



ASSOCIATION OF
FAMILY AND
CONCILIATION COURTS



eNEWS

Q & A with Justice Mary Yu, Associate Justice of the Washington Supreme Court

Justice Yu will deliver a keynote address, “Protecting the Families We Create: Reproduction, Adoption and Marriage—a View from the Bench,” at the AFCC 53rd Annual Conference, *Modern Families: New Challenges, New Solutions* in Seattle. Justice Yu recently answered questions from AFCC about her work on the state supreme court, her keynote address, and the importance of volunteer work and mentorship. [Read more.](#)

Seattle Registration Rates Increase May 2

Register today for the 53rd Annual Conference, *Modern Families: New Challenges, New Solutions*, June 1-4, 2016, in Seattle. Less than a week remains to register at a discounted rate. To ensure that you receive the discounted rate on your conference registration, both your registration and payment must be received electronically or postmarked on or before May 2. Take advantage of the savings—AFCC members can save up to \$65. [Register online today](#), [view the conference program brochure](#).

Additional Hotel Rooms for the Annual Conference in Seattle

The AFCC room block at the Sheraton Seattle Hotel is sold out. An overflow block has been secured at The Paramount Hotel, 724 Pint Street, two blocks from the Sheraton, at \$199/night. [Click here to reserve a room at The Paramount Hotel online](#) or call [877-821-2011](tel:877-821-2011) and mention the “AFCC Annual Conference” group rate.

MONTHLY E-NEWSLETTER
VOL. 11 NO. 4
APRIL 2016

Upcoming Conferences and Trainings

ASSOCIATION OF
FAMILY AND
CONCILIATION COURTS

SEATTLE
Sheraton Seattle Hotel
June 1-4, 2016

MODERN FAMILIES:
New Challenges, New Solutions

AFCC 53rd Annual Conference

Ten Considerations for Grandparents Raising Their Grandchildren

Ann M. Ordway, JD, PhD, Department of Counseling and Special Populations, Lamar University

Approximately 2.4 million grandparents nationwide currently have some form of a custodial role for their grandchildren. Whether your role is that of a grandparent in a custodial role, or that of a service provider for members of this special population, here are some important considerations to guide the process of both transitioning to the custodial role and improving chances that the arrangement will be successful for the grandparents and grandchildren alike. [Read more.](#)

Support AFCC by Donating to the Silent Auction

The AFCC Silent Auction is a fun opportunity to support the organization's special projects and initiatives like the Researchers' Roundtable and the Access to Justice Task Force. The auction is held on Friday evening at the annual conference. Donate an item and/or attend the auction and bid! You do not need to attend the conference to donate. Please let us know about your donation by May 6, so it can be included in the auction catalog. Past auction items include vacations, jewelry, sports memorabilia, fashion accessories, electronics, collectibles, books and much more. It's a fun time to relax and socialize before the annual banquet. [Donate an item.](#)

Top Considerations for the Views and Beliefs about Access to Justice of Legal and Non-Legal Family Law Professionals

Michael Saini, PhD, Factor-Inwentash Faculty of Social Work, University of Toronto

Within the last decade, the term "access to justice" has grown in popularity among legal commentators, scholars, family justice reformers, government policymakers, and the media. But with all of this new attention, there remains no common understanding or definition of access to justice and its potential implications for children and families in domestic relation courts. To address this gap, a survey was developed in collaboration with AFCC and Professor Michael Saini, of the Factor-Inwentash Faculty of Social Work, University of Toronto. Results will be discussed further in the forthcoming article, "A Survey of Beliefs and Priorities about Access to Justice of Family Law: The Search for a Multidisciplinary Perspective" by Peter Salem and Michael Saini, which can be read (open access) in the [Cardozo Journal of Conflict Resolution, Volume 17, Number 3](#). The following ten considerations have been adapted from the article. [Read more.](#)

Thank You Conference Sponsors

A big thanks to our Diamond Conference Sponsor: [OurFamilyWizard.com](#); Platinum Sponsor: [StablePaths](#) and [Transitioning Families](#); Gold Sponsors: [OnlineParentingPrograms.com](#), [Center for Divorce Education](#), [ChildrenBeyondDispute.com](#) and [IRIS Educational Media](#); Silver Sponsor: [The Law Office of Stacy D. Heard, PLLC](#); and Bronze Sponsors: [Soberlink](#) and [The American Society of Legal Advocates](#). Please thank our sponsors for their generous support by visiting their websites and/or onsite exhibit tables!

