturally also became widely felt. (Cortese, 2009, p. 332)

As a result, the discourse concerning children’s rights steadily gained momentum and has led to an abuse of power by US Courts. Educators, social workers and legal practitioners began using the concept of “children’s rights” as a planning strategy for their work. As these strategies developed they created powerful social systems that have led to the unfair and unjust removals of children.

Brooks (2009) agrees, suggesting that the legal system has an anti-family bias and that the courts seem to take too much power away from parents (p.334). Brooks argues for an empowerment of families, as recourse to the “tragedy of state custody”; which she says is ultimately disabling to both the child and to the family (2009, p334).

I challenge you to consider the fact that parents are being legally barred from their children by a system that seems to railroad the weak, or powerless. The judicial system reflects those in power so Davies (1998) seems accurate
when he says, “To constructionists in particular, perception is heavily influenced by top-down conceptual processes” (p.450). Since reality is reinforced daily by interactions among society’s members, the reality of the so called “top” members or those members with power is a good place to start when trying to induce social change.

Epistemology

Epistemology deals with the study of knowledge. Huff (2009) says that, “Epistemology focuses on what human beings can know about what exists” (p.108). When it comes to the epistemological position of this project there are two different positions. The first position reflects what I believe to be the current social position and that is one of a postmodernist.

Postmodernist.

According to Huff (2009) the epistemology of a postmodernist position reflects the idea that, knowledge and power are fragmented and that local assemblages of ‘organizing’ collectively make up social reality (p.114). This appears to be the current situation within the family law structure. The discussion about what is a child’s best interest seems to be fragmented and the collective power of those organizing the legal structures, are setting the tone of our social reality. That being said, since postmodernism does reject a single truth and acknowledges multiple truths of multiple subject positions, there appears to be an opportunity to shift what the ‘local’ opinions are. This leads to the second epistemological position of this project, the feminist perspective.
Feminist Perspective.

The second epistemological position of this project and the one that I am encouraging is that of a feminist perspective. Huff (2009) describes the feminist position as, “The perspectives of marginalized individuals can help to create more objective accounts of the world” (p.113). Feminist practical reasoning challenges the legitimacy of the norms of those who claim to speak, through rules, for the community. An example of these so called “norms” would be the linguistic structures resulting from discourse on a child’s best interest. Barlett (1990) explains that feminist practical reasoning differs from other forms of legal reasoning, in the strength of its commitment to the notion that there is not one, but many overlapping communities to which one might look for “reason” (p.855). Feminists have noticed that law has a tendency to reflect existing structures of power, and feminists insist that no one community is legitimately privileged to speak for all others. Therefore a feminist perspective seeks to identify perspectives not represented in the dominant culture. Brooks (2009) critique of the US welfare system echoes this sentiment by highlighting, “…an inability to appreciate the cultural Other on the part of the hegemonic, mainstream US culture” (p, 334-335). So by applying a feminist epistemological viewpoint, new possibilities open which strive to integrate emotive and intellectual elements rather than making judgments solely on prescribed categories of analysis (Bartlett 1990, pp. 857-858).
Feminist reasoning also allows decisions to be made which draw on the insights and perceptions of various women and their experiences. These insights are then used to explain alternative understandings of individual circumstances. This type of reasoning is referred to as positionality.

“Positionality posits that all individuals have limited perspectives and that to become more knowledgeable, one must extend his or her limited perspective by acknowledging and listening to the perspectives of others” (Bartlett, 1990, p.895).

According to Bartlett (1990), positionality is a feminist legal approach that emphasizes each woman’s experience, values the concept of experience-based knowledge, and allows for feminist “truths” to make sense. This approach appears more sensitive to our emotive side and it strives to make more sense of human experience. These qualities are valuable when dealing with such personal issues as child custody and visitation rights.

**Axiology**

Axiology is the branch of philosophy concerned with the study of values. “What values guide research, and what are the implications of those values for the outcome of the research process? (Littlejohn & Foss, 2011, p.23). The *Keep in Touch* project is guided by the principle belief that parental bonds are of the upmost importance. *Keep in Touch* places a high value on the communication that takes place between a parent and their child; the natural communication includes but is not limited to verbal, nonverbal, emotional, extra sensory, and
genetic knowledge. Family members also learn together and as such share a similar set of beliefs, ethics, values and culture.

Values provide an axis of orientation for our lives, for our attitudes and our deeds, for our decisions about what is right and wrong, valuable or not. Values also provide an authoritative voice based on which we can make proper choices concerning how to live our lives and further develop our humanity (Cicovacki, 2009, p.13).

The family court system is an example of an authoritative voice which guides our “proper choices”. The axiological premise of the family court system lies with the notion of human rights. Human rights apply to all age groups; children have the same general human rights as adults, however children sometimes need special care and protection that adults do not (Unicef, 2013). The language of children's rights, and also the language of those who criticize and resist such rights, became embedded in the professional discourse of educators, social workers and legal practitioners (Cortese, 2009, p. 331). It reflects a new vision of the child. Children are neither the property of their parents nor are they helpless objects of charity. They are human beings and are the subject of their own rights. The family court system bases their axiological position on the notion of “children’s rights”, however, “representations and social figurations of childhood which provide a platform for policies, showing how well intentioned protection can actually be misguided” (Cortese, 2009). What this is suggesting is that the courts
are creating value judgments and these judgments reflect a symbolic changing of
social values.

There are some scary points of view reflecting how these so called ethical
perspectives are influencing legal structures and attitudes. For example, Cortese
(2009) explains, “The architecture of the text clarifies the overall goals of the
collection, proceeding from a “state-of-the-art” overview of advocacy for children
where “progress and problems” are mapped diachronically and problematically”
(p.333). Here is an example of what I was referring to in the introduction of this
chapter: the cookie cutter molds, the templates, the pre written formula and
pattern for family court cases. Cortese (2009) goes on to explain that there is a
four part, systematic way of organizing the axiological position of a children’s
rights (p.333). Here comes the problematic part,

…a socio-cultural change, a slow yet effective response to a discourse of
children’s rights which cannot be inculcated from above through
unconditioned prescriptivism. The issue no longer is how to make the
language of the Convention acceptable within a given culture; the question
is how to implement its guiding principles effectively. (Cortese, 2009,
p.332)

If court cases represent preconceived and planned outcomes, where do the
values, morals, and ethics fall into place under this kind of condition? Bunikowski
(2013) recognizes this dilemma and suggests that modern states law making is
the result of an axiological compromise due to changing social values. These
changing social values are due to the secularization of our modern and global condition. The possibility of introducing rational guarantees into moral discourse sounds hypocritical, biased, and unjust. Ultimately, this project, *Keep in Touch*, seeks therapeutic jurisprudence, for a more holistic and tolerant approach wherein the child’s best interests are co-extensive with the family’s best interests.

Reflecting the Need for *Keep in Touch*

There are many areas including courts, detention centers, law (personnel and their methods and tactics), counseling and therapy programs, rehabilitation programs, probation, parole, and CPS that operate in a bureaucratic fashion and thus can hinder family communication and unity. Specifically, I am interested in the family law, guardianship, and CPS structures. Some of the actions of these institutions can be hegemonic, oppressive, unfair, and biased toward disenfranchised populations.

*Keep in Touch* aims to be an organization that will address some of these inequalities and affect social change. The goal is to design it so it will be more than just a visitation organization, but one that can provide a platform that will help to bring awareness about an issue that I find extremely important. The main issue that I pursued in this project is the importance of family and how important it is to keep connections with your relatives, especially children with their parents and parents with their children. The project of building a nonprofit organization is one of the solutions to the problem.
The actual process of putting together a non-profit organization taught me new skills such as starting an organization and creating a web page. This project also allowed me to utilize the skills and knowledge that I have learned in the communication studies field such as writing research papers, and doing my own public relations. Once the web page is designed, I will create a Facebook page and learn how to use it. I will start a Twitter account. I will be doing all of these things not only as a philanthropist, but also as a researcher. All of the skills and knowledge I acquire through this project will help me in my future studies. Also, creating a non-profit organization is no small task. Throughout this project I have been out “in the real world” making deals, writing contracts, promoting, organizing, planning, scheduling, networking, meeting people, and making social connections. All of this experience has helped me to grow as a person and as a scholar.
The creation of *Keep in Touch* has been no small task. In this chapter I will describe the detailed process of developing of *Keep in Touch*. First I will provide some background research in the form of a literature review on the different types of organizations available, specifically non-governmental organizations (NGO’s) and non-profit organizations (NPO’s). I will also include a review of social media and its significance to the growth of these types of organizations.

