



AFCC NEWS

FOUNDED IN 1963

ASSOCIATION OF FAMILY AND CONCILIATION COURTS

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Winter 2010



Traversing the Trail of Alienation

AFCC 47th Annual Conference

Alienation – a controversial and emotionally charged word. How is it defined, recognized or diagnosed? How is it treated? How is it addressed in family court decisions? These are some of the challenging questions that family court professionals grapple with on a daily basis. These are the very questions that will be addressed by four cutting edge plenary sessions at AFCC's 47th Annual Conference, June 2-5, 2010 in Denver, Colorado.

Parental Alienation and the DSM-V, presented by William Bernet, M.D.; Amy J.L. Baker, Ph.D.; Peter Jaffe, Ph.D.; Janet R. Johnston, Ph.D. and moderated by Linda Elrod, J.D., will provide an overview of various definitions of alienation, discuss whether current knowledge provides support for a diagnostic category, and if so, whether it should be categorized as a mental disorder or relational

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Farewell to AFCC NEWS

AFCC's quarterly paper newsletter, *AFCC NEWS*, will publish its final edition in the spring of 2010. "With the recent addition of the *AFCC eNEWS* on a monthly basis, we have added twelve newsletters annually that offer AFCC members more timely and comprehensive information that members can access electronically anywhere at any time," said Peter Salem, AFCC Executive Director. "We are excited that electronic delivery allows AFCC to expand its reach and we are looking forward to investing in new platforms in the near future that will engage readers, offer them greater participation and enhance the AFCC membership experience."

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ASSOCIATION OF FAMILY AND CONCILIATION COURTS

AFCC is an interdisciplinary and international association of professionals dedicated to the resolution of family conflict.

Mission

To improve the lives of children and families through the resolution of family conflict.

Vision

A justice system in which all professionals work collaboratively through education, support and access to services to achieve the best possible outcome for children and families.

Values

- Collaboration and respect among professions and disciplines
- Learning through inquiry, discussion and debate
- Innovation in addressing the needs of families and children in conflict
- Empowering families to resolve conflict and make decisions about their future

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President's Message

It is hard to believe that I am more than half way through my term as President of AFCC. In these past few months I am amazed at how much has been accomplished by the Association, our membership and our chapters.

We have finalized the program for the AFCC 47th Annual Conference to be held in Denver, Colorado. I applaud the organizing committee and our staff for all their hard work in the laborious process of putting it all together. This year the response to our request for proposals exceeded all other years. The excellent quality of the submissions made the task of finalizing the conference extremely challenging. The topic obviously generated a lot of interest and this is going to be one of our best conferences ever. Mark the date (June 2-5, 2010) and register immediately to ensure your place so you are not disappointed!

The conference theme is *Traversing the Trail of Alienation: Rocky Relationships, Mountains of Emotion, Mile High Conflict*. While the title says it all, alienation is a topic that evokes strong emotions, intense feelings, divergent opinions and a range of assumptions. The conference builds on January's special edition of *Family Court Review*, with guest editors, Professor Nick Bala and Dr. Barbara Fidler. The issue focuses on alienation and high conflict, which begins the discussion for our conference. Many of the authors will be speaking at the conference. A lot of effort went into this issue and I commend everyone involved in this ambitious undertaking. I wanted to specifically mention our student editors and their mentor and Editor-in-Chief, Prof. Andy Shepard. I would be remiss if I did not also thank Dr. Janet Johnston, Associate Editor, for her work on this issue and for her dedicated commitment to the *Family Court Review* since 2004.

As the leading interdisciplinary association in the field of family law, the AFCC Conference Committee has put together a remarkable program for our annual meeting. The wide range of topics address questions that transcend all of our professional disciplines. We have endeavored to tackle these dilemmas, at times controversial, that the topic presents for legal, mental health and dispute resolution practitioners, educators, legal scholars and social science researchers.

In my province of Ontario, our courts and the professionals who work in the field of family law have grappled with the issues of alienation and high conflict families. We have struggled with finding appropriate judicial intervention, some of which have not been without controversy. We are not alone in Ontario. Peter Boshier, Principal Family Court Judge of New Zealand and AFCC board member recently wrote: "The Denver programme is critically important for judges. I have an alienation case I'm handling at the moment and notwithstanding the fact that I am a pretty experienced judge, I don't have any answers. It is in my view, one of the most difficult aspects (even

worse than relocation) that a judge can face. I therefore think that coming out of the Denver conference should be very good resource material for judges."

I heartily concur.