Exhibit Space in Seattle is Almost Sold Out

Act now to have an onsite presence at the 53rd Annual Conference in Seattle—only two tables remain. [Read more about the opportunities](#) and contact [Erin Sommerfeld](#).

Member Profile: Barbara Babb, MS, JD

Barbara Babb is the new editor-in-chief of *Family Court Review*. Becoming editor of *FCR* marks a full-circle experience with AFCC, in that Barbara was aware of the journal before becoming a member. "FCR is the best family law journal. This is an incredible honor. I have been reading the journal since it was called the *Family and Conciliation Courts Review*. It became even better as *Family Court Review*. Andy [Andrew Schepard, editor of *FCR* 1997-2015] leaves big shoes to fill," she said. [Read more.](#)

Thank You Family Court Review Staff

A big AFCC thank you to Robert E. Emery, social sciences editor; Ruth C. Stern, managing editor; Andrew I. Schepard, former editor and editorial consultant; J.

AFCC 53rd Annual Conference
*Modern Families:
New Challenges, New Solutions*
June 1-4, 2016
Sheraton Seattle Hotel
Seattle, Washington
[Registration and program brochure](#)

Special thanks to our conference sponsors:

Diamond Sponsor
[OurFamilyWizard.com](#)



Platinum Sponsor Stable Paths and Transitioning Families



AFCC 12th Symposium on Child Custody Evaluations
Abuse, Alienation and Gatekeeping: Critical Issues for Family Court Professionals
November 3-5, 2016
Sheraton Atlanta Hotel
Atlanta, Georgia
[Call for Proposals](#)

AFCC 54th Annual Conference
May 31-June 3, 2017
Sheraton Boston Hotel
Boston, Massachusetts

AFCC-AAML Conference
September 14-16, 2017
Westin San Diego
San Diego, California

AFCC Regional Conference
November 2-4, 2017
Hyatt Regency Milwaukee
Milwaukee, Wisconsin

AFCC 55th Annual Conference
June 6-9, 2018
Washington Hilton
Washington, DC

AFCC 56th Annual Conference
May 29-June 1, 2019
Westin Harbour Castle
Toronto, Ontario, Canada

Herbie DiFonzo, student note advisor; Carissa Danesi, student managing editor; Alexia Samicola and Kristy Candela, the managing editors of notes and comments; the [entire student staff](#) and the others whose hard work and dedication to the journal was instrumental during the leadership transition which began in the summer of 2015. The transition period has concluded and we welcome the new editorial staff: Barbara A. Babb, editor-in-chief, Robert E. Emery, social science editor; and Matthew G. Kiernan, faculty administrative editor.

Submit an Article to Family Court Review

Family Court Review, the interdisciplinary journal of AFCC, invites contributions on all aspects of family law, family courts, and the resolution of family disputes, from fields related to family law: court administration, mental health, medicine, behavioral and social sciences, dispute resolution, education, public policy, and other disciplines concerned with the welfare of children and families. [Learn more about the guidelines, submission review process, and submit an article.](#)

May 6 is the Last Day to Submit a Proposal for Atlanta

12th Symposium on Child Custody Evaluations

Alienation and Gatekeeping: Critical Issues for Family Court Professionals November 3-5, 2016, Sheraton Atlanta Hotel

AFCC is accepting proposals for 90-minute workshops addressing practice skills, professional issues and advanced theoretical applications. This year's theme is Abuse, Alienation and Gatekeeping: Critical Issues for Family Court Professionals. The symposium is designed for custody evaluators, judges, lawyers, mediators and professionals who work with separating and divorcing families. [Submit your proposal](#) on or before May 6, 2016, using the online form. AFCC offers a reduced registration rate for presenters. The program brochure will be available in July. [More information, including a list of suggested topics.](#)

Call for Applications: AFCC Family Court Services Resource Guide

AFCC is collecting examples of services, programs, practices and processes that provide assistance to families who are involved in a family court process such as divorce, separation, or paternity issues. Your example need not be something identified as "best practices" or "evidence-based," but should be successful in meeting the needs of the families, professionals and courts involved. Examples will be shared publicly in the AFCC Family Court Services Resource Guide to help develop new approaches to these difficult issues. [Learn more, share your example.](#)

Member News

Robert Kaufman, PhD, ABPP, Oakland, California, and **Daniel Pickar, PhD, ABPP**, Santa Rosa, California, recently had a book chapter published entitled, "Child Custody and Parenting Plan Evaluations," in the textbook, [Inside Forensic Psychology](#). The book is from Praeger Publishing and edited by Tiffany Mason, PsyD. The chapter presents best practices, relevant case law, research on special issues in child custody evaluations, and a case vignette of a parenting plan evaluation.