Immediately following the literature review will be a section titled preliminary research. In this section I take a look at what types of visitation services are currently available. I also explore some of the legal aspects of creating a visitation service.

Following the preliminary research section I describe the tasks necessary to legally file for corporation status. Here I explain what forms you need and the step by step process taken for *Keep in Touch*. In addition to the discussion of legal paperwork I provide research into other major areas of business startup, such as the creation of a board of directors, the drafting of bylaws, the writing of a business plan, grant writing and fundraising.

Following the initial phases of startup is the section titled outreach activities. In this section I start talking about the development of the website and
segue into a conversation about a similar website built by residents Massachusetts who are experiencing similar social issues. The problem of the separation of families resulting from structural elements in the judicial system is also occurring on the other side of the nation, in the east coast.

Finally chapter two concludes with a conversation regarding the problematic situation of the private sector and how, by design, the structural elements contribute to the creation of criminals and bad parents; thus contributing to the need for visitation services.

Literature Review

Non-governmental organizations (NGO’s) are also known as civil society organizations and they are organizations whose funds are raised by the government, but they maintain a non-governmental position, so there is no need for a government council. These organizations are started by legal persons and any extra funds are divided among the shareholders or owners (Difference Between.net, 2013).

Unlike NGOs, Non-profit organizations (NPO’s) do not divide their extra funds between the shareholders but instead use their money for the purpose of running the organization. NPOs usually offer services and programs such as public arts organizations, trade unions and charitable organizations (Difference Between.net, 2014).
Non-Governmental Organizations

NGOs are both national and international. NGOs are considered to be the primary catalysts of change towards development projects and programs (Chambers, 1997; Clark, 1991; Gardner and Lewis, 1996). That is, NGOs are engaged in the design, facilitation and implementation of developmental sub projects. NGOs often reflect opposition to structural policies and they aim towards social change: raising awareness, opposition with governments, issues of poverty and oppression (Kamat, 2004, p.158).

NGOs are considered to be the will of the people, that is, they represent the interests of the people. NGOs are replacing many of the states’ functions (Mercer, 2002). “NGOs have come to replace other well-established political organizations such as trade unions, welfare associations, religious organizations and trade associations that traditionally represent the interests of various constituencies of society” (Kamat, 2004, p.159). NGOs are stepping in to respond to the needs and demands of the poor and marginalized sections of society (Robinson, 1997; Wood, 1997). NGOs are involved with the overall restructuring of public good and private interest.

There are two main types of NGOs: Community-based NGOs (CBOs) and Advocacy NGOs. CBOs actively participate in social and economic projects such as maternal health care, literacy and small scale income generation projects
Members of CBO’s interact with local community members on a daily basis, as they build relations of cooperation and trust.

Advocacy NGOs, on the other hand, do not operate locally. “Advocacy NGOs organize national and international campaigns for particular kinds of policy or legislative changes, and in this way function more as a lobby group, entirely different from CBO’s that seek to organize a mass base” (Kamat, 2004, p.159). The Advocacy campaigns reflect issues such as violence against women, war crimes against women, and the economic rights of women in the global economy (Kamat, 2004). Also, in comparison to CBO’s, advocacy NGOs are better funded, professionally staffed and are housed in metropolitan centers.

Non-Profit Organizations

Non-Profit Organizations (NPOs) are often charity or service organizations. NPOs usually generate their money from donations and grants. As previously mentioned, funds gathered are used to run the organization (i.e. daily operations, salaries, etc.). In order to start a NPO, one must file bylaws and/or articles of incorporation in the state that they will operate in. “The act of incorporating creates a legal entity enabling the organization to be treated as a corporation by law and to enter into business dealings, form contracts, and own property as any other individual or for–profit corporation may do” (Wikipedia). NPOs have certain structures that they must adhere to: economic activity, supervision and management provisions, representation, accountability and auditing provisions, provisions for the amendment of the statutes or articles of
incorporation, provisions for the dissolution of the entity, tax status of corporate and private donors, and tax status of the foundation. These factors are usually expressed in the charter of establishment.

The articles of Incorporation for this project have been sent to the Secretary of the State and have been approved. The final section of this literature review deals with social media and its ability to help NGOs and NPOs advertise and grow.

**Social Media**

Technology, especially the Internet, has allowed NPOs to organize, advertise, and grow. New opportunities from web-based social technologies allow NPOs to push for changes on public policies and to build meaningful relationships with their constituencies (Greenberg & MacAulay, 2009; Kent & Taylor, 1998; Taylor, Kent, & White, 2001).

Today, so-called social media—Micro-blogging sites like Twitter, networking sites like Facebook and MySpace, or video and photo-sharing sites like YouTube and Flicker—provide organizations with opportunities to directly reach out to and engage existing and prospective members and supporters with new opportunities for sharing, collaborating, and mobilizing collective action. (Greenberg & MacAulay, 2009, p.65)

This is possible because Web 2.0 offers a two-way flow of information, which is part of the ‘dialogical’ paradigm of communication. These technologies allow for constituency engagement, relationship building, and conversation. This places
member engagement, participation, and dialogue at the center of all organizational activities (Greenberg & MacAulay, 2009, p.65). This is important because nonprofit organizations represent community-based ideals, where the focus is placed on relationships. “Relationships with members, donors and supporters are crucial to building an organization’s volunteer, financial and advocacy capital” (Greenberg & MacAulay, 2009, p.65). Not only do social media sites allow for two-way communication in regards to building relationships, they also have the potential to share news and information, to organize events, and for members to work collaboratively, in short they allow for active participation.

Social media is currently a hot topic in the field of communication. Its usage and potential is researched and discussed in many areas. One common area of interest is how it empowers the public relation function (Porter & Sallot, 2005; Porter, Sweetser, & Chung, 2009). Smith (2010) described at length about the use of Twitter to fulfill public relations objectives; his research outlined relief efforts towards Haiti after the 7.0 earthquake hit. “Individuals use Twitter to connect with a community of supporters, promote involvement, and personalize issues” (Smith, 2010, p.331). Some of Smith’s (2010) findings revealed that Twitter users are motivated to be connected to individuals with a common cause, that calls to action were a common theme, and that self-promotion was evident on Twitter, as many users pledged to donate money with new followers; pledges often ranged from 10 cents to ten dollars per new follower. Smith (2010) found
that Twitter was able to allow people to express public concern and involvement by Tweeting their sympathy for Haiti. These notions will be especially useful for building a nonprofit organization, because people will be able to publicly receive credit for their concern and involvement in the issue. Twitter can also be used for collaboration because it allows users to build off others’ commentary and it also allows for networking. “For example, one user tweeted, ‘I wanna raise money for #Haiti. Many people lost limbs and will need prosthetics, Lets brainstorm’” (Smith, 2010, p.332). This example is great because the Twitter user opens up dialog for all of her/his followers. The commentary asks for return comments which results in active participation towards a common goal. Again, this shows how useful Twitter can be when working with a nonprofit organization. Smith (2010) “Twitter is more than a message engine—it is a platform for social connection and promotion” (p.332).

With that in mind “A platform for social connection and promotion” it is now time to return to the goal of this project: To create a non-profit organization whose primary purpose is to keep children “in touch” with their natural relatives.

Chapter One identified the social concern regarding the power of the state to make decisions regarding family issues such as child custody and visitation. This discussion led to more questions concerning California’s mandatory mediation laws and court ordered visitation.