One of the resources that Ontario courts have used is "Family Bridges," a program developed by Dr. Richard A. Warshak of the University of Texas Southwestern Medical Center. The program endeavors restoration of positive relationships between alienated children and adolescents and a parent they claim to hate or fear. You will have an opportunity to hear about this program at the conference where "Family Bridges" will debut video material that courts, therapists and lawyers can use to help parents and children prevent and overcome disrupted relationships.

Another innovative resource featured at the conference is "Overcoming Barriers." This is a family camp program that brings together the members of alienated and estranged families in a summer camp setting. The organizers, Dr. Robin Deutsch, Dr. Peggy Ward and Dr. Matthew Sullivan, will discuss their unique program. They will address the challenges for successful intervention and the power of the multifamily group as a crucial dynamic. Clinical follow-up will also be examined as will the necessity of collecting follow-up data.

You won't want to miss the Friday morning plenary session with Dr. Jean Clinton and Dr. Linda Neilson on the impact of conflict on child brain development. Both are engaging presenters.

Then there is Dr. Isolina Ricci's workshop on *Divorce Detox* where the conflicts of the emotional and rational brain functions are explored; and *Interventions for Hybrid Cases Involving Alienation: Case Studies* presented by Dr. Marjorie Walters, Dr. Steven Friedlander and Hon. R. John Harper.

I have highlighted but a smattering of what is in store for you at the Denver conference. To get a true sense of our offerings, I encourage you to read through the program brochure, which is available online at www.afccnet.org. In summary, the conference will explore many different, and yes, sometimes controversial points of view. I have no doubt the conference will raise many questions for which there are no easy answers. We hope offering these sessions will stimulate debate and ongoing discussion. As always, it will be difficult choosing which workshop to attend.



Hon. Emile Kruzick
AFCC President
Brampton, ON, Canada

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MEMBER PROFILE

Marsha Kline Pruett, Ph.D., M.S.L.



Marsha Kline Pruett
Northampton, MA

Marsha Kline Pruett is a licensed psychologist and the Maconda Brown O'Connor Professor at Smith College School for Social Work. She earned her B.A. and M.S. in Education at the University of Pennsylvania, her M.S.L. in law at the Yale School of Law, her Ph.D. in Clinical and Community Psychology at the University of California, Berkeley and her certification in Family Therapy and School Consultation from the Philadelphia Child Guidance

Clinic and University of Pennsylvania. She currently teaches undergraduate psychology students, graduate social work students and is Vice Chair of the Human Subjects Review Committee that reviews all student and faculty research proposals for ethical issues. Dr. Pruett maintains a consulting practice and is a busy and well-respected researcher, as well as co-author of *Your Divorce Advisor* (2001) and *Partnership Parenting* (2009), and a member of the board of editors of *Family Court Review*.

Dr. Pruett was invited as a graduate student to work with Marla Isaacs at the Philadelphia Child Guidance Clinic and that was the beginning of her career-long interest in families of divorce. While attending a course in the 1980's at Berkeley, she asked to assist her professor, Judith Wallerstein, and was invited to work for Dr. Wallerstein and Dr. Janet Johnston. They subsequently hired her and she continued to work with them for several years thereafter. Dr. Johnston introduced her to AFCC and Dr. Pruett has been a member since 2000.

Dr. Pruett has seen very positive changes in the field over the years, highlighting how professionals with divergent methods and perspectives have come to work more closely together, particularly in the areas of domestic violence, collaborative divorce, and all areas of family law. There has been a surge of interest in interdisciplinary work and research, with professionals from all disciplines working for the best interest of the family. Dr. Pruett credits AFCC for being the leader in encouraging that perspective and way of working. "AFCC conferences and committees are always on the cutting edge of potentially inflammatory issues, drawing individuals together who think from different perspectives, each in his/her own box. I love the challenge of finding ways to bring together people and ideas that have too long been separated and divorced. And so the metaphor extends itself...."

She is currently working on a number of large intervention and research projects across North America. "I love the weightlessness of my job. It takes me to various places to meet all kinds of people; their hearts and minds are similar to mine, but the contexts in which they work are different. It gives me great pleasure to put our ideas and programs together to help bring families support, relief from their pain, and hopefulness."

When asked about her hope for the future, Dr. Pruett says that she would like to see direct service organizations that function as well within an interdisciplinary model as AFCC does. "It will be a leap from the current place we are in, with new organizational structures and strategies needed for helping families in conflict...structures that we haven't even imagined yet."

Dr. Pruett advises those entering the field now to work with families in as many diverse settings and around as many issues as possible. "Separation and divorce is only one part of a family's life, and you can understand it best if you can put it in the broader perspective of the depth and complexity of a family."