Chapter News

Eileen Ailon, R. Psych, Calgary, Alberta, Canada, is the new president of the AFCC Alberta Chapter.

Ann Ordway, JD, PhD, Signal Mountain, Tennessee, has been re-elected to serve a second two-year term as chapter council liaison to the AFCC Board of Directors by the AFCC Chapter Council.

Membership Notice of AFCC Board Nominations

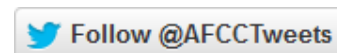
At the AFCC membership meeting, Saturday June 4, 2016, the following individuals will be nominated to serve on the AFCC Board of Directors for a three-year term beginning July 1, 2016 and concluding June 30, 2019: patti cross, JD; Jacqueline C. Hagerott, JD, LL.M.; and Robert A. Simon, PhD. The AFCC Executive Committee is elected by the board of directors. For informational purposes, the following individuals have been nominated for positions on the executive committee: President Elect: Annette Burns, JD, Vice President: Hon. Dianna J. Gould-Saltman; Secretary: Matthew J. Sullivan, PhD; and Treasurer: Mindy F. Mitnick, EdM, MA. Marsha Kline Pruett, PhD, MSL, will assume the presidency and Hon. Peter

Are you an AFCC member? [Join](#) or [Renew](#)

The opinions expressed in articles published or linked to in the *AFCC eNEWS* are those of the authors and do not necessarily reflect the positions of the Association of Family and Conciliation Courts.

Editor:

Erin Sommerfeld
editor@afccnet.org



[Unsubscribe](#)

AFCC | 6525 Grand Teton Plaza |
Madison, WI | 53719 | [608-664-3750](tel:608-664-3750)
| afcc@afccnet.org |
www.afccnet.org

Boshier will become past president.



ASSOCIATION OF
FAMILY AND
CONCILIATION COURTS



eNEWS

VOL. 11 NO. 4
APRIL 2016

Q & A with Justice Mary Yu, Associate Justice of the Washington Supreme Court

Justice Yu will deliver a keynote address, “Protecting the Families We Create: Reproduction, Adoption and Marriage—a View from the Bench,” at the AFCC 53rd Annual Conference, *Modern Families: New Challenges, New Solutions* in Seattle.

Before her appointment to the Supreme Court by Governor Jay Inslee in 2014, Justice Yu was an accomplished trial judge for 14 years in King County Superior Court. There she presided over criminal, civil and juvenile cases, including hundreds of adoptions and family law matters. Justice Yu was known for treating everyone with respect and fairness, approaching each case with an open mind, and understanding that each decision has an impact on an individual's life.

Justice Yu recently answered questions from AFCC about her work on the state supreme court, her keynote address, and the importance of volunteer work and mentorship.

What first interested you in the law?

I first became interested in the law after working for the Archdiocese of Chicago in the Peace and Justice Office. At that time, I felt I needed some additional tools for the work that I was doing, which involved social policy and advancing social justice.

You have been the recipient of a number of Judge of the Year awards. What qualities and attributes do you believe make a good judicial officer? What separates the good from the great?

I feel unusually blessed and humbled to have received these awards. I believe the most important quality a judge must possess is the ability to listen and be respectful of the parties. Humility and believing that you can always learn something new about the law and the case from the lawyers, is what separates the good from the great in our judicial world.

In many state supreme courts and courts, white males hold a disproportionate share of judicial seats compared proportionately to the population. The Washington State Supreme Court has a diverse demographic composition. What are your thoughts on this and the demographics of the judiciary at large?

Like all government entities and public officials, the more we reflect the community we serve, the greater confidence we instill in what we do. We are our best when we have diverse perspectives at the table and we are at our best when we are racially and geographically diverse. True diversity improves our work product and enhances confidence in our decisions.

You are Washington's first openly gay justice, first Asian American justice, first Latina justice, the sixth woman currently serving, and the eleventh woman to serve on the state's supreme court. Share your thoughts on these notable firsts.