The rest of this chapter details the process of creating *Keep in Touch*. Ideally, this organization is designed to help assist families who have visitation
needs by creating an environment that encourages open communication in a friendly, non-threatening manner.

Preliminary Research

The first step in designing *Keep in Touch* started with researching other types of organizations that offer visitation services. The current situation revealed a limited selection of services. This is encouraging because it proves that there is a definite need to pursue this project, and that this project is worthwhile. By researching the current available services, I should be able to get ideas about how to organize *Keep in Touch*. This research will also provide what types of “competitors” or “peers” we will be working with, and other additional information that will be useful while building *Keep in Touch*.

Currently there appears to be a limited amount of resources available to assist with visitation needs in San Bernardino County. The most helpful source located was a list that provided various types and locations of supervised visitation providers in Southern California (*Supervised Visitation Providers*, 2014). The majority of the providers found on the list represent surrounding counties such as Los Angeles County and Orange County. There are very few providers representing San Bernardino County.

Among the providers on the reference list are various types of organizations. For example, in Orange County there are both non-profit and private, for-profit, providers. Some providers are organizations or agencies and
others are individuals who work as professional monitors and/or supervisors. The provider list offers the following sections of information: Contact information of the provider, intake fee, type of service covered by declaration, hourly fees, Trustline or record check, liability insurance coverage, and an additional information section (Supervised Visitation Providers, 2014). The information found in these sections reveal valuable information that can be used as a gauge for current practices such as: prices, fees, and types of visits offered, including: supervised, unsupervised, on-site, off-site, over nights, vacations, phone calls, and even Skype services are available. The service fees range from $25 - $150 per person, per visit. With mediation being required by California law, there are large numbers of parents with visitation needs. As noted by Amber Jones, Child Custody Recommending Counselor, there are quite a bit of mediation cases waiting to be addressed in San Bernardino County. Ms. Jones stated that the current wait time to be interviewed is around 3-5 months.

The Supervised Visitation Providers list also provided some extremely important information concerning providers,

According to Family Code Section 3200, all providers of supervised visitation must operate their programs in compliance with the `Uniform Standards of Practice for Providers of Supervised Visitation' which can be found in the California Rules of Court, Standards of Judicial Administration, Standard 5.20” (Supervised Visitation Providers, 2014).
In addition to the statement of legal positioning “section 3200”, the Supervised Visitation Providers list also included practical suggestions to consider when choosing a visitation provider such as: Be familiar with the standards of practice, use good judgment when selecting any monitor, and consider the value of registered providers because “… a monitor may be spending some time alone with your child….” (Supervised Visitation Providers, 2014). Also, it is recommended that you should consider using a monitor that carries professional liability insurance, and the last piece of advice offered is to “Understand that a separate intake interview must be conducted with each parent and the children if age appropriate, prior to the first visit. Because of this, the first visit may not occur immediately” (Supervised Visitation Providers, 2014). This piece of information points out how much more research is going to be required for the implementation of “proper” procedures in running a visitation service. Where this mandate is, legally, is beyond the scope of this project, however understanding these types of nuances will help with development and design of Keep in Touch.

Start-Up

Legal Requirements

The first step to creating a non-profit organization in California is to apply for The Articles of Incorporation. This documentation establishes your rights as a corporation. To apply for the articles, you have to fill out an application (See
Appendix A) and then send it in with a thirty dollar money order to the Secretary of the State; Our Current Secretary is Debra Bowen. Further information can be found on the California Secretary of State’s Website. The Articles for *Keep in Touch* were filed and accepted on February 4, 2013.

The biggest issue regarding acceptance was making sure that no other businesses have the same name for the same type of service/product. Once I received confirmation of acceptance, I had a few more required forms and fees to process.

The most important form to file, although they are all required, is the SS-4. (See Appendix B) The SS-4 form is an application for an employer identification number (EIN). “An EIN is a nine-digit number (for example, 12-3456789) assigned to employers, sole proprietors, corporations, partnerships, estates, trusts, certain individuals, and other entities for tax filing and reporting purposes” (IRS, 2013). The reason why it is important to file for your EIN immediately is that you will need it to open a bank account. This process has been completed for the start-up of *Keep in Touch*.

The next form to file is the SI-100. (See Appendix C) The SI-100 is a statement of information required for every domestic nonprofit, credit union and consumer cooperative corporation to file with the California Secretary of State, within 90 days after the filing of the initial Articles of Incorporation, and biennially thereafter during the applicable filing period. A corporation is required to file this statement even though it may not be actively engaged in business at
the time this statement is due (Secretary of State Business Programs Division-Website, 2013). Form SI-100 costs $20.00 to file. *Keep in Touch* responded in January 2014.

Form 1023 also needs to be filed. (See Appendix D) Form 1023 is the application for exemption status under Section 501(c)(3). “Eligible organizations are those that are organized and operated exclusively for religious, charitable, scientific, public safety testing, library, or educational purposes” (Answers, 2013). To be exempt under this section, an organization must apply within 27 months after the end of the month in which it was created (IRS, 2013). Form 1023 costs between $400-$800 dollars to file. *Keep in Touch* has not yet filed this form but plans to do it once a grant is received.

The last start-up documentation that requires filing is with the Attorney General’s Office. There is not an official form “number”, however, you can find the form on the Attorney General’s Charities Web Site. (See Appendix E) The Attorney General regulates charities and the professional fundraisers who solicit on their behalf. The purpose of this oversight is to protect charitable assets for their intended use and ensure that the charitable donations contributed by Californians are not misapplied and squandered through fraud or other means. (Charities, 2013)

Registration of the charity with the Attorney General must take place within 30 days of receiving donations, property or other assets. *Keep in Touch* has not yet registered but plans to file it after the first donation is received.
The last legal requirement for start-up is the drafting of bylaws, The rules and regulations enacted by an association or a corporation to provide a framework for its operation and management. Bylaws may specify the qualifications, rights, and liabilities of membership, and the powers, duties, and grounds for the dissolution of an organization. (The Free Dictionary, 2013)

Bylaws are the operating procedures of the organization. In general bylaws define,

- Size of the board and how it will function, roles and duties of directors and officers, rules and procedures for holding meetings, electing directors, and appointing officers, conflict of interest policies and procedures, how grant monies will be distributed, and other essential corporate governance matters. (Grant Space, 2013)

There is no official “registration” of the bylaws because they are not public documents. They are, however, a requirement to operate a corporation.

The creation and establishment of bylaws is done by the Board of Directors. The Board of Directors oversees the organization, helps set organizational policy and usually shares a passion for the nonprofit’s mission. The board should be organized with officers and committees; traditionally officers include a chair (director), a secretary, and a treasurer. Nonprofit & Fundraising Resources (2013) when selecting board members it is recommended to seek people from diverse backgrounds, that is, to acquire a board who has a variety of
talents and connections. Ideally you want to have a group of people who share a passion for the nonprofit’s mission, are willing to support fundraising activities, and whose personal background, education, and knowledge can contribute to the overall development and improvement of the organization.

Generally speaking, the board is not in charge of the day-to-day affairs of the nonprofit. Taking care of the many details involved in running the organization is the responsibility of the nonprofit’s staff, including the executive director, paid workers, and volunteers. “Unfortunately, many nonprofits -- especially new and small ones -- are run almost entirely by the board and other volunteers” (Building Your Nonprofit’s Board, 2013). At this point Keep in Touch has acquired a start-up Board of Directors and at our first meeting we drafted the bylaws.

One of the major topics at our next board meeting will be, fundraising. Fundraising is good, but it is not going to be enough to get this operation off the ground. We will need to apply for as many grants as possible. This too will be discussed at the next board meeting.

Grant Writing

Grant writing is the process of preparing an application package to apply for funding. The funding sources are broad and varied, but usually come from a government department, a corporation, a foundation, or a trust (Blakenship, Jones, & Lovett, 2010.) The application package is often referred to as a proposal, a ‘grant proposal’. There are many elements to grant writing, in fact,
many colleges offer full courses on grant writing (Walsh, Bonner, Springer, Lalasz, & Ives, 2013). Since grants are competitive and awards are based on the assessment of grant proposals, writing skills are paramount to the grant application process (Blakenship, Jones, & Lovett, 2010.) Walsh, Bonner, Springer, Lalasz, & Ives (2013) identified three major areas of instruction in college grant writing courses: writing skills, budgeting, and identifying funding sources.

