



ASSOCIATION OF
FAMILY AND
CONCILIATION COURTS



eNEWS

AFCC 10th Symposium on Child Custody Evaluations
Research and Practice: Bridging the Gap and Finding the Balance
November 1-3, 2012, Arizona Grand Resort, Phoenix, Arizona

AFCC will convene in Phoenix this fall for the 10th Symposium on Child Custody Evaluations. This symposium will look at social science research and its increased prominence in evaluations. Custody evaluators, judges, lawyers and family court professionals can expect to gain a better understanding of the latest research and its applications to child custody evaluations and to the family court process. The program will provide up to 16.5 hours of continuing education for psychologists, mental health professionals, mediators, and others. See the conference program brochure for details.

[View the conference brochure](#)
[Register online](#)

Scholarships to the Symposium

Scholarships covering the cost of registration, a pre-conference institute, a certificate of attendance and admission to all food and beverage functions will be awarded for the 10th Symposium on Child Custody Evaluations. The application deadline is September 4, 2012.

[Guidelines and criteria](#)
[Apply for a scholarship](#)

AFCC 50th Anniversary Conference

Riding the Wave of the Future: Global Voices, Expanding Choices
May 29–June 1, 2013, JW Marriott Los Angeles L.A. LIVE

Join AFCC next year in Los Angeles as we celebrate our 50th Anniversary. Much has changed in the family court system since 1963. In the last five decades AFCC members have spearheaded major reforms in the family law community; however, professionals continue to face changes and challenges. What does the future hold? How will the AFCC community influence the constantly evolving family law system? Join us in Los Angeles, the birthplace of AFCC, as we begin to chart the course for the next 50 years.

Call for Proposals

Play a part in forming the conversation by presenting a workshop. AFCC is accepting proposals for 90-minute workshops now through October 4, 2012. Proposals must be submitted using the online submission form. See the Call for Proposals for topic suggestions and submission instructions and guidelines.

[Call for proposals](#)
[Online submission form](#)

Scholarships

Thanks to the generosity of the many AFCC members who support the AFCC scholarship fund, conference scholarships will be awarded for the 50th Anniversary Conference. In celebration of AFCC's beginnings in California, there will be a designated number of scholarships awarded to court-connected personnel from the state, in addition to the regular conference scholarships. The online scholarship application will be available in January 2013.

President's Message

By Arnold T. Shienvold, PhD, Harrisburg, Pennsylvania

Greetings! I have just returned from the AFCC Annual Conference in Chicago, where I, and nearly 1,300 other members and guests of AFCC, had the opportunity to hear a variety of stimulating presentations, share ideas and thoughts with our colleagues, and enjoyed a fantastic visit to the "Windy City." As many of you know, the conference sold out in April, so I encourage those of you who missed out this time to register early for our 50th Anniversary Conference in Los Angeles next year.

[Read more](#)

MONTHLY E-NEWSLETTER
VOL. 7 NO. 7
JULY 2012

Upcoming Conferences

AFCC 10th Symposium on Child Custody Evaluations
Research and Practice: Bridging the Gap and Finding the Balance
November 1–3, 2012
Arizona Grand Resort
Phoenix, Arizona
[Conference Brochure](#)
[Register Online](#)
[Apply for a Scholarship](#)

AFCC 50th Anniversary Conference
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Los Angeles, California
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[Online submission form](#)

AFCC–AAML Conference
September 26–28, 2013
Gaylord National Resort
Washington, DC Metro Area

AFCC Regional Training Conference
November 7–9, 2013
Westin Kansas City at Crown Center
Kansas City, Missouri

AFCC Trainings

Intractable Issues in Child Custody Disputes
Mindy Mitnick, EdM, MA
December 3–4, 2012
University of Baltimore
School of Law
Student Center
Baltimore, Maryland

Parenting Coordination: Working with High Conflict Families
Christine Coates, MEd, JD
December 5–6, 2012
University of Baltimore
School of Law
Student Center
Baltimore, Maryland

AFCC Chapter Conferences

President's Profile

Meet the new President of AFCC, Arnold T. Shienvold

Arnold T. Shienvold, PhD, founded Riegler, Shienvold & Associates in 1980 in Harrisburg, Pennsylvania. The broad-based psychological practice serves children to geriatric clients and employs 18 people. Arnie was trained as a specialist in child clinical psychology and his work with children in separating and divorcing families led him to forensic psychology, which was a natural segue to his involvement with AFCC.