I am proud to have been able to "lift the lid" for others to follow. I feel fortunate to have been at the right place at the right time and to have been able to say "yes" to serving our community. I recognize that my presence on the Washington State Supreme Court offers young people a vision for seeing themselves in my place. They must be able to see themselves as a justice in their mind's eye in order to take the necessary steps to get here. I am just happy to help foster that dream in our youth. Being a "first" at the court provides visibility for my communities.

Can you give us a preview of your keynote at the AFCC conference? What are the some of the legal challenges LGBT couples and families face post-Obergefell?

I will discuss the positive things that have happened for the LGBT community and briefly discuss the reality of change and some of the challenges.

What new issues do you anticipate for courts related to family law? Some of the issues will be recognition of adoption across state lines (full faith and credit of court orders), divorce, and societal acceptance.

You are extremely devoted to many volunteer roles outside of court, especially mentorship roles. Tell us about a particular experience.

My volunteer work provides an opportunity for me to be personally challenged and nourished. I find inspiration from the students at [FareStart](#) (where I am a Board member). [FareStart is a nonprofit, social entrepreneurial organization in Seattle that operates a job placement and training program benefiting homeless and disadvantaged men, women, and youth.] These are individuals who have faced huge challenges and yet they are ready to begin again. We just want to provide the encouragement and means for them to become self-sufficient.

Why are community service and mentorship programs important to you?

Mentoring young lawyers is a way of ensuring that there will be someone to replace me! On a serious note, I enjoy providing encouragement and a path for young lawyers to reach their potential. Sometimes, all they need is a little encouragement and to have someone else believe in them.



ASSOCIATION OF
FAMILY AND
CONCILIATION COURTS



eNEWS

VOL. 11 NO. 4
APRIL 2016

Ten Considerations for Grandparents Raising Their Grandchildren

Ann M. Ordway, JD, PhD, Department of Counseling and Special Populations, Lamar University

Approximately 2.4 million grandparents nationwide currently have some form of a custodial role for their grandchildren. Whether your role is a grandparent in a custodial role, or a service provider for members of this special population, here are some important considerations to guide the process of transitioning to the custodial role and improving chances that the arrangement will be successful for both the grandparents and grandchildren.

1. Assess the Reasons Why. There are many reasons that factor into the creation of this arrangement. Grandchildren are voluntarily placed with their grandparents for economic reasons, when the biological parent experiences economic hardship and cannot afford to care for their children. In many cases, grandparents are more economically stable and have both the physical location and financial ability to care for grandchildren. Grandparents can become involved in parenting due to a serious illness of the biological parent. Grandparents may step in when the biological parent has a prolonged absence, like a military deployment, out-of-town job, or incarceration. Grandparents can also be compelled to intervene and petition the courts for custody of their grandchildren due to a biological parent's substance abuse issues or other illicit behavior that is potentially harmful to the grandchildren. The reason for the custodial shift will set the tone for ongoing interactions with the biological parents and how long the child will stay.

2. Understand the Role. There is something to be said for the aspect of grandparenting that enables a fun “sugar them up and send them home” mentality. Grandparenting is the chance to love and spoil while not worrying about discipline. This concept largely stops when children are left in the permanent care of their grandparents. Suddenly, the custodial grandparent must drop the “grand” in order to be an effective parent. Role transition is one of the greatest challenges for grandparents and children.

3. Consider Duration. It becomes critical to know if children will be with their grandparents for a short time—or if it is a long-term, potentially permanent arrangement. Children need roots and stability. In long-term arrangements, where it becomes likely that the biological parent will not be returning or is in the picture, but represents a risk to the child, permanency planning should be

considered. Children need their own space. If the grandparent becomes the psychological parent, the best interests of the child take on a new connotation and permanency may be the fairest goal for the child.

4. Commitment. Grandchildren in the care of their grandparents often fear being discarded or rejected again and are afraid of another loss. Grandparents are making a deep emotional commitment, one that should NOT be taken on without a great deal of forethought. Considering the circumstances from which the child came, the commitment will be questioned and challenged. The children deserve everything the grandparents have to offer and deserve to be treated like household members. This includes giving them responsibilities and maybe encouraging them to add their own special touches to their rooms or other rooms in the house. Grandparents should consider the implications of the commitment. The child should always feel wanted, safe, and loved.

5. Resources. Some resources are available from within the family; these might include financial assistance and babysitting offers. The local department of child protective services may offer subsidies for the benefit of the child when the agency is involved with the transfer of custody. Some children may require special attention including the involvement of a mental health professional. Special needs, such as learning disabilities, may have previously gone unaddressed, thus the grandparent may need to initiate appropriate scholastic intervention. Grandparents should anticipate arranging for a pediatrician, therapist, tutors, and other third parties to help meet the child's needs.