The most obvious way to search for grant opportunities is to look on-line. The World Wide Web contains numerous sites which offer various grant opportunities, for example, at Grants.gov you can find current federal grants that are available and apply for them at that site. In fact, most grant proposals are done on-line. Another way to search for grants is to look up peer reviewed journal articles on grants. While doing research for this project, I found that often times these sources have grant opportunities or locations that offer opportunities that might not be so obvious on the World Wide Web. Journal articles, as with web sites most always have a reference page and or additional links available. Following these paths will reveal additional opportunities. One last note about searching for grants: look for local business that offers funding opportunities. I learned this through my internship at Community Action Partnership of San Bernardino, and I intend to apply to both Stater Bro’s Grocery Markets and San Manuel Band of Indians and Casino. Both of these organizations are local and they offer substantial grant awards.
After searching around, I found a very useful guide for proposal writing. National Science Foundation (2013) Some of the more important pieces of information you will need to gather are: Requirements of the grant (do you qualify), the broader impacts your project will have on society, who the target audience is (who is giving the grant), writing a narrative (specific plans, proposed activities, and enough details to show reviewers that your ideas are well thought out and organized), and budget information. In addition to the narrative part of the writing, is a detailed plan for personnel and their roles. Most of this information can be surmised in a business plan.

A business plan is an organized set of business goals including background information explaining the type of business and a detailed financial section. Most business plans include common elements such as: An executive summary, mission, vision, and objective statements, a start-up summary (This section breaks down your estimated financial needs in order to start business), services (what do you offer?), some type of market analysis summary (Who will your organization help? What is the target market?), a strategy and implementation summary (This section explains your marketing plans, your funding plans, and discusses future funding plans), management summary (This section discusses expected personnel roles, and salary projections), and a detailed financial plan (This section discusses how much money it will take to operate your organization: rent, payroll, etc., and it also addresses the type of cash flow your business estimates) (Bplans, 2013). A detailed business plan is
an extremely important part of the grant writing proposal. The business plan for
*Keep in Touch* is beyond the scope of this project; however, it is one of the next
projects to work on.

**Fundraising**

It is important to mention the need for continued fundraising efforts. Yes,
we will need grants to start and to operate our organization, but we will need to
continue with fundraising activities at all times. Fundraising activities are more
than just money making events; they are also designed to market your
organization. They are a way to “get the word out.” I’ve discussed different
types of fundraising activities that I worked on at *Community Action Partnership*
of San Bernardino. These ideas and their organization I will keep in mind as
*Keep in Touch* develops.

I think it is important to mention some of the other type of ‘fundraising’
activities that I have planned. Fundraising is in quotes because these
suggestions generally fall under the category of public relations, however they do
involve getting services for reduced prices and hopefully for free.

*Kee in Touch* plans to create relationships with places that involve family
dining and entertainment, places like ball parks, restaurants, theme parks,
museums, and the like. Ideally, we will try to recruit these places to be sponsors,
contributors, and friends of *Keep in Touch*. Since we are a 501 (c) (3)
organization, we can offer a tax break for their charitable /donation services and
we can list and link them on our web site.
I have reviewed above all of the legal requirements for starting a non-profit organization and the necessary steps to acquire funding. Now I will discuss outreach activities.

Outreach Activities

Earlier in this chapter, I discussed the importance of web-based social technologies for non-profit organizations. I suggested how technology, especially the internet, has allowed non-profits to organize, advertise and grow. Therefore, setting up a web site was also a main priority for *Keep in Touch*.

In order to develop a website for *Keep in Touch*, I researched the various web site builders. A web site builder is a company who hosts your web site and who usually provides a professional, easy to use template. This template allows you to personalize your web site in an efficient and convenient way. After considering the different pricing packages and offers, I decided on using WIX. Unfortunately *Keep in Touch* was not available to use as our domain name, so I decided on the URL Visitsatkit.org for the website.

In order to pay for the web site service, it was necessary to open a business bank account. In order to open a business bank account and pay for the website service and application forms, I had to use my own personal savings as the starter funds. Also required for opening a non-profit business bank account was an EIN number. The application, requirement, for the EIN was explained earlier in the chapter.
I used a photo of trees as the main symbol for the organization. The reason lies with the concept of the family tree. Also, the connotative association of roots as a foundation, or a solid base seemed appropriate. “Trees are Nature’s gladiator, who despite great imbalance in odds, fights to keep a foothold in the most extreme conditions. This strength is one of the characteristics that have led to the symbolic use of trees” (Davies, 1988). After sorting through hundreds of tree pictures I finally decided on one to use on our web sites home page. Following along with the line of symbolic reasoning, there were several other reasons I picked the particular picture that I did. The picture also displays a golden field of grain and in the background there are telephone poles. I felt that the phone poles in the back was a nice touch considering the fact that this project is for a communications degree and also considering that the Keep In Touch organization is founded on communication principles.

The web site is published but it is still at the very early stages of design (See Appendix F). When you open the web site the song “We Are Family” by sister Sledge automatically plays. There are six main pages on the web site. There is a page for kids to interact and there is also a page for adults to communicate. These pages have several purposes; first right from the beginning we are working on encouraging open communication by providing a blog site available for children and parents to discuss their situation. Second, we are starting the first step towards researching real stories, ethnographic accounts of parent-child separation. And finally, the two-way flow of communication on our
site allows for the blog pages to work as a sort of support group, where people who are experiencing a disruption of their family and/or the loss of their children, can grieve together. A similar type of blog program was found on a web site called “Massoutrage” at massoutrage.com. This site shares similar concerns regarding legal practices and the power of the state to control custody. The following is the self-statement of Massoutrage, found on their home page,

The information here on MassOutrage.com will help you understand some of the law which is working against you, and even more important, the politics behind the law. Once you get this info, what is really happening to you and your family will begin to make sense - in a twisted sort of way. And, you will be equipped to start fighting back in a smart way. Knowledge really is power. With this information, you will have a much better chance to save your family, your children, and your future. It's free, and there is no catch. (Asserting the rights of families & children, 2013)

The following are anonymous posts which exemplify the frustrations parents go through once they become “part of the system.” I chose these particular posts because they reflect my own personal experiences.

You will be at hearing after hearing, month after month, but the judge will never let you talk to her about any evidence until the trial. You can fight like crazy at all the pre-trial hearings, but it will all do no good. The DCF wants the children for the full lease period of at least a year, and they can
hold you off for that amount of time, because the law gives you no due
process rights. (Anonymous 2013, October 9)

This quote also confirms what Commissioner Torchia said about the
current situation in the family courts of San Bernardino, which is that county
courts are swamped. He said that sometimes he reviews 35-40 cases a day and
that approximately 35% of those cases deal with visitation. He also said that
these cases often take several trips, sometimes more, to the court house before
they are decided on.

Another anonymous post on massoutrage.com writes,
If you finally manage to get your case to trial that is the first time you or
your lawyer will be allowed to tell your story to a judge. However, the fact
that DCF has kept your children for a year can actually be used against
you at the trial! The DCF will argue that it would traumatize the children to
take them from their foster home, because they have now bonded with the
foster parents. In their warped view, it would traumatize them to send
them back to the parents, even though it didn’t bother them to rip your
baby out of your arms a year before at gunpoint. (Anonymous 2013,
October 9)

I chose this quote because this has happened to me. During one court
case in Riverside County, one that started in April 2008 and did not end until
November 2009, the lawyer for the children’s guardian said that the kids had
already been there for over a year, and that they were comfortable, established
and doing well. My immediate reaction was, what about the nine years they were with me, where they were also comfortable, established, and doing well and with their own mother! Culturally and naturally I feel betrayed, disrespected, and these truths have brought fear and terror into my heart.

