



NEWSLETTER

Association of Family and Conciliation Courts

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

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Summer 1997

Second World Congress Attracts World Wide Delegation

It was everything it promised to be and more. From Tokyo to Toledo, Bangladesh to Berkeley, Melbourne to Madison and everywhere in between, more than 1,500 delegates from more than fifty countries made their way to the Hyatt Regency in San Francisco for the Second World Congress on Family Law and the Rights of Children and Youth, June 2-7, 1997. The week-long event capped more than two years of planning and successful collaboration by World Congress, Inc., and the Association of Family and Conciliation Courts. A truly international collaboration, Second World Congress supporters included numerous organizations and individuals from around the world, all of whom combined to make 1997 a year AFCC will never forget.

The Second World Congress offered six days of sessions, including Special Colloquia, Pre-Congress Institutes, workshops, plenary sessions, the Youth Forum, the Mayor's Colloquium and a Children's Ombudsman Session. On the lighter side,

Congress delegates participated in numerous social and networking events, including the International Dinner, Opening Night Reception, local restaurant dine-arounds, in-home dining and the World Congress Banquet. Here are some of the highlights of this historic week.

■ The Second World Congress kicked off with a day of Special Colloquia for Judges, Lawyers, Law School Faculty and Family Court Services personnel. More than 200 delegates arrived early to learn about special programs and services which improve the lives of children around the world.

■ Monday evening's International Dinner helped set the tone for the week as an overflow crowd made acquaintances and dined and at the City Club of San Francisco. The dinner was sponsored by AFCC's International Committee, co-chaired by Suzie Thorn and Carole Brown.

■ Twelve Pre-Congress Institutes highlighted the Tuesday agenda. Topics

included domestic violence, mediation, international child abduction, culture and education and relocation disputes.

■ John Chambers, Chair of the International Commission on Marriage and Interpersonal Relations (ICMIR), welcomed ICMIR members to the Second World Congress on Tuesday afternoon. ICMIR incorporated its annual conference into the Second World Congress, offering a series of workshops followed by small study groups held throughout the week. Gerlind Richards of London, England served as ICMIR coordinator and liaison to the World Congress.

■ Girl Scouts from the San Francisco Bay area started off Tuesday evening's Opening Session by presenting the flags from participating nations and singing "America the Beautiful."

■ World Congress Chair Hon. Alastair Nicholson and San Francisco Mayor Willie Brown, Honorary Local Chair, welcomed

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Child Custody Evaluation and Parent Education to Reach New Heights in Breckenridge

AFCC will reach new heights this September—nearly 10,000 feet above sea level—as the Third International Symposium on Child Custody Evaluations, September 11–13, and the Third International Congress on Parent Education Programs, September 14–16, will be held in Breckenridge, Colorado.

Both programs will be held at the Beaver Run Resort, just a short walk from downtown Breckenridge. Rooms begin at \$86.00 (single or double) and resort amenities include indoor/outdoor pools, hot tubs, tennis, indoor miniature golf, an exercise room and complimentary shuttle service throughout Breckenridge. AFCC has arranged for discounted shuttle transportation to Beaver Run from Denver International Airport. For further information or registration, contact AFCC, 329 W. Wilson St., Madison, WI 53703; Phone: (608) 251-4001; Fax: (608) 251-2231; e-mail: afcc@igc.apc.org

Third International Symposium on Child Custody Evaluations

AFCC's Third International Symposium on Child Custody Evaluations, *Ages and Developmental Stages: Critical Issues for Custody Evaluators*, will focus on some of the most challenging questions for custody evaluators, including:

- What is the impact of overnights on infants?
- What factors should be considered in relocation cases?
- How much weight should be given to children's wishes?
- What happens when mental health needs conflict with case law?

Four Pre-Symposium Institutes will be offered Thursday, September 11, 1997 from

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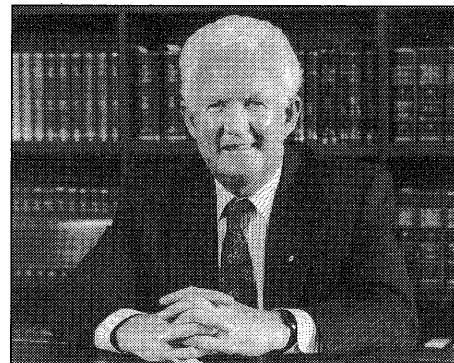
The AFCC Newsletter is a publication of the Association of Family and Conciliation Courts. The Newsletter is published four times a year. Deadlines for news items and advertising are March 1, June 1, September 1, and December 1. Advertising copy must be camera ready and payment made in U.S. funds.

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PRESIDENT'S MESSAGE

*By Hon. Alastair Nicholson
Melbourne, Australia*



The Second World Congress and AFCC's Annual Conference in San Francisco was a great way to start my AFCC Presidency. It seems appropriate that such an international event should also have seen the first AFCC President from outside North America.

I am very conscious of the honor of this appointment and I will do my best to be worthy of it. I was initially concerned that the distances would prove too great to be practicable, but inspired by the Presidency of Judge Doug McNish from Maui, I decided that another nine hours of flight should not be insuperable.

First a few words about the World Congress. It simply would not have happened without the enormous support given to it by the AFCC Board of Directors, Officers, Executive Director and members. I would like to particularly thank those who attended in greater numbers than for any previous AFCC conference.

Second, it was a great act of faith, because unlike previous conferences it depended on fund raising for its success. This was because the costs of staging an international conference were such that the registration fees would have been prohibitive if they were expected to cover costs.

Third, and in no way to decry or minimize the work of others, the dynamism of the Executive Director, Ann Milne, the efforts of Peter Salem in relation to the program and the hard work of AFCC staff members P.J. White, Kris Stenulson, Chris Shanahan and Holly Basford, were essential ingredients. Similarly, my Australian colleagues, Rod Burr and Stuart Fowler, were critical to the Congress' success. Stuart suffered a heart attack a few weeks prior to the commencement of the Congress and was unable to attend, but I am pleased to report that he has recovered well and is back at work and already planning the Third World Congress in 2001.

Fourth, I would like to say a word in appreciation of the sponsors of the Congress. They are too numerous to list. Indeed, one of the pleasant surprises of the Congress was that so many individuals gave donations. However, I should not let this occasion pass without mentioning Moose International and LAWASIA, two of the most active and generous supporters.

Finally, if there was one abiding

impression that I and I believe many others gained from the World Congress, it was the common nature of the problems that we all face in the area of the family. Cultures and attitudes may differ but we are all searching for solutions to the same problems, whether we come from Africa, China or the United States. It was of great benefit to be able to exchange ideas and solutions to the challenges that we all face. It even provided some comfort to some, who commented to me that when they saw what was happening elsewhere, they realized that they were doing better than they had previously thought.

It is now necessary to look forward. AFCC has turned its focus to the forthcoming Symposium on Child Custody Evaluations and Congress on Parent Education Programs in Breckenridge, Colorado in September 1997. AFCC's Board and Executive Committee will be also meeting in Breckenridge to update AFCC's Strategic Plan.

AFCC's 35th Annual Conference in Washington, D.C., May 27-30, 1998, provides us with an opportunity to build on the World Congress and further develop AFCC's international profile. We are one of few international associations addressing family law issues, and the one with the most marked interdisciplinary emphasis. Subsequent to the World Congress, I attended the conference of the International Society of Family Law in Durban, South Africa, and while I found that conference extremely valuable, I was struck by the breadth of focus of AFCC conferences and activities in comparison to that conference. Washington, D.C. is an ideal location to follow the World Congress and will hopefully be an occasion to further raise AFCC's profile in North America.

I am also hopeful that AFCC members and committees will follow up on the ideas generated at the World Congress, including those issues raised in the brilliant address by T. Berry Brazelton to the World Congress Awards Luncheon. In particular, I think that his speech highlighted the need to further examine the nature of visitation rights afforded to parents of very young children. I would hope that in the coming year AFCC can develop initiatives in this regard.

In conclusion, I anticipate an interesting and much traveled year and I greatly appreciate the support and trust that has been placed in me as your President.

AFCC President, Chief Justice Alastair Nicholson

The Chief Justice of the Family Court of Australia, Alastair Nicholson is the incoming President of AFCC following his election at the Second World Congress on Family Law and the Rights of Children and Youth in San Francisco. Justice Nicholson is well known to AFCC members for his tireless efforts to make the Second World Congress the resounding international success that it was.

Justice Nicholson was raised in New Guinea and later completed his secondary education in Melbourne, Australia going on to study law at Melbourne University and graduating in 1960. He practiced extensively in all jurisdictions at the Bar including general common law, family law, crime, town planning, local government and administrative law and also appeared as counsel in a number of public inquiries.

Justice Nicholson became Queen's Counsel in 1979. He was appointed a Justice of the Supreme Court of Victoria in 1982

and at the same time was appointed Deputy Chairman of the Adult Parole Board. In 1988 he was appointed as Chief Justice of the Family Court of Australia and a Justice of the Federal Court of Australia. He is the founding President of the Australian Association of Family Lawyers and Conciliators.

Family Law in Australia is a specialist jurisdiction set up by the landmark Family Law Act of 1975 that established no-fault divorce and a Family Court. Justice Nicholson has been Chief Justice of the Court nine years. He has championed early intervention with counseling, mediation and conciliation in family law disputes.

Justice Nicholson has enjoyed a lengthy association with the Royal Australian Air Force which he joined as a cadet in the Melbourne University Squadron in 1956. He became a member of the Legal Panel of the RAAF in 1965 and thereafter appeared in RAAF Courts Marital, both in Australia and in Vietnam and Malaysia. In 1984 he was

appointed Judge Marshal of the RAAF with the rank of Air Vice Marshal and was Judge Advocate General of the Australian Defence Force from 1987 until 1992.

Justice Nicholson and his wife Lauris were for many years members of Kids in Care, a group providing emergency foster care to children. Assisted by their three daughters, Justice and Mrs. Nicholson frequently served as foster parents for such children. Since 1984 Justice Nicholson has been the Chairman of the Epistle Center, which is a charitable organization devoted to the provision of care, accommodation and counseling to ex-prisoners of both sexes. Recently he became Patron of the Child and Family Care Network, another charitable organization which is focusing much of its current efforts on the needs of homeless youth and the tragic growth of youth suicide. He is an enthusiastic trout fisherman and enjoys bush walking, tennis and reading.

National Council of Dispute Resolution Organizations Is Formed

by Sally Ganong Pope, JD, President Elect, Academy of Family Mediators, New York, NY

A FCC was among six national membership organizations which met May 2-4, 1997, in Washington D.C. to develop a National Council of Dispute Resolution Organizations, subject to ratification by each organization's governing body. Also participating were the Academy of Family Mediators, American Bar Association, National Association for Community Mediation, National Institute for Dispute Resolution/Conflict Resolution Education Network (formerly NAME) and the Society of Professionals in Dispute Resolution.

The goals of the National Council will be to provide:

- a rapid response mechanism to respond to immediate issues that affect the field of dispute resolution;
- a process for tracking, analyzing, and intervening in appropriate circumstances involving legislative, administrative, judicial, and policy initiatives that affect the field;
- a forum for the organizations to discuss issues of concern to all;
- a voice for public positions on legislative, judicial, and administrative matters that affect the development of ADR;
- collective knowledge and expertise brought to bear on the issues addressed

and the effective use of organizational resources; and

- a means for the management of any conflicts among the organizations.

Following ratification, the Council will prepare to track national and state ADR legal developments, respond in concert to "burning issues" that may arise from time to time in state and federal courts, legislatures and administrative agencies, identify long range positions and principles that can be jointly affirmed and deepen the capacity to conduct research and analysis on pending legislation, court decisions and selected administrative policies.

All formal positions taken by the Council will be by consensus of all member organizations. However, any single organization may take the lead in investigating and proposing action by the Council. In joining in this effort, the organizations are committing to full discussion of issues and collaborative negotiation about policies and Council action. Individual organizations will also be establishing the mechanisms internally to provide the necessary approvals and response as actions are proposed for the Council.

The six partner organizations will be invited to send one voting delegate to future meetings and as many other delegates as

they and the Council consider helpful. Executive Directors will be encouraged to be present. Other partners will be considered in the future as the structure and operations of the Council are developed.

Other areas considered for future directions of the Council were the development of uniform Standards of Practice for Mediators and collaboration on assessment procedures for mediators and voluntary certification.

Representing AFCC were Christine Coates, AFCC President Elect, and Ann Milne, AFCC Executive Director. Also participating were Robert Benjamin, Sally Pope and Ericka Gray, representing the Academy of Family Mediators; Scott Bradley, Melinda Smith, Larry Ray and Joanne Hartman, representing the National Association for Community Mediation; Marge Baker and Terry Wheeler representing NIDR/Conflict Resolution Education Network; Maria Volpe, Peter Adler, Mary Kay LeFevour representing the Society of Professionals in Dispute Resolution; and Ed Myers and Phyllis Campton representing the American Bar Association. Nancy Rogers, a Professor at The Ohio State University College of Law, facilitated the meeting.

Parental Alienation Processes in Post-Divorce Cases

by Matthew J. Sullivan, Ph.D., Palo Alto, California

Parental alienation has become the "complaint du jour" in high conflict family court custody disputes. Parental alienation, like its predecessor, sexual abuse allegations, has become an emotionally charged, high stakes and frequently misunderstood process. It often leads to over-identification and a backlash of skepticism about if and when it should be a significant consideration in custody determinations.

It is important that family court practitioners possess a thorough understanding of parental alienation so that they may limit the potential damage of spurious and destructive allegations, as well as to facilitate timely and appropriate intervention when this highly destructive process does occur.

This article will address some of the conceptual limitations of parental alienation as commonly understood in the family court system. Important considerations for assessment and interventions are identified.

Continuum vs. Syndrome

Alienation from a parent as it manifests in a child occurs on a continuum. Only the most severe manifestations fit the Parental Alienation Syndrome (PAS) identified by Richard Gardner. Approaching cases with a Syndrome model leads to a categorical diagnosis, an assessment of whether the child's manifestation meets the threshold to be diagnosed as PAS. Either alienation is present or absent. However, alienation as typically manifested by a child occurs on a continuum. It is nearly ubiquitous in high conflict cases, but rarely does it reach the threshold of severity defined by Gardner as PAS.

Identification vs. Differential Diagnosis

Identification of alienation is not sufficient for effective handling in the family court process. Identification is child-based, while alienation is a *process* that is multi-determined, with one critical outcome being a child demonstrating alienating behaviors toward a parent. The implication of this more systemic conceptualization is this: although a child's manifestation of alienation covaries with other factors, alienating processes can be quite severe *without* severe manifestations in the child. Conversely, manifestations of alienation in a child can be severe when factors contributing to alienation are not.

A Systemic Approach

Alienation is a multi-determined process, with a child-based outcome. Multiple influences combine to alienate the child from a parent. The common and logical belief that a causal link exists between a child alienated from a parent who is engaging in

alienating behaviors (disparagement, exclusion, etc.) is problematic. Examining only these two parts of the system can lead to simplistic and destructive interventions, e.g., a change of custody and restricted access. Further, when only a part of the system is examined severe indications of alienating processes may be missed. For example, if severe child characteristics are not identified, assessment may be considered complete. A lack of attention to existing, destructive alienating processes will likely result in more severe child outcomes as time progresses.

The Malignancy of Conflict

As conflict between parents increases, the probability of more severe alienation increases and multiple, mutually reinforcing factors often contribute to the problem. In high conflict cases it is rare that only one parent is contributing to the child's alienation. In fact, the most significant factor contributing to the alienation may be the child's response to the conflict itself. Without systematic, comprehensive evaluation of all of the potential systemic contributors, differential diagnosis will not occur. Thus, recommendations guiding legal and mental health interventions are less likely to be in the best interest of the child.

Differential Diagnosis

Seven areas should be assessed in order to make appropriate decisions and guide interventions in alienation cases: (1) the children; (2) the alienating parent; (3) the alienated parent; (4) the relationship between the primary parent and the child; (5) the relationship between the alienated parent and the child; (6) the relationship between the parents; and (7) the family's social context, including extended family, attorneys, mental health professionals and the family court system. Systematic assessment of each of these areas and relationships is essential to determine mitigating and exacerbating factors and to develop effective intervention strategies.

Assessment Factors

In addition to the above assessment, the following key factors are important in diagnosing cases where alienation is present: (1) where the family is in the divorce transition; (2) the extent of exaggeration and fabrication in the rationale for the expressed alienation of the child; (3) general psychological functioning of the child; (4) the liabilities and resources in the surrounding system, including economic, extended family and mental health. Perhaps the most important assessment consideration is timeliness, as alienation processes often

intensify when a parent becomes aware that assessment is going to occur.

Intervention Guidelines

Intervention flows from differential diagnosis, therefore, decision making by a judge is rarely the end of the family court's involvement. The implementation of recommendations requires an intensive, often collaborative involvement of the court/mental health/family system. Intervention in these cases must be a combination of structural and therapeutic interventions. Examples of structural interventions that can help address the impact of an alienating parent include, restricting that parent's access to the children, including change of primary custody, or in severe cases supervising contact.

The repair of the alienated parent's relationship with children can be assisted structurally by providing more time in longer blocks, with no intrusion (e.g., phone contact, visits, etc.) These structures are quite often different than traditional visitation guidelines.

Inter-parental conflict can be mitigated structurally by eliminating face-to-face transitions and levying sanctions for verified violations of custody orders, e.g., financial sanctions or loss of time with children.

Frequently, the professional system that surrounds the family needs to be restructured to better address the diagnosed dynamics. For example, child therapists who have supported the alienation process may need to be terminated and a structure may need to be developed to address dysfunctional relational dynamics between multiple individual therapists for family members who have never collaborated in their treatment.

Therapeutic interventions should establish modalities with a systemic and relational focus—treating mother-daughter, father-daughter, sibling and parental subsystems, rather than having an individual, intrapsychic focus. Child therapy has more of an active deprogramming goal, which requires specialized skills rather than a more traditional dynamic or relationship focus.

In more severe cases of alienation the character pathology in the alienating parent often precludes the establishment of a meaningful therapeutic alliance and the "therapy" becomes an attempt by that parent to validate their distorted perceptions and recruit an advocate in the court process. Supportive and psycho-educational treatment is essential to the alienated parent to help them understand and handle the challenging attitudes and behaviors of

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Association of Family and Conciliation Courts

Call for Presenters

Washington, D.C.
The Capital Hilton
\$140 single or double

35th Annual Conference

May 27-30, 1998

Examining the Partnership Between Policy and Practice

Policy makers and legislators impact virtually every facet of practice for judges, lawyers, mediators, mental health practitioners, parent educators, case workers and other professionals who work with families. The needs of practitioners and their clients provide much of the impetus for the laws and policies which exist. But what is the role of advocacy groups? How do the needs of families fare when there is competition for scarce resources? What is the relationship between policy and practice?

Join us in Washington, D.C. as AFCC brings together policy makers and practitioners for this exciting conference.

If you would like to present a workshop please send a one paragraph workshop description, a one page outline, resumes and contact information for all presenters to AFCC, 329 W. Wilson St., Madison, WI 53703. Deadline is November 21, 1997. AFCC offers a reduced registration fee for presenters. We are unable to reimburse travel related expenses.

Topics may include, but are not limited to:

- Working with Your Legislator ("That's When I Fell for the Leader of the PAC")
- Child Custody and Divorce Mediation
- How Family Court Services Can Adapt to Shrinking Budgets
- Divorce Reform: Progress or Backlash?
- Child Protection Mediation
- Family Court and Culture
- Services for Low Income Families
- Child Custody Evaluations
- Welfare Reform: The Impact on Separating Families
- Parent Education
- The Impact of Child Support Enforcement on Parental Access
- Creative Dispute Resolution Processes
- Mandatory Programs: How much is too much?

CONVERSATION CORNER:

Jessica Pearson, Ph.D.



Dr. Jessica Pearson, a pre-eminent researcher in the field of mediation, has been studying the mediation process for nearly twenty years. A resident of Denver, Colorado, Dr. Pearson was born and raised in Brooklyn, New York. She attended Sarah Lawrence College in Bronxville, New York and earned her doctorate in Sociology from Princeton University. After serving on the Sociology faculty at the University of Denver, Dr. Pearson founded the Center for Policy Research in Denver. Dr. Pearson has been an AFCC member since 1980 and is a frequent presenter at AFCC conferences. She and her husband, Jeff, have three children, Rusha, age 20, Leah, age 18 and Jake, age 11.

AFCC: What attracted you to a career in social science research?

Jessica Pearson: I have always been passionate about social problems and I really believe, irrational as it sounds, that through systematic investigation of problems and proposed remedies we can find solutions. I say it sounds irrational because there are so many factors that can impede what seems like a rational process. But I have seen research have an effect. Many of the legislative initiatives that deal with child custody mediation cite our research. And our work in the California Dependency Courts helped contribute to the development of child protection mediation in California and other states.

AFCC: Have there also been frustrations along with the successes?

JP: Yes, we've had some frustrations. Federal welfare reform went through right in the middle of our evaluation of welfare reform initiatives in Colorado. The U.S. Congress was chomping at the bit to make changes in ways which were really contra-indicated by the research. They wanted a more punitive approach irrespective of what the research found. You see that as well in some of the child support legislation. Individual responsibility and aggressive enforcement are politically expedient, but not always what works. I suppose that my biggest frustration is that solutions that make the most sense require resources that simply don't exist. As a society, we lack both the resources and moral will to truly resolve problems such as dependency, neglect and welfare. These require systemic changes that are more fundamental than society as a whole is prepared to make.

AFCC: How did you get started in researching mediation?

I started by conducting research on how judges make custody decisions. My husband had recently graduated from law school and one of his first cases was a nasty custody battle. Just being on the other end of the telephone, hearing his frustration, I became interested in the subject. I then continued to look at custody issues when, in

1979, we began the Denver Custody Mediation study. This was the first study to carefully examine the custody mediation process. After that, I linked up with Jay Folberg, then AFCC Executive Director, and Dr. Stanley Cohen, and we conducted a study comparing mediation in California, Minnesota and Connecticut. And it continued on from there. But my husband never accepted another divorce case. After that first case he was traumatized for life.

AFCC: How has the mediation process evolved in the nearly twenty years since you began your research?

JP: I think that there is now a greater recognition and appreciation for the range of families that exists. Families have different levels of conflict and distinct sets of needs. They appear to require an array of interventions, including more modest, preventative educational programs, more intensive interventions such as mediation and programs such as access enforcement, supervised visitation and special assistance for high conflict families.

AFCC: Does this reflect changes in the family or greater levels of sophistication by those who provide and evaluate services?

JP: Both, I think. There is certainly a greater level of sophistication than in the past. But there have also been changes in family roles, new expectations for mothers and fathers, a rights consciousness on the part of different interest groups and, in many ways, the politicization of family law. Societal changes have created some of that. We didn't used to expect fathers to participate as parents or deal with domestic violence or other abuse problems. The number of children born to never-married parents has skyrocketed. There is more joint custody. There has been a flowering of different family structures which, in turn, have created the desire and license to pursue those structures following separation and divorce. In the past, the tender years doctrine was immutable. Now it is different, and I think that creates some of the higher conflict situations. This is not to say that people were not frustrated in the past. It's just that we are seeing it more now.

AFCC: The Center for Policy Research and AFCC have a long history of working together. What has this collaboration brought to your research?

JP: It has enabled our research to be continually informed by the real life issues, needs and questions of practitioners. We don't get research questions from academic literature. They come from the problems, anomalies and questions that administrators, mediators, mental health professionals, attorneys and judges at AFCC really have. In addition, we get tremendous practical collaboration. We have conducted research in many court settings. Through AFCC we find people who are receptive and willing to accommodate research even though it can be a pain in the neck. We find an audience that is interested in the research results and can glean from it the useful information that they can then apply in their own backyard. It has been a wonderful professional collaboration, not to mention the good friendships, humor and wisdom.

AFCC: You have studied a variety of issues affecting the family including divorce, parent education, mediation, visitation access programs, domestic abuse, welfare reform and child support. Are there any common themes which seem to surface?

JP: I am not an economic determinist, but I think economics plays an enormous role for this population. For lower income families the root of many problems goes back to jobs, especially for the never-married and dependency populations. Even though, for practical purposes, we have zero percent unemployment, many poor communities are ravaged by joblessness. We are often looking at undereducated and unemployed individuals and their dysfunctions ripple through family dynamics. It's a pretty grim picture. That is why my volunteer work is dedicated to creating literacy programs for at risk children.

AFCC: What will practitioners be looking at in the future?

JP: Unfortunately, we are seeing declining resources in court settings and public sector services as the needs, expectations and demands of families increase. Greater sophistication has coincided with contractions in the service arena, creating more pressure to do things faster, perhaps with group interventions instead of more intensive one on one processes. We can see the parallels in medicine and mental health fields. There is more public impatience, more fiscal limitations. As we improve our ability to provide services, the resources simply are not there for the greater public to have access to these improved services.



MEMBER PROFILE:

Colorado Parent Educator Sue Waters

Sue Waters, AFCC member from Denver, is a relative newcomer to AFCC. She became an AFCC member after attending the First International Congress on Parent Education Programs in Chicago in the fall of 1994. And while Sue may be new to AFCC, her level of enthusiasm is that of a long term dedicated member. "Attending that conference was the best thing I have done in my recent professional life," she said. "There were all these people who were so enthusiastic about what they were doing. The presenters were so wonderful and I came back to Denver with all of this energy."

Sue also attended the Second International Congress on Parent Education Programs in Clearwater Beach, Florida, this time as a presenter. When she discovered the Third Congress would take place in Breckenridge, Colorado, she immediately volunteered to help organize local efforts. Sue has spent her summer marshalling Colorado parent educators, mental health practitioners and members of the legal community to help ensure strong support for AFCC in Breckenridge.

Although Denver has been Sue's home for more than twenty years, her route to Colorado was circuitous, to say the least. Raised in Dearborn, Michigan, Sue attended the University of Michigan, earning a Bachelor's degree in English and certification as a secondary school teacher. She then married her college sweetheart, a recent medical school graduate, and began a tour of internship, residency, military and travel destinations including Scotland, Kentucky, South Carolina, Texas, St. Louis and, finally, Denver.

In Denver, Sue stayed home with her children David, now 25, and Megan, 22, and worked for the Denver Public Schools grading papers. She decided to continue her education and received a scholarship for graduate studies in Mass Communication from Denver University. "I told the school that I wanted to do it on my own," Sue said. "So they gave me a teaching job and it paid enough to cover the cost of school and the baby sitter."

After receiving her Master's Degree Sue worked in public relations, eventually starting her own consulting firm. "I started noticing that I really had more interest in the

people than the subject matter," Sue recalled. "At about the same time, my own marriage was going through some difficulties and I became interested in counseling and therapy."

Following her divorce, Sue returned to Denver University to get her Master's Degree in Counseling Psychology. She also met and married Jim Waters. After completing her degree and three years in a group counseling practice, Sue once again decided to go out on her own. "I was working mostly with adults, focusing on relationship issues. Then one night, in 1993, I was watching 20/20 and they had a segment about Families First in Atlanta. It sounded great. I took the training, came back to Denver and approached Judge Robert Fullerton about starting a program. He got together a group of judges, attorneys and guardians ad litem and I made a presentation."

By October of 1993 Sue's program, *Parenting After Divorce*, was up and running. One year later she attended AFCC's First International Congress on Parent Education Programs in Chicago. At the Congress' regional meetings, Sue met others from Colorado. They returned home to form the Colorado Association of Co-Parenting Educators (CACE). Through CACE, Sue and others worked on legislation for parent education in Colorado.

"When we first started, some judges mandated all parents to attend a program," Sue said. "But others wondered if they had the authority to require attendance. So we began to work on legislation." After two attempts, legislation was passed in Colorado which authorizes judges to require divorcing parents to attend a parent education program. Presently, more than half of the jurisdictions in Colorado refer divorcing parents to programs. For Sue, that is an important accomplishment.

"My own divorce was not highly conflictual by any means, but I wished that I had had more information. The Parent Education Congress in Chicago made me realize how viable and important parent education is. We can provide parents with more information and help them make better decisions. We can help parents help their children through this difficult process."

Mediation of Juvenile Cases Grows in Ohio Courts

by C. Eileen Pruett, ADR Coordinator,
Supreme Court of Ohio, Columbus, Ohio

Ohio's juvenile courts come in a variety of sizes and styles. Courts in Ohio's 88 counties include freestanding multiple judge courts, single judge family courts, multiple judge family courts and single judge probate/juvenile split courts. When given the task of implementing juvenile court mediation programs, Supreme Court Services staff concluded that a one-size-fits-all model would be challenging to develop and implement.

To address the challenge of tailoring programs to meet the needs of individual jurisdictions, the Supreme Court of Ohio, with assistance from the Office of Criminal Justice Services, sponsored a five day workshop for representatives from courts throughout Ohio. Since that time several different mediation programs have been developed.

The statewide expansion of these programs was made possible by several factors:

1. Recognition by the Supreme Court, juvenile court judges and administrators that the needs of families entering the juvenile system are urgent and varied.
2. The willingness of court staff and volunteers to work together in order to expand training, volunteer mediator pools and the court system's capacity to provide and monitor services.
3. Recognition that thinking big and starting small was a healthy approach.
4. Belief that mediation programs would continue to grow as they proved themselves worthwhile.

The benefits of juvenile court mediation programs have begun to show. Some funding has been provided by local funders. The mediation programs are serving the community in many ways, including:

- mediation of status offender, truancy, parenting and dependency cases;
- court staff assistance with the development of peer mediation programs; and,
- providing mediation as a component of community service, restitution, diversion and probation programs.

Ongoing evaluations suggest that mediation is a process which results in high levels of satisfaction, strong perceptions of fairness and which reduces the court docket. Furthermore, parents, children, caseworkers, court staff and other participants report that they are using the strategies they learned in mediation in other settings.

Sponsors:



ASSOCIATION OF FAMILY
AND CONCILIATION COURTS



AMERICAN ACADEMY OF
MATRIMONIAL LAWYERS



INTERNATIONAL ACADEMY OF
MATRIMONIAL LAWYERS



Resolutions of the Second World Congress on Family Law and the Rights of Children and Youth

We, the Representatives of more than 50 Nations assembled for the Second World Congress on Family Law and the Rights of Children and Youth, held in San Francisco on June 2 to 7, 1997 -

Mindful of the obligation of all States to protect children from all forms of violence, injury, neglect and abuse, whether arising from war, civil disturbance, prejudice on grounds of race, religion, ethnicity, sexual orientation, or family dysfunction;

Taking note with deep concern of the findings contained in the United Nations Report on the Impact of Armed Conflict on Children (1996);

Taking account of the Child Violence Identification and Prevention Project and supporting its efforts to assist in the implementation of Article 19 of the United Nations Convention on the Rights of the Child by developing sample protocols on physical trauma and future protocols in the areas of: sexual and psychological violence; violence as a result of armed conflict, exploitative child labor, violation of human rights and all forms of non-accidental deprivation.

Being firmly of the view that a crime against a child anywhere is a crime against a child everywhere;

Considering that the family in its many forms and expressions remains the fundamental unit of society and that children should not be removed from their parents, families and communities;

Aware of the need for continuing research in family relationships and the appropriate methods of dealing with marital breakdown;

Concerned that many children live in dire poverty and are suffering from physical, sexual and economic abuse and exploitation;

Noting that access to adequate health services and information is vital for the survival and well-being of children, youth and families;

Recognizing the importance of reproductive health in relation to the efforts to alleviate poverty and to enhance the survival and well-being of children, youth and families;

Asserting that all children have the right to education and to the preservation and transmission of their religious and cultural traditions, especially children belonging to indigenous peoples whose physical and cultural survival has been and is still being threatened;

Recognizing that the rights of children are best protected by adequately funded and staffed family court systems with appropriate access to interdisciplinary mediation and counseling services;

Sharing with the Youth Forum of the Second World Congress its concerns about deficiencies in national education systems, child labor, AIDS, poverty and pregnancy as they affect young persons of all Nations;

Expressing support for the initiative of the United Nations General Assembly to draft a Youth Rights Charter for persons between 16 and 24 years of age;

Determined to uphold the principles of the United Nations Convention on the Rights of the Child as an integral part of international law binding all Nations and Governments;

Do hereby resolve, urge and recommend:

Children and Violence

The taking of the following steps to protect children from armed conflict and organized violence:

- finalization and implementation of the Optional Protocol to the Convention on the Rights of the Child raising the age of recruitment and participation in any kind of regular or irregular armed force or armed group whether as combatants or otherwise, from 15 years to 18 years;
- the strengthening and wide publication of the codes of conduct for peace keeping forces;
- the increased use of "corridors of peace", thus allowing access for humanitarian agencies to all children in situations of armed conflict;
- the creation and adoption of a code of conduct on the manufacture and transfer of arms, especially small arms, including the banning of sales to parties to an armed conflict who are recruiting children or allowing them to take part in hostilities;
- an increased focus on children affected by armed conflict and other forms of organized violence on national and international social research agendas;
- the raising of universal legal and ethical standards by facilitating the application of international conventions and agreements within national contexts and legislation; and
- an immediate ban on the manufacture, sale and deployment of landmines.

That all States take the necessary steps to protect children from all forms of violence, injury, neglect and abuse, arising from any cause and provide education for tolerance and acceptance of differences in race, religion, ethnicity and sexual orientation.

Family Law, Family Forms and Family Functions

That all States which have not already done so, proceed with due speed to ratify and implement with appropriate legislation the following international instruments which are vital to the well-being and protection of children:

- The United Nations Convention on the Rights of the Child;
- International Labor Organization Convention No. 138 (1973) dealing with the minimum age

CONTINUED ON PAGE 9

Resolutions

CONTINUED

for admission to employment to a level consistent with the fullest mental development of young persons;

- the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction;
- the Hague Convention of 29 May 1993 on Protection of Children and Co-operation in Respect of Intercountry Adoption; and
- the Hague Convention of 19 October 1996 on Jurisdiction, Applicable Law, Recognition and Enforcement and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children;

and that members of all professions concerned with children take all appropriate measures to ensure compliance with and general awareness of, the above conventions, including the sharing of information such as case law and relevant jurisprudence on children's rights.

That the rights of children be adequately protected through:

- the establishment of unified family court systems which employ an interdisciplinary approach;
- the promotion of the effective and efficient resolution of family conflict and meeting family needs through education, adequate dispute resolution services and other avenues for resolving problems and obtaining support with the highest priority being given in allocating resources so as to achieve this objective in a manner that is family centered and collaborative across agencies;
- the provision of proper resources for costs, legal representation of children, legal aid and access to justice; and
- the use of mediation and family counseling to assist in child protection cases and the provision of supportive services for the families concerned.

That children should not be disinherited as a result of the dissolution of their parents' marriage.

Child Poverty

That all lawyers and those responsible for developing criminal justice policies protect the rights of children by ensuring:

- compliance with the Convention on the Rights of the Child, including Articles 37 and 40 thereof, and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice;
- that no child shall be subjected to torture, or other cruel, inhuman or degrading treatment or punishment, and that neither capital punishment, nor life imprisonment without the possibility of release, shall be imposed for offenses committed by persons below 18 years of age, and that no child should be denied his or her liberty unlawfully or arbitrarily, and every child deprived of his or her liberty shall have the right

to prompt access to legal and other appropriate assistance; and

- that any amendments to criminal justice policies, including in particular the lowering of the age at which children can be presumed to have the capacity to unhinge the penal law, be based on proper research with due regard to the Convention on the Rights of the Child.

Our Youth Forum has resolved that the world wide exploitation of child labor should be eliminated by:

- mandatory education;
- laws directed against big businesses preventing and penalizing the exploitation of child labor and the enforcement of those laws;
- boycotts and exposure of corporations that exploit children;
- making it unprofitable to exploit children; and
- educating the public about child exploitation.

Recognizing that there are many indices of economic well being such as the GDP, or the Consumer Price Index, and recognizing that child and family well-being are inextricably linked, efforts should be made to develop an Index of Family Well Being which is adaptable to the needs of all Participating States.

Child Health

That there should be access to reproductive health information and services by couples and individuals, including adolescents, so as to enable them to exercise an informed choice.

That access to child centered health services be encouraged through:

- universal access to comprehensive programs and services to children, including: preventive health care (including pre-natal care); healthy child/day care; mental health treatments and services; substance abuse and services; age and developmentally appropriate HIV/AIDS education and HIV prevention programs.
- "one stop shopping" for services, by establishing: neighborhood-based, as well as community-based, facilities; user-friendly, understandable systems for accessing health and family support services and for making referrals.

Culture and Education

That all States that have tolerated the forcible removal of children of indigenous communities from their parents, families and communities should make reparation for these gross violations of human rights by:

- acknowledgment and apology;
- guarantees against repetition;
- restitution;
- rehabilitation; and
- compensation.

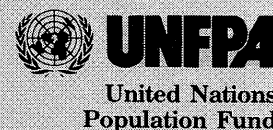
Sponsors:



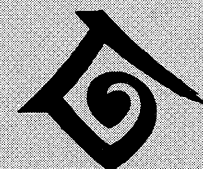
LAWASIA



Family Law Section
Section du droit de la famille



FAMILY LAW SECTION
THE STATE BAR OF CALIFORNIA



UNITED NATIONS
INTERNATIONAL
YEAR OF THE FAMILY

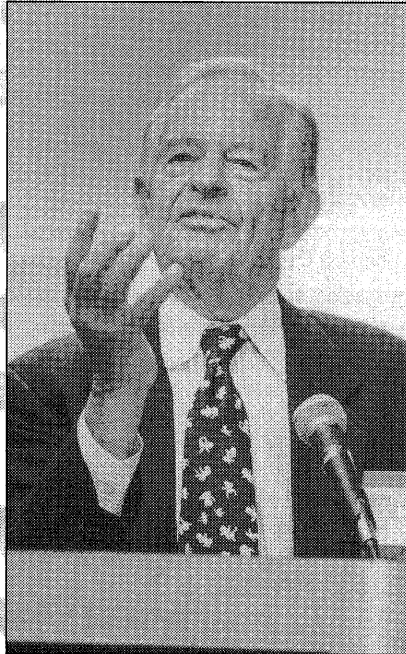


Office of Juvenile Justice and
Delinquency Prevention

Scenes From the Sea



H.R.H. Princess Firyal of Jordan



*Luncheon speaker
Dr. T. Berry Brazelton*



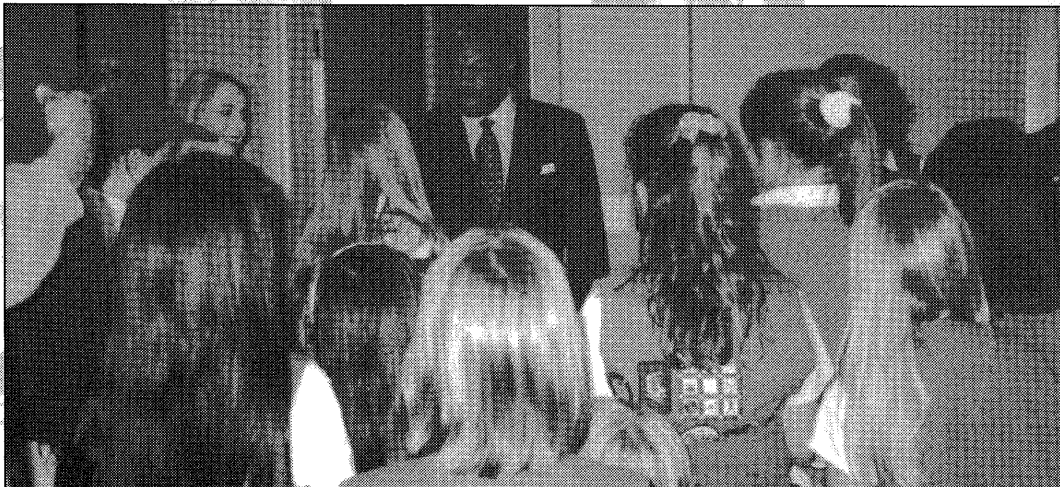
Marsha Wylie, AFCC California Chapter President



*Dr. Jose Ramos-Horta,
1996 Nobel Peace Prize Recipient*



*Former Congresswoman
Patricia Schroeder*

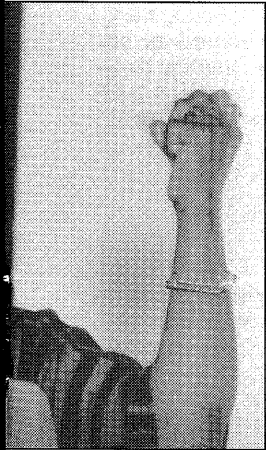


*Mayor
Willie Brown,
Honorary Local
Chair, meets
with Bay Area
Girl Scouts*

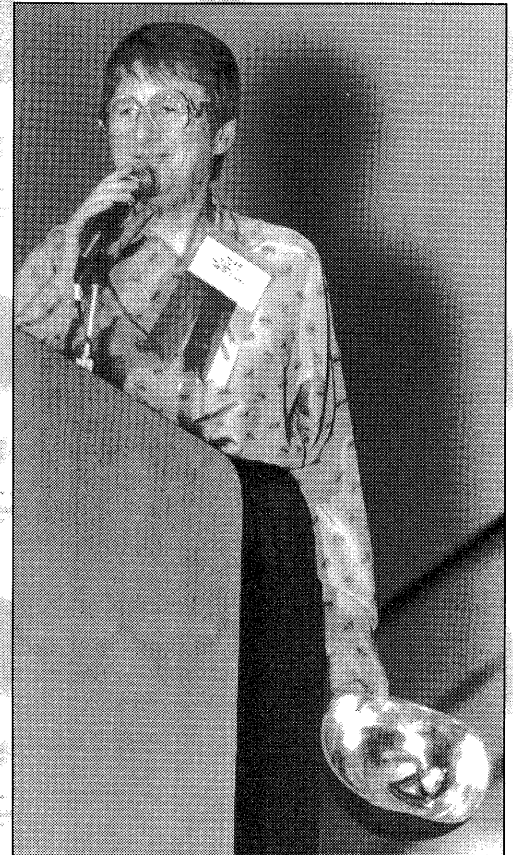


Members of the

Second World Congress



Rod Burr, Co-Chair, First World Congress



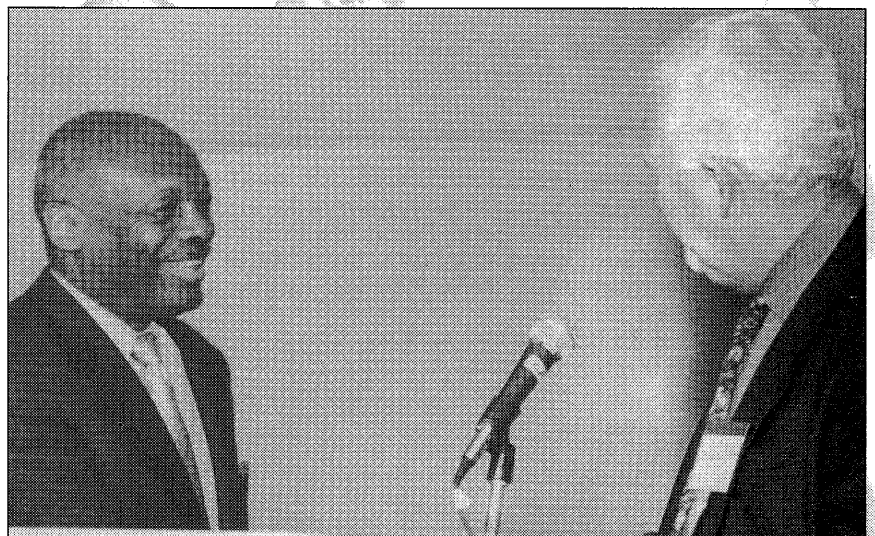
Suzie Thorn, Chair, World Congress Fundraising Committee



Award winner Dr. Joan Kelly and AFCC Past President Linda Hahn



Memorial Church Children's Choir



Mayor Willie Brown and World Congress Chair Hon. Alastair Nicholson

AFCC Officers Elected

Association Officers for 1997-98 were elected by the AFCC Board of Directors at the Second World Congress on Family Law and the Rights of Children and Youth. Two new members were elected to the Executive Committee.

Hon. Denise McColley, a Magistrate from Napoleon, Ohio, was elected to the office of AFCC Vice President. Ms. McColley has served on the AFCC Board of Directors since 1992 and is chair of the AFCC Conference Committee. She coordinated AFCC's 1993 Regional Conference in Toledo.

Dr. Larry Lehner, Director of Alameda County, California, Family Court Services, was elected AFCC Secretary. Dr. Lehner is former Statewide Coordinator for Training and Education, California Family Court Services and was President of the California CASA Association. He was elected to the AFCC Board of Directors in 1996.

1997-98 Executive Committee

President

Hon. Alastair Nicholson
Melbourne, Australia

President Elect

Ms. Christine Coates
Boulder, Colorado

Vice President

Dr. Philip Bushard
Reno, Nevada

Vice President

Hon. Arline Rotman
Worcester, Massachusetts

Vice President

Hon. Denise McColley
Napoleon, OH

Treasurer

Mr. Joel Bankes
Washington, D.C.

Secretary

Dr. Larry Lehner
Oakland, California

Past President

Ms. Linda Hahn
Dallas, Texas

New AFCC Board Members Elected

The following members of the Board of Directors were elected at the AFCC Membership Meeting at the Second World Congress on Family Law and the Rights of Children and Youth:

Mr. Robert Barrasso, M.A., J.D., Past President, AFCC Arizona Chapter, Tucson, Arizona

Ms. Patricia Chavez-Fallon, M.S.W., Director, Family Court Services San Diego, California

Hon. Grant Campbell, Family Court Branch, Ontario Court of Justice, London, Ontario

Hon. Mary Jane Hatton, Ontario Court of Justice, Toronto, Ontario

Mr. William Howe, J.D., Chair, Oregon Task Force on Family Law Reform, Portland, Oregon

Hon. Patrick Mahony, Principal Family Court Judge, Family Court of New Zealand

Ms. Patricia Ross, M.S., Director, Family Court Services, Dallas, Texas

Ms. Carolyn Wah, J.D., Chair, AFCC Task Force on Cultural Diversity

Special Thanks

A FCC wishes to extend a special thanks to Mr. John Kydd who has completed his term on the Executive Committee, and Ms. Lorraine Martin, who resigned this spring. Their hard work and dedication to AFCC have been important factors in the growth of the association in recent years. AFCC thanks them both for their outstanding contributions.

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

Hon. Lorenzo Arredondo

Hon. James Beasley, Kansas

Ms. Caryl Dill, Indiana

Mr. R. John Harper, Ontario

Mr. Richard McConomy, Quebec

Hon. Ramon Pethig, New Zealand

Dr. Philip Stahl, California

AFCC Annual Awards Presented

AFCC recognized the outstanding contribution of members at the 1997 Awards Luncheon at the Second World Congress on Family Law and the Rights of Children and Youth in San Francisco.

Distinguished Service Award

Justice Donald B. King

Justice King, recently retired California Appellate Court Judge and former San Francisco Family Court Judge, was honored for his numerous achievements and contributions to AFCC and the California Family Courts. The catalyst for the implementation of child custody mediation in California, Justice King served as Co-Chair of the World Congress Local Host Committee.

Stanley Cohen Distinguished Research Award

Dr. Joan Kelly

Dr. Kelly was honored for her outstanding research in the areas of mediation, divorce and custody. Dr. Kelly frequently shares her research with AFCC audiences through conference presentations and the *Family and Conciliation Courts Review*.

President's Award

Ms. Jan Shaw

Linda Hahn, Immediate Past President, gave the President's Award to Ms. Shaw in recognition of her extraordinary service to AFCC and the Second World Congress. Ms. Shaw recently completed her term as AFCC California Chapter President.

Irwin Cantor Innovative Program Award

The Family Court of New Zealand and the Family Group Conference

Hon. Patrick Mahony, Principal Family Court Judge of the Family Court of New Zealand, accepted the Irwin Cantor Innovative Program Award on behalf of the Family Group Conference, an innovative process in which families construct resolutions to their disputes.

Meyer Elkin Essay Contest Award

Wolfgang P. Hirczy de Mino

Professor Hirczy de Mino, a political science professor at Oklahoma State University, was honored for his article, *Co-parenting Arrangements in a Jurisdiction with Statutory Guidelines*.

www.baby@wah.com

Linda Hahn Connects with New Grandchild in Cyberspace

Most AFCC officers stayed busy with the Second World Congress during the first week of June. But no one could blame Past President Linda Hahn if her thoughts drifted from San Francisco to Pennsylvania, where her granddaughter Kathryn Elizabeth Hahn-Madole was born on June 1, 1997.

Linda received word of the birth when her husband Larry knocked on the door of AFCC's Executive Committee meeting. Thanks to internet technology she didn't have to wait long to take a look at her grandchild. It seems that Linda's and Larry's son had created a web site for the new baby. Larry simply went to a nearby computer store, linked up with Kathryn's web site, downloaded the photographs on a disk and had them printed at Kinko's.

Not content to be virtual grandparents, Linda and Larry set off for Pennsylvania shortly after returning home from the World Congress. After spending time with the baby, Linda is pleased to report that Kathryn Elizabeth is, in fact, the most beautiful baby in the world. And probably one of the few with her own web site.

Audio Tapes Available

SECOND WORLD CONGRESS ON FAMILY LAW AND THE RIGHTS OF CHILDREN AND YOUTH

Total Recall Recordings has available Audio Tapes of
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PLENARY SESSIONS

Opening Session

Dr. José Ramos-Horta, 1996 Nobel Peace Prize Recipient

Dr. James Garbarino, Cornell University

Hon. Daryl Williams, Australian Attorney General

Luncheon Speech

Dr. T. Berry Brazelton

The Long Term Impact of Divorce on Children

Dr. Judith Wallerstein

Hon. Claire L'Heureux Dubé

Dr. Penelope Leach

Closing Session

Hon. Patricia Schroeder

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Second World Congress CONTINUED FROM PAGE 1

Congress delegates. Mayor Brown pointed out that Tuesday's rain was due to a local election and he promised sunny skies for the remainder of the week. The Mayor prevailed, both in the election and as a weather forecaster as delegates enjoyed fabulous weather.

■ Photo artist James Goldberg, Nobel Peace Prize Recipient Dr. José Ramos-Horta, Professor James Garbarino and Australian Attorney General Hon. Daryl Williams opened the conference with presentations on *Children in a Violent World*.

■ Delegates feasted on international cuisine, enjoyed spectacular views and listened to the harmonic voices of the Oakland Youth Choir and other live music at the Opening Reception, held at the World Trade Center in the Ferry Building, overlooking the Bay Bridge.

■ Wednesday's program featured 36 workshops with a focus on Children in a Violent World. Domestic violence, child abuse, female genital mutilation, sexual exploitation of children and mediation in child protection cases were among the topics addressed.

■ Evening activities included restaurant dining groups and hosted dinners in the homes of local delegates. The AFCC

Hospitality Suite, organized by Robert Tompkins and Bill Rosa of the Family Division of the Connecticut Superior Court, proved to be a popular gathering place.

■ Thursday's program offered sessions on health, culture and education, including topics such as multiculturalism, cultural diversity programs, reproductive health and AIDS/HIV issues.

■ Dr. T. Berry Brazelton captivated the Awards Luncheon audience with his talk on child development. AFCC acknowledged members' contributions with the Annual Awards Presentations (see *AFCC Annual Awards*, page 12).

■ Dr. Judith Wallerstein presented the results of her research, *The Long Term Impact of Divorce on Children: A First Report from a Twenty-Five Year Study*. The presentation was followed by spirited responses from panelists Hon. Claire L'Heureux Dubé, Supreme Court of Canada; Dr. Penelope Leach, author and developmental psychologist; Ira Lurvey, Chair, American Bar Association Section of Family Law; Aiko Noda, former Chief Justice, High Court, Sapporo, Japan; Suzie Thorn, Schapiro Thorn; and Moderator Hon.

Alastair Nicholson, Chair of the Second World Congress.

■ Friday's workshop sessions focussed on *Family Law, Family Forms and Family Functions*. Workshop topics included no-fault divorce, family law reform, international child custody jurisdiction, family mediation and parental alienation.

■ The Youth Forum, sponsored by Moose International, included an afternoon of youth focus groups, networking, workshops and a plenary session featuring Craig Keilburger of the children's advocacy organization, *Free the Children*.

■ The World Congress Banquet was a true celebration of the success of the World Congress. Entertainment was provided by the *Glide Memorial Church Children's Choir*. Honorary Chair, First Lady Hillary Rodham Clinton and U.S. Attorney General Hon. Janet Reno provided comments to World Congress delegates via videotape.

■ The program concluded on a high note Saturday morning, with former Congresswoman Patricia Schroeder addressing the World Congress followed by the presentation of the World Congress Resolutions (see World Congress Resolutions, pages 8-9).

Thank You, One and All

The Second World Congress on Family Law and the Rights of Children and Youth was a collaborative effort involving the work of countless volunteers from organizations world wide. AFCC and World Congress, Inc., offer thanks to all of those who contributed to this special event. A special thank you goes to the following individuals:

World Congress Executive Committee

Hon. Alastair Nicholson, Chair
Rod Burr, Co-Chair, First World Congress
Stuart Fowler, Co-Chair, First World Congress
Linda Hahn, AFCC Past President
Ira Lurvey, Past Chair, ABA Section of Family Law
Robert Tompkins, Co-Chair, Program Committee
Suzie Thorn, Chair, Fundraising Committee
Hon. John VanDuzer, AFCC Past President

World Congress Local Host Committee

Jeanne Ames, Co-chair
Justice Donald King, Co-Chair
Dean Jay Folberg, Co-Chair

World Congress Coordinators

Connie Shapiro, Local Coordinator
Jane Whitfield, Youth Forum Coordinator
Shahnaz Taplin & Associates, Media Consultant

Glenda Rothberg, New York Colloquium Coordinator
Gerlind Richards, International Commission on Marriage and Interpersonal Relations
Danny Sandor, Family Court of Australia
William Jackson, Family Court of Australia

World Congress Secretariat

Ann Milne, AFCC Executive Director
Peter Salem, AFCC Associate Director
P.J. White, AFCC Office Manager
Kristine K. Stenulson, AFCC Administrative Assistant
Chris Shanahan, Assistant

The Second World Congress also thanks members of the Program Committee, Local Host Committee, Fundraising Committee, Workshop Shepherds, Home Hospitality Hosts, Workshop Coordinators, Conference Faculty and Guest Services Volunteers for their extraordinary efforts.

AFCC Members Write On

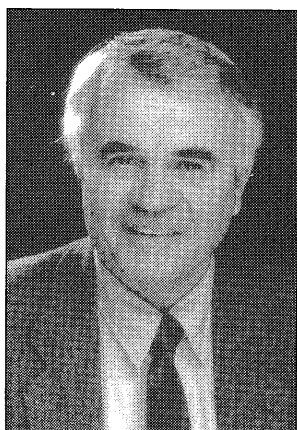
Milton Hardin, AFCC member from Tucson, Arizona, has recently completed *Children in Distress: A Guide for Screening Children's Art*. The book is co-authored by Linda Peterson and is designed to fill the need for a reliable and practical screening tool for child art productions. The book is available through W.W. Norton & Company Publishers.

Janet Johnston, AFCC member from Menlo Park, California, has recently co-authored two books. *Through the Eyes of Children*, co-authored by Karen Breunig, Carla Garrity and Mitchell Baris, contains fifteen stories which provide a safe, effective way to help children understand and cope

with their parents' separation. *In the Name of the Child: A Development Approach to Understanding and Helping Children of Conflicted and Violent Divorce*, is co-authored by Vivienne Roseby and reports on years of clinical experience and extensive research. Both books are published by Free Press.

Nancy Palmer, chair of the AFCC Lawyers Committee, has co-authored *The Family Puzzle: Putting the Pieces Together*, with her husband, William Palmer, and Kay Marshall Strom. The book provides "how to's" for step-parents and blended families and is published by Pinion Press.

Hugh McIsaac Retires from Review and Family Court Services



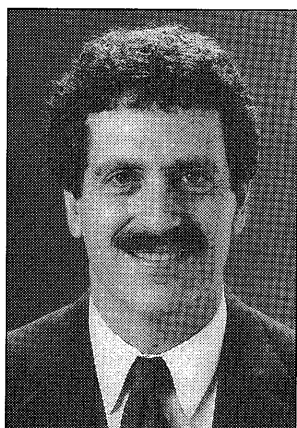
Former AFCC President Hugh McIsaac will retire both as Editor of the *Family and Conciliation Courts Review* and as Director of Multnomah County Family Court Services in Portland, OR, where he served for the past five years.

Prior to his move to Portland, Hugh served as Director of the Los Angeles County Conciliation Courts from 1977 to 1992. He has served AFCC in almost every way possible, including assignments as an officer, committee chair, editor, presenter and conference planner. AFCC wishes Hugh McIsaac the best in his retirement.

Position Available: Director of Family Court Services

Multnomah County (Portland) Oregon Family Court will begin a search for a Director of Family Court Services in October 1997. For further information, please contact Collette Umbras at (503) 248-2200.

AFCC Selects New Review Editor



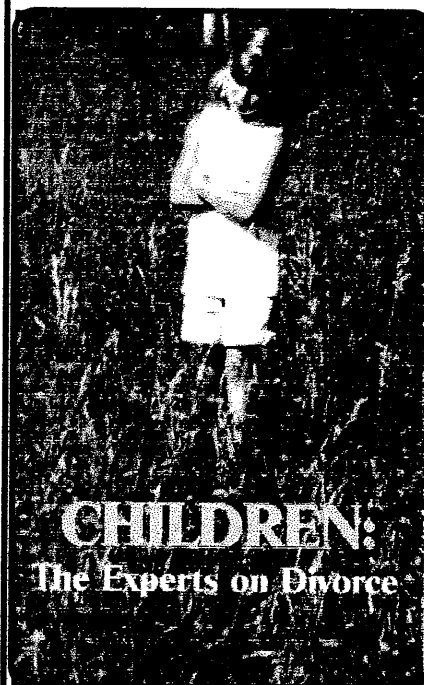
The AFCC Board of Directors, acting on the recommendation of the Editor Search Committee, has appointed Professor Andrew Schepard, Hofstra University School of Law, as the new editor of AFCC's quarterly journal, *Family and Conciliation Courts Review*.

Professor Schepard has been actively involved with AFCC as former Chair of the Parent Education Committee, a member of the Board of Directors and as Reporter for the AFCC/ABA Family Law Section Joint Task Force on Parent Education Programs. He has published numerous articles in professional and scholarly journals and served as Articles Editor of the Harvard Law Review while attending Harvard Law School.

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10 Ways to Be a Better Dad

1

Respect Your Children's Mother

One of the best things a father can do for his children is to respect their mother. If you are married, keep your marriage strong and vital. If you are not married, it is still important to respect and support the mother of your children. A father and mother who respect each other, and let their children know it, provide a secure environment for them. When children see their parents respecting each other, they are more likely to feel that they are also accepted and respected.

2

Spend Time With Your Children

How a father spends his time tells his children what's important to him. If you always seem too busy for your children, they will feel neglected no matter what you say. Treasuring children often means sacrificing other things, but it is essential to spend time with your children. Kids grow up so quickly. Missed opportunities are forever lost.

3

Earn the Right to Be Heard

All too often the only time a father speaks to his children is when they have done something wrong. That's why so many children cringe when their mother says, "Your father wants to talk with you." Begin talking with your kids when they are very young so that difficult subjects will be easier to handle as they get older. Take time and listen to their ideas and problems.

4

Discipline With Love

All children need guidance and discipline, not as punishment, but to set reasonable limits. Remind your children of the consequences of their actions and provide meaningful rewards for desirable behavior. Fathers who discipline in a calm and fair manner show love for their children.

5

Be a Role Model

Fathers are role models to their kids, whether they realize it or not. A girl who spends time with a loving father grows up knowing she deserves to be treated with respect by boys and what to look for in a husband. Fathers can teach sons what is important in life by demonstrating honesty, humility and responsibility.

6

Be a Teacher

Too many fathers think teaching is something others do. But a father who teaches his children about right and wrong and encourages them to do their best, will see his children make good choices. Involved fathers use everyday examples to help their children learn the basic lessons of life.

7

Eat Together as a Family

Sharing a meal together (breakfast, lunch or dinner) can be an important part of healthy family life. In addition to providing some structure in a busy day, it gives kids the chance to talk about what they are doing and want to do. It is also a good time for fathers to listen and give advice. Most importantly, it is a time for families to be together each day.

8

Read to Your Children

In a world where television often dominates the lives of children, it is important that fathers make the effort to read to their children. Children learn best by doing and reading, as well as seeing and hearing. Begin reading to your children when they are very young. When they are older, encourage them to read on their own. Instilling your children with a love for reading is one of the best ways to ensure they will have a lifetime of personal and career growth.

9

Show Affection

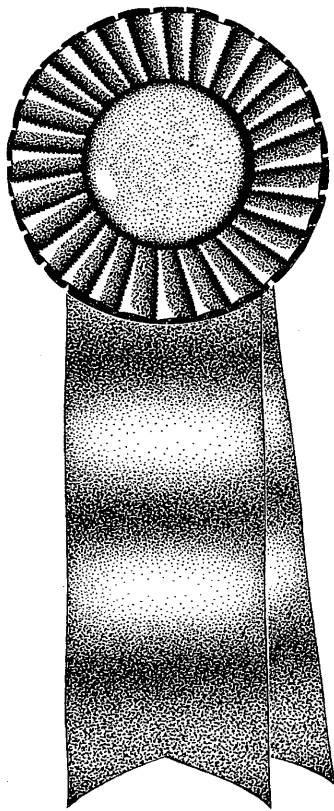
Children need the security that comes from knowing they are wanted, accepted and loved by their family. Parents, especially fathers, need to feel both comfortable and willing to hug their children. Showing affection every day is the best way to let your children know that you love them.

10

Realize That a Father's Job Is Never Done

Even after children are grown and ready to leave home, they will still look to their fathers for wisdom and advice. Whether it's continued schooling, a new job or a wedding, fathers continue to play an essential part in the lives of their children as they grow and, perhaps, marry and build their own families.

*10 Ways to Be a Better Dad is published courtesy of the National Fatherhood Initiative
One Bank Street, Suite 160, Gaithersburg, MD 20878; Phone: 800-790-DADS.*



New Zealand's Award Winning Family Group Conferences

*by Professor Andrew Schepard, J.D.,
Hofstra University Law School,
Hempstead, New York*

A headliner among the many innovative programs in family courts around the world is the New Zealand Family Group Conference (FGC), the 1997 winner of AFCC's Irwin Cantor Innovative Program Award and that country's principal vehicle for resolving cases involving the welfare and protection of minors and juvenile offenders.

The fundamental principle behind FGC is to preserve the family's relationship with the child and assist the family in fulfilling its responsibility to prevent harm, abuse or neglect. New Zealand child welfare authorities are guided by the belief that the child's best interests are generally best served when children continue to live with their families. The goal of the New Zealand Children, Young Persons and Their Families Act of 1989 which created the FGC is to limit the intrusion of the State to providing "the necessary assistance and support" so that the family can "care for and protect the child." While the Act recognizes that removal of a child from the family may protect the child from abuse, it also recognizes that removal may hinder the child's emotional and social development.

The FGC Model was created, in part, because of New Zealand's special recognition of the needs of the indigenous population. Approximately 16.5% of New Zealanders are people of Maori and Pacific Island origin. These ethnic groups have a history of extending responsibility for a child's upbringing beyond the primary family unit to the extended family or tribe. Maori and Pacific Island families also are involved in a disproportionate percentage—nearly half—of the child abuse reports in New Zealand. Thus, there exists a particular interest in seeking new ways to strengthen the role of the family in the native population. The FGC, however, is used for all families, regardless of ethnic background.

The goal of the FGC is to attempt to activate the family to fulfill its role as child protector. An FGC Care and Protection Coordinator convenes the FGC after an investigator (a social worker or the police) determines a child needs care or protection. The investigator acts on reports of child abuse or neglect which can be made by anyone. Investigatory activity is made in consultation with a Care and Protection Resource Panel based in each community.

Normally, the child welfare authorities of New Zealand do not make an application for a judicial declaration that a child needs care and protection until an FGC is convened. The FGC has three functions. First, it considers whether the child is in need of care and protection. Second, the FGC makes recommendations and plans for the child in accordance with the principles of the 1989 Act. Finally, the FGC periodically reviews the implementation of the decisions and plans made previously.

Professionals from the equivalent of the New Zealand Social Welfare Department attend the FGC. The Coordinator must make reasonable efforts to consult with the child's family on the timing of the FGC, who should attend and procedures to be followed. The Coordinator, however, has final discretion to determine who attends the FGC, a decision that is supposed to be made with the best interests of the child in mind. Those entitled to attend, subject to the Coordinator's discretion, are the child and everyone who is a parent, guardian or member of the child's extended family. If the Coordinator excludes a qualified person from attending, the Coordinator must make a reasonable effort to solicit that person's views and communicate them to the participants.

The FGC meets privately to decide whether a child has been abused or neglected, and to develop a plan to protect the child when necessary. Procedural rules are basically created by the FGC itself. FGC proceedings are confidential and evidence from a Conference proceeding is not admissible in a later judicial proceeding.

If all goes as planned the FGC participants reach a consensus and the Coordinator seeks the approval of the necessary state authorities to implement its resolutions. If agreement breaks down or cannot be implemented the FGC Coordinator can reconvene the Conference to reconsider its decisions. If the FGC cannot reach agreement, the Coordinator is required to report to the authority that generated the initial abuse report, who can then pursue a court declaration that the child is in need of protection.

FGC resolutions are reviewed by the Director-General, a higher child welfare official. The Director-General is mandated to implement FGC resolutions and can provide financial assistance "unless clearly impracticable or clearly inconsistent with the principles" of the 1989 Act. The Director-General thus serves as a check on the Coordinator and the FGC, but the standard of review is weighted in favor of the FGC decision.

In 1995, the Social Welfare Ministry of New Zealand reported that of the 53,000 FGC's held since the 1989 Act went into effect, 90 percent resulted in an agreement. The Social Welfare Ministry also noted that FGC's "had inevitable teething problems because they were a world first, but now other countries were implementing similar systems." Despite these teething problems, which include issues of quality control and managing scarce resources, the New Zealand FGC's are being widely studied and imitated world-wide.

Child Custody Evaluation and Parent Education

CONTINUED FROM PAGE 1

9:00am-4:30pm. Institutes will provide an opportunity for participants to experience a full day of training on critical issues. Institutes include:

- *Advanced Applications: Working with Children in Custody Evaluations*
- *Conducting Mini-Custody Evaluations*
- *Court Preparation for Professionals or "How to be a Witness and Live to Tell About It"*
- *Parental Alienation: Assessing and Addressing the Challenge*

The Symposium will offer three general sessions which examine the needs of families when children are at different developmental stages. The Symposium will open Thursday evening, September 11, with a session on *Special Issues for Infants and Toddlers*. Friday's plenary will examine *Challenges for Children ages 6-11* and Saturday's closing session will focus on *Working with Pre-teens and Adolescents*. Featured presenters include Joan Kelley, Ph.D., Northern California Mediation Center, Corte Madera, CA; Philip Stahl, Ph.D., Chair, AFCC Custody Evaluation Committee, Dublin, CA; Robin Deutsch, Ph.D., Director of Training, Children and the Law Program, Massachusetts General Hospital, Boston, MA; Vivienne Roseby, Ph.D., Co-author, *In the Name of the Child*, Davis, CA; Frances Bernfeld, M.Ed., Family Center of the Conciliation Court, Tucson, AZ; Christine Coates, J.D., M.Ed., AFCC Pres-

ident Elect, Boulder, CO; Hon. James Beasley, Wichita, KS; and Robert LaCrosse, Ph.D., Denver, CO.

Symposium workshops will be offered in three tracks. **Advanced Applications** workshops are designed for the experienced practitioner. **Core skills** sessions are for new practitioners and those looking to reinforce evaluation skills. **Professional Practice** workshops cover a broad range of issues and are designed for seasoned veterans and those just starting out.

Third International Congress on Parent Education Programs, September 14-16, 1997

AFCC's **Third International Congress on Parent Education Programs**, *Expanding the Vision of Parent Education*, will examine the growth of Parent Education Programs around the world. The Congress will examine programs for high conflict families, step families, never-married parents and families with domestic abuse.

Pre-Congress Institutes take place Sunday, September 14, 1:00pm-5:00pm and include:

- *Evaluating Your Program*
- *Designing Educational Programs for Children*
- *Working with Parents as Adult Learners*
- *Programs for High Conflict Families*

Sunday's Opening Session will take a look at families of the 1990's and examine the role parents can play. *Families of the 90's: New Roles, New Challenges, New Conflicts* will feature Joel Bankes, M.S., Executive Director, National Child Support Enforcement Association, Washington, D.C.; Linda Braun, M.A., Executive Director, Families First, Cambridge, MA; Elizabeth Hickey, M.S.W., co-author, *Healing Hearts*, Salt Lake City, UT; Wade Horn, Ph.D., Director, National Fatherhood Initiative, Washington, D.C.; Jeanine Pow, J.D., Boulder, CO; and Andrew Schepard, J.D., Hofstra University School of Law, Hempstead, NY.

Monday's General Session focuses on programs for high conflict families and features Janet Johnston, Ph.D., Executive Director, Judith Wallerstein Center for the Family in Transition, Menlo Park, CA; Sherrie Kibler, L.C.S.W., Pre-Contempt/Contemnors Program, Los Angeles Superior Court; Larry Lehner, Ph.D., Director, Alameda County Family Court Services, Oakland, CA; Mary Robertson, M.S., President, Colorado Association of Marriage and Family Therapists, Fort Collins, CO; and Mary O'Connell, J.D., Northeastern University School of Law, Boston, MA.

Congress workshops will address a variety of topics, including research and evaluation, teaching and curriculum planning, group activities, implementing programs in diverse settings and integrating parent education into the court system.

AFCC'S DIRECTORY OF PARENT EDUCATION PROGRAMS HAS ARRIVED!

- ♦ **AFCC'S Directory of Parent Education Programs** lists more than 500 programs throughout North America. Program listings in the Directory are drawn from two national surveys of Parent Education Programs.
- ♦ **AFCC'S Directory of Parent Education Programs** is an invaluable resource for judges, court administrators, parent educators, mediators, custody evaluators and anyone making referrals to parent education programs.

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Upcoming Events

August 24–28, 1997—Phoenix, AZ
Annual Training Conference and Exposition
Contact: National Child Support Enforcement Association
(202) 624-8180

September 11–13, 1997—Breckenridge, CO
Third International Symposium on Child Custody Evaluations
Contact: AFCC
(608) 251-4001

September 14–16, 1997—Breckenridge, CO
Third International Congress on Parent Education Programs
Contact: AFCC
(608) 251-4001

September 25–27, 1997—Orlando, FL
Society of Professionals in Dispute Resolution Annual Conference
Contact: SPIDR
(202) 783-7277

October 6–7, 1997—Denver, CO
Meeting the Challenge of Welfare Reform
Contact: National Child Support Enforcement Association
(202) 624-8180

October 10–13, 1997—Bermuda
Advanced Divorce Mediation Training
Contact: Center for Family & Divorce Mediation
(800) 613-4867

October 13–17—Boulder, CO
The Mediation Process
Contact: CDR Associates
1-800-MEDIATE

October 20–24, 1997—Phoenix, AZ
Basic Family Mediation Training
Contact: Clarence Cramer
(602) 545-9048

October 20–24, 1997—Boulder, CO
Divorce and Child Custody Mediation
Contact: CDR Associates
1-800-MEDIATE

October 22–26, 1997—Eugene, OR
Basic Mediation Training
Contact: The Oregon Mediation Center
(541) 345-1456

October 23–25, 1997—St. John's Newfoundland
Family Mediation Canada Annual Conference
Contact: Family Mediation Canada
(519) 836-7550

October 23–26, 1997—Washington, D.C.
Building Personal and Professional Competence in a Multicultural Society
Contact: National Multicultural Institute
(202) 483-0700

November 5–7, 1997—Madison, WI
Sixth Annual Conference on Emerging Issues in Mediation
Contact: Jim Campbell
(608) 262-2352

December 1–3, 9-10, 1997—Ann Arbor, MI
Basic Mediation Training
Contact: Mediation Training & Consultation Institute
(800) 535-1155

December 4–5, 1997—Austin, TX
Domestic Violence Conference
Contact: National Child Support Enforcement Association
(202) 624-8180

January 26–28, 1998—Washington, D.C.
Mid-Year Policy Form and Conference, Washington, D.C.
Contact: National Child Support Enforcement Association
(202) 624-8180

February 13–15, 1998—AZ
AFCC Arizona Chapter Conference
Contact:

February 23–27, 1998—Chicago, IL
Basic Mediation Training
Contact: Mediation Training & Consultation Institute
(800) 535-1155

May 27–30, 1998—Washington, D.C.
AFCC 35th Annual Conference
Contact: AFCC
(608) 251-4001

National Child Support Enforcement Association Meets in Arizona

The National Child Support Enforcement Association (NCSEA) will hold its Annual Training Conference in Scottsdale, Arizona, August 24–28, 1997, at the Scottsdale Princess Hotel. This year's theme is "Standing Tall for Children." The conference will focus on the effective establishment of services and enforcement of child support obligations.

The 80 workshops will include a range of topics, including basic child support issues and welfare reform. Participants will include policy makers, administrators, legislators, judges, hearing officers, enforcement officers, lawyers and others.

For further information, contact Heather Tonks at (202) 624-8180 or e-mail htonks@sso.org

AFCC Arizona Chapter Annual Conference

Planning is underway for another fabulous AFCC Arizona Chapter Annual Winter Conference at the Prescott Resort Conference Center in Prescott, Arizona. The conference will take February 13–15, 1998, over President's Day Weekend. The conference theme is *Divorce: Shattering the Myths/Creating Solutions*. Don't miss this opportunity to enjoy a relaxing weekend, visit with AFCC colleagues and catch up on recent developments in the AFCC Arizona Chapter.

For hotel information, contact the Prescott Resort Conference Center at (800) 967-4673. For further information on the conference, contact Marlene Joy, Ph.D., President, AFCC Arizona Chapter, (602) 566-4226, fax: (608) 948-8163.

Parental Alienation Processes

CONTINUED FROM PAGE 4

their children and to manage their anger with the alienating parent.

The therapeutic interventions must be closely linked to court authority, ideally through a Special Master who has a comprehensive understanding of the dynamics, the time for intensive case management and the authority to monitor and enforce compliance with the intervention plan and to make adjustments to the structural aspects of custody as appropriate.

Conclusion

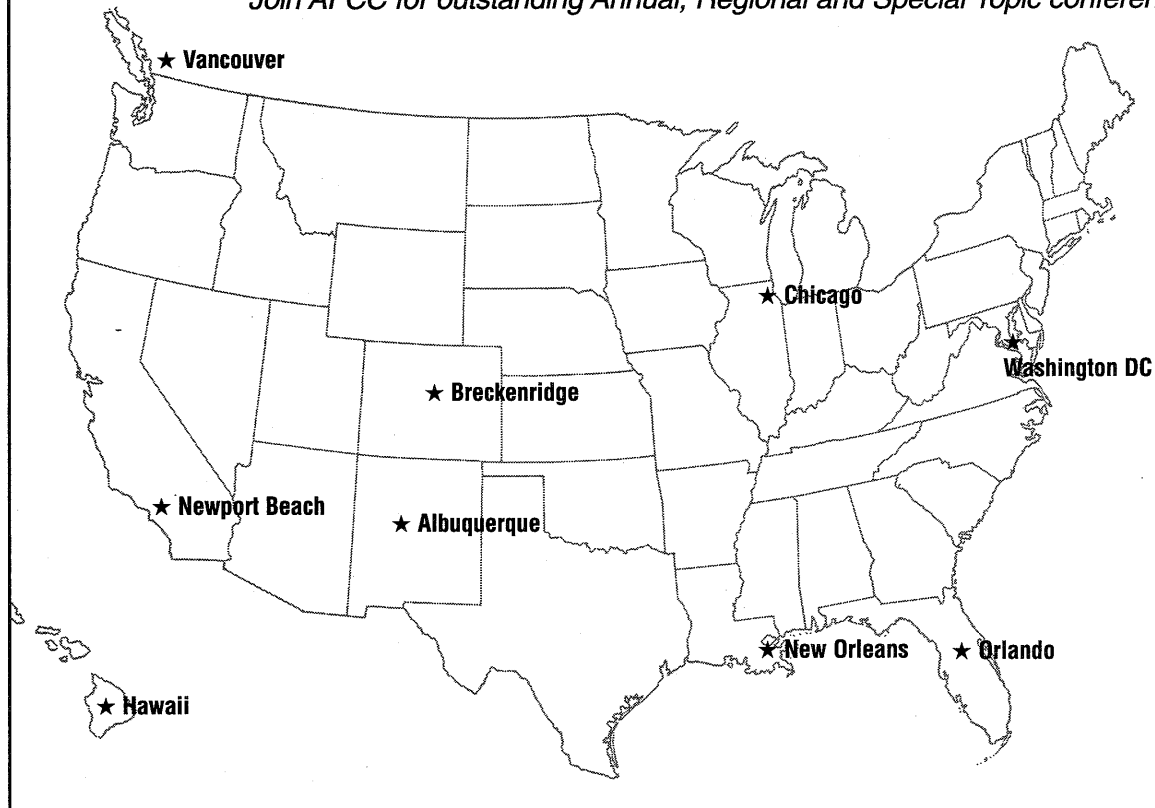
Nowhere in the family court process are legal and mental health professionals confronted with more complexity and challenge than in cases with allegations of parental alienation. All too often, limited

understanding of alienation, a partial perspective of the family system and inadequate assessment create tragic consequences for children. Equally tragic can be the failure to intervene quickly, decisively and, at times, dramatically. More systematic and collaborative case management approaches, guided by further research in this area, is critical to the successful management of these challenging cases.

Matthew Sullivan will be a presenter at AFCC's Third International Symposium on Child Custody Evaluation, September 11-13, 1997 in Breckenridge, Colorado.

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