6. Challenges from Biological Parents. Some biological parents are unreliable and seem to disappear; others try to regain custody despite obvious reasons why that would not be in the best interests of the children. It is not uncommon for children to long for time with their biological parents. Biological parents often undermine, challenge, and interfere with the grandparents' parenting. Children are not above manipulating conflict to their advantage. Grandparents should stand their ground by being firm, but loving. Enabling the biological parent can have disastrous effects for the children, and grandparents might feel caught in the middle, wanting to maintain a relationship with their child, while also doing the right thing for the grandchildren in their custody.

7. Challenges with Children. Sadly, children who are in the care of their grandparents are rarely there for happy reasons. The children have likely experienced some turmoil associated with the transition to their grandparent's house, including the loss of their parent or parents. Accordingly, it is not uncommon for grandchildren to be a bit of a handful. Challenges range from "You are not my mother. I don't have to listen to you" to "I want my mother." There are often tears, fixation on the fantasy of reconciliation with a *perfect* parent, acting out, and other behavioral issues. Grandparents are older than they were while raising their own children, and may have health issues and physical limitations. Grandparents making this commitment must take care of themselves because

their grandchildren are relying on them. They must also remember that children need to be engaged and entertained. They need to commit to planning activities and outings. It is important for custodial grandparents to be active and visible in their grandchildren's lives, to know teachers and coaches, and for the children see their commitment.

8. Systemic Challenges. There can be several legal options for securing custody of grandchildren, depending upon the jurisdiction. If parents are consenting to the placement, it is still advisable to have a consent agreement or written document outlining rights and responsibilities regarding the children left in the grandparents' care. Such a document must include the ability to make medical and educational decisions in the best interest of the children, particularly when the parent or parents will be absent or uninvolved. Documentation, dated, and with the parents' signatures will unencumber the grandparents' interactions with doctors, teachers, counselors, coaches, and other agencies where parental consent might be sought.

If the placement is involuntary, child protective services will likely offer assistance, which can include financial assistance in some jurisdictions. If the grandparents file a complaint and seek an order of custody from the court, it is critical to consider specific issues, such as providing medical insurance for the child and whether the child will attend school in the grandparents' neighborhood. Guidelines for parenting time, if any is allotted, for the biological parents should be addressed so grandparents have an order of the court to rely on. The more guidelines that are clearly established in the beginning, the less conflict later.

9. Permanency. If child protective services are involved, there is a reasonable chance that the state will move for the termination of parental rights and adoption, or a kinship legal guardianship plan. If not, the grandparents will need to pursue these options on their own, and will need to consider whether biological parents will consent or if court involvement is necessary. Despite the challenges presented by the choice to pursue permanent custody or adoption, it is important to weigh the potential costs of remaining in limbo long-term against the potential benefit for both grandparents and grandchildren associated with being in a forever relationship. Permanency allows for long-term planning, defined roles, and the assurance that the children will not be uprooted again.

10. The Opportunity. I am reminded of the old adage, "If I knew then what I know now..." Parenting the first time around is fraught with challenges simply because of the natural learning curve that comes with having children. Children do not come with instruction manuals and with each child, the parent learns as they go at each new stage of life. It has been said that with the first child, a parent is quick to discard a dropped pacifier in favor of a germ-free new one, but by the time the third child arrives, the parent applies the five-second rule, quickly lifts the pacifier from the floor, blows it off and sticks it back in the baby's mouth. Experience calms anxieties and eases fears. Grandparents raising their

grandchildren have a veritable treasure chest of personal experience from raising their own children. Many grandparents are retired or have mastered the art of multi-tasking and are therefore more patient and organized than first time parents. Most of all, there is an immeasurable reward associated with loving grandchildren through the tough times associated with the loss or lack of reliability of a biological parent. The unconditional love that grandchildren return is priceless.

Ann M. Ordway, JD, PhD, is a distance clinical professor at Lamar University where she teaches clinical mental health counseling and school counseling for graduate students in the Department of Counseling and Special Populations. She is a visiting instructor in counselor education at University of Tennessee, Chattanooga for 2016-17. Ann is an attorney, with more than 25 years' experience in family court in New Jersey, a counselor educator, parenting coordinator and child advocate. Her research is focused on parenting coordination, parental alienation, family relationships, and the impact of high conflict divorce dynamics on children and their family members. She has presented for both AFCC and the American Counseling Association and has published several articles related to her topics of interest. Ann is the chapter liaison to the AFCC Board of Directors and a former president of the AFCC New Jersey Chapter. She resides near Chattanooga, Tennessee, and is the proud mother of nine children—two of whom are her grandchildren, for whom she and her husband, Stephen, have become custodial.