The three following entries from massoutrage.com speak to the monetary gains made by agencies involved with foster care and adoption:

If DCF has stolen your children, you are probably tormented, thinking, “Why? Why?” anguishing day after sleepless night over why this has all happened. As with many things in life, when there seems to be no rational basis for what has happened, there really is a hidden one—follow the money. (Anonymous 2013, October 9)

“If DCF takes your children, they will keep them a year, and try to adopt them out. They earn up to hundreds of thousands of dollars per year per child taken, and keep a lot of cronies in work” (Anonymous 2013, October 9).

In this case, the DCDF can make a ton of money by ‘leasing’ out your child to a foster home for a year, and then ‘selling’ (adopting out) the child at the end of the ‘lease’. While the child is in their captivity, they can leverage lots of state and federal cash from numerous medical, educational and therapy programs. If DCF can get you to incriminate yourself, or manipulate your child into making false disclosures, they can get a court to terminate your parental rights, and then adopt the child out, for more big bucks. (Anonymous 2013, October 9)
As discussed in Chapter One, there are numerous private adoption and foster agencies. The Children’s Bureau (2012) revealed that in 2011 there were 400,540 children in foster care and out of those, 104,236 were waiting to be adopted. Approximately 50,000 were adopted with public child welfare agencies; leaving the other 50,000 children to be adopted through private agencies.

In order for a business to exist, there must be a need for its services. If there isn’t a need for its services, the business will be forced to close, leaving people without a job. In order for private adoption and foster agencies to exist, so must the problem of “bad parenting”. What I am suggesting, or rather, pointing out is that our current system creates problems in order to fix them for the sole purpose of making money. This is where consumerism is failing us. We see a similar situation with the Prison Industrial Complex; many of our prisons are “private industries”. The following excerpt explains briefly the current state of affairs,

… the private prison industry grew swiftly from its infancy in the 1990s… by 2005, the number of private facilities increased to 415, or 23 percent of all penal institutions…. In 2009, nearly half of all new inmates were sent to private prisons. (Peter, 2013, p. 2087-2088)

So, similarly, with adoption agencies, if there are no kids to adopt, or no prisoners to arrest, then there would be no prison or adoption business. We must have “bad guys” to arrest; otherwise, ‘our’ billion dollar prison industry would
collapse. So we have a need to make criminals out of people in order for these businesses to operate.

I hope that this master’s project will help shed some light on some of the current problems in our society. This project views these social problems through a structural lens. I also hope that the organization *Keep in Touch* will be able to help this social ill.
CHAPTER THREE

INTERNSHIP AT COMMUNITY ACTION PARTNERSHIP
OF SAN BERNARDINO COUNTY

Part of the requirement for doing a graduate project includes participating in an internship that coincides with the project. Since my graduate project involves creating a non-profit organization, I chose Community Action Partnership to do my internship at because they are one of the largest non-profit organizations in our area. First I will describe Community Action Partnership of San Bernardino County. This description leads to the development of a mission statement, a vision statement, and objective statements for Keep in Touch. Following the development of these statements, I will discuss the department I worked in at Community Action Partnership and the different tasks I worked on. I will comment on how this experience will help me with my project, and ultimately with Keep in Touch.

Community Action Partnership of San Bernardino County (CAP)

Community Action Partnership is one of the largest non-profit organizations in Southern California, serving over 800,000 low-income families, and individuals, elderly, homeless and disadvantaged residents of San Bernardino County each year. Community Action Partnership of San Bernardino County delivers services to 78 San Bernardino County cities and communities.
Community Action Partnership of San Bernardino County is a leader in providing resources and opportunities to low-income individuals and families to improve their lives, contribute to their communities and offer a return on investment for our communities, cities, and counties. Below are the mission, vision, and promise, and values of Community Action Partnership.

Mission Statement

“Community Action Partnership of San Bernardino County works with our communities by supporting, advocating for, and empowering low-income residents to achieve self-sufficiency” (About Us, 2013).

Our Vision

By 2021, Community Action Partnership of San Bernardino County will be the premier social services agency that eliminates the effects of poverty by empowering people to obtain the knowledge and skills to achieve self-reliance and economic stability…one life at a time. (About Us, 2013)

The Promise of Community Action

“Community Action changes people’s lives, embodies the spirit of hope, improves communities, and makes America a better place to live. We care about the entire community, and we are dedicated to helping people help themselves and each other” (About Us, 2013).
Our Values


Programs

Community Action Partnership currently has seven programs that are designed to assist the lower income residents of San Bernardino County.

Family Development Program (FDP).

Provides emergency assistance to needy families and individuals to include: rental assistance, motel vouchers, bus passes, information and referral, etc. FDP also operates a 7-unit transitional housing program called Obershaw House for homeless families, provides holistic case management and supportive services in addition to coordination events for children such as an annual summer camp and a children’s Christmas celebration. (CAPSBC Programs, 2013)

Individual Development Accounts (IDA).

A two to one cash-matched savings program that allows low-to moderate-income wage earners to save towards acquisition of assets to build future stability for their families. IDA participants may work toward homeownership starting or expanding a small business, or post-secondary education (CAPSBC Programs, 2013)
Earned Income Tax Credit (EITC) and Volunteer Income Tax Assistance (VITA) Programs.

Programs that assist low income families through the tax code. At VITA sites, residents can have their taxes prepared and filed free of charge. Eligible families with children may use the EITC and Child Tax Credit to secure a greater refund. (CAPSBC Programs, 2013)

Energy, Education, and Environmental Services (EEES).

Provides energy education, weatherization and energy conservation assistance to eligible low-income residents, including appliance repair and replacement, and processes applications for utility assistance through the Home Energy Assistance Program (HEAP), including wood and propane. (CAPSBC Programs, 2013)

Food Bank.

Provides food for low-income residents throughout San Bernardino County through government surplus commodity distributions and salvage food agencies distributed within a network of approximately 170 non-profit and charitable organizations and 33 congregate feeding agencies (soup kitchens). (CAPSBC Programs, 2013)

Homeless Management Information System (HMIS).

A software application designed to record and store client-level information on the characteristics and service needs of homeless persons throughout San Bernardino County jurisdiction. HMIS is typically a web-based software application that homeless assistance providers use to
coordinate service provision, manage their operations, and better serve their clients. (CAPSBC Programs, 2013)

**Weatherization Training Center.**

The Training Center trains workers to “Weatherize” a home to make it more energy efficient under the auspices of the U.S. Department of Energy’s Weatherization Assistance Program for low-income families. Weatherization services lower the cost of heating a home in the winter or cooling it in the summer, while conserving natural resources. The training program consists of three courses, Basic Weatherization, Blower Door/Duct Blaster and Combustion Appliance Safety Testing. The skills taught to trainees include minor home repair, appliance installation, appliance diagnostics and repair, and outreach and assessment. The Training Center is intended to train new and existing Community Action Partnership of San Bernardino Weatherization staff for work in the field, and instructors are themselves hands-on crew leaders with more than 25 years of field experience. (CAPSBC Programs, 2013)

**Mission Statement, Vision Statement, and Objective Statements**

Right from the gate, after describing *Community Action Partnership* of San Bernardino County, I realize that I am going to need a Mission Statement, a Vision Statement, and a list of Objectives.
I started doing some research on Mission Statements and found some very useful advice: “When a Non-Profit organization’s purpose is to serve humanity, it is essential that their Mission Statement clearly defines the services to be performed and the compassion driving the people who provide those services” (Mission Statements, 2013).

A mission statement is a key tool that can be as important as your business plan. It captures, in a few succinct sentences, the essence of your business's goals and the philosophies underlying them. Equally important, the mission statement signals what your business is all about to your customers, employees, suppliers and the community…Studying others can fuel your creativity. (Entrepreneur, 2013)

A Mission Statement should be a one-sentence, clear, concise statement that says who the agency is (the name, that it is a nonprofit, and what type of agency it is), what it does, for whom and where. Evans (2013) “Call it a PR statement if you will, but have a simple, easy to remember statement, that board members, staff, and volunteers can effectively use to focus their efforts and to speak up on behalf of the organization” (p.1).