[Read more](#)

Ask the Experts

Ten Tips for Practitioners Using Social Science Research

Marsha Kline Pruett, PhD, MSL

As social science research becomes more commonly used by family law professionals, it is more and more important that we have an understanding of how to identify not only good research and significant findings, but also how to appropriately apply research to our work. Dr. Pruett and others will also present on this topic at the Opening Session of the AFCC Symposium in Phoenix.

[Read more](#)

Educator's Guide

AFCC offers a free guide, accessible online, to assist educators in dealing with the issues that arise when a student's parents separate or divorce. [An Educator's Guide: Interacting with Separating, Divorcing, Never-Married Parents and Their Children](#) addresses and offers solutions to a range of issues, from how to structure parent-teacher conferences to how to handle requests for information for child custody evaluations. In preparation for back-to-school, share the guide with your clients and educators in your community. You will find the *Educator's Guide* and many other valuable resources in the [Center for Excellence in Family Court Practice](#) on the AFCC website. You do not need to be a member to access this valuable information.

Member News

Hon. George Czutrin, of Toronto, Ontario, Canada, a former president of AFCC, spoke at a recent ceremony in Hamilton, Ontario, commemorating the 35th Anniversary of the Unified Family Court. Justice Czutrin spoke of those who helped create this pilot UFC in 1977 and the subsequent 16 UFCs established across Ontario. He added that he looks forward to province-wide expansion.

Diane Nunn of San Francisco, California, was presented with the first annual Mark Hardin Award for Child Welfare Scholarship and Systems Change. The award is given by the American Bar Association Center on Children and the Law and honors the work of Mark Hardin who served for almost 30 years on the staff of the Center on Children and the Law as director of child welfare. Diane works as the division director of the Center for Families, Children & the Courts, Administrative Office of the Courts.

Loretta Frederick of Winona, Minnesota, was presented with the 2012 Sharon L. Corbett Award by the American Bar Association Commission on Domestic & Sexual Violence. The award recognizes service by lawyers in all areas of practice, as well as judges, who demonstrate exemplary service to victims of domestic violence, sexual assault and/or stalking. Loretta serves as senior legal and policy advisor for the Battered Women's Justice Project and is a past chair of the Family Law Section of the Minnesota State Bar Association and of its Domestic Abuse Committee.

Judge Leonard Edwards of San Francisco, California, has published a new book titled *The Role of the Juvenile Court Judge: Practice and Ethics*. His book addresses the role of the juvenile court judge, addressing practice and ethics issues through the use of hypothetical scenarios. Judge Edwards is currently the judge-in-residence at the Administrative Office of the Courts.

Newsletter of Interest

The Unified Family Court Connection is a newsletter published by The Center for Families, Children and the Courts at the University of Baltimore School of Law. This edition focuses on divorce and easing the impact on children and families and includes a piece written by AFCC member Carlton Stansbury of Milwaukee, Wisconsin.

[Read more](#)

Family Law in the News

Before Birth, Dad's ID

By Andrew Pollack, Courtesy of The New York Times

It is an uncomfortable question that, in today's world, is often asked by expectant mothers who had more than one male partner at the time they became pregnant. Who is the father? With more than half of births to women under 30 now out of wedlock, it is a question that may arise more often. Now blood tests are becoming available that can determine paternity as early as the eighth or ninth week of pregnancy, without an invasive procedure that could cause a miscarriage.

[Read more](#)

Minnesota Chapter Annual Conference

Child and Family Development in the Context of Contested Custody Litigation

August 2, 2012
University of Minnesota
Saint Paul, Minnesota

[More Information](#)

Ontario Chapter Annual Conference

The GPS of Family Law... The Road Not Taken

October 19, 2012
Toronto Public Library
Toronto, Ontario

[More Information](#)

Arizona Chapter Annual Conference

February 1-3, 2013
Hilton Sedona Resort and Spa
Sedona, Arizona

[More Information](#)

Louisiana Chapter Annual Conference

Collateral Damage: Addressing the Hidden Costs to Families and Professionals in Chronic High Conflict Cases

March 7-8, 2013
New Orleans, Louisiana

[More Information](#)

Florida Chapter Annual Conference

Creating Our Future: One Family at a Time

March 15-16, 2013
The Rosen Center
Orlando, Florida

[More Information](#)

Washington Chapter Conference

Times of Challenge

April 6, 2013
Washington Athletic Club
Seattle, Washington

[More Information](#)

Join AFCC

Are you a member?