ASSOCIATION OF
FAMILY AND
CONCILIATION COURTS



eNEWS

VOL. 11 NO. 4
APRIL 2016

Top Considerations for the Views and Beliefs about Access to Justice of Legal and Non-Legal Family Law Professionals

Michael Saini, PhD, Associate Professor, Factor-Inwentash Faculty of Social Work, University of Toronto

Within the last decade, the term “access to justice” has grown in popularity among legal commentators, scholars, family justice reformers, government policymakers, and the media. But with all of this new attention, there remains no common understanding or definition of access to justice and its potential implications for children and families in domestic relation courts. To address this gap, a survey was developed in collaboration with AFCC and Professor Michael Saini, of the Factor-Inwentash Faculty of Social Work, University of Toronto. The purpose of this cross-sectional online survey was to explore the meaning of access to justice according to legal, mental health and dispute resolution professionals in various countries.

The sample included 442 respondents (e.g., judges, lawyers, custody evaluators, mediators, family court services, court administrators, parent educators, etc.) from seven countries. Of the total respondents, 398 participants completed the survey (response rate of ninety percent). The majority of participants defined access to justice as the ability of disputants to seek and obtain a remedy through formal (e.g., the courts) or informal (e.g., mediation) institutions and services for resolving disputes. Noteworthy differences were reported, however, between the views of legal and mental health professionals, where the latter most likely viewed access to justice as a legal issue, while the former focused on alternative approaches outside of the legal system to resolve family disputes.

The survey results will be discussed further in the forthcoming article, “A Survey of Beliefs and Priorities about Access to Justice of Family Law: The Search for a Multidisciplinary Perspective” by Peter Salem and Michael Saini, which can be read (open access) in the [Cardozo Journal of Conflict Resolution, Volume 17, Number 3](#). The following ten considerations have been adapted from the article.

1. There is widespread agreement on the need to create greater and more effective access to the family court system, but a lack of consensus about the potential solutions with many unanswered questions. Barriers to justice have resulted in the widespread perception that interaction with family courts is largely a frustrating, time-consuming, and expensive experience. Significant delays and backlogs

within the family court system inhibit a litigant's ability to access services in a timely and cost-efficient manner, and this situation may be exacerbated for those without legal representation. Indeed, family court professionals who responded to this survey indicated that even though they perceived improved access to the court in recent years, they believed that public trust and confidence in the courts have worsened during the same time.

2. Access to justice has historically been viewed as a legal issue. The concept of access to justice emerged in the late 1970s and initially focused on legal aid funding issues. There has been increased attention to non-legal approaches (e.g., courthouse services, parent education, mediation, parenting coordination) in the past decade, but there remains a lack of consensus among legal and non-legal stakeholders about the reasons for the current barriers to access, and how best to approach unmet needs of litigants in the courts.

3. Access to justice has become a blanket term used to describe a wide range of approaches that are generally aimed at legal reform. The ambiguity surrounding the term access to justice creates challenges in developing workable solutions to meet the needs of litigants. Mixed perceptions remain about the responsibility of various stakeholders in administering access to justice; whether access to justice equals access to a lawyer, whether the concept is limited to fair legal processes; and what role, if any, non-legal professionals should play. Furthermore, even if it were possible to provide legal representation to everyone, it is not clear that a more effective system would result.

4. Based on survey results, there seems to be more consensus than disagreement about the current definition of access to justice in family law. Access to justice was defined broadly as: "[t]he ability of disputants to seek and obtain a remedy through formal (e.g., the courts) or informal (e.g., mediation) institutions and services for resolving disputes." 87.6% of respondents indicated agreement with the proposed definition.

5. The most common alternate definition emphasized the differences between access and justice; courts and services; legal and non-legal approaches. 12.4% did not agree with the proposed definition and they provided several alternative definitions.

6. There was overwhelming support that collaboration among legal and non-legal professionals is needed to achieve access to justice. Awareness, understanding, and respect for the various perspectives about how best to meet the needs of families are important steps towards meaningful interdisciplinary dialogue. With effective interdisciplinary dialogue, these various perspectives may work in concert rather than compete for the limited resources available to assist families involved in family law matters.