With this advice in mind I looked up several examples, and developed a Mission Statement for Keep In Touch: “Keep In Touch is a 501(c)(3) whose mission is to aid the visitation process by encouraging friendly communication between parents and their children.”
Now that the mission statement is in place it is time to write the vision statement. Evans (2013) A vision statement defines the optimal desired future state - the mental picture - of what an organization wants to achieve over time. According to Top NonProfits (2013) “The best visions are inspirational, clear, memorable, and concise” (p.1). *Keep in Touch* will use the following vision statement, “Our vision is to offer a comfortable environment, both physical and virtual, that encourages dialogue between children and their families and that stimulates research on family communication”. It is also our goal to offer visitation services in the form of friendly activities and family outings that are affordable for all.

The objective statements for *Keep in Touch* are as follows:

**Major Objectives:**

1. To create a comfortable environment that encourages, supports, and nurtures the connection between children and their biological (genetic) family members.
2. To gather research on Family Communication, specifically:
   1. Family members who have been separated by the courts.
   2. Ethnographic accounts of separated families
3. To develop strategies to help children and their family members re-connect.
4. And to encourage the discussion concerning the complexity of societal values about family life, and about individual family autonomy.
Internship Experience

I was fortunate enough to be able to do an internship in an area I’m familiar with. I started working in the Public Affairs/Marketing Department. Since I have a degree in public relations, I had a firm understanding of the work being done and the professional skills and jargon to be a part of the team. I developed a great rapport with the department and I went to work immediately.

When I started working at Community Action Partnership the Public Affairs Department was working on three main projects: grant writing, a monthly newsletter, and their Annual Gala event. This was the 4th Annual Gala Fundraiser Event and Banquet. I was informed that it is the biggest fundraiser of the year and it is an important social engagement where thanks and awards are given by Community Action Partnership to their volunteers and supporters.

The first task I was assigned was to do follow up calls from a large list of celebrities that were being solicited for money or donations. It seems as if the Community Action Partnership of San Bernardino County subscribed to a service known as, “Contact any Celebrity”. This service offers contact lists for listed celebrities and also lists what type of charities that each star likes to support. Before I started working there, the team sent out letters to various celebrities asking for their support. I was asked to do follow up calls, following a designed phone script. It took a while for me to get started, but once I got going, I realized that I could not call the stars directly, and that most of the agents, publicists, managers, etc. did not have a clue what I was talking about because the letters
did not go to them. So, what I ended up doing, was updating the celebrity contact list, explaining our goal to the various representatives of the celebrities, and then getting email addresses for those who were willing to take a look at our program. My supervisor suggested that I should ask for a cash donation and/or memorabilia that could be auctioned off at the Gala. That is how most of the money is earned at the event; there is a silent auction for fantastic gift baskets that have been donated for the cause.

There were two main items I learned from this particular task. One is that many celebrities do in fact have a favorite charity or cause that they like to endorse. And two, it is interesting to see how communication goes with celebrity agents. Most contacts I made like to use their first name and most were quick, direct, and to the point.

The next task I worked on was calling radio stations to find out details about airing a Public Service Announcement to advertise the Gala. I asked questions like, what was the required format, who was the contact, and if there was a deadline. I also updated the radio contact sheet. This task reminded me of the skills I learned in my public relation classes where we learned about writing press releases. This experience will come in handy when it is time to promote Keep in Touch. Public Service Messages serve the public interest by offering media services without charge, with the objective of raising awareness, and changing public attitudes and behaviors towards a social issue.
The next task I was involved in included joining a group of volunteers at a phone bank, where we were doing follow up calls about the Gala Event. Hundreds of invitations were sent out across the county, and it was our job to do follow up calls and try to confirm reservations. We were given a phone script to follow, and were asked to get forwarding information such as emails for those who didn’t receive an invitation. The list of people that were invited was quite extensive including mayors, CEO’s, Principles, Deans, etc. The Gala wasn’t a private event; anyone who wanted to support the Community Action Partnership of San Bernardino County could attend. The tickets were priced at $125.00 per person and there are also special deals where someone can buy a table for $1000.00 which gives them ten dinner reservations and a mention in the program book. There were various packages and sponsorship deals that were being offered.

As you can imagine, there were quite a bit of marketing tips and strategies I gathered from this fundraising campaign. I got to see how non-profit organizations as big as Community Action Partnership goes about their fund raising techniques and also what types of social contacts they maintain. It is this precise activity that gave me a plan for introducing Keep in Touch to the community.

One of the public relation techniques I will use to inform the community about Keep in Touch will be to attend one city council meeting for every city in San Bernardino County. At these meetings I hope to mostly get names and
contacts of our local political contacts which will be used later to solicit support when and where it is needed. That being said I also plan to attend some chamber of Commerce meetings where the goal is the same; to introduce *Keep in Touch* to the business community and to network for future endeavors.

On the day of the event I went and helped the staff set up for dinner. I was told that the evening was a huge success and my boss showed me a video disk that she designed portraying the evening. On the disk were photos and it was coupled with music.

The next task I was assigned was to organize names and addresses from the Gala Steering committee to put together a thank you list. This list will be used to send out thank you cards to the guests of the event. This task reminds me of the importance of sending thank you notes out to your contacts when required. It is important to maintain a respectful and attentive relationship with your constituents.

There were several other tasks I worked on such as organizing the current grant boards, folding donation fliers, and putting together press packets. All three of these tasks will be used by me in the development of *Keep in Touch*. As a matter of fact, applying for grants to fund the organization will be one of the biggest and most important tasks that I will undertake.
CHAPTER FOUR
FUTURE TASKS AND CONCLUSION

*Keep In Touch* is a non-profit organization whose mission is clear: “*Keep In Touch* is a 501(c)(3) whose mission is to aid the visitation process by encouraging friendly communication between parents and their children.” *Keep In Touch* is dedicated to the encouragement of open communication of ALL families, not just ones with court ordered visitation.

In this chapter I continue the development of *Keep in Touch* by discussing some of the operational plans. I brainstorm about what type of location is best suited for the center, the way the center will conduct its day to day business, and other creative suggestions such as the types of activities that will be offered at the center.

Finally, I will conclude with a brief synopsis of the entire project, highlighting the problem of visitation, the need for a local visitation center, and how various social structures have contributed to these issues.

**Ideas for Future Development**

There are a lot of details that need to be discussed, designed, and worked out. These ideas will be brought up at board meetings and developed by designated committees.
For starters we want a location, ideally a large open space with high ceilings; something like an old church or warehouse. The reason for this is that we want our cultural climate to represent freedom and openness. We want to stay away from old fashioned closed room visitation, which depicts a therapist, a clipboard, and a small space. We want our clients to feel comfortable. We do not want them to feel trapped, forced, on the spot, under pressure, or any other type of connotation that reflects an enclosed environment. Ideally, we will want to purchase the space as that will add to the equity of our business, and once it is owned, will cut down operating costs.

At the site, we want to offer activity centers. These centers are designed for children and their family members to engage in normal activities that they might do together at home. Activity ideas include: baking cupcakes together in the kitchen, art projects like coloring, a reading room/location, gardening, and other various activities. We would like to offer “parent and me” classes like dancing, swimming, and journaling. Also, we will have a photo center, where children and their family can take pictures of each other and print them on site. That way they can take home a photo of their loved ones.

Besides activities at the center, we plan on organizing field trips for our clients. We want to take trips to baseball games, go out to dinner, concerts; we want to give our families a chance to be involved with each other out in the world. That being said it will be helpful to acquire some company vehicles. Once we have vehicles, we will encourage children whose parents are incarcerated to
keep in touch. We will aid these children by planning trips to the correctional facilities.

As discussed, the web site is started; however it needs to be developed further. The blog pages which are intended as a site-specific social network for children within our program, need more development, structure, and advanced planning. These pages serve several functions: support among peers who have similar experience, research documentation, a representation of *Keep in Touch’s* belief in open communication and they encourage on-line communication.

