



NEWSLETTER

Association of Family and Conciliation Courts

An international association of judges, counselors, court evaluators, mediators, and lawyers

Volume 15, Number 3

Summer 1996

Boston Conference Features Experts on Domestic Violence

Richard Gelles, Janet Johnston, Barbara Hart, Wade Horn, Judith Herman and other leading experts in domestic violence and family law will headline AFCC's Northeast Regional Conference and Board of Directors Meeting, September 19-21, 1996 at the Swissôtel in Boston.

Facing Up to the Complexities of Family Violence: No Simple Solutions will feature an outstanding array of plenary sessions and workshops. Conference Chair Hon. Arline Rotman, members of the AFCC Massachusetts Chapter and the Conference Planning Committee have been working hard to prepare an outstanding program.

Opening night will feature an interactive discussion on the practical and public policy implications of dealing with domestic violence. **Violence, Gender, Parenting and Ethics** will feature:

- Richard Gelles, Ph.D., Family Violence Research Project, University of Rhode Island
- Barbara Hart, J.D., Legal Counsel, Pennsylvania Coalition Against Domestic Violence
- Judith Herman, M.D., Department of Psychiatry, Harvard University, Cambridge, MA
- Wade Horn, Ph.D., Director, National Fatherhood Initiative, Washington, D.C.
- Janet Johnston, Ph.D., Executive Director, Center for the Family in Transition, Corte Madera, CA
- Paul Kane, J.D., McGrath & Kane, Boston, MA

• Hon. Arline Rotman, AFCC Vice President, Worcester, MA.

The conference will also feature two general sessions entitled **Facing Up to Domestic Violence in Family Court: No Simple Solutions**, a case study presentation which will examine the challenges of addressing domestic violence in a family court setting. These sessions will demonstrate interview procedures, mediation and courtroom techniques. Presenters include Robert Barrasso, J.D., President, AFCC Arizona Chapter; Christine Coates, M.Ed., J.D., AFCC Vice President; William Levine, J.D., Boston, MA; Diane Neumann, M.A., J.D., President, Academy of Family Mediators; Kenneth Robson, M.D., The Living Institute; Hon. Susan Snow, Circuit Court of Cook County; and Rita Pollak, President, AFCC Massachusetts Chapter.

Conference participants will choose from sixteen workshops, including:

- Domestic Abuse Allegations and Parental Alienation
- Research on Mediation and Domestic Abuse: The State of the Art
- Cultural Aspects of Domestic Violence
- Defending Against False Allegations of Domestic Abuse
- Assessing and Addressing Visitation Issues
- Parent Education for Victims and Perpetrators of Domestic Abuse

Boston's Swissôtel is the ideal site for an AFCC conference, located just a few blocks

from the Freedom Trail, Quincy Market, the North End, the Boston Aquarium, Boston Common and the Public Garden. A wide range of shops, restaurants and activities are easily accessible.

Facing Up to the Complexities of Family Violence: No Simple Solutions is co-sponsored by the Massachusetts Psychological Association, the Massachusetts Bar Association and the National Center on Women and Family Law.

For further information contact AFCC, 329 W. Wilson St., Madison, WI 53703. Phone: (608) 251-4001 Fax: (608) 251-2231 E-mail: afcc@igc.apc.org

Pre-Conference Institutes

Two Pre-Conference Institutes will be offered on Thursday September 19, 9:00am-5:00pm. **Mediating Child Protection Cases** will examine the use of mediation in complex child abuse and neglect matters. Representatives from a number of programs will be on hand to share their expertise.

For the first time in New England, AFCC is offering the popular institute, **Advanced Applications in Custody Evaluations**. Topics will include parental alienation, high conflict families, relocation cases and parents with personality disorders.

New York and San Francisco Mayors Sign on to World Congress

by Glenda Rothberg, Coordinator
New York Colloquium

H.R.H. Princess Firyal of Jordan, San Francisco Mayor Hon. Willie Brown and Hon. Rudolph Giuliani, Mayor of New York City, have joined First Lady Hillary Rodham Clinton as supporters of the **Second World Congress on Family Law and the Rights of Children and Youth**, June 3-7, 1997 in San Francisco.

Mayor Brown has agreed to serve as the Honorary Chair of the World Congress' Local Host Committee. Mayor Giuliani will serve as Honorary Chair of the New York Colloquium and H.R.H. Princess Firyal will be a featured presenter.

The New York Colloquium, scheduled for September 12, 1996 at the UNICEF House

in New York City, will focus on *Children and Families in Court—A Unified System and Children's Needs from Birth to Five*. Featured speakers include:

- Carol Bellamy, Executive Director of UNICEF
- H.R.H. Princess Firyal of Jordan
- Professor Catherine Ross, Chair, ABA Steering Committee on the Unmet Legal Needs of Children and National Law Center, George Washington University
- Michael Town, Hawaii Family Court
- Jeff Kuhn, Administrative Office of the New Jersey State Court
- Hon. Sondra Miller, New York State Appellate Court

- Dr. Irwin Redlener, President, The Children's Health Fund, New York City
- Susan Watts, Director of the Maternal Child Health Care Project of the French American Foundation
- Dr. John Driscoll, Chair, Department of Pediatrics, Columbia Presbyterian Medical Center, New York City

Following the Colloquium, the members of the New York Colloquium Committee will oversee the preparation of Recommended Resolutions, which will be presented at the Second World Congress.

For information about the New York City Colloquium, contact Glenda Rothberg at (212) 724-5065.



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Quarter page (3 5/8" x 4 7/8") ...\$175

President's Message



by
Linda Hahn
Dallas, Texas

I am writing this column on June 8, 1996, one month after the San Antonio AFCC Conference "Best Interest: Special Issues for Children & Families" and one week after June 1, 1996, the National Day of Commitment to the Children, sponsored by the Children's Defense Fund.