7. There is overwhelming support for providing families with information, education and outside services prior to appearing in the courts. But not all professionals agree on how best to provide these services and they are even less in agreement when cases include violence, conflict and complex factors.

8. While the majority of respondents favoured screening cases for conflict, domestic violence, and complexity, they differed about what to do with these cases once screened. For example, lawyers and judges were less likely to agree that only high conflict and/or complex cases should be fast tracked to court, with others being resolved outside of court.

9. There is a lack of consensus about how best to include the views of children within an access to justice framework. Although there is a growing emphasis on including the views and preferences of children within child custody disputes, respondents had mixed opinions about whether all children should be offered opportunities to have their views included within the dispute or whether child legal representation and judicial interviewing should be offered on a limited basis for specific children based on their unique circumstances.

10. The importance of reducing family conflict is a key priority among respondents. All professionals ranked reducing family conflict as the top priority for access to justice initiatives. But professional differences were noted in the ranking of priorities: Legal professionals' highest priorities were associated with increasing the efficiency of the legal system; mental health and dispute resolution professionals' highest priorities were associated with increasing family wellbeing and improving child adjustment; judges and administrators' highest priorities were associated with increasing services for self-represented litigants.



ASSOCIATION OF
FAMILY AND
CONCILIATION COURTS



eNEWS

VOL. 11 NO. 4
APRIL 2016

Member Profile: Barbara Babb, MS, JD

Barbara Babb is the new editor-in-chief of *Family Court Review*. Becoming editor of *FCR* marks a full-circle experience with AFCC, in that Barbara was aware of the journal before becoming a member. “*FCR* is the best family law journal. This is an incredible honor. I have been reading the journal since it was called the *Family and Conciliation Courts Review*. It became even better as *Family Court Review*. Andy [Andrew Schepard, editor of *FCR* 1997-2015] leaves big shoes to fill,” she said.

A long time AFCC member, Barbara joined in the early 1990s. “I think I attended my first conference in Maryland, not long after I moved to Baltimore. You have to understand AFCC wasn’t as well known then. That first meeting was the right place to be, the interdisciplinary nature focuses on all of the pieces needed to make the justice system work better for families,” she said.

As an associate professor of law at the University of Baltimore School of Law, Barbara founded and is the director of the Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC) at the law school. Her lifelong dedication to family policy and family justice system reform is apparent through all of her work. She was instrumental in establishing unified family courts in Maryland and beyond. CFCC generates policy initiatives, prepares reports and projects, and provides educational programs that focus on relationships among parents, children, the community, and the judiciary. These efforts include CFCC’s highly successful and very popular Truancy Court Program in the city of Baltimore; consulting work; conducting research and evaluations; preparing policy recommendations and reports; and implementing training programs, workshops and conferences for policymakers, family law professionals, students, and stakeholders.

Barbara’s journey to founding and directing CFCC started early. She wanted to work in family policy. After obtaining an undergraduate degree in human development, she taught child development at a high school in Connecticut for three years. She then attended graduate school at Cornell University, earning a master’s in human development. While at Cornell she worked with Urie Bronfenbrenner, known for his ecological systems theory of child development and involvement in the formation of [Head Start](#). Bronfenbrenner’s theory was key to changing perspectives in developmental psychology, calling attention to the environmental and societal influences on child development. It was with his encouragement that Barbara decided to pursue a law degree to continue her work in family policy.

Barbara completed her law degree with a focus on children and families at Cornell Law School in 1981 at a time when there was little funding and were few opportunities to work in family policy. After law school, Barbara practiced at a private firm in upstate New York, doing primarily criminal defense and family court work. Eventually she moved to Baltimore, Maryland, where she worked as a managing attorney of the Domestic Law Unit at the Legal Aid Bureau. She found the court system in Maryland very different from that of New York. At that time, in Maryland, there were no family or domestic relations courts and no specialized ways to deal with the unique complex issues in family cases. Family law cases were lumped in with all other civil cases.

Not long after relocating to Baltimore, Barbara was recruited by the University of Baltimore School of Law. In 1999, because of her advocacy and scholarship on unified family courts and family justice system reform, John Sebert, then Dean of the School of Law, approached her about creating the Center for Families, Children and the Courts. In 2000, the Center for Families, Children and the Courts (CFCC), now the Sayra and Neil Meyerhoff Center for Families, Children and the Courts, was founded. Barbara has served as director since 2000.