[Join](#) or [Renew](#)

AFCC offers member benefits that promote excellence in practice.

[View member benefits](#)

Ask the Experts

Do you have a question that you would like answered by an AFCC expert? Let us know and your question could be answered in the next AFCC eNEWS.

[Email your question](#)

About AFCC eNEWS

Readers are welcome to forward this e-newsletter to interested colleagues. All opinions expressed are those of the author and do not necessarily reflect those of AFCC.

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California Bill Would Allow a Child to Have More than Two Parents

By Jim Sanders, Courtesy of the Sacramento Bee

Mom and Dad, same-sex couples or blended families, California law is clear: No more than two legal parents per child. When adults fight over parenthood, a judge must decide which two have that right and responsibility—but that could end soon. State Sen. Mark Leno is pushing legislation to allow a child to have multiple parents.

[Read more](#)



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Ten Tips for Practitioners Using Social Science Research

Marsha Kline Pruett, PhD, MSL

1. Research results point to probabilities and potentialities only, not individual realities

A statistically significant research result means that it is *unlikely to have occurred by chance* in the general population. If a group of children were given the same parenting intervention and those children were “significantly less likely to develop mental health difficulties,” that means the intervention worked on average for more children in the sample than it did not. It does *not* mean that the intervention will work for every child. Even when results are statistically significant, each individual situation must be considered, as a variety of factors (some studied, some not) can affect whether a probability is likely to become a reality in any given family situation.

2. Not all significant findings are created equal

Statistically significant findings are often reported or interpreted as though they were equally strong, but this is not usually so. The p-value (or probability value) measures the strength of the evidence that a relationship exists between two variables. The chance of finding a significant relationship depends on several aspects of the study, notably the sample size. A “trend” is described when the result does not quite reach a significance level that is accepted as solid evidence in the field. A statistic of $p < .05$ means there is less than a 5% chance of the result occurring by chance, considered statistically significant. Other p-values are $p < .01$ (less than a 1% chance) and $p < .001$. Studies with small sample sizes that report many findings increase the risk that *some* finding will be significant. Be cautious about small studies that look at many variables (apropos for family law studies) without addressing this issue.

3. Significant is not the same as important

Studies with a large sample size may show statistically significant findings that are still relatively small in occurrence or importance. Two variables may show a significant relationship (A and B are likely to be related or co-occur) and co-occur only 2 out of 10 times. In science, that may be significant, but in practice, a legal decision would not best be made on such a small likelihood. If you plan to rely on a study’s finding, note whether the statistically significant finding is clinically relevant in terms of the size of the effect (you may have to check with a social scientist/psychologist). When similar results are found across studies, confidence in the results grows.

4. What is not significant may be as important as what is significant

Many studies tout statistically significant findings but the researcher may fail to point out that many other variables studied were not significant. Much can be learned from those non-significant results, as well, and these should be noted by the practitioner, although the researcher may or may not discuss them. For example, a child may have a negative result from making a transition between two homes, but only one of five variables may have been significant, suggesting caution when making generalizations from the data about the impact of such transitions.

5. Correlations are not causality

A statistically significant relationship between variables indicates that they are co-occurring. The result says nothing about which variable is causing the other. Causality can only be addressed in a longitudinal study with a control group, in which participants are randomly assigned to groups (not assigned based on

any characteristic or preference of the participant). For example, practitioners often make the mistake that if a child with inconsistent parenting schedules has more difficulties, the difficulties are a function of the schedule. It may be that parents with difficult children create inconsistent schedules in an attempt to manage the child's behavior in an ongoing manner. Or, it may be that parents in higher conflict or with fewer economic resources create more inconsistent schedules, and those factors explain the child's behavior better than the schedule.