- Since June 1, an 11 year old girl has been arrested for killing her two and half year old foster sibling. Investigations indicate a history of concern about the care of the children in the home.
- Since June 1, a civil rights group has announced the intention of going armed to the next Dallas School Board meeting where its members feel, arguably, that they have been badly mistreated in the past. As long as they are licensed to carry a gun and don't threaten (!?) with their weapons, they have the right to carry unconcealed weapons into the meeting.
- Since June 1, in Texas as in the rest of the nation, research reported that the number of working poor children continues to rise.
- Since June 1, two little boys ages 5 and 7, in a privileged suburban neighborhood, were stabbed to death and their mother injured in the family room of their home where they had fallen asleep watching television. The mother has now been charged in the death of the boys.
- Since June 1, a young father of three pre-school daughters was killed trying to intervene in a domestic dispute that erupted in the family restaurant he managed.
- Since June 1, 432 divorces have been granted in Dallas County.
- Since June 1, a Houston record producer has been imprisoned for sexual assault of three children.

Somehow these grim events can't be offset by the stories of a young woman being awarded a \$20,000 college scholarship, the mayor's family hosting a family day picnic at the local zoo,

or a graduate following her mother's footsteps as valedictorian of the same high school a generation later.

These headlines are just the bad news from Texas. You are sure to have your own list. It hasn't been a week that stands as a good example of commitment to children.

I am proud to associate with people who not only give lip service to addressing concerns about children but take innovative action. AFCC members are always sources of new ideas for making a difference in the court systems and in the lives of families.

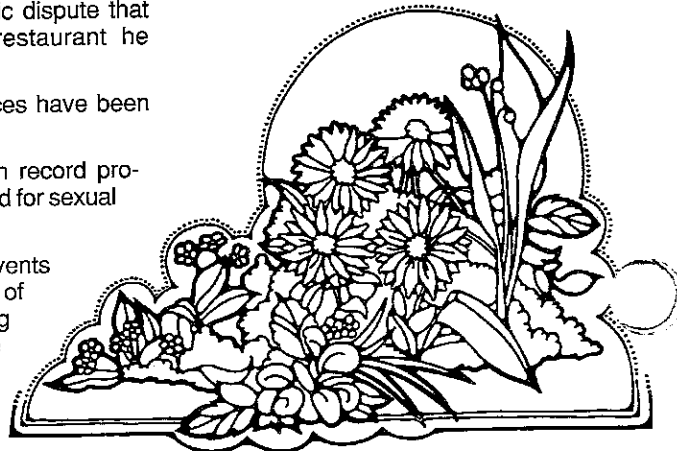
Most of us join AFCC eager to find kindred spirits with whom to share altruistic dreams. Probably everyone who comes to the presidency of AFCC comes with goals around these kinds of dreams. I have two such goals that I am confident you share. This is just my opportunity to make them priorities. These goals are:

1. Highlight and reinforce AFCC's inherent concern about children. AFCC could be to "best interest of children" what the National Forest Service is to Smokey the Bear. Smokey the Bear and his message are better known than the National Forest Service. Best interest needs to be the concern of everyone and AFCC is the ideal carrier of that message.

Looking ahead, we have the Boston Northeast Regional Conference, "Facing Up to the Complexities of Family Violence: No Simple Solutions," and the San Francisco 1997 Annual AFCC Conference in association with the Second World Congress on Family Law and the Rights of Children and Youth. Both programs go to the heart of these concerns.

2. AFCC is proud of our professional diversity but our personal diversity is substantially more limited than the general population. A Diversity Task Force is being developed.

Join us in Boston and in San Francisco and take part in the "Best Interest Crusade."



MEMBER PROFILE:

AFCC President Linda Hahn

L throughout the last year, AFCC President Linda Hahn just may have been the most recognizable person at AFCC conferences. As an association officer and a frequent presenter Linda has always been highly visible. However, in the past year she donned her bright red "San Antonio" T-shirt and toted a piñata to Montreal, Clearwater Beach and Stevenson, Washington and became a walking, talking billboard for AFCC's 1996 Annual Conference in San Antonio.

As Conference Chair, Linda provided far more than T-shirts and piñatas. She supervised program development, recruited an outstanding group of local volunteers (see related story on page 6) and facilitated the planning of activities, entertainment and decorations. Although she is quick to recognize the contributions of others, Linda also notes, "All I've done for the last year is work at my new job and work for AFCC." This level of energy, skill and perseverance comes as no surprise to those who have worked with her.

Linda was born in Centralia, Illinois and grew up in a variety of small midwestern towns. "My dad worked for the railroad and we moved to a new town somewhere on the Mississippi River about every three years," said Linda. Linda attended four elementary schools, two high schools and three colleges in four states before meeting her husband, Larry, during graduate school at Purdue. Larry and Linda were married and honeymooned on the way to Dallas where they have remained ever since.

After working at home until her children were in kindergarten, Linda returned to Texas Woman's University to complete her graduate degree in Human Development. She then began working at Dallas County Family Court Services. After nine years as a Family Court Services Counselor, Linda was promoted to Director of the agency, a position she held until becoming the Dallas County District Court Administrator in 1995. "I loved working for Family Court Services because I am curious about people and interested in their stories," said Linda. "If you like to hear stories, it's about the most interesting work in the world."

Linda's new position as Court Administrator is a challenging one and she finds her mediation skills helpful. "What I do is completely out of the field and I wasn't sure that it would be meaningful for me," she said.

"But I love the new job. The other day I got an e-mail from one of our judges telling me that I was a peacemaker. I realized that I am taking the same skills I used with Family Court Services and applying them on a different level."

Compared to her mobile childhood, Linda's adult life has been a model of stability. She has lived in one city, worked for one employer, participated for several years in professional organizations and has been married more than thirty years. Linda has been active in many professional organizations and AFCC has been fortunate to be at the top of her list. A member of the Board of Directors since 1987, Linda has served as Treasurer, Vice President, twice as Conference Chair and in other capacities too numerous to note.

"I loved coming to my first AFCC conference in 1987 and I haven't missed one since. I always learn things that help me do my job better. The network that I have established has enabled me to call people all over the country to provide me with a new direction or solution to my problem."

