



Improving the lives of children and families
through the resolution of family conflict



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The AFCC Special Webinar Series on Parent-Child Contact Problems is Underway!

AFCC's Special Webinar Series on Parent-Child Contact Problems started on May 12th. **After the first two webinars sold out at 500 registrants each, we increased the capacity to 1,000 attendees.** How exciting that these presentations resonate so much with our community!

The webinar series features authors from the April 2020 special issue of *Family Court Review*, AFCC's quarterly academic journal, published by Wiley. AFCC members receive both print and digital subscriptions to the journal as a benefit of membership. (Not a member? [Join now!](#))

Upcoming webinars in the series, which runs through July 7th, include:

Children Resisting Contact with a Parent: Can a Proactive Role for Lawyers Contribute to Better Outcomes?

Jacky M. Campbell, LLB, LLM
May 26, 2020, 5:00pm-6:30pm Eastern time US

Acting Before It's Too Late: Prudent Early Intervention in Resist-Refuse Cases

Lyn Greenberg, PhD, ABPP and Hon. Robert A. Schneider

Thank you to our conference sponsors!

Diamond Sponsors



Platinum Sponsors



Online
Parenting
Programs

(Ret.)
May 29, 2020, 3:00pm-4:30pm Eastern time US

Polyvagal Theory in the Courtroom and Beyond

Rebecca Bailey, PhD and Frank Davis, PhD
June 2, 2020, 3:00pm-4:30pm Eastern time US

View the [full schedule here](#) and see the Webinar Corner (below) for more information on the full series.

Ask the Experts: Online Dispute Resolution and Domestic Violence

Gabrielle Davis and Tracy Schoberg

Online processes can increase access to dispute resolution for some domestic violence survivors. They can be out of reach for others who don't have access to private space, reliable internet, uncompromised electronic devices, or basic technical know-how. Online dispute resolution can also expand opportunities for abuse. Mediators can't afford to jump into online processes without considering certain core limitations. [Read more.](#)

AFCC Online Conversations Recordings Available

AFCC partnered with [OurFamilyWizard.com](#) and [Soberlink](#) to present five online conversations in March and April, featuring family law professionals discussing different aspects of the impact the global pandemic has had on their work. View all of the conversations online now, free!

Conversations about Coparenting for Professionals During the COVID Crisis

Robin Deutsch, PhD, ABPP and Matthew Sullivan, PhD

Coparenting and Parenting Plans in a Tough Environment: Giving Guidance When It's in Short Supply

Judge Gerri Wong, LLB and Annette T. Burns, JD

Videoconferencing for Family Dispute Resolution: Best Practices, Ethics, and Bugaboos

Beth McCormack, JD and Allan Barsky, PhD, JD, MSW

Planning Now for the Echo Pandemic: Tips for Family Court Professionals

Judge Dianna Gould-Saltman and Prof. Michael Saini, PhD

The Intersection of Technology, Domestic Violence, and Family Courts During COVID-19

Judge Angela R. Arkin and Steven Bradley

AFCC Special Webinar Series on Parent-Child Contact Problems



ASSOCIATION OF FAMILY AND CONCILIATION COURTS
AFCC

AFCC Special Webinar Series on Parent-Child Contact Problems
in the wake of the COVID-19 global pandemic, more a child's best interests and the best of the profession in the courtroom AFCC is creating a special webinar series featuring the authors from the April 2020 Special Issue of Family Court Advocate on Parent-Child Contact Problems.