6. Theory provides a lens for understanding; overlapping lenses provide a clear vision

Researchers try to be objective in the ways they conduct their research, but social psychological research also shows that people interpret what they see through the lens of their own biases. Which theory is selected to explain or investigate psychological phenomena influences? Which questions are asked and which variables are studied? In addition, findings may be interpreted differently based on the theoretical perspective of the interpreter. As researchers from different theoretical perspectives reach consensus about the implications of results, the field is converging, and social policy drawn from the results will more reliably represent the current state of empirical knowledge. Conversely, policy cannot be reliably made when results are sparse and there is lower consensus in the field about their interpretation or implications.

7. Always go back to the original source

One problem results from researchers citing each other's work based on what they read from other researchers' summaries. A game of "telephone" occurs where each researcher changes a few words and passes along a study, until it is not fully recognizable or accurate several citations later. It may be misinterpreted or something gets lost in the translation. Always check original sources before relying on a second-hand account or quoting it.

8. Natural bias can be subjected to strict scrutiny; place of publication matters

Social science journals are abundant, and much is published in lesser-known journals, which are often written for highly specialized audiences. These journals generally have lower level peer review than higher level journals. Publishing in someone else's book rather than one's own also usually affords a higher standard of review. Social science journals are reviewed and edited by other professionals in the field. Google "Social Science Journal Impact Ratings" and you will find out which journals are rated most highly. You can also look for impact ratings among psychology or social work journals, for example.

9. Cherry picking is unfruitful for all

Beware of presentations, reviews, or experts who cherry pick articles or passages within articles to illustrate a point. When a review is genuinely thorough and unbiased, not all studies reported should come out in a similar direction. There are always studies that contradict each other, usually because they have used different instruments or variables to examine the same question. Check the original article if a conclusion is reached based on a paragraph or less from another author. Make sure the illustrated point or result accurately reflects the outcomes, as well as the nature and spirit of what was written.

10. Social science depends on tearing down what has gone before to make room for the new; that tendency gets misused and overstated in legal contexts

While social scientists love to point out how they are not supporters of the adversarial system of law, they have their own form of adversarial system. Science builds on new information that modifies or disproves past knowledge. Therefore, studies routinely point out the weaknesses of prior research or gaps in prior research to make the point that their study is new and important. Know that every study can be analyzed for its weaknesses, since no study can control for all the possibilities in nature or human nature. However, distinctions can be made between studies while emphasizing each one's strengths as well as limitations based on available data and resources at the time. Indeed, that is the only way social science becomes foundational and substantively useful to law.



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President's Profile

Meet the new President of AFCC, Arnold T. Shienvold

Arnold T. Shienvold, PhD, founded Riegler, Shienvold & Associates in 1980 in Harrisburg, Pennsylvania. The broad-based psychological practice serves children to geriatric clients practice and employs 18 people. Arnie was trained as a specialist in child clinical psychology and his work with children in separating and divorcing families led him to forensic psychology, which was a natural segue to his involvement with AFCC.

Arnie quickly started looking for better solutions to family conflict than the traditional child custody evaluation and litigation. In the early 1980s he joined the Academy of Family Mediators (AFM), which focused on only family mediation. Although the organization played an important role in the development of the field, it faced challenges in sustaining itself with its membership limited to family mediators. In 2001, AFM merged with Society for Professionals in Dispute Resolution (SPIDR) and Conflict Resolution in Education Network (CREnet) to form the Association for Conflict Resolution (ACR). ACR included broader-based civil mediation and other forms of alternative dispute resolution such as arbitration and hybrid processes.

Although Arnie is quick to tell you he does not feel like a natural leader, he "somehow flowed" into leadership roles and served as both the last president of AFM and the first president of the newly formed ACR.

Arnie found AFCC in the mid 1980's and was attracted to AFCC's focus on the family and on family court in its mission to improve the lives of children and families. "AFCC is truly an interdisciplinary organization," he said. "It isn't stuffy and members of AFCC thoughtfully and thoroughly examine the processes we use rather than protecting one particular profession. One of the first things that struck me about AFCC is that it did not have the over-professionalized 'guild' feel that other organizations have."