CFCC works through grants and contracts and allows law students an opportunity to gain practical real-life experience. Since 2004, there has been an experiential course option for law students to become involved in the work of the center. CFCC has consulted for Florida and California, among other states, on justice system reform. The center's most well-known program is its Truancy Court Program (TCP). The high school graduation rate in Baltimore is just 65-70% [compared to 80% nationally in the US]. CFCC's program is a school based prevention program that has helped more than 2,500 students and their families. The TCP has improved attendance, classroom success, and graduation rates since it began in 2005. On average, three quarters of the programs' participants each year reduce their unexcused absences by at least 65%.

The TCP helps identify and address the underlying problems that cause truancy and thereby prevent this pattern of behavior from leading to delinquency, crime and violence. "There are some profound problems keeping kids from getting to school: homelessness, bullying, lack of individualized education programs for special needs students, fear of walking through certain neighborhoods on the way to school, and lack of reliable public transportation, to name a few. Many of these issues stem from poverty," said Barbara.

The program's approach is collaborative; it connects the student and their family with social services and community based support. It is voluntary for the students and their families, and it consists of 10-14 weekly meetings (per semester). The meetings bring the student, family members, teachers, social workers, guidance counselors, principals, CFCC staff, a University of Baltimore law student, and a volunteer Maryland judge together to discuss the student's absences and attempt to identify the cause. Students also meet weekly with a mentor, who, in turn, connects with their family members, as well. CFCC provides after school arts education programs when possible at TCP schools to increase engagement and attachment to school among the participants and their peers.

Every few years since 1998, Barbara has conducted a survey to examine how each state approaches family law matters. There remain 13 states without specialized family courts. Maryland, thanks to the work of Barbara and other reformers over a ten year span, is no longer one of them. It now has five family divisions within the state's circuit courts dedicated to resolving family matters. Barbara said of the process, "It took determination and judicial leadership from the top. It was not easy and it was not quick. There was a lot of collaboration and compromise among stakeholders. We started working on this in 1989 and it took until 1998 to come to fruition."

CFCC offers resources on truancy, substance abuse, delinquency and other issues that bring families and children to court. *The Benchbook on Substance Abuse and Addiction for Family Courts*, provides information on best practices, resources, research findings, and ways family court professionals and others can work together to address substance abuse and addiction. Although substance abuse and addiction are major factors in many family court matters, the framework to deal with these issues does not necessarily exist. Barbara and Gloria Danziger [senior fellow at CFCC] will present on this topic at the AFCC annual conference in Seattle [Workshop 21, "Addiction and Family Courts: What Judges, Lawyers, and Court Staff Should Know" Thursday, June 2.]

Balance in life is important to Barbara. She works hard, but she tries to make sure to take time for herself. She has three children; the youngest is a senior in college. She loves to read and has been in a book group for thirty years. She and Judy Moran, her former student and colleague, have a book contract. Barbara's husband has a long career as a stage actor, and they enjoy going to the theater and movies together. "He has a way of dissecting films and plays that I'm fascinated by," she says. At 5'2" Barbara was a starter on her high school's varsity basketball team. Athletic ability must run in the family, as both of her sons swam competitively from their early years through college—Barbara was a USA Swimming official—and her daughter is an all around athlete. A real baseball fan, Barbara attended her first game when she was just a week old. Barbara is an Orioles fan, and she also enjoys watching the Johns Hopkins University team, for which her brother is the head baseball coach.

There are new projects on the horizon for Barbara and CFCC. The University of Baltimore is working on a Post-JD Certificate in Family Law, which they hope to offer in the spring of 2017. "Two or three schools offer an LLM in family law, but that is geared more toward academia. We want something to prepare attorneys for family practice, so we designed a program with the support of attorneys and judges. It's going to be an intensive interdisciplinary program with courses on child development, how to handle a family law case from start to finish, and how to build a family law practice," said Barbara of the program, which builds on the existing family law concentration available at University of Baltimore.

Barbara looks forward to bringing her expertise and perspectives to *FCR*. "I hope to further expand the reach of authorship—especially to law faculty—I'd like them to see *FCR* as a not just an alternative to traditional law reviews, but as a supplement. I admire the social science pieces; it's something I am very attuned to. I am honored to work with Bob [Robert Emery, social science editor], Matt [Matthew Kiernan, faculty administrative editor], Peter [Peter Salem, AFCC Executive Director], and the student editors."