Concepts, Commentaries, and Concurrences of Parent-Child Contact Problems Children, Mar. 20, 2020 and Jennifer Lohr, PhD June 16, 2020, 3:00pm-4:30pm Eastern time US	Allegations of Child Abuse During Child Custody Disputes Deborah G. Pincus, PhD, Cheryl Platt, JD, and June 16, 2020, 3:00pm-4:30pm Eastern time US
Parental Alienation: In Search of Common Ground for a More Differentiated Theory Laurie R. King, PhD June 16, 2020, 3:00pm-4:30pm Eastern time US	Parental Alienation: Risk Factors and Applied Concepts Suzanne M. Bruch, PhD June 16, 2020, 3:00pm-4:30pm Eastern time US
Overhearing, Not Dismissing: Assessing and Responding to the Best Interests of the Polarized Child Deborah G. Pincus, PhD June 16, 2020, 3:00pm-4:30pm Eastern time US	Resilient and Resistant to Parental Alienation: Resistant Children John A. M. Baker, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US
Interdisciplinary Programs for Prevention and Responding to Contact Failure: Education, Early Identification, and Early Effective Mediation Laurie R. King, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US	Parental Alienation in the United States Courts: 1985-2018 Deborah G. Pincus, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US
Children Resisting Contact with a Parent: Can a Practice Plan for Lawyers Contribute to Better Outcomes? Laurie R. King, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US	Intensive Psychological Assessment in Resistant Contact Cases Deborah G. Pincus, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US
Acting Before It's Too Late: Proximal Early Intervention in Resistant Contact Laurie R. King, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US	Parental Alienation and Alienation-Induction: A Review Deborah G. Pincus, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US
Polyvagal Theory in the Courtroom and Beyond Rebecca Bailey, PhD, and June 2, 2020, 3:00pm-4:30pm Eastern time US	The Better and the Deeper: What We See in Family Court Deborah G. Pincus, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US
Trauma Informed Interventions in Parent-Child Contact Cases Deborah G. Pincus, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US	Responding to Resistant Parent-Child Rejection Cases Deborah G. Pincus, PhD, and June 16, 2020, 3:00pm-4:30pm Eastern time US

For more information and registration go to [www.afccnet.org](#) or call 408-666-3750

AFCC Chapter Conferences

Florida Chapter Annual Conference

September 23-25, 2020
Orlando, Florida

Indiana Chapter Annual Conference

October 2, 2020

Colorado Chapter Annual Conference

October 9, 2020

Ontario Chapter Annual Conference

October 16, 2020
Toronto, Ontario

Texas Chapter Annual Conference

November 5-6, 2020
Austin, Texas

Resource of the Month

AFCC's COVID-19 Playlist

Sheltered in place and looking for a diversion? AFCC has curated a list of lockdown-appropriate songs to keep you smiling. Enjoy!

AFCC Webinar Corner

The AFCC Special Webinar Series on Parent-Child Contact Problems

The special webinar series is the focus of our online educational opportunities this month. Regular monthly webinars will resume July 21, 2020 (see below).

Webinar series reminders:

- Participants must register for each webinar individually. View the [full schedule](#) and make plans to attend!
- Up to 1,000 people may register for each webinar! Don't miss your opportunity—sign up now on the [AFCC website](#).
- Each webinar is 90 minutes long and is eligible for up to 1.5 hours of continuing education for psychologists.*
- **The registration fee includes a certificate of attendance.** You must attend the live webinar to receive a certificate of attendance.
- Registration: Members: \$15 | Non-members: \$50
- Members who attend all sixteen webinars could receive a total of 24 hours of continuing education credit for just \$240, **\$560 less than the non-member price!** [Join AFCC](#) to save on continuing education.
- Recorded webinars will be available online for AFCC members.
- The series is sponsored by [Soberlink](#) and [OurFamilyWizard.com](#). AFCC thanks them for their support.

** AFCC is approved by the American Psychological Association to sponsor continuing education for psychologists. AFCC maintains responsibility for the program and its content. Lawyers, judges, social workers, counselors, and other professionals seeking continuing education credits may use the AFCC Certificate of Attendance to verify attendance when applying to their state, provincial, or other regulatory or licensing agency. Application for education activity approval by the Judicial Council of California Center for Families, Children & the Courts' (CFCC) is pending.*

[Register today!](#)

Stay tuned for July's webinar:

[The Opioid Epidemic and Family Courts](#)

Stephanie Tabashneck, PsyD, JD

July 21, 2020 | 1:00-2:00pm Eastern Time US

Registration opens June 17, 2020

AFCC Judicial Webinars

Family court judicial officers are frequently faced with issues that require proficiency in substantive issues that are typically associated with the mental health profession. To help bridge this gap, the Association of Family and Conciliation Courts has produced [a series of webinars](#) presented by interdisciplinary teams of judicial and mental health professionals and designed specifically for judicial officers. These webinars are provided free of charge.

This month's featured judicial webinar:

[What is a High Conflict Custody Case?](#)

Robin M. Deutsch, PhD, ABPP and Hon. Christina Harms (Ret.)

Chapter News

The Chapter Challenge Results Are In!

Congratulations to the **Minnesota Chapter** for increasing AFCC membership by the

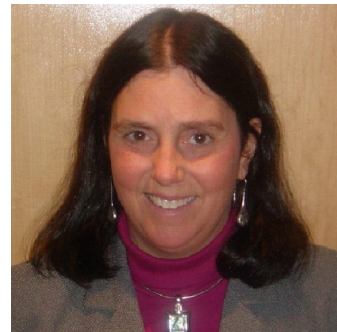
largest number and to the **Louisiana Chapter** for increasing AFCC membership by the greatest percentage! Each chapter will receive a check for \$2,500 to add to their treasury! Congrats also to California and Maryland for outstanding growth this year. AFCC has increased their membership in this difficult time, and a great deal of that credit goes to the efforts of chapters. We thank you and appreciate you so much!

Commissioner Sally-Anne Danner, the new president of AFCC's Wisconsin chapter, has been the Court Commissioner and Director of Family Court Services for Fond du Lac County, Wisconsin since 2002. Commissioner Danner is a founding member of the Wisconsin Chapter of AFCC and previously served as the Program Committee Chair. She is a Board member of the Family Law Section of the Wisconsin State Bar, a member of the Wisconsin Family Court Commissioners' Association, the ABA Family Law Section, the Supreme Court Public Policy Advisory Committee (PPAC) Sub-Committee for Court Security and past President of the Fond du Lac County Bar Association. When not self-quaranting, she enjoys the Northwoods camping and ATV'ing and traveling. She has been married to her very patient husband Steve for 26 years and has two adult children of whom she is extremely proud, two dogs, and five chickens.



Member News

Lyn Greenberg, PhD, AFCC member from Los Angeles, California, is the recipient of the SCCAP Promoting Evidence-Based Mental Health Services for Children and Adolescents Award. The distinction is granted by the Society of Clinical Child and Adolescent Psychology (Division 53 of the American Psychological Association) and recognizes a clinical child and adolescent practitioner who has made a significant and enduring impact on promoting awareness, accessibility, and/or implementation of evidence-based mental health services for children and adolescents. Congratulations, Lyn!



AFCC Membership Meeting

AFCC's annual Membership Meeting will take place as an online, webinar-style meeting. Mark your calendars for Thursday, May 28, 2020 at 4:00pm Eastern Time US and register to attend. You must register to participate in the meeting. [Register now!](#)

2020 Award Winners

AFCC recognizes the achievements of its member through annual awards, normally given at its Annual Conference. The 2020 recipients, listed below, will be acknowledged during the virtual membership meeting. Congratulations!

- **Marsha Kline Pruett**, John E. VanDuzer Distinguished Service Award for outstanding contributions and/or achievements by an AFCC member
- **Nancy Ver Steegh**, Stanley Cohen Distinguished Research Award for outstanding research and/or research achievements in the field of family and divorce
- **Family Law Limited Scope Services Project**, Irwin Cantor Innovative Program Award for innovation in court-connected or court-related programs created by an AFCC member
- **Barbara Fidler and Nick Bala**, Tim Salius President's Award, selected by the president for outstanding contribution to AFCC
- **John Greacen**, Meyer Elkin Essay Award for best article in *FCR*

Do you have a notable achievement to share? Email [Gina Wentling](#) with your story and a professional head shot (JPEG or PNG preferred), if you have one, to be featured in

AFCC Staff News

Katie Porter, MSW, JD
Program Director

Katie Porter joined AFCC earlier this month as Program Director. In this capacity, Katie will support AFCC's chapters, develop educational programming, provide staff support for AFCC special projects, and collaborate on the production of *AFCC eNEWS*. Katie came to AFCC from the Hamilton County Domestic Relations Court in Cincinnati, where for seven years she developed, implemented, and revised court programs with an emphasis on the Court's dispute resolution services. As a licensed independent social worker, she also provided direct practice work for the Court by conducting pre- and post-decree mediation sessions. Katie joined AFCC as a member early in her career and served as a board member and the communications chair for the Ohio Chapter for one year beginning in 2019. Katie received Bachelor of Science degrees in both Psychology and Political Science from Xavier University's Scholars Honor Program and later received Juris Doctor and Master of Social Work joint degrees from the University of Cincinnati.



Register Now for the Therapeutic Jurisprudence Scholars' Convening

The University of Baltimore School of Law Sayra and Neil Meyerhoff Center for Families, Children and the Courts (CFCC) and the International Society for Therapeutic Jurisprudence (ISTJ) will co-host a Therapeutic Jurisprudence Scholars' Convening at the University of Baltimore School of Law. The convening is a unique opportunity for experts in the field of therapeutic jurisprudence (TJ) to present, discuss, and collaborate on works in progress. Practitioners new to TJ also are welcome to attend to learn more about TJ from leaders in the field.



AFCC members and other family law professionals may wish to submit a proposal to present at this event. Note the submission deadline of June 30, 2020. To submit a proposal, contact **Professor Barbara Babb**.

Therapeutic Jurisprudence Scholars' Convening

October 9-10, 2020

University of Baltimore School of Law, John and Frances Angelos Law Center

[Learn more](#) and [register today!](#)

AFCC eNEWS

The *AFCC eNEWS* is the monthly e-newsletter of the Association of Family and Conciliation Courts. The *eNEWS* provides up-to-date information for professionals including practice tips, case law and research updates, international news, and the latest initiatives in family law and conflict resolution. The *AFCC eNEWS* is free and you do not need to be a member of AFCC to subscribe. [Subscribe here.](#)

AFCC members are free to share eNEWS content.

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ASSOCIATION OF
FAMILY AND
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eNEWS

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Online Dispute Resolution and Domestic Violence

Gabrielle Davis and Tracy Shoberg

Online processes can increase access to dispute resolution for some domestic violence survivors. They can be out of reach for others who don't have access to private space, reliable internet, uncompromised electronic devices, or basic technical know-how. Online dispute resolution can also expand opportunities for abuse. Mediators can't afford to jump into online processes without considering certain core limitations.

The only thing mediators can see is what is on their screen. During online dispute resolution sessions, the only things visible to mediators are the things that appear on their own computer screens. Typically, mediators can see each party's head, neck, and shoulders. Unless the parties are using virtual backgrounds, mediators might also see the space behind the parties, which can include very little or very much, depending on how the parties position themselves.

However, mediators cannot see anything that does not appear on their own computer screens. They cannot see, for instance, what is immediately in front of or facing the parties. They can't see whether someone or something is positioned behind a party's monitor—facing them directly from across the table or desk. Mediators cannot see what is immediately below the parties—right under the table or on the floor beside the parties. Mediators cannot see what is going on in the periphery—or in the next room—or just upstairs. Mediators cannot see who's driving past the parties' window or sitting in their driveway. What the mediators can't see might be innocuous or it might be menacing.

Mediators also cannot see what the parties see on the parties' own monitors. Mediators can't see, for instance, whether a party is looking at a threatening image—or email—or social media post. They can't see what other apps are running on the parties' monitors behind the mediation platform.

The only thing mediators can control is the mediation platform. During online dispute resolution sessions, the only things mediators can control are the features of the mediation platform. Depending upon the chosen technology, mediators can establish waiting areas and breakout rooms. They can disable private chats, recording devices, microphones, and video functions. They can open and close sessions.

Mediators cannot, however, control what's going on outside the mediation platform. In other words, mediators cannot control whether the parties communicate with one another through text messaging, FaceTime, social media, email, or any number of other means. Mediators cannot control whether the parties record sessions or caucuses on their phones, tablets, voice-activated devices, or even old-fashioned tape recorders. Mediators can't control whether parties utilize spyware or tracking devices to monitor, intrude upon, or intimidate the other.

The only things mediators can know is what the parties tell them. Mediators can attempt to mitigate some of these risks by establishing ground rules and asking the parties to affirm that they're in compliance and that the conditions for mediation have been met. However, mediators have no way of monitoring or enforcing the ground rules unless the violations are visible—or one of the parties admits to or complains about them. While mediators will be able to address issues of tone or civility, for instance, they might not be able to hold parties accountable for blatantly violating rules concerning private communications, recording sessions, having others present, or otherwise undermining the process.

Top Ten Tips for Mediators:

- 1. Recognize these limitations.** The first step to structuring a successful online mediation session is to recognize the limitations and risks associated with using an online platform—and accounting for them throughout the planning process.
- 2. Explain risks of the platform and limits of confidentiality.** Mediators must explain that in an online environment, information and communication may not be confidential or secure. For example, mediators need to explain that they cannot know about, nor control, one party from recording the session. Mediators must explain the specific confidentiality risks associated with the platforms or technologies used at every stage of the process including screening, private caucusing, conversations with attorneys and advocates, etc.
- 3. Screen for safety issues.** Given that remote mediators have a limited view of the parties and their surroundings, they must rely more heavily on what the parties tell them about risk and safety. Mediators should not assume that parties will voluntarily disclose risk and safety issues such as the threatening presence of an abuser in the room or within earshot. Rather, they should adopt a systematic screening protocol to identify and address abuse between the parties, use of coercive controlling behaviors, and the children's safety and wellbeing. To ensure safe and informed dialogue about these issues, mediators must conduct these conversations with each party, individually and in private. These conversations should occur before online mediation begins and throughout the mediation process so adequate safeguards can be put in place. In some cases, safety risks can outweigh the potential benefits of online dispute resolution.
- 4. Discuss dynamics that undermine autonomy.** Mediators must explore the parties' relationship, including behaviors that can undermine autonomy. To have a successful mediation, both parties must be free from undue pressure, duress, threats, manipulation, and intimidation. Explore how comfortable the parties are at voicing their thoughts, disagreeing with the other party, and discussing difficult topics. Keep in mind that the opportunities to undermine a party's

autonomy may be greater—and less obvious to the mediator—when the mediator cannot fully see the parties or control their surroundings.

5. Explore parties' commitment to good faith participation. When assessing parties' willingness to engage in good faith, mediators routinely rely on body language and other cues that are harder to detect and assess in the online setting. Bad faith and coercive tactics can easily poison an online mediation process, resulting in unsafe and unworkable outcomes, even while the mediator remains completely unaware of the dynamic. Great care must be taken to fully explore this possibility with each party.

6. Gauge parties' level of trust in the other's parenting judgment. It is much more difficult for mediators to gauge the parties' level of trust, confidence, and commitment to the children in remote settings. Many of the non-verbal cues and signals that mediators customarily rely upon in live settings aren't as easily detectable in remote mediations. In order to facilitate a productive mediation process, online mediators should endeavor to assess each party's parenting capacity and judgment, as well as their trust in the other party's ability to share decision making and participate in attending to the children's needs.

7. Consider parties' digital literacy and access to the internet. In order to conduct a successful and safe online mediation session, all parties must have regular, private access to electronic devices and reliable internet. All parties must also demonstrate competence in using the technologies.

8. Clearly describe the online dispute resolution process and mediators' experience. The mediator needs to provide a comprehensive overview of the online mediation process, from start to finish, including disclosing their own prior experience and comfort level with the technology that is going to be used during the session and any fees or costs associated with the technology, as well as a backup plan if the technology fails to work as intended.

9. Confirm parties' understanding of and consent to the process. Parties require additional information to give informed consent for participation in an online mediation process. Each party must be confident that the other party, and the mediator, will adhere to the ground rules. Each party must be confident in the online process and mediators should attempt to ensure that consent to online mediation is properly informed.

10. Assess your own capacity and the appropriateness of the process to the case. The mediator needs to assess their own capacity to lead a successful online mediation by considering all aspects and circumstances of a specific case. It is up to the parties to decide if online mediation is right for them; it is up to the mediator to decide if online mediation is appropriate for a case and whether the mediator has the necessary experience and skills

The [SAFeR Mediation Discussion Guide](#) can be used to structure conversations that will help determine whether, and if so, how, to use any type of mediation process.

Gabrielle Davis is a Legal & Policy Advisor with the Battered Women's Justice Project. Before joining BWJP, she was a Clinical Professor of Law at the University of Toledo College of Law where she founded and directed a domestic violence clinic, developed curricula, and taught courses in gender violence and feminist legal theory. She chaired the local DV coordinated community response and fatality review teams, conducted community-based research, and helped shape local domestic violence policy and practice in the civil and criminal justice systems. She has published extensively in the field and currently serves on the editorial review board of the *Family Court Review*. She can be reached at gdavis@bwjp.org.



Tracy Shoberg is the Deputy Director of the SAFeR Project with the Battered Women's Justice Project. Before joining BWJP, Tracy was a family law staff attorney at Southern Minnesota Regional Legal Services serving low-income clients in eleven southeastern Minnesota counties. She worked under the Office of Justice Programs grant representing victim-survivors in civil matters. Tracy attended the University of Wisconsin-Madison, receiving BAs in English and Gender Studies, and the University of Minnesota Law School, graduating in May 2016. She has committed herself to this work since 2012 when she began working at End Domestic Abuse Wisconsin (formerly the Wisconsin Coalition Against Domestic Violence).