She has recently written a book with her husband, Kyle Pruett, M.D., *Partnership Parenting: How Men and Women Parent Differently – and How it Can Help Your Kids and Your Marriage*. When asked about the experience, Dr. Pruett said it was a lot of fun, with ample opportunity for engaging each other with humor and the chance to spend more time together. She added that she loves to hear him think, talk, and write. "He is poetic and psychological at the same time, with a heavy dose of liberal arts education thrown in." She also mused that it was very stressful to their parenting roles, as usually one of them "minds the store," but when they were both equally absorbed with writing the book, it could be difficult on the family. "At times we were surprised at the things we disagreed about. We had to come to a resolution both for the book and our relationship."

Dr. Pruett has four children (two grown and two younger) and four grandchildren. She is active physically, enjoying snowshoeing, kayaking, dance, and hiking in the mountains. Intellectually she enjoys reading good literature and going to just about any theatre performance. She was born in Philadelphia but always felt that she should have been born in the West – "preferably 100 years ago." She rides Western, has practiced lassoing and is most comfortable being a cowgirl. She loves pioneer life and blazing new trails, experimenting and creating – and that is what she has done with her research and her life.

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Peacemaking for Divorcing Families in the Era of Shrinking Court Budgets and an Uncertain Financial Future — Part I

By Forrest S. Mosten
Los Angeles, California

Introduction

The worldwide recession has come home to our fragile families. With over 10% of Americans out of work (probably closer to 20%), latent tensions often erupt into conflict and problems that are not subject to easy answers or solutions. While many families just try to work it out together, others separate and bring their problems into the family court system.

Unfortunately, the family court systems nationwide are suffering from their own recession wounds due to a shrinking tax base and overall governmental budget cuts. In California, for example, there is a statewide court furlough policy reducing available court resources. In November 2009, the Presiding Judge of the Los Angeles Superior Court announced the closure of 14 family law courtrooms causing financially stripped families to travel further to get to court and often find chaos when they arrive. Family law professionals attempt to find innovative settlement options to handle families with homes having loans larger than equity, children and spouses desperately needing financial support since the traditional earners are out of work, family businesses drastically downsizing or going out of business, and parents seeking to geographically relocate their children to other regions to find work or be supported by more fortunate family members.

Judges and court staff are heroically trying to cope with situations within their shrinking financial resources. Lawyers, mediators and mental health professionals in the private sector are also working diligently and creatively to provide needed client services by often offering lower fees and are still faced with unpaid bills while trying to financially maintain their own offices and feed their families.

The Family Law Education Reform project (see report on the AFCC website, www.afccnet.org, under Resources for Professionals) is offering a comprehensive effort to reshape the family law system. However, even if many of its progressive reforms are implemented and family law litigation is improved in its fairness and efficiency or even reduced, the agenda of bringing more peace to the families of divorce is barely discussed in these efforts.

Everyone in the system feels the brunt of this recession. While settling cases in any form can put a tourniquet on the open wounds of family conflict, perhaps the current financial crisis is an opportunity to look to peacemaking as a viable, curative, preventive approach to help divorcing families in the courts and private sector. Peacemaking can go beyond settlement in addressing the following:

1. Starting to build a better future relationship between the parties by focusing on communication, healing, reconciliation and forgiveness.
2. Providing a model for children on how to recover from conflict and learn from the lessons of disputes to build solid relationships with, not only their parents, but others in their lives.
3. Utilizing a peacemaking approach with our clients helps us reaffirm similar efforts by judges, clerks, and others in the legal system.
4. The bonds of cooperation and friendship between lawyers and other family professionals can be strengthened through peacemaking and utilized to help the families we serve.

Evolution from Adversarial Advocacy to Peacemaking

In daily family law practice, the threat of going to court and litigation action loom over most participants, creating a mindset that is generally competitive and adversarial. The reality is that over 95% of court actions eventually settle. This means that 5% of the cases drive the system for the other 95% of divorcing families.

In her monumental book, *The New Lawyer* (2008), Julie Macfarlane identifies the three professional beliefs that are the bedrock of traditional adversarial thinking: a rights-based orientation, a confidence that courts will produce the best justice for clients, and a mind-set that lawyers should be in charge. Macfarlane finds that these beliefs result in a system that is not only inefficient but also creates a disempowerment of clients:

A rights-based model of dispute resolution assumes that lawyers acquire some form of ownership—not simply stewardship—of their client's conflicts as a consequence of their professional expertise. . . . Client goals are reframed where necessary to fit a theory of rights. . . . This assumption of ownership by lawyers is both practical and emotional. Only certain types of client input, which are deemed to be relevant to building a strong legal argument, are sought. (pp 61-62)

The professional literature and media are overwhelmed with negative accounts by divorce clients who complain about the legal system and their lawyers. A peacemaking approach can lead to greater client satisfaction largely because it is consumer-driven and takes into account the long-term needs of the family fueled by the positive motiva-

tion of trying to help our clients heal, improve family harmony and prevent future family strife.