Linda's and Larry's children are now beginning their own professional careers. Lance just completed post-doctoral work in neuropsychophysics. He and his wife will both join the faculty of the Pennsylvania State University psychology department this fall. Kristin, who married an attorney, graduated from the University of Texas Medical School this spring and will begin her residency in Dallas this summer.

When she is not working for Dallas County or AFCC, Linda enjoys vacationing on the beach or in the mountains, cooking for friends and keeping something blooming in the yard. Although she hopes to have a bit more time for her leisure pursuits now that the Annual Conference is over, Linda realizes that her agenda as AFCC President will keep her busy. "My goal is to help us focus on children. We got off to a good start with San Antonio and the World Congress in San Francisco will help AFCC advance that goal." Linda also wants AFCC to work on diversity issues and has appointed a Diversity Task Force for this purpose. "We take a great deal of pride in our professional diversity at AFCC," she said. "We also need to look at cultural and other issues of diversity. A more diverse membership produces a better organization."

AFCC Elects New Officers, Board Members

The following Board and Executive Committee members were elected at AFCC's 33rd Annual Conference in San Antonio, TX

1996-97 Executive Committee

President: *Ms. Linda Hahn*, Dallas, TX

Nicholson Elect: *Hon. Alastair Nicholson*, Melbourne, Australia

Vice President: *Ms. Christine Coates*, Boulder, CO

Vice President: *Dr. Philip Bushard*, Reno, NV

Vice President: *Hon. Arline Rotman*, Worcester, MA

Treasurer: *Mr. Joel Bankes*, Washington, D.C.

Secretary: *Ms. Lorraine Martin*, Toronto, ON

Past President: *Mr. John Kydd*, Seattle, WA

New Members of the AFCC Board of Directors:

Hon. George Czutrin, Senior Administrative Justice, Unified Family Court, Hamilton, ON

Dr. Larry Lehner, Director, Alameda County Family Court Services, Oakland, CA

Ms. Jan Shaw, Director, Orange County Mediation and Investigative Services, Santa Ana, CA

Mr. Timothy Walker, Chair, American Bar Association Section of Family Law, Littleton, CO

Special Thanks

AFCC wishes to extend a special thanks to Hon. Douglas McNish who has completed his term on the Executive Committee. His leadership, support of AFCC's work in parent education and coordination of AFCC's 1994 Annual Conference in Maui are just a few of the important contributions Judge McNish has made to AFCC in his term on the Executive Committee.

AFCC also thanks the following members who have completed their service on the Board of Directors:

Ms. Rebecca Albrecht, Arizona

Ms. Dorothy Howard, Nevada

Mr. Gerry McNeilly, Ontario

AFCC Diversity Task Force Appointed

AFCC President Linda Hahn has appointed a Diversity Task Force. The Task Force will study the diversity of AFCC members and their clients. The goal of the Task Force is to better serve the diverse community of service providers and improve the response to the increasingly diverse population of clients. The Diversity Task Force includes Carolyn Wah, Chair, Brooklyn, NY; Sharon Leach, Dallas, TX; Daniel Hamoline, Saskatoon, SK; Hon. Douglas McNish, Wailuku, HI; and Rosemary Vasquez, Oakland, CA.

Mediation and Domestic Abuse: A Research Report

by Jessica Pearson, Ph.D.,
Director, Center for Policy Research, Denver, CO

Perhaps no other topic is as controversial as mediation and domestic violence. In recent years, at least 16 states have passed legislation exempting battered women from mediation; there have been many convenings of mediators and women's advocates to explore ways to make mediation safer; professional organizations have generated guidelines and standards that address mediation practice in cases with domestic violence; and training in domestic violence has become a standard feature of education programs for mediators.

A recent study conducted by the Center for Policy Research, with the support of the National Institute of Justice, examined how court-based divorce mediation programs handle the issue of domestic violence in their caseloads. We collected information using several methods including:

- A survey of 136 administrators of court-based divorce mediation programs to uncover official policies and procedures for identifying and handling domestic violence;
- Telephone interviews with thirty administrators of court-based, divorce mediation programs to discuss how the official procedures and policies are being implemented in day-to-day practice;
- In-depth study of practices in domestic violence cases using observations and in-depth interviews in mandatory court mediation programs in Orange County, California; Tucson, Arizona; Chicago, Illinois; Middletown and Litchfield, Connecticut; and Portland, Maine.

RESEARCH FINDINGS

1. Domestic violence is common in divorce mediation but varies greatly from case to case.

Although rates of domestic violence are estimated to be in excess of 50 percent, only some types of cases are believed to translate into an inability to communicate equally. For this reason, mediators regard a history of domestic violence in and of itself as an unreliable indicator of power imbalance or incapacity to mediate.

2. Mediator attitudes toward domestic violence have changed. Most programs have altered their procedures to enhance the safety of victims during and after mediation.

While mediators used to resist the idea of separate mediation sessions or private screening and caucusing because it might compromise their neutrality, most mediators now see these techniques as indispensable in domestic violence cases. Seventy percent of surveyed program directors report that staff mediators attend regular training on domestic violence; only six percent report making no use of special techniques to address the problem of domestic violence. The techniques used most often include:

- on-site metal detectors, security guards and escort services to parking structures;
- written intake forms, in-person interviews, shuttle or separate mediation sessions, male-female co-mediation teams, separate waiting rooms and separate orientation sessions for men and women with a history of domestic violence;
- attendance by victim advocates, attorneys and other support people;
- negotiation of detailed safety plans including neutral exchange sites and supervised visitation;
- termination of mediation by the mediator and referrals to shelters and counseling programs that specialize in domestic violence.

3. There is a need for multiple and individualistic methods for identifying domestic violence.

Mediators use a combination of techniques to identify domestic violence: written questionnaires, review of restraining order

activity, clinical observations and in-person interviews. The favored approach is private, in-person screening where mediators interview clients about specific incidents of violent behavior and explore capacity to mediate as well as substance abuse and conflict issues. While 80 percent of programs report screening for domestic violence, only about half utilize separate, private interviews to question clients explicitly about violence.