Along the lines of blog communication for research, we are also interested in developing software or specific programs for children to participate in. We would like to have equipment on board our vehicles that show movies, take surveys, and offer support to our clients. For example, on the way to the prison to visit their parents, the children may be shown a movie that offers similar circumstances. This movie might show a variety of perspectives and attitudes of the children including the ones mentioned above. The idea here is to prepare the children for their experience and to try to provide an open forum with varied experiences. We must remember that every situation is different. We would also like to take some kind of questionnaire or survey both before the visit and after the visit to further our research goals. Also, by doing this, we are encouraging the development of communication and use of technology in our continued quest for a better world.
The notion of developing software and/or programs brings up another important part of the development of *Keep in Touch*. This notion is how we are going to conduct our visitation process. The actual development will take time and more research; however our general idea is as follows: When clients arrive they will sign a log book with date and time. They will sign out when they leave so that “visitation time” will be documented. The initial visit, commonly known as in-take, will consist of a verbal description of services offered, a tour of the location, a filing of the specific visitation orders (if this is necessary), and a signing of a liability contract- releasing us from future law suits. We will need the help of an attorney to help us write the contract appropriately. Once the initial visit is completed, the rest of the visits should be fairly simple and somewhat unobtrusive. They will begin with all parties of the group sitting down to a round table discussion. We hope to get several custom round tables anchored in the site, a large one and a smaller one. Upon signing in the parties will sit down at the table for an open discussion. The details will have to be worked out, but basically we will go around the table and discuss the things we’ve done since the last meeting. The discussion time for each individual will be short, about 2-5 minutes. This will give the parents an idea of what their children are doing, and it won’t be too taxing for the children. These discussions are designed to be simple, informative, and not to pressing. We might also, at this time, ask the group to fill out a survey or questionnaire for our research. Once the initial discussion is over, the children and their parents are free to do whatever they
want on the premises. They can walk around, which is why it is important to have a nice piece of property, they can do activities, they can watch movies, or they can just sit and chat. That being said, we need to have plenty of comfortable couches. As far as “supervised” visitation goes, we will have to work out the legal details, however we plan to have a security guard on the premises during all times of operation. There will be a bulletin board with upcoming events, field trips, and classes that our clients can sign up for. There is obviously a lot of planning necessary, but it will be fun.

Conclusion

In conclusion this project has discussed the creation of *Keep in Touch*. *Keep in Touch* is the 501(c)(3) non-profit organization that is designed to aid the visitation process. There are many people who are in need of a local visitation center; for example, families who experience separation from items such as divorce, foster care, adoptions, and guardianship. Family separation interferes with the natural connection between parents and their children. The philosophical underpinnings of *Keep in Touch* places a high value on family importance and parental connection; we believe that every effort should be made to encourage this connection. As a result, *Keep in Touch* represents a social commitment in the genuine effort to improve the condition and quality of life.

This project has discussed various social elements, “structural designs” that have contributed to the separation of children and their families. Starting
with the San Bernardino Family Law Division, this project has discovered several areas of structural concern. First off, professional interviews have revealed that there have been major changes in the legal processing of cases. In addition to changes in courtroom procedures, the family law division in San Bernardino County is experiencing overcrowded courtrooms and long wait times. Also, California has a mandatory mediation law, which sets into motion the structural wheel of custody decisions. This metaphor is similar to the notion of cookie cutter case molds, that is, predetermined outcomes or repetitive results of court cases. Although this perception is an opinion, the research done in chapter one in the philosophical assumptions section, provides some support for this opinion being an actual reality. Staying with the structural elements at play in the family courtroom, the concept of a “child’s best interest” has also been researched and its validity and/or value has been questioned.

Before moving on, I think it is important to mention that this research has led to the over-arching concern regarding the message our judicial system is sending about the importance of family, and the very freedoms (religious tolerance being one of them) our country was founded on. This project also acknowledges the power of the state and addresses concern for us as individual Americans; concern and potential fear regarding our presumed personal freedoms and religious/cultural tolerance.

One of the main philosophies of *Keep in Touch* is to encourage natural connection between children and their families and to work towards social
change; part of that social change is to reduce the need for visitation services. When this happens, *Keep in Touch* will still be an active community center where families can enjoy doing activities together; and ideally where conversation and culture can grow.
APPENDIX A

ARTICLES OF INCORPORATION

ARTS-PB-501(c)(3) Articles of Incorporation of a Nonprofit Public Benefit Corporation

To form a nonprofit public benefit corporation in California, you can fill out this form or prepare your own document, and submit for filing along with:
- A $30 filing fee.
- A separate, non-refundable $15 service fee also must be included, if you drop off the completed form or document.

Important! California nonprofit corporations are not automatically exempt from paying California Franchise Tax or income tax each year. A separate application is required in order to obtain tax exempt status. For more information, go to https://www.ftb.ca.gov/businesses/exempt_organizations or call the California Franchise Tax Board at (916) 342-4171.

Note: Before submitting this form, you should consult with a private attorney for advice about your specific business needs.

For questions about this form, go to www.sos.ca.gov/business/bw/filing-tips.htm

Corporate Name (List the proposed corporate name. Go to www.sos.ca.gov/business/bw/home-availability.htm for general corporate name requirements and restrictions.)

The name of the corporation is ________________________________

Corporate Purpose (Item 2a: Check one or both boxes. Item 2b: The specific purpose of the corporation must be listed if you are organizing for "public" purposes, or if you intend to apply for tax exempt status in California.)

a. This corporation is a nonprofit Public Benefit Corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for: [ ] public purposes. [ ] charitable purposes.

b. The specific purpose of this corporation is ________________________________

Service of Process (List a California resident or an active 1966 corporation in California that agrees to be your initial agent to accept service of process in case your corporation is sued. You may list an artificial who lives in California. You may not list your own corporation as the agent. Do not list an address if the agent is a 1966 corporation as the address for service of process is already on file.)

a. [ ] Agents Name ________________________________

b. [ ] Agents Street Address (If agent is not a corporation) - Do not list a P.O. Box

Corporate Addresses

a. Initial Street Address of Corporation - Do not list a P.O. Box

b. Initial Mailing Address of Corporation, if different from 4a

Additional Statements (The following statements are required to obtain tax exemption from the Internal Revenue Service or the California Franchise Tax Board under Internal Revenue Code section 501(c)(3). Note: Corporations seeking other types of tax exemptions should not use this form.)

a. This corporation is organized and operated exclusively for the purposes set forth in Article 2a hereof within the meaning of Internal Revenue Code section 501(c)(3).

b. No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and this corporation shall not participate or intervene in any political campaign (including the publishing or distribution of literature) on behalf of any candidate for public office.

c. The property of this corporation is irrevocably dedicated to the purposes in Article 2a hereof and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private person.

d. Upon the dissolution or winding up of this corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for charitable, educational or religious purposes and which has established its tax-exempt status under Internal Revenue Code section 501(c)(3).

This form must be signed by each incorporator. If you need more space, attach extra pages that are 1-sided and on standard letter-sized paper (8 1/2" x 11"). All attachments are made part of these articles of incorporation.

Incorporator - Sign here ________________________________

Print your name here ________________________________

Make check/money order payable to: Secretary of State By Mail

Upon filing, we will return one (1) uncertified copy of your filed document for free, and will certify the copy upon request and payment of a $5 certification fee.

Secretary of State

Business Entities, P.O. Box 944250

Sacramento, CA 94244-2560

Secretary of State

1500 11th Street, 3rd Floor

Sacramento, CA 95814

Café Form: Print Form: 2013 California Secretary of State

www.sos.ca.gov/business/bw

ARTS-PB-501(c)(3) (REV 06/2013)

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APPENDIX B

FORM SS-4

EMPLOYER IDENTIFICATION NUMBER (EIN)

APPENDIX C

S-100

STATEMENT OF INFORMATION

Retrieved From: http://www.sos.ca.gov/business/corp/pdf/so/corp_so100.pdf
# State of California
## Secretary of State

### Statement of Information
(Domestic Nonprofit, Credit Union and Consumer Cooperative Corporations)

Filing Fee: $20.00. If this is an amendment, see instructions.