What is a Peacemaker?

A Peacemaker is “one who makes peace especially by reconciling parties in conflict.” Reconciliation is defined as restoring or creating harmony in the family. Peacemakers come from all backgrounds, have very different personalities, and offer services ranging from litigator to parent educator. Being a peacemaker is not defined by what role you play in helping families but by how you provide reconciliation and harmony in your interactions with clients, colleagues, other parties, children and other members of the family, judges, court staff, witnesses, experts, and many others. In other words, the core values that you bring to your work as a family professional define whether you are a peacemaker.

As healers, we can use our compassion to demonstrate a genuine concern for everyone we touch in our work. Peacemakers try to suspend judgment and try to help clients and others heal without dictating in what form the healing may be received so that we are not caught up by anxiety in being results-obsessed as to whether our efforts bear fruit.

In her book, *Calm in the Face of the Storm* (2007), Nan Waller Burnett states:

As peacemakers, we become the maestros of the orchestra as the parties dance the conflict at our table. Listening is our highway to solutions, our treasure hunt for answers to the validation of their souls. A practitioner who can tap into the language, the underlying cries for help of one to another, has the best capability to assist them on their path out of pain and into understanding. . . .

Another approach to peacemaking is the discipline of “mindfulness” developed by mediation pioneer, Professor Leonard Riskin. Mindfulness concentrates on the personal evolution of family professionals to better do our jobs by acquiring compassion, helps us provide professional distance so that we do not get caught up in the emotions and reactivity of our clients, and frees us from habitual mindsets that hinder our creativity in negotiation or in the courtroom.

Peacemakers try not to carry grudges, against others or against ourselves. We should be open to offering apology to those whom we have hurt or who feel hurt by us regardless of “who is right.” At the same time, we must be willing to accept the apology of others, regardless of how in-artfully delivered or even if we doubt the motives or integrity of the person offering an apology. Peacemakers also try to be humble and strive for authentic connectedness with clients, opposing counsel and others.

The evolution from adversarial advocacy toward a more client-centered approach to our work is well underway.

Many family law professionals are already utilizing peacemaking as a permanent part of our work.

Comprehensive Law Movement

In her brilliant 2006 article, *Law as a Healing Profession: The “Comprehensive Law Movement,”* Professor Susan Daicoff discusses how a “comprehensive law movement” relates peacemaking as the lens through which we view clients and their problems. Daicoff cites three models of the Comprehensive Law Movement that are part of many lawyers’ practices:

- Therapeutic Justice (TJ): The use of social science to study the extent to which legal practice promotes the psychological or physical well being of the people it affects, including the effect on lawyers. Recognizing the importance of both substantive and therapeutic concern, TJ urges lawyers to work for both a desired legal and therapeutic outcome for clients.
- Holistic Professionalism (HP): HP is based on spiritual growth for both client and professionals. Holistic professionals reflect and work to enhance their own personal values and are clear that their work should enhance rather than conflict with those values.
- Restorative Justice (RJ): Although it is often used in the criminal setting, RJ attempts to restore the relationship between the offender and the community and to establish harmony through the use of dialogue and negotiation. Future problem solving is seen as more important than simply establishing blame for past behavior.

Part II will discuss the elements of peacemaking for divorcing families, a self-test to determine your current family peacemaking work, a proposal for peacemaking for family courts and family professionals, and a Family Professional Peacemaking Pledge.

*This article is adapted from the following published works of the author: *Lawyer as Peacemaker: Building a Successful Law Practice Without Ever Going to Court*, Family Law Quarterly 43:487 (2009) and *The Collaborative Divorce Handbook* (Jossey Bass, 2009).*

Forrest “Woody” Mosten has been a mediator in private practice since 1979 in Los Angeles, is a Certified Family Law Specialist and Collaborative attorney, and is Adjunct Professor of Law at UCLA. He served as a 2008 keynote speaker for AFCC in Vancouver and as a 2009 ABA Frank Sander Lecturer at the ABA Dispute Resolute Section Annual Meeting in New York and can be reached at www.mostenmediation.com.