Arnie went on to explain how he sees the changing field. "...Clients, as the consumers of our services, are demanding new processes to meet their needs. And family law professionals have had to create new approaches to deal with the obstacles, delays and costs that the family courts have faced. We have moved away from the pure processes, creating med-arb, collaborative law, parenting coordination, early neutral evaluations, private judges and other hybrid processes to lower the cost of interventions. AFCC has been at the forefront, sponsoring presentations, task forces and think tanks about many of these new processes; and it has not always been easy. But disparate views are necessary for the field to grow, and AFCC encourages discourse around them."

Arnie is adamant about the need for professionals to show respect for their colleagues. "There are many brilliant minds in AFCC and each one with his/her own biases. But we have to realize that none of us have all the answers." Rather, Arnie notes, everyone needs to be aware of their biases and not get defensive about them. "It's important that there is a level of civility maintained as we move the field's understanding of complex issues forward," he said.

As a mediator, Arnie excels at bringing different groups together, finding shared interests and mutual benefits and this works in AFCC's favor. After presenting at American Academy of Matrimonial Lawyers

(AAML) conferences he saw a group of lawyers at the height of their legal expertise wanting to know more about custody issues. Recognized that AAML and AFCC would be a good partnership, he was instrumental in facilitating the collaboration between the two organizations and helped organize the first joint conference in 2011.

Now that he is moving toward the end of his career, Arnie doesn't have a need to promote himself or his practice. "I agreed to serve in AFCC leadership because I really do love the organization and what it does. I want to give back to the family law community rather than to take from it. As a part of that, I want to help AFCC continue to take a hard look at the shared parenting issues that were so challenging over the past year. No one currently has the answers to take a strong position for or against presumptive shared parenting, so I would like us to find a way to clearly lay out where the research stands and where it needs to go."

One might read all this and think that Arnie Shienvold is a really serious guy. He is when he has to be, but his preference is to laugh. When his bridge-building skills were lauded, he said "I'm a good facilitator and mediator, but I wouldn't drive a heavy truck over a bridge I built!" He says that he never wanted to take life too seriously, and so looks for ways to balance his very serious profession and his desire to have fun. He has been married to his wife Sue for 40 years. "Sue and I met when we were 12 years old and started dating when we were sixteen years old. She wanted me to get a little taller, but it never happened," he jokes. Arnie has two sons, Kasey, a psychologist who practices with him and Adam, an attorney. He has four grandchildren, loves to golf and watch mindlessly violent TV shows, and always wanted to play third base for the Yankees. Now he has, once again, "somehow flowed" into a leadership position, and promises to be a fantastic AFCC President. Congratulations, Arnie!



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Greetings!

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I am honored and humbled to be able to write to you today as the new president of AFCC. As I noted in my introductory remarks at the conference, I am proud to be part of a line of distinguished colleagues who have collectively led the organization in becoming the premiere voice for issues related to children, parents and families engaged with the legal system. We are now 4,500 members strong and growing. More importantly, members of AFCC are sought after as practitioners, administrators, teachers and consultants because they are recognized for their quality and leadership in the field.

Also, I am proud to be a member of this organization because of its willingness to take an in-depth look at complex, often controversial issues. We are an organization that does not shy away from such topics, but rather one that encourages all the voices to engage in meaningful discussions, leading to greater depths of knowledge and understanding. As with most difficult conversations, it is often harder to listen to others, especially if it is about something with which we disagree, than it is to speak. Nonetheless, whether we are the listener or the speaker, it is imperative that we do so with the utmost respect and civility. Speaking passionately about a topic of importance, or listening intently to a topic with which we disagree are not behaviors that are incompatible with civility and respect. While personal attacks and rude behavior may be fashionable in our political arena these days, they should never be a part of our professional (or personal) interactions.

It is my hope that each of us will constantly strive to demonstrate our professionalism in every interaction we have with our colleagues. I encourage everyone to be passionate in their ideas and beliefs, and to actively debate the controversial and difficult topics that so strongly affect the lives of the families and the children with whom we deal. However, while engaging in those debates, imagine that the children you serve are watching your behavior and listening to your words. That should help each of us remember that we are leaders and it is our responsibility to lead by example. I look forward to talking and listening to you this coming year. Have a fun-filled summer.

Arnie