4. Definitions of success in mediation are changing due to domestic violence.

A lesser emphasis is placed on reaching agreements than was prior practice. When safety is an issue, mediators prefer to terminate mediation rather than burden clients with this decision. The mediator can alert the court by referring the couple for an emergency investigation or evaluation. It was also found that mediators are more lenient on no-shows in domestic violence cases and treat the individual screening session as satisfaction of the mandatory mediation requirement.

5. Communication between the mediation and advocacy communities has been helpful.

Mediation programs generally enjoy more acceptance by advocates for victims of domestic violence when representatives of the mediation and advocacy communities have had direct contact. For example, it is helpful that several of Maine's contract mediators are also advocates for victims of domestic violence. In Connecticut, advocates and mediators work together at many court sites to conduct assessments of batterers and victims pursuant to the court's policy of contracting with battered women's shelters to provide victim advocacy services in the court. In Tucson and Orange County, mediators and advocates have collaborated to conduct training programs on domestic violence. In settings where contact is high, mediators and advocates appear to adopt pragmatic views about what works and what doesn't that are rooted in case experience rather than ideology or politics.

6. Reactions of various professional groups are generally favorable.

Attorneys and judges typically support mandatory mediation interventions because they feel that mediators are better trained about domestic violence than most judicial officers who frequently rotate rapidly through domestic violence and divorce calendars. They worry that many domestic violence victims are often unable to effectively articulate their fears and concerns in a courtroom setting. Attorneys and judges interviewed believe that mediation affords victims more opportunity than a court hearing to design custody and visitation arrangements that enhance safety. They also believe that in the absence of mediation, the growing number of unrepresented victims will receive no help with developing safety plans and visitation arrangements. While some advocates for victims of domestic violence share these same views and favor mandatory mediation programs, others worry about the court imposing too many mediation or counseling hurdles on victims who need legal remedies. They also express the concern that mandatory mediation will dilute the message that domestic violence is a crime.

7. There is a need for community services and multiple forums of dispute resolution.

With the rise of *pro se* filings and the ability of lawyers to solve many cases on their own using quasi-mediation techniques, court mediation programs report that they are seeing families with more serious problems and limited financial resources. There is a growing need for services that are frequently unavailable in a dispute resolution forum. These include affordable legal services, counseling for batterers and victims, substance abuse treatment, housing and job training resources, monitoring services to enforce counseling and treatment orders and supervised visitation programs. In the absence of these types of services,

(Continued on page 10)

CONVERSATION CORNER

Professor Desmond Ellis

York University
Toronto, Ontario

Professor Desmond Ellis has been researching violence and conflict resolution for nearly thirty years. Born in London,



England, he grew up in India and England. After attending the University of Leicester, Professor Ellis received a scholarship to McMaster University in Hamilton, Ontario where he earned his M.A. in Sociology. He completed his Ph.D.

at Washington University in St. Louis and, following six years on the faculty of the University of North Carolina, Dr. Ellis returned to Canada at York University in Toronto, where he serves as Chair of the Sociology Department. As founder and former director of York University's La Marsh Research Centre on Violence and Conflict Resolution, Professor Ellis has authored numerous articles and conducted several studies on force, mediation, power imbalances and domestic abuse. His book, *Mediating and Negotiating Marital Conflicts*, will be published by Sage Publications this summer. Professor Ellis presented at the recent AFCC Annual Conference in San Antonio and will present his latest research on mediation and domestic abuse at AFCC's Northeast Regional Conference, **Facing Up to the Complexities of Family Violence: No Simple Solutions**, in Boston, September 19-21, 1996. Professor Ellis lives in suburban Toronto and has two children. His daughter Megan recently completed law school at the University of Windsor and practices corporate law in Toronto. His son Theo just completed high school and will attend the University of Toronto this fall.

AFCC: How did you develop an interest in violence and conflict resolution?

Desmond Ellis: It began in graduate school where I studied children who could not stay in the school system because of their violent behavior. We created a primary school for these children where we tried to change their behavior without chemicals of any kind. Subsequently, when I was at the University of North Carolina, I was approached about working on the issue of violence in women's prisons. I then began to study violence against women in Native American communities. I began to examine the informal methods of conflict resolution used in the

Native American communities as well as the manner in which police intervened in domestic violence matters in the majority community.

AFCC: Is domestic abuse a growing phenomenon, or are we just now beginning to pay attention to something that has always been there?

DE: It has always been there, but it has increased and decreased at various times. Changes are associated with various structural and cultural factors. Initially, increases in domestic violence have been associated with challenges to male hegemony. More recently, however, separation — a significant challenge to male hegemony — is the most significant factor associated with decreases in violence. However, while an increasing rate of separation is associated with a decrease in the overall likelihood of assault, the risks of lethality increase.

AFCC: Despite its widespread popularity, mediation has been criticized by feminist scholars, legal scholars, advocates for battered women, lawyers and social scientists. Why is mediation such a popular target?

DE: Mediation presumes the capacity of individuals to bargain as approximate equals. That represents a problem for a lot of people who argue that given existing structural inequalities it is impossible to redress the power imbalances that males and females bring with them to mediation. Therefore, the power imbalance will be represented in mediated agreements which will not be fair. But many who oppose mediation do so not because of what mediation is or does. Rather, it is because they prefer the law enforcement model which they believe provides specific and general deterrence. The problem is, I don't think the law enforcement model works unless you are white, married and employed.

AFCC: Some critics of mediation raise the concern that mediation is unfair and potentially dangerous for women. Your latest study seems to contradict that statement. Are these concerns unfounded?

DE: I would like to see evidence which demonstrates that mediation is dangerous and unfair. The study we conducted in the Hamilton courts compared mediation with lawyer assisted negotiations. We found that mediation makes a greater contribution towards decreasing post-processing physical violence than does lawyer negotiations. Also, females in the mediation sample were more successful than female clients with lawyers in obtaining the amount of child support they wanted. The results from the Hamilton study are relatively stable, so until

someone else comes along with stable results that indicate otherwise, I'll stick with my study as reliable evidence. Furthermore, none of the critics have pointed to mechanisms which work better and do a better job of deterring violence than mediation. Orders for protection don't work, alternatives to mediation are overinflated and mediation is often misunderstood. It almost seems that some critics feel as though mediators are less interested in the welfare of people than others. Where do they get that idea?