**IMPORTANT – READ INSTRUCTIONS BEFORE COMPLETING THIS FORM**

1. **CORPORATE NAME**

2. **CALIFORNIA CORPORATE NUMBER**

   This Space for Filing Use Only

   **Complete Principal Office Address** (Do not abbreviate the name of the city. Item 3 cannot be a P.O. Box.)

   3. **STREET ADDRESS OF PRINCIPAL OFFICE IN CALIFORNIA, IF ANY**
      
      **CITY**
      
      **STATE**
      
      **ZIP CODE**

   4. **MAILING ADDRESS OF THE CORPORATION**
      
      **CITY**
      
      **STATE**
      
      **ZIP CODE**

   **Names and Complete Addresses of the Following Officers** (The corporation must list these three officers. A comparable title for the specific officer may be added; however, the preprinted titles on this form must not be altered.)

   5. **CHIEF EXECUTIVE OFFICER**
      
      **ADDRESS**
      
      **CITY**
      
      **STATE**
      
      **ZIP CODE**

   6. **SECRETARY**
      
      **ADDRESS**
      
      **CITY**
      
      **STATE**
      
      **ZIP CODE**

   7. **CHIEF FINANCIAL OFFICER**
      
      **ADDRESS**
      
      **CITY**
      
      **STATE**
      
      **ZIP CODE**

   **Agent for Service of Process** If the agent is an individual, the agent must reside in California and Item 9 must be completed with a California street address, a P.O. box address is not acceptable. If the agent is another corporation, the agent must have on file with the California Secretary of State a certificate pursuant to California Corporations Code section 1060 and it must be left blank.

   8. **NAME OF AGENT FOR SERVICE OF PROCESS**
      
      **(Note: The person designated as the corporation’s agent must have agreed to act in that capacity prior to the designation.)**

   9. **STREET ADDRESS OF AGENT FOR SERVICE OF PROCESS IN CALIFORNIA, IF AN INDIVIDUAL**
      
      **CITY**
      
      **STATE**
      
      **ZIP CODE**

   **Common Interest Developments**

   10. **Check here if the corporation is an association formed to manage a common interest development under the Davis-Stirling Common Interest Development Act, (California Civil Code section 5150 et. seq.) or under the Commercial and Industrial Common Interest Development Act, (California Civil Code section 6500 et. seq.). The corporation must file a Statement by Common Interest Development Association (Form SS-CID) as required by California Civil Code sections 5155(a) and 6765(a). Please see instructions on the reverse side of this form.**

11. **THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT.**

   **DATE**
   
   **TYPEPRINT NAME OF PERSON COMPLETING FORM**
   
   **TITLE**
   
   **SIGNATURE**

   **SL-100 (REV 01/2004)**

   **APPROVED BY SECRETARY OF STATE**
APPENDIX D

FORM 1023,

APPLICATION FOR 501(c)(3) STATUS


(Original Document is 25 Pages)
**Form 1023**

Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code

Use the instructions to complete this application and for a definition of all bold terms. For additional help, call IRS Exempt Organizations Customer Account Services toll-free at 1-877-829-5500. Visit our website at www.irs.gov for forms and publications. If the required information and documents are not submitted with payment of the appropriate user fee, the application may be returned to you. Attach additional sheets to this application if you need more space to answer fully. Put your name and EIN on each sheet and identify each answer by Part and line number. Complete Parts I - XI of Form 1023 and submit only those Schedules (A through H) that apply to you.

### Part I Identification of Applicant

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Full name of organization (exactly as it appears in your organizing document)</td>
</tr>
<tr>
<td>2</td>
<td>c/o Name (if applicable)</td>
</tr>
<tr>
<td>3</td>
<td>Mailing address (Number and street) (see instructions)</td>
</tr>
<tr>
<td>4</td>
<td>Room/Suite</td>
</tr>
<tr>
<td>5</td>
<td>Employer Identification Number (EIN)</td>
</tr>
<tr>
<td>6</td>
<td>City or town, state or country, and ZIP + 4</td>
</tr>
<tr>
<td>7</td>
<td>Month the annual accounting period ends (01 - 12)</td>
</tr>
<tr>
<td>8</td>
<td>Primary contact (officer, director, trustee, or authorized representative)</td>
</tr>
<tr>
<td>a</td>
<td>Name:</td>
</tr>
<tr>
<td>b</td>
<td>Phone:</td>
</tr>
<tr>
<td>c</td>
<td>Fax: (optional)</td>
</tr>
<tr>
<td>9</td>
<td>Are you represented by an authorized representative, such as an attorney or accountant? If “Yes,” provide the authorized representative’s name, and the name and address of the authorized representative’s firm. Include a completed Form 2848, Power of Attorney and Declaration of Representative, with your application if you would like us to communicate with your representative.</td>
</tr>
<tr>
<td>10</td>
<td>Was a person who is not one of your officers, directors, trustees, employees, or an authorized representative listed in line 7, paid, or promised payment, to help plan, manage, or advise you about the structure or activities of your organization, or about your financial or tax matters? If “Yes,” provide the person’s name, the name and address of the person’s firm, the amounts paid or promised to be paid, and describe that person’s role.</td>
</tr>
</tbody>
</table>

### Additional Instructions

- **For Paperwork Reduction Act Notice**, see page 24 of the Instructions.

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APPENDIX E

FORM, FROM THE ATTORNEY GENERAL’S OFFICE

Retrieved From:

http://oag.ca.gov/sites/all/files/agweb/pdfs/charities/charitable/ct1-form.pdf?
APPLICATION FOR REGISTRATION
NONPROFIT RAFFLE PROGRAM
(Calendar Penal Code section 330.5)

The registration period is September 1 to August 31. After August 31, a new registration is required.

A CHECK IN THE AMOUNT OF $20 MADE PAYABLE TO
DEPARTMENT OF JUSTICE MUST ACCOMPANY THIS
REGISTRATION FORM

MAIL TO:
Office of the Attorney General
Registry of Charitable Trusts
P.O. Box 90347
Sacramento, CA 94225-4470

STREET ADDRESS:
1300 I Street
Sacramento, CA 95814
Telephone: (916) 445-2021
WEBSITE ADDRESS:
www.caag.ca.gov/charities

Proof of California Franchise Tax Board exempt status must be attached to this registration application. This application will otherwise be deemed deficient and returned to the organization.

Name of Organization

Address of Organization

City or Town, State and ZIP Code

E-mail Address

Telephone Number

Fax Number

Specify the organization's tax - exempt status pursuant to California Revenue and Taxation Code section:

☐ 23701a Labor, agricultural, or horticultural organizations
☐ 23701b Fraternal beneficiary societies, orders or associations
☐ 23701d Religious, charitable, scientific, testing for public safety, literary, educational, amateur sports or prevention of cruelty to children or animals organization
☐ 23701l Business leagues, chambers of commerce, real estate boards, and boards of trade
☐ 23701t Civic leagues, social welfare organizations and local employee organizations
☐ 23701w Veterans organizations

Raffle Registration Number:

(For Registry Use Only)

Provide at least one of the following:

Federal Employer Identification Number (FEIN):

Corporation Number:

Organization Number:

State Charity Registration Number:

Proposed date(s) of raffle(s) [REQUIRED]

(month/day/year)

By signing this application for registration, I hereby certify all of the following:

1. ☐ Applicant is a private, nonprofit organization, 2. ☐ Applicant has been qualified to conduct business in the State of California for at least one year prior to the raffle first held and 3. ☐ all information provided on this application is true and correct.

Signature of Authorized Officer or Director Who Prepared This Form

Date

Printed Name of Authorized Officer or Director

Title of Authorized Officer or Director
APPENDIX F

WEB SITE HOME PAGE

Retrieved From: Visitsatkit.org
Keep In Touch
A Family Visitation Center.

Keep In Touch is a 501(c)(3) Organization.
REFERENCES


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http://en.wikipedia.org/wiki/Nonprofit_organization:


