



December 2023  
VOL. 18 No. 12

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## Executive Director's Message

*Peter Salem*

Dear potential job applicants  
(and AFCC members):

Last month, AFCC placed a "help wanted" sign in its metaphorical window (i.e., all over the internet). If you are reading this message, you might be considering applying for what is currently my job: executive director of AFCC. It will be open June 2024. Last spring a search committee was appointed, which engaged a search firm to manage the process. They worked together to assemble [a position description](#). Honestly, it was a bit surreal to read someone else's account of how I spent nearly three decades (or perhaps it was *how they wish* I had spent that time?). Had the bar been set so high when I applied, I probably would not have been hired. Being the AFCC executive director is great, and I think everyone should want the job. But no position description can do complete justice to the role, so please consider what follows both a supplement and my opportunity to share a few things that I have learned over the years. [Continue Reading](#).



## AFCC Online Training Programs

[Advanced Issues for Family Law and Dispute Resolution Professionals](#)  
January 16-18, 2024

[The Fundamentals of Conducting Parenting Plan Evaluations](#)  
March 11-14, 2024 and  
March 18-20, 2024

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## AFCC Conferences



**AFCC 61st Annual Conference**  
Boston, MA  
June 5-8, 2023

# AFCC 61st Annual Conference

## Coping with Transition: Individual, Family and Beyond

Sheraton Boston Hotel, Boston, Massachusetts  
June 5-8, 2024

The work of family law, mental health, and dispute resolution professionals is endlessly impacted by transition on an individual, family, and community level. These include the transition from an intact family to one that lives in two homes; children's transition between developmental stages; transitioning gender; transitioning to new statutes, processes, and professional roles; transitioning in or out of a career; moving, which requires a transition between communities and parenting time plans; and transitioning to new relationships, marriages, and new family forms. Save the date and join AFCC to explore the role of transition in and out of our work.

## Conference Brochure Is Now Available!

Check out the conference brochure to see all we have in store for this conference. This brochure contains the answers to all of life's mysteries such as what pre-conference institutes are being offered, who is presenting which workshop, conference eligibility for CE credit and applicable states/professions, and how much is it to register for this conference? All this and more will be answered in the [conference brochure](#) so check it out now!

## Exhibit at or sponsor the conference!

With an expected attendance of over 900 family law professionals including judges, lawyers, psychologists, and mediators, this conference is the perfect opportunity to showcase your brand or product to those who could benefit most from your services. Secure your spot at the conference by reserving an exhibit table or sign up as a sponsor to have your logo in our conference brochure and on our conference portal page.

We encourage you to sign up early since there is a finite amount of space in our exhibit hall. For additional information or to sign up, please see the [exhibitor prospectus](#) and contact Abby Rebholz at [arebholz@afccnet.org](mailto:arebholz@afccnet.org). For a complete list of conference sponsors, [click here](#).

## Conference Scholarships

Thanks to the generosity of donors to the AFCC Scholarship Fund, AFCC will offer several scholarships for the 61st Annual Conference. Each scholarship includes conference registration, one pre-conference institute, a certificate of attendance, and meal functions, including the Welcome Reception, Luncheon, and Annual Banquet. A limited number of scholarships will include travel stipends. The application deadline is March 11, 2024. [Apply now!](#)

[Register Now!](#)

## Conference Sponsors

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ESDAILE, BARRETT, JACOBS & MONE

## 16th Symposium on Child Custody

November 14-16, 2024  
Columbus, Ohio

## AFCC 62nd Annual Conference

May 28-31, 2025  
New Orleans, Louisiana

## AFCC Chapter Conferences

### AFCC Arizona 41st Annual Conference

January 19 - 21, 2024  
Sedona, AZ

### AFCC California Annual Conference

February 2-4, 2024  
San Francisco, CA

### AFCC Alberta Chapter Conference

February 29, 2024- March 1, 2024  
Banff, Alberta

### AFCC Washington Spring Conference

April 19, 2024  
Seattle, WA

**Donate to  
the AFCC  
Scholarship  
Fund**

## Statistical and Research Terms to Avoid in Family Law in 2024

*Michael Saini, PhD, MSW, RSW*

With the approaching year-end of 2023, the anticipation builds for the upcoming announcements from various dictionaries, including authoritative sources such as the **Oxford English Dictionary** and **Merriam-Webster**, about the release of their annual addition of novel words and updates into their lexicons for the year 2024. This juncture presents a valuable opportunity for legal and mental health professionals to reflect upon the evolving language employed throughout the past year in the context of family law. Notable linguistic developments encompass the emergence of terms like "concept creep," "legal abuse," and "parenting plan evaluations," alongside the fading usage of phrases such as "sole custody," "visitation," and "child custody evaluations." Observing these linguistic shifts serves as a lens through which one can gain insights into the transformative dynamics within the realm of family law. [Continue Reading](#).



## AFCC Online Training Programs

### Advanced Issues for Family Law and Dispute Resolution Professionals

January 16-18, 2024

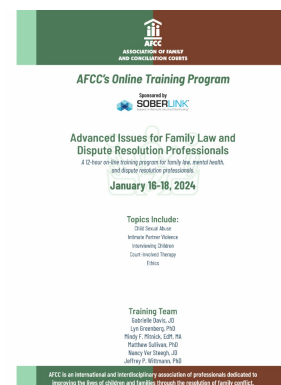
A 12-hour online training program for family law, mental health, and dispute resolution professionals.

This program addresses the challenges often associated with the most intractable family disputes, including intimate partner violence, interviewing children, child abuse/neglect, - and new this year, court-involved therapy, and ethical considerations. Presenters will share the latest and most relevant research, while examining the many controversies related to these issues from multiple perspectives.

The program takes place in two segments per day, two hours each. Registration includes access to recordings of all training program sessions.

#### Training Team:

- Gabrielle Davis, JD
- Lyn R. Greenberg, PhD, ABPP
- Mindy F. Mitnick, EdM, MA
- Matthew J. Sullivan, PhD
- Nancy Ver Steegh, JD
- Jeffrey P. Wittmann, PhD



The [program brochure](#) is available along with the [registration](#).

[Register Now!](#)

## The Fundamentals of Conducting Parenting Plan Evaluations

March 11-14, and March 18-20, 2024

An expanded 28-hour online training program for professionals interested in parenting plan evaluations.

This comprehensive parenting plan evaluation (PPE) training program is conducted online by a team of leading practitioners and trainers. The program will take place in two segments per day, two hours each. Recordings of all sessions will be available for registrants.

This program will incorporate a complete overview of the parenting plan evaluation process, including:

- Definition of the purpose and roles of the parenting plan evaluator
- Specifics of the evaluation process, including interviewing, recordkeeping, and use of technology
- Implications of intimate partner violence and resist-refuse dynamics
- Updates on current research
- Implications of relocations and consideration of special needs children
- Implications of child maltreatment, including sexual, physical, and emotional abuse
- Development of parenting plans
- Review of cultural considerations, biases, and ethical issues
- Utilization of psychological testing
- Best practices for report writing and testifying

Participants will learn the difference between a forensic role and a clinical role, how to review court orders and determine what information should be obtained, strategies for interviewing adults and children, how to assess coparenting issues, how to develop and test multiple hypotheses, and how to craft recommendations.

### Training Team:

- Chioma Ajoku, JD, PhD, ABPP
- Robin M. Deutsch, PhD, ABPP
- April Harris-Britt, PhD
- Kathleen McNamara, PhD
- Terry Singh, PhD

Read the [program brochure](#) and [register today!](#)

[Register Now!](#)



## Webinar Corner

### Confirmation Bias: Getting it Backwards in High Conflict Cases (and How to Correct It)

*Bill Eddy, LCSW, JD*

**Thursday, January 11th, 2023**

1:00pm – 2:00pm Eastern Time (US/Canada)

**Registration will close on January 10th, 2023, at 9:00am Eastern Time US/Canada .**

High conflict cases are marked by intense emotions, prolonged disputes, and allegations of child abuse, domestic violence, alienation, substance abuse, and false allegations of abuse. In the stress of dealing with these cases, confirmation bias is common and can be hard to overcome. This webinar will address the nature of confirmation bias, including some brain science, and how it can easily block gaining a full understanding of the facts of a case. Case examples will be given demonstrating how dangerous confirmation bias can be for parents and children, and a simple method for preventing confirmation bias.



**Bill Eddy, LCSW, Esq.** is a family lawyer, family therapist and family mediator. He is also the Chief Innovation Officer of the High Conflict Institute based in San Diego, California. He is the author of over twenty books and manuals for dealing with high conflict personalities and situations. He is the developer of the New Ways for Families® method and the New Ways for Mediation® method.



**Registration**

Members: \$15

Non-Members: \$50

**Certificate of Attendance**

Members: \$15

Non-members: \$20

[Register Now!](#)

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## **Military Families: Untangling Biases and Balancing Cultural Considerations (DE&I Series)**

*Hon. Kevin M. Duffan; Richard Garriott, JD; Sarah Buitrago, JD; & Alana Hollings, PhD*

**Wednesday, January 24, 2024**

4:00pm-6:00pm Eastern Time (US & Canada)

**Registration closes January 23, 2024, at 9am Eastern Time US**

From the unique legal protections afforded to active duty, deployed military members to the nuances of circumstances ranging from intimate partner violence, relocation, and PTSD – military families bring a host of additional considerations when they present in Family Court. A panel of experts will explore how to navigate the intersection of military culture and family law with separation, divorce and the implementation of parenting plans which factor in the potential impact for parent-child relationships stemming from absences of a parent who is deployed. The panel will also discuss the role of bias and the importance of thorough evaluation when allegations arise that incorporate reference to a PTSD diagnosis to appropriately balance safety, access, and the best interests of individual family members.

**This webinar is free to attend, but you must register in order to receive the link to join.**

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## **More Upcoming Webinars!**

### **Equal Parenting Time in Practice and Policy: A Friendly Debate and Discussion**

*William V. Fabricius, PhD & Michael A. Saini, PhD*

February 13, 2024

## Family Matters 2.0: Navigating Family Law in the Age of AI

Susan E. Guthrie, JD

March 5, 2024

## The "Good Enough" Parenting Plan Evaluation

Leslie M. Drozd, PhD

April 9, 2024

## Disrupting Anti-Black Racism in the Judicial System: A Focus on Child Rearing and African American Parents

Carla Adkison-Johnson, PhD

April 17, 2024

## Grappling with No: Children Declining Treatment in the Age of Consent

Barbara J. Fidler, PhD, CPsych & Stacey E. Platt, JD

May 8, 2024

## The Hats We Wear as Court Experts: Roles, Conflicts, and Helpfulness

Jeffrey P. Wittmann, PhD

June 18, 2024

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## AFCC Seeks Next Executive Director

The AFCC seeks as its next Executive Director, a respected, knowledgeable leader in the family law and dispute resolution field who additionally brings skills or acumen in strategy, partnerships development, and fiscal and team management. The incoming ED will have the opportunity to: build on a talented team's outstanding work; step into an organization in a strong financial position; and drive programmatic impact and growth for the AFCC of the future. [Read the job description to learn more about the position.](#)

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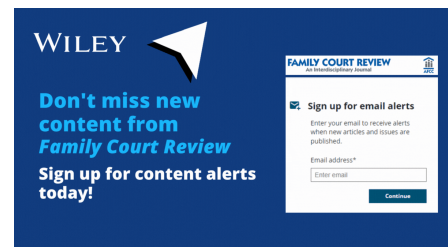
## Coming Soon from *Family Court Review*

Beginning in January 2024, *Family Court Review* (FCR) will be disseminated in digital format only, so the *AFCC eNEWS* will be highlighting future issues, and when each issue is fully published online, AFCC will send an email notification along with the table of contents and a link to the issue through the AFCC website. January's issue of *FCR* is a special issue on intimate partner violence, edited by Robin Deutsch, Leslie Drozd, and Michael Saini and [include the following articles.](#)

### Access the FCR Online!

All *FCR* articles will be posted to the *FCR* archives which can be accessed via the member center on the AFCC [website](#). There you can read any new articles or previous articles you may have missed.

Make sure to [sign up for alerts](#) for when a new article is published in *FCR* which will allow you to stay up to date on the latest research.



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## AFCC Member News

**Hon. Liberty Aldrich**, AFCC member from New York, has been named as the Executive Director of The Children's Law Center (CLC). CLC's mission is to give children strong and effective



voices in critical legal proceedings. As the former Managing Director and General Counsel for the Center for Court Innovation, Liberty steered the organization through substantial growth, overseeing operations, human resources, and development. She has a rich history of advocacy in family law, domestic violence, and child protective matters for New York City's most vulnerable populations. Thus, CLC leadership is confident she will provide solid leadership while expanding partnerships and community engagement. Congratulations, Liberty!

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## Board of Directors Nominations

The AFCC Nominating Committee is seeking nominations for individuals to serve on the AFCC Board of Directors. Recommended individuals must be AFCC members and have an interest in and knowledge of AFCC and its work. Nominations must be received by January 31, 2024, to be considered by the committee prior to the election at the AFCC 61st Annual Conference. The term is three years, beginning July 1, 2024, and concluding June 30, 2027. If you or a member you know is interested, please send your/their contact information, resume, and a letter of interest to the AFCC Nominating Committee via email to [afcc@afccnet.org](mailto:afcc@afccnet.org).

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## Award Nominations

AFCC will be acknowledging the accomplishments of leaders in family law by presenting awards at the AFCC 61st Annual Conference. We encourage you to recognize your colleagues by submitting a nomination. Nominations for the awards listed below will be accepted online through **March 22, 2024**.

**John E. VanDuzer Distinguished Service Award** recognizes outstanding contributions and/or achievements by AFCC members. [Nominate a colleague!](#)

**Stanley Cohen Distinguished Research Award** recognizes outstanding research and/or research achievements in the field of family and divorce. [Submit your nomination now!](#)

**Irwin Cantor Innovative Program Award** recognizes innovation in court-connected or court-related programs created by AFCC members. [Nominate a program!](#)

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### 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, international news, and the latest initiatives in family law and conflict resolution. The *AFCC eNEWS* is provided at no charge to you; anyone can subscribe. [Subscribe here.](#)

*AFCC members are free to share eNEWS content.*

#### EDITOR:

[Ann Ordway, JD, PhD](#)

#### ASSOCIATE EDITOR:

[Patrick Sommer](#)

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December 2023  
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## Message from the Executive Director

Dear potential job applicants (and AFCC members):

Last month, AFCC placed a “help wanted” sign in its metaphorical window (i.e., all over the internet). If you are reading this message, you might be considering applying for what is currently my job: executive director of AFCC. It will be open June 2024. Last spring a search committee was appointed, which engaged a search firm to manage the process. They worked together to assemble [a position description](#). Honestly, it was a bit surreal to read someone else’s account of how I spent nearly three decades (or perhaps it was *how they wish* I had spent that time?). Had the bar been set so high when I applied, I probably would not have been hired. Being the AFCC executive director is great, and I think everyone should want the job. But no position description can do complete justice to the role, so please consider what follows both a supplement and my opportunity to share a few things that I have learned over the years.

### Things you probably cannot change

There are some hard realities that are unlikely to change, so be prepared to live with them:

- Meeting rooms at conference hotels *are* too cold.
- Program evaluations often say, “best session ever” and “worst session ever” about the same program.
- Coffee for conference breaks costs about US \$11 per cup (even more in Canadian and Australian dollars). You can’t do anything about that.
- You cannot implement every good idea or project (or even close) that comes your way.
- It hurts a little bit every time someone you know lets their AFCC membership lapse.
- Some people will not like you. More than a few. But it’s not a popularity contest.
- In an interdisciplinary and international environment, where everyone has different needs and wants, you can’t make all 5,800 members happy.
- You will get a lot of emails. A lot.
- Sometimes it really *has* been done before, and sometimes it really *didn’t* work. More than once. But if you hang around long enough, someone will want you to try it again.
- AFCC members generally don’t care about strategic plans, governance, or organizational policies. Most probably don’t know the name of the AFCC Board President or executive director. They care about high quality, accessible programs, a first-class journal, and an organization that treats its members well. AFCC is all that and more.

## Things you won't want to change

There are some things that you would never want to change. The association's leadership and staff are unparalleled. **The AFCC staff** is the best in the business. There are only six in addition to me: Dawn Holmes, Kelly Bienfang, Patrick Sommer, Abby Rebholz, and Tanya Froh work out of the Madison office. Ann Ordway works from the Phoenix area. Between them, they are responsive, thoughtful, creative, hard-working, efficient, and focused on high performance and the AFCC mission. They exude the best the Midwest (and suburban Phoenix) has to offer. AFCC has a long history of staff continuity, which has been critical to the ongoing success of the association.

As for leadership, I do not know how I came upon the good fortune to work with so many exemplary leaders for such a long time. They are, and have been, collectively without ego, seeking only to improve the AFCC experience in any way possible. They are thought leaders, top practitioners, teachers, researchers, and administrators, who volunteer their time, their service, and think nothing of nighttime or weekend zooms, texts, or calls to brainstorm or problem-solve. Whether setting up a silent auction, bartending in the hospitality suite, mentoring, or training colleagues, or facilitating critical policy discussions, the effort and enthusiasm is the same. AFCC is blessed to have so many leaders who are so willing to do the heavy lifting, both physically and intellectually. I work very closely each year with the president and president elect, and this year Stacey Platt and Michael Saini have embodied everything an association member could want in a leader. There is not space here to list everyone, but the current Board of Directors and former presidents are listed [here](#) and the committee members [here](#).

## The AFCC Community

Finally, and most important, is the ongoing nurturing and appreciation of the AFCC community at large. AFCC has become a highly influential organization, largely because of a community of volunteers at several levels that do the work. For example, a typical annual conference includes an 11-person conference committee, about 18 volunteers, 8-10 dine around leaders, 15 silent auction volunteers, 75 auction donors, 200+ presenters, and local committees of varying sizes. *Family Court Review* editorial staff (themselves paid a nominal stipend) are supported by another cadre of volunteers, including an editorial board of 50+ and law student editorial staff numbering almost 40 at Hofstra Law School, not to mention numerous guest editors and article authors. Dozens of committee and task force members volunteer their time, wisdom, and expertise for free because they are dedicated to AFCC and our **mission, vision, and values**.

At another level, the AFCC community fosters incredible professional collegiality and relationships across disciplines, geography, and experience. The access that newer members have to leaders in the field is extraordinary. I have witnessed, again and again, an experienced practitioner helping a younger colleague with resources, information, and support.

One of my formative AFCC experiences was as a new member in the late 1980s, when I was helping establish a new family court service agency to support Wisconsin's new mandatory mediation law. After meeting several people at an AFCC conference, I was able to go home and pick up the telephone (remember those?) and ask questions of, among others, Hugh McIsaac in Los Angeles, and Linda Hahn, in Dallas, two

experienced family court services directors with a wealth of knowledge to share. Shortly thereafter, I remember spending an hour interviewing Janet Johnston... *Janet Johnston! The Oprah of family law was willing to talk with me!*

The point, of course, is that Hugh, Linda, and Jan were then experienced leaders in the AFCC community and well beyond. I was the director of a tiny little agency located in a courthouse basement office in Janesville, Wisconsin. But they were all gracious, patient, and generous with a young colleague. Years later (*many years later*) Michael Saini shared with me how good it felt when I remembered his name. Today, everyone wants to spend time with Mike, so I guess the beat goes on.

Finally, for some, there are lifelong friendships that are developed in the AFCC community. I connected with a group of people early on. We met at conferences, went out dancing, and more than once knocked on the hospitality suite door after closing time just in case someone inside was still awake. They were not. I won't name names, but my friends became judges, agency directors, pillars of the family court community in their hometowns and well beyond. All of them, except me, became president of AFCC. For decades we have celebrated together, grieved together, watched our respective families grow up, and supported one another in times of need. While all AFCC members do not develop these types of relationships, it is not unusual and many groups establish lifelong relationships. I don't know if that is the norm for professional associations, but it is something that makes AFCC very special.

If you are a potential applicant, I hope these observations have increased your interest in the job. If not, maybe you have more insight into the organization and understand why, after more than 30 years of working for AFCC, I have never for a moment considered other employment. It's been a long time since I have been on the outside looking in on anything of major importance to AFCC, so this is a strange experience for me. I am confident that our team will select an outstanding leader to guide AFCC into the future, and I look forward to supporting them in any way possible.

I am also looking forward to my home stretch with AFCC. I invite you to join us at the [AFCC Annual Conference](#) in Boston next June to welcome our new executive director.

Happy holidays.



Peter Salem



**December 2023  
VOL. 18 No. 12**

## **Statistical and Research Terms to Avoid in Family Law in 2024**

*Michael Saini, PhD, MSW, RSW<sup>1</sup>*

With the approaching year-end of 2023, the anticipation builds for the upcoming announcements from various dictionaries, including authoritative sources such as the Oxford English Dictionary (<https://www.oed.com>) and Merriam-Webster (<https://www.merriam-webster.com/>), about the release of their annual addition of novel words and updates into their lexicons for the year 2024. This juncture presents a valuable opportunity for legal and mental health professionals to reflect upon the evolving language employed throughout the past year in the context of family law. Notable linguistic developments encompass the emergence of terms like "concept creep," "legal abuse," and "parenting plan evaluations," alongside the fading usage of phrases such as "sole custody," "visitation," and "child custody evaluations." Observing these linguistic shifts serves as a lens through which one can gain insights into the transformative dynamics within the realm of family law.

Within the scope of family law, a critical facet deserving re-evaluation pertains to utilizing statistical and research terms, as their imprecise usage may contribute to confusion or misinterpretation. Therefore, it becomes imperative for legal and mental health professionals to adopt a discerning approach when employing statistical concepts in the context of family law. This necessitates the use of language that is not only precise but also steering clear of terms that might introduce ambiguity or misunderstanding.

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<sup>1</sup> Presenter Bio: Professor Michael Saini is a full professor at the Factor-Inwentash Faculty of Social Work and cross-appointed with the Faculty of Law at the University of Toronto. He holds the endowed Factor-Inwentash Chair in Law and Social Work, the Co-Director of the combined J.D. / M.S.W. program, and the Children and Families Field of Study Coordinator. Prof. Saini is the President-Elect of the Association of Family and Conciliation Courts (AFCC), a Board Member of Access for Parents and Children of Ontario (APCO), Family Mediation Canada (FMC), the Canadian Coalition of the Rights of the Child (CCRC) and an Associate Fellow of the International Academy of Family Lawyers. In 2019, he was awarded the Association of Family and Conciliation Courts' Stanley Cohen Distinguished Research Award, sponsored by the Oregon Family Institute.

In light of this, the following curated list of statistical and research terms merit avoidance in family law discourse as we enter 2024 (and beyond):

- **Empirical data:** The term "empirical data" is often misunderstood.<sup>2</sup> In the social sciences, all data are empirical when they are based on observation or experience.<sup>3</sup> Misperception can arise from incorrectly equating "empirical" with "experimental" or "quantitative." However, non-quantified impressions from qualitative observations can qualify as empirical data.<sup>4</sup> Family law practitioners should distinguish numerical data by referring to them as "quantified data" and exploratory data as "qualitative." This distinction clarifies that all research data, regardless of form, are fundamentally empirical and rooted in observation or experience.
- **Statistical proof:** The term "statistical proof" should be avoided in family law due to its potential to mislead.<sup>5</sup> In legal contexts, "proof" implies a definitive conclusion, but statistical significance does not guarantee certainty in the research context. Statistical evidence is typically probabilistic rather than conclusive. The term "statistical proof" may create unrealistic expectations of certainty, leading to misunderstandings. Family law practitioners should avoid language that conveys absolute proof statements, such as "research says," and instead use more tentative terms, such as "research suggests."
- **"Gold standard":** Within the social sciences, authentic "gold standards" are exceedingly rare, if not entirely absent.<sup>6</sup> All research methods, even those demonstrating high levels of internal validity for their designated purposes, inherently possess some degree of fallibility in controlling for all threats to the internal validity of the design. For example, there can be confusion between perfect matching and estimations of the control groups to serve as matching controls since the randomization is less likely to be balanced when the sample size is small or heterogeneous.<sup>7</sup> Family law practitioners should be cautious in reporting RCTs of the risks of error, bias, and the potential threats to the internal validity of these designs so that they are not fooled by less-quality gold.

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<sup>2</sup> Hornig, S., & Grady, C. (2003). Misunderstanding in clinical research: distinguishing therapeutic misconception, therapeutic misestimation, & therapeutic optimism. *IRB: Ethics & Human Research*, 25(1), 11-16.

<sup>3</sup> Schutz, A. (2017). Concept and theory formation in the social sciences. In *Research Design* (pp. 25-36). Routledge.

<sup>4</sup> Saini, M., & Shlonsky, A. (2012). *Systematic synthesis of qualitative research*. OUP USA.

<sup>5</sup> Finkelstein, M. O. (2009). *Basic concepts of probability and statistics in the law* (p. 65). New York, NY, USA:: Springer.

<sup>6</sup> Lilienfeld, S. O., Sauvigné, K. C., Lynn, S. J., Cautin, R. L., Latzman, R. D., & Waldman, I. D. (2015). Fifty psychological and psychiatric terms to avoid: a list of inaccurate, misleading, misused, ambiguous, and logically confused words and phrases. *Frontiers in Psychology*, 6, 1100.

<sup>7</sup> Bruhn, M., & McKenzie, D. (2009). In pursuit of balance: Randomization in practice in development field experiments. *American economic journal: applied economics*, 1(4), 200-232.

- **Validated measure:** Practitioners relying solely on validated measures to assess their clients has long been considered problematic.<sup>8</sup> While standardized tools offer a standard assessment, they may not capture the full complexity of individual experiences or unique contexts. Overreliance on validated measures might overlook important nuances, cultural variations, or evolving factors that impact the accuracy of assessments.<sup>9</sup> Additionally, the validation process has inherent biases and may not encompass the breadth of diverse perspectives. Family law practitioners should balance the use of validated measures with qualitative insights, considering the limitations and potential biases of any assessment tool to ensure a comprehensive understanding of the subject being evaluated.
- **Statistical significance (p-value):** While statistical significance is a key aspect of research, overemphasizing it can lead to potential pitfalls.<sup>10</sup> Relying solely on statistical significance may ignore practical significance and real-world relevance. A finding can be statistically significant but not necessarily meaningful in a broader context. Moreover, p-values, a standard metric for statistical significance, are sensitive to sample size and can be influenced by factors like multiple testing.<sup>11</sup> This can lead to false positives or overlook meaningful trends. Family law practitioners should interpret statistical significance within the broader context of effect size, practical importance, and the specific characteristics of the studied population to avoid overreliance on statistical significance alone.
- **$p < 0.000$ .** A p-value less than 0.000 is a very small p-value, suggesting strong evidence against the null hypothesis.<sup>12</sup> However, it's essential to recognize that the specific numerical value of the p-value doesn't convey the practical significance or size of the effect. While extremely small p-values indicate statistical significance, researchers should consider effect sizes and contextual relevance for a comprehensive interpretation. Additionally, cautious interpretation is needed, especially when dealing with multiple comparisons, as very small p-values may arise by chance. Family law practitioners should discuss the importance of the research while avoiding the specific p-values to provide the reader with a more thorough understanding of the findings.

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<sup>8</sup> Emery, R. E., Otto, R. K., & O'donohue, W. T. (2019). A critical assessment of child custody evaluations: Limited science and a flawed system. In *Clinical Forensic Psychology and Law* (pp. 199-230). Routledge.

<sup>9</sup> Meyer, G. J., Finn, S. E., Eyde, L. D., Kay, G. G., Moreland, K. L., Dies, R. R., ... & Reed, G. M. (2001). Psychological testing and psychological assessment: A review of evidence and issues. *American psychologist*, *56*(2), 128.

<sup>10</sup> Cunningham, M. R., & Baumeister, R. F. (2016). How to make nothing out of something: Analyses of the impact of study sampling and statistical interpretation in misleading meta-analytic conclusions. *Frontiers in psychology*, *7*, 1639.

<sup>11</sup> Greenland, S., Senn, S. J., Rothman, K. J., Carlin, J. B., Poole, C., Goodman, S. N., & Altman, D. G. (2016). Statistical tests, P values, confidence intervals, and power: a guide to misinterpretations. *European journal of epidemiology*, *31*, 337-350.

<sup>12</sup> Lilienfeld, S. O., Sauvigné, K. C., Lynn, S. J., Cautin, R. L., Lutzman, R. D., & Waldman, I. D. (2015). Fifty psychological and psychiatric terms to avoid: a list of inaccurate, misleading, misused, ambiguous, and logically confused words and phrases. *Frontiers in Psychology*, *6*, 1100.

- **Type I / II Errors:** Relying solely on discussions of Type I and II errors may lead practitioners to overlook the broader context of statistical hypothesis testing.<sup>13</sup> Focusing excessively on minimizing one type of error can inadvertently increase the risk of the other. Additionally, these errors are contingent on assumptions about sample size, effect size, and significance levels, which may only sometimes align with the practical significance of findings. Family law practitioners should consider a nuanced approach beyond fixating on error rates to ensure a more comprehensive and meaningful interpretation of statistical results.
- **Percentages:** When reporting research findings, percentages can be powerful tools for conveying information but may present challenges when misinterpreted or used without context. Raw percentages may lack crucial details, and their significance depends on the base value or sample size. Additionally, percentages can be manipulated to create misleading impressions. Considering the entire data set, providing context, and avoiding conclusions solely from percentages are essential.<sup>14</sup> For a more comprehensive understanding, percentages should be used with other measures, and their interpretation should account for the specific context and characteristics of the presented data. Family law practitioners should avoid presenting percentages without context to ensure accurate interpretation.
- **Statically Reliable:** Relying solely on "statistically reliable" without considering the broader context may pose challenges. While statistical reliability is crucial, it doesn't guarantee the findings' practical significance or real-world applicability. A result can be statistically reliable but not necessarily meaningful or replicable in diverse settings. Moreover, focusing solely on reliability might overlook potential biases or limitations in the study design. Family law practitioners should complement statistical reliability assessments by considering the contextual relevance of the study's scope and applicability to ensure a more comprehensive and accurate interpretation of the research.
- **Variance Explained:** The term "variance explained" may be misleading when the predictor is merely a correlate, not a cause of the criterion variable.<sup>15</sup> A more neutral alternative like "variance predicted" would accurately convey the concept without implying a causal relationship. Depending solely on "variance explained" can lead practitioners to overstate the practical significance of their findings. While a high percentage suggests a well-fitting model, it doesn't guarantee real-world importance. A model may explain variance without capturing crucial nuances or relevant factors. Family law practitioners should consider the broader context, potential confounders, and the substantive meaning of the explained variance.

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<sup>13</sup> Good, P. I., & Hardin, J. W. (2012). *Common errors in statistics (and how to avoid them)*. John Wiley & Sons.

<sup>14</sup> Throsby, K., & Alexander, F. (Eds.). (2008). *Gender and interpersonal violence: Language, action and representation*. Springer.

<sup>15</sup> Kock, N., & Lynn, G. (2012). Lateral collinearity and misleading results in variance-based SEM: An illustration and recommendations. *Journal of the Association for information Systems*, 13(7).

- **Reliable and Valid:** The widespread use of the term "reliable and valid" in research is criticized for oversimplification.<sup>16</sup> Exclusively relying on "reliable and valid" assessments may create false confidence. Reliability ensures consistency; a measure can be consistently wrong if it lacks validity. Validity captures accuracy, which is crucial for meaningful inferences. By overemphasizing one at the expense of the other, there is the risk of misleading interpretations. Family law practitioners should balance both concepts, recognizing that a reliable but invalid measure can yield consistently flawed results. Additionally, the contextual relevance of reliability and validity to the specific study objectives must be considered.
- **Moderator/Mediator:** The terms "moderator" and "mediator" can lead to misinterpretations. While mediators have a specific role in alternative dispute resolution, and moderators are typically needed to help facilitate conference presentations,<sup>17</sup> these terms have very different meanings in the research context. In research terms, mediators explain the process between variables, while moderators influence the strength or direction of relationships.<sup>18</sup> Misidentifying one for the other can distort findings. Overemphasizing these roles may oversimplify complex relationships or ignore other influential factors. Family law practitioners should shift away from terms like "moderator" and associated terms like "interaction effect," "simple main effect," and "simple slope" to the more descriptive and straightforward "conditional effects." This adjustment minimizes linguistic confusion and emphasizes the core concept — the conditional nature of certain effects under specific conditions.

Avoiding these statistical and research terms helps to reduce scholar advocacy, which includes the intentional or unintentional use of research language and social science research to legitimize advocacy claims at the cost of misrepresenting research findings.<sup>19</sup> Family law professionals should be mindful of the risk of imprecision when using statistical and research terms in family law matters. When research is presented, family law professionals should report the research tentatively, clearly, and accurately so that interpretations of research are handled with care.<sup>20</sup>

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<sup>16</sup> Maxwell, J. A. (2017). The validity and reliability of research: A realist perspective. *The BERA/SAGE handbook of educational research, 1*, 116-140.

<sup>17</sup> Salem, P. (2023) Personal Communication.

<sup>18</sup> Igartua, J. J., & Hayes, A. F. (2021). Mediation, moderation, and conditional process analysis: Concepts, computations, and some common confusions. *The Spanish Journal of Psychology, 24*, e49.

<sup>19</sup> Emery, R. E., Holtzworth-Munroe, A., Johnston, J. R., Pedro-Carroll, J. L., Pruett, M. K., Saini, M., & Sandler, I. (2016). "Bending" evidence for a cause: Scholar-advocacy bias in family law. *Family Court Review, 54*(2), 134-149.

<sup>20</sup> Association of Family and Conciliation Courts (2018) Guidelines for the Use of Social Science Research in Family Law. Retrieved online at [https://www.afccnet.org/Portals/0/PDF/AFCC%20Guidelines%20for%20the%20Use%20of%20Social%20Science%20Research%20in%20Family%20Law%20\(1\).pdf?ver=GO\\_nGCdSk6NYfKFiCGGkpg%3D%3D](https://www.afccnet.org/Portals/0/PDF/AFCC%20Guidelines%20for%20the%20Use%20of%20Social%20Science%20Research%20in%20Family%20Law%20(1).pdf?ver=GO_nGCdSk6NYfKFiCGGkpg%3D%3D)





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