AFCC: What do mediators and lawyers do differently?

DE: One thing lawyers do that mediators don't is have clients complete affidavits, which are a statistically significant predictor of emotional and other forms of abuse. Clients put everything that is rotten about one another in an affidavit and having that delivered is upsetting and provoking. This division sets the tone for hostile feelings. Some of the information may be untrue, but it still upsets people. Also, some lawyers in our study viewed abuse as a non-legal interfering factor. Mediators in our study seriously considered domestic violence and power imbalances. With lawyers, power imbalances are not eliminated, they are simply moved to another level because those with more resources have better lawyers.

Thank You

A special **THANK YOU** to Board Members Elizabeth Hickey, from Salt Lake City, UT, and Nancy Palmer from Maitland, FL for their generous contributions to the Association of Family and Conciliation Courts.

Ms. Hickey contributed 250 copies of her popular video, *Children: The Experts on Divorce* for AFCC's 1996 membership drive. The video promotion has been very successful in attracting new members to AFCC.

Ms. Palmer donated 70 copies of her book *When Your Ex Won't Pay*, co-authored by Ana Tangel-Rodriguez. The book is available for \$12.95, plus shipping and handling. All proceeds benefit the **Second World Congress on Family Law the Rights of Children and Youth**.

AFCC Finds Recipe for Success in San Antonio

*Begin with a dash of that special brand of Texas hospitality.
Mix with more than one hundred outstanding presenters.
Stir in hundreds of dedicated family court professionals.
Sprinkle in a pinch of San Antonio spirit.
Add hot music and spicy food.
Blend well in a large Riverwalk hotel.
Allow one day to cool.
Serves 500.*

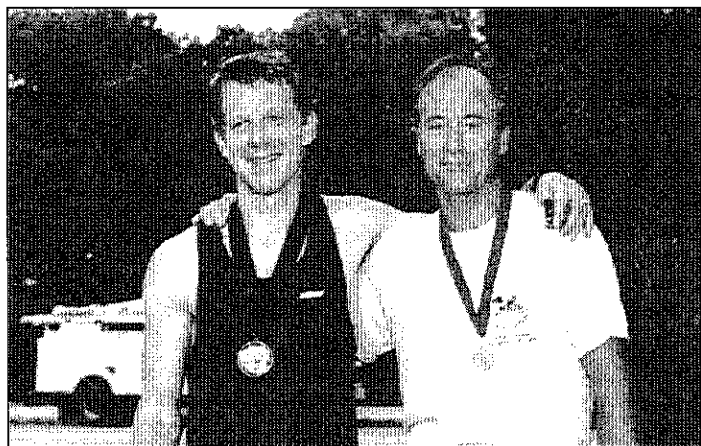
If there is a recipe for a successful conference, AFCC may just have found it in San Antonio at AFCC's 33rd Annual Conference, **Best Interest: Special Issues for Children & Families**. Conference Chair and AFCC President Linda Hahn showed AFCC members the best Texas has to offer by serving up six pre-conference institutes, four plenary sessions and 36 workshops over the course of the four day conference.

Conference highlights included the General Session, *Should I Stay or Should I Go? Dad's Dilemma and the Best Interest of the Child*. Wade Horn, Director, National Fatherhood Initiative and Charles Ballard, President and Founder, Institute for Responsible Fatherhood and Family Revitalization, provided AFCC members with

stirring presentations on the important role of fathers. The Closing Session, *Cultural Considerations in Family Court* featuring Hon. Charles Gonzalez, Attorney Carolyn Wah and Sociologist Pamela Gaiter, focused on the impact of culture, both ethnic and professional, on the participants in the court system.

Thursday's Award Luncheon featured a welcome from Texas Attorney General Dan Morales and an address by John Wilson, Deputy Administrator of the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice. Friday's banquet was highlighted by a surprise appearance of the Luca Linda Band, a Tejano band from Corpus Christi which had AFCC members literally dancing in the aisles.

River Run Gets AFCC Up Early



Cc-Winners John Kydd (left) and Clarence Cramer

AFCC members ran, walked, jogged and limped the 5K course at AFCC's River Run in San Antonio. The race raised more than \$1,200 for the **Second World Congress on Family Law and the Rights of Children and Youth**. Each registrant received a colorful River Run T-shirt for their contribution.

As for the race, John Kydd, Immediate Past President, and Clarence Cramer, Chapter Committee Chair, tied for gold medal honors in the men's division. John

and Clarence agreed to share joint custody of the first and second place medals, exchanging them each year at a neutral site, the AFCC Annual Conference. Rosemary Vasquez of Oakland, CA was awarded sole custody of the gold medal in the women's division.

Congratulations to everyone who participated and special thanks to Hon. Charles Gonzalez for contributing the race officials, equipment, T-shirts, awards and breakfast.

AFCC Thanks Texas Supporters

AFCC conferences receive tremendous volunteer support, most often from AFCC members. This was certainly the case at AFCC's Annual Conference in San Antonio. AFCC gives special thanks to Geri Arreaga for the marvelous banquet decorations; to workshop shepherds Mike Arreaga, Karen Marvel, Sharon Leach, Dave Tincher, Cheryl Adamson, Delores Gonzalez, Bill Hill, Bill Kearns, Sandra Fultz, Tom Marsh, Martha Rodriguez and Sylvia Esquivel; to hospitality suite hosts Kaye Fulks, Justin Ezeoha and Liz Weinert; and to Dallas County Family Court Services Director Pat Ross.

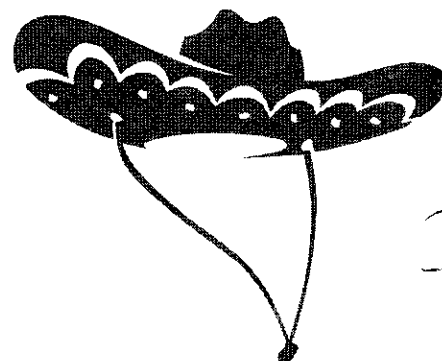
Special recognition and thanks go to Hon. Charles Gonzalez of San Antonio. Judge Gonzalez did just about everything possible to assist

AFCC in preparing for the conference, including providing local mail lists, helping with local publicity, sponsoring the River Run, providing the River Run T-shirts and breakfast for the runners, arranging for the



Hon. Charles Gonzalez

donation of the banquet entertainment and presenting at the conference closing session. The enthusiasm and energy of Judge Gonzalez and the conference volunteers helped set the tone for the conference. Many special thanks to each of you for your generosity and support.



AFCC 1996 Award Winners

AFCC recognized achievements and contributions of individuals and programs in the field family and divorce at the AFCC Annual Conference in San Antonio, TX.



Dr. Janet Johnston

Distinguished Service Award

Dr. Janet Johnston received AFCC's **Distinguished Service Award** for her outstanding contributions to the field of family and divorce. Dr. Johnston is co-author of the book *Impasses of*

Divorce and has published numerous research articles and book chapters. Dr.

Johnston is a frequent and popular presenter at AFCC conferences. She will participate in the opening session at AFCC's Northeast Regional Conference in Boston this fall.

Irwin Cantor Innovative Program Award

The Self-Service Center of Maricopa County, Arizona was the recipient of the **Irwin Cantor Innovative Program Award**. Under the guidance of Noreen Sharp and Bob James, the Self-Service Center offers creative methods of providing court services to citizens. Service delivery systems include internet, audiotext telephone system, computer bulletin board and office extension sites. Ms. Sharp and Mr. James also presented an extended workshop at the San Antonio conference.

Meyer Elkin Essay Contest Award

Joan Raisner, a mediator with Cook County, Illinois Marriage and Family Coun-

seling Service, was the winner of the 1996 **Meyer Elkin Essay Contest**. Her article, entitled "Family Mediation and Never-Married Parents," will be published in a forthcoming edition of the *Family and Conciliation Courts Review*.

AFCC President's Award

AFCC President John Kydd presented the **President's Award** to long time AFCC member Leonore Levit of Wilmette, Illinois. Ms. Levit worked with Cook County Marriage and Family Court Services from 1970-1989 and has been a member of AFCC since 1970. Mr. Kydd recognized Ms. Levit for her outstanding service and many contributions to the association in her 26 years as an AFCC member. The President's Award was also awarded to AFCC Associate Director Peter Salem. Mr. Salem served AFCC as Research Project Director and Newsletter Editor prior to becoming AFCC Associate Director in 1994.

1996-97 AFCC Committee Chairs

AFCC committees provide an opportunity for members to become involved in the activities of the association. If you are interested in becoming active in AFCC or learning about a committee, contact one of the committee chairs listed below:

Academic and Research

Sanford Braver, Ph.D., Co-chair

Tempe, AZ

Phone: (602) 965-5405

Fax: (602) 965-5430

e-mail: s.braver@asu.edu

Jennifer Mastroski, Ph.D., Co-chair

University Park, PA

Phone: (814) 863-0895

Fax: (814) 863-7044

e-mail: mvc@psuvm.psu.edu

Awards

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Portland, OR

Phone: (503) 248-3189

Fax: (503) 248-3232

e-mail: hmcisaac@igc.apc.org

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Clarence Cramer, M.A., Chair

Coolidge, AZ

Phone: (520) 723-3077

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Hon. Frances Rothschild, Chair

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Fax: (213) 617-7176

Conference Planning

Denise McColley, J.D., Chair

Napoleon, OH

Phone: (419) 592-0100

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e-mail: pstahl@igc.apc.org

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MEMBER NEWS

Colorado Mediators and CASA Honor AFCC Vice President

Christie Coates, AFCC Vice President from Boulder, CO, was the recipient of two prestigious awards this spring. The Colorado Council of Mediators and Mediator Organizations (CCMO) selected Ms.



Coates as Mediator of the Year for her outstanding contributions to CCMO and the field of mediation through her work in the state and national mediation communities. Voices for Children, a Boulder County non-profit organization that provides court appointed special advocates (CASA's) to work with Guardians ad Litem in dependency and neglect cases, honored Ms. Coates as a member of the legal community who has made significant contributions to the health and welfare of children. AFCC congratulates Christie Coates on these well deserved recognitions.

AFCC's Newest Justice

For AFCC member **Emile Kruzick**, the 1996 Annual Conference in San Antonio is one he will not soon forget. While attending the conference he was contacted by Hon. Allan Rock, the Minister of Justice and Attorney General of Canada, notifying Mr. Kruzick of his appointment to the General Division Ontario Court. Justice Kruzick has been a member of AFCC since 1978 and is currently a member of the planning committee for the Second World Congress on Family Law and the Rights of Children and Youth. Justice Kruzick is a co-author of *Canadian Divorce Law and Practice* and has held numerous executive and committee positions with the Canadian Bar Association. Justice Kruzick was sworn in on June 5, 1996 in Orangeville, Ontario and will be sitting in the Central West Region of the Ontario Court. AFCC wishes him the best in his new position.

Also Moving On...

Joel Bankes, AFCC Treasurer, recently began a new job as Executive Director of the National Child Support Enforcement Association (NCSEA) in Washington, D.C. after serving as Director of the Arizona Supreme Court Domestic Relations Division. He may now be reached at NCSEA, 400 N. Capitol St., Suite 370, Washington, D.C., 20001-1512, phone: (202) 624-8180, fax (202) 624-8828, e-mail jbankes@sso.org

Janet Johnston, AFCC member from Menlo Park, California, recently accepted a position as Associate Professor in the Administration of Justice Department at San Jose State University. She will also serve as Executive Director of the Judith Wallerstein Center for the Family in Transition. The Center has a new mailing address: P.O. Box 157, Corte Madera, CA 94976. Dr. Johnston's contact information remains: P.O. Box 2483, Menlo Park, CA 94026, phone (415) 366-3234, fax (415) 366-3234.

Ruth Arkiss, AFCC member from Chicago, Illinois recently retired as a Mediator/Conciliator and Supervisor with Cook County's Marriage and Family Counseling Service. Ms. Arkiss was instrumental in the development of the MFCS Family Violence Committee and served as a mentor for her co-workers. AFCC wishes her an enjoyable retirement.

Paul Charbonneau, AFCC member from Belfast, Maine resigned this spring as Director of the Maine Court Mediation Service, a position he held for the last six years. Mr. Charbonneau plans to develop his private mediation practice and provide training and consulta-

tion in mediation and conflict management. His new contact information: Paul G. Charbonneau & Associates, P.O. Box 73, Rockport, ME 04856-0073, phone (207) 236-8783, fax (207) 594-2911.

More Member News

Forrest S. Bayard, AFCC member from Chicago, Illinois recently wrote and published a new booklet entitled *Divorce: 133 Ways to Diffuse the Battle — A New Approach*. The booklet is designed for clients and professionals. Mr. Bayard is an attorney, mediator and arbitrator with over a quarter century of family law experience. For further information, contact (312) 236-3828.

Nancy Palmer, Chair of AFCC's Lawyers Committee, has been appointed Co-Chair of an ABA Family Law Section Task Force created to set appropriate model standards for family mediators. If you are interested in providing information to the Task Force, please contact Nancy Palmer at 213 Flame Avenue, Maitland, FL 32751 or fax to (407) 648-9099.

AFCC Collaborates on Low Income Symposium

Larry Lehner, AFCC Board Member and Director of Alameda County (Oakland, CA) Family Court Services will represent AFCC as a plenary presenter at the **National Symposium on Providing Family Mediation Services to Low Income Families** in Chicago, IL September 20-21, 1996. The Symposium is sponsored by the Academy of Family Mediators in collaboration with AFCC, the American Bar Association, Family Mediation Canada, the National Institute for Dispute Resolution, the Society for Professionals in Dispute Resolution and the National Association for Community Mediation and is funded by the Hewlett Foundation.

The program will include sessions on identifying the needs of low income families, highlighting existing efforts at providing services, and generating options for further exploration and development. Participants will be actively engaged in the program through discussion and brainstorming groups.

Topics will include the challenges of educating the public, program funding and preparing mediators to work with low income clients. The Symposium is recommended for all who provide or wish to provide mediation services to low income families, including mediators from the public, private and community sectors, program administrators, clinic directors, researchers and academics.

Members of the Symposium Steering Committee include: Larry Lehner and Peter Salem, AFCC; Hon. Resa Harris and Linda Gardner; American Bar Association; Paul Young; Family Mediation Canada; Linda Harvey, National Association For Community Mediation; Margery Baker, National Institute for Dispute Resolution; Maria Volpe, Society of Professionals in Dispute Resolution; and Sally Pope, Lynn Jacob, Brigitte Bell, Judy Hogan, and Dorothy Della Noce, Chair, Academy of Family Mediators.

As part of the Symposium, the Academy is compiling a Compendium of Programs Providing Family Mediation Services to Low Income Families. The Compendium will serve as a networking and information resource for family mediation providers who currently offer or wish to provide services to low income families. The Compendium will contain detailed self-reports from programs which are in operation.

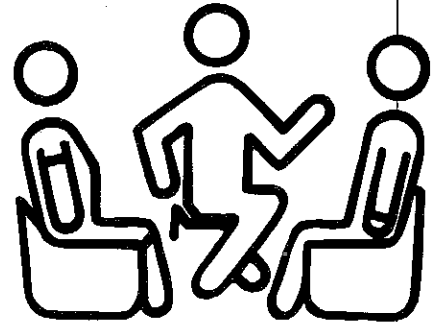
For further program and registration information, contact the Academy of Family Mediators at (617) 674-2663.

CALL FOR PRESENTERS

Third International Symposium on Child Custody Evaluations September 11-13, 1997 Beaver Run Resort, Breckenridge, Colorado

You are invited to submit a workshop proposal for AFCC's **Third International Symposium on Child Custody Evaluations**. The **Symposium** will have three workshop tracks: *Advanced Applications*, *Professional Practice Issues* and *Core Skills*. Please indicate the track for which your workshop is intended. Areas of interest include, but are not limited to:

- Paternity and Never-Married Parents
- Interviewing Techniques
- Research Literature: What Evaluators Should Know
- Parental Alienation
- Move Away Cases
- Weighing Children's Preferences
- Settlement Oriented Evaluations
- Dealing with Allegations of Child Sexual Abuse
- Ethical Issues for Evaluators



Please send a brief abstract (less than one page) and an outline of your proposed workshop with a resume to:

AFCC, 329 W. Wilson St., Madison, WI 53703.

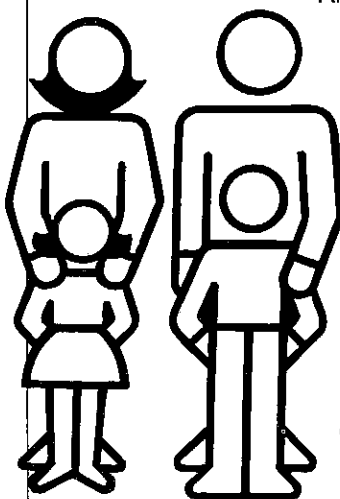
All proposals must be received by February 15, 1997

Third International Congress on Parent Education Programs September 14-16, 1997 Beaver Run Resort, Breckenridge, Colorado

The **Congress on Parent Education Programs** will provide educational and networking opportunities for those involved in educational programs for separated and divorcing parents. This is a professional development opportunity you won't want to miss.

Areas of interest include, but are not limited to:

- Parent Education and Domestic Violence
- Programs for Diverse Populations
- Educating High Conflict Parents
- Integrating Parent Education into the Court System
- Skills for Presenters
- Establishing a Legal Component for Your Program
- Using Activities
- Evaluating Programs
- Bringing the Court on Board



If you are interested in presenting a workshop at the **Congress**, please send a brief abstract (less than one page) and an outline of your proposed workshop with a resume to:

AFCC, 329 W. Wilson St., Madison, WI 53703.

All proposals must be received by February 15, 1997

Scenic Rocky Mountains Selected for 1997 Custody Evaluation and Parent Education Conferences

Breckenridge, Colorado will be the site of AFCC's **Third International Symposium on Child Custody Evaluations** and **Third International Congress on Parent Education Programs** in the fall of 1997.

The **Custody Evaluation Symposium** will take place September 11-13, 1997 and the **Parent Education Congress** September 14-16, 1997 at the Beaver Run Resort. Participants traveling from the Denver airport will be treated to a fabulous ninety minute excursion through some of Colorado's most breathtaking scenery on the way to the resort.

Both programs are scheduled over part of a weekend, leaving participants time to enjoy the mountain activities. Beaver Run is located at the base of the mountain and within an easy walk or shuttle to town. Resort amenities include swimming, hot tubs, tennis and a fitness center. Hiking, mountain biking, jeep tours, golf and horseback riding are also available nearby.

If you are interested in presenting at the **Symposium or Congress**, please see the call for presenters in this *Newsletter* or contact AFCC, 329 W. Wilson St., Madison, WI 53703, (608) 251-4001, fax (608) 251-2231.

UPCOMING EVENTS

**September 19-21, 1996-
Boston, MA**

AFCC Northeast Regional Conference and Board of Directors Meeting
Contact: AFCC
(608) 251-4001

**October 11, 1996-
Los Angeles, CA**

Conducting a Child Custody Evaluation
Contact: Philip M. Stahl, Ph.D.
(510) 828-7660

**October 12-14 and 25-27,
1996-New York, NY**

Basic Divorce Mediation Training

Contact: Center for Family and Divorce Mediation
(800) 563-4576

**October 23-26, 1996-
Winnipeg, Manitoba**

Family Mediation Canada Annual Conference
Contact: FMC
(519) 836-7750

**October 24-26, 1996-Coeur
d'Alene, Idaho**

AFCC Northwest Regional Conference
Contact: Sue Flammia
(208) 667-3561

**November 6-8, 1996-
Madison, WI**

Fifth Annual Conference on Emerging Issues in Mediation Wisconsin Association of Mediators
Contact: James Campbell
(608) 262-2352

**November 7-10, 1996-San
Francisco, CA**

Basic Divorce Mediation Training
Contact: John Lemmon, Ph.D.
(800) 994-6334

**November 18-22, 1996-
Chicago, IL**

Basic Divorce Mediation Training
Contact: Zena Zumeta
(800) 535-1155

**June 3-7, 1997-
San Francisco, CA**

AFCC Annual Conference and Second World Congress on Family Law and the Rights of Children and Youth
Contact: AFCC
(608) 251-4001

Mediation and Domestic Abuse

(Continued from page 4)

court orders and/or mediated agreements have a limited ability to make a difference in people's lives. There is also growing recognition that some high conflict and violent couples need court interventions other than those currently available. Among the recommended approaches are more intensive therapeutic/legal interventions that combine mediation with counseling, evaluation and longer-term therapy; arbitration, where trained and experienced mental health professionals assess issues and make binding decisions in disputes that involve children; and hybrids of evaluation and mediation where mental health professionals conduct assessments, make recommendations, and engage parents in decision-making.

8. There is a need for research with mediation clients.

At this point, the critique of divorce mediation remains largely theoretical, anecdotal and hortatory. Rarely do victims of domestic violence speak for themselves. The few empirical studies that have been conducted with victims and non-abused mediation clients find no differences in client satisfaction, rates of compliance or re-abuse. While the debate about safety and fairness in divorce mediation has clearly subsided, some questions will only be resolved with more explicit research with consumers.

For additional information about the Divorce Mediation and Domestic Violence Project, contact the Center for Policy Research, 1720 Emerson Street, Denver, Colorado 80218.

Jessica Pearson, Ph.D., Desmond Ellis, Ph.D., and Lorraine Martin, M.S.W. will conduct a workshop entitled **Mediation and Domestic Abuse: The State of the Art** at AFCC's Northeast Regional Conference September 19-21, 1996 in Boston, Massachusetts.

TRAINING IN THE MEDIATION OF FAMILY, BUSINESS AND DIVORCE CONFLICTS

Basic and Advanced Courses

- 40-hour family and business mediation course is approved by the Academy of Family Mediators and meets state standards where required
- CLE and CEU Credit Available
- Other courses can be designed and adapted to the specifications and needs of your area or participants, including: adult/youth, family business, health care, inter- and intraorganizational conflict management and mediation of child (sexual) abuse matters.

ROBERT D. BENJAMIN, M.S.W., J.D.

For further information on programs, call or write:

**Mediation & Conflict Management Services
8000 Bonhomme Avenue, Suite 201
St. Louis, Missouri 63105
(314) 721-4333**



Mark Your Calendar!

It's the 10th Annual FAMILY MEDIATION CONFERENCE

October 24th-26th, 1996
The Westin Hotel
Winnipeg, Manitoba

Visions of Mediation

*Mediation & the Court
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the Future*

FOR MORE INFORMATION:
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E-mail: fmcpyong@web.apc.org
Family Mediation Canada
Family Mediation Manitoba



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WHEN YOUR EX WON'T PAY

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*by Nancy S. Palmer, Chair, AFCC Lawyers Committee
and Ana Tangel-Rodriguez*

Thousands of children are not getting the support they need and deserve. Their parents often feel powerless to do anything about the situation. They don't have the resources to go after delinquent ex-spouses, and they don't know where to turn for help. This is the book for custodial parents facing the uphill battle of claiming financial support for their children.

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Invitation

1997 Annual Conference of the Association of Family and Conciliation Courts

being held in association with the
**Second World Congress on Family Law
and the Rights of Children & Youth**

3-7 June 1997, San Francisco, California

The coming together of these two important conferences in 1997 offers judges, lawyers, mediators, counselors, evaluators, academics, politicians and others the opportunity to explore many important issues on a truly international level.



Contact:

Association of Family and
Conciliation Courts
329 West Wilson Street
Madison, WI 53703
United States of America
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