Interdisciplinary Settlement Conferences: Utilizing Volunteer Mental Health Professionals and Family Law Attorneys to Settle Challenging Cases

By S. Margaret Lee, Mill Valley, California, and Robert Kaufman, Oakland, California

Family Courts face tremendous challenges in their attempts to deal with high conflict and complex custody cases. Though the absolute numbers of these cases may comprise a relatively small percentage of matters heard by the court, families in protracted conflict consume a disproportionate amount of court time. These families return to court with great frequency, often demanding or requiring custody trials and hearings. Recognizing this phenomenon, and seeing the need to find alternative means of helping these families come to better and more sustaining solutions, Judge Verna Adams and Steven Sulmeyer, J.D., Ph.D. initiated an innovative pilot program in Marin County, California in 2007. The program, which has since been formalized by the court, involves inviting a seasoned mental health professional (MHP) with expertise in working with high conflict divorcing families and an experienced family law attorney, to participate in a judicial settlement conference prior to a scheduled trial. This program has been very successful in terms of achieving excellent settlement rates, facilitating a creative interdisciplinary approach to settlement and providing gratifying experiences for the professionals who have donated their time.

In Marin County, divorcing parents attend mandatory county mediation. Should they fail to come to an agreement regarding custody issues, the mediator will offer a set of recommendations. Other families may also opt for a private child custody evaluation. When parents do not agree to the recommendations, there is a mandatory settlement conference facilitated by a judicial officer, prior to a custody hearing. The judicial officer who presides over the settlement conference may or may not be the trial judge. Historically, the bench officer would work with the attorneys, the parties, and sometimes the custody evaluator, to see if settlement could be achieved. If a settlement could not be reached, the case would then be set for trial.

The need for a fresh approach: From the vantage point of the bench, settlement efforts have become more challenging in recent years. Perhaps in part due to changing economic circumstances, the court has seen more complex cases such as relocation cases and those involving serious allegations, and far more cases in which at least one parent is self-represented. In 2007, approximately two-thirds of the cases before the bench included at least one party who was in *pro per*. It was Judge Adams' vision that having the input of a neutral and experienced MHP and a skilled family law attorney could be a way to provide high level support both to the judicial officer and the families, even in some of the most

contentious and complex cases. These professionals willingly donate, on average of once a quarter, a half day of their time, and the collaboration with the court has proven to be highly successful.

How the program works: Most frequently, the judge determines whether a case would benefit from panelists participating in the settlement conference. There is always one MHP and one attorney panelist. Clients, through their attorneys, may also request such a settlement conference, but ultimately the judicial officer's judgment prevails. The selected cases tend to be either highly complex matters or may include serious mental health issues such as concerns about child abuse, domestic violence, substance abuse, very young children, children with special needs or mentally ill parents. The Court maintains a list of MHP and attorney panelists who have met qualifications established by the court. A call goes out to potential panel members to determine availability and ensure that there is no conflict with the parents or their attorneys. It should be kept in mind that the following individuals will be present at the Interdisciplinary Settlement Conference: the judicial officer, the parties, their attorneys (if they have one) and the panelists. The panelists are appointed by the court as §730 experts, which provides them with quasi-judicial immunity. Prior to the actual conference, the panelists are provided with reports, pleadings or other material selected by the judicial officer. Prior to the conference itself, the judicial officer meets with the panelists to discuss their thoughts about the materials reviewed and to plan the best approach for working with the family. The approach may be influenced by a variety of factors such as the judge's prior experience with the parties in court, whether there are attorneys involved, what issues require resolution, and whether one parent is having difficulty integrating the findings of an evaluation or mediator's report.

ISC process: While the actual conference can take many forms, some structures have evolved. The conference starts in the courtroom or in a conference room, frequently with the judicial officer introducing the process and the participants. After parents are given the opportunity to air their perspective, the judges often allow the panelists to take the lead in terms of working with the parents and their attorneys. The actual approach with the parents can be highly tailored to the issues in the case and may include parent education, mediation or brainstorming. For example, the authors of this article, both MHPs, have offered impromptu education on overnight visitation with young children, the impact of conflict on children, social and emotional needs of children at different developmental stages, and a myriad of other topics that commonly arise following divorce. Mediation efforts may include looking for

compromises, creating steps towards an eventual schedule or looking for ways to monitor concerns about a parent's functioning. The attorney panelist may provide feedback about how the court would likely view the ongoing disputes and proposals offered by the parties. It is not unusual for the panelists to meet with one client and his or her attorney, and then talk with the other, in a kind of "shuttle diplomacy." At other times, the panelists might split up, with the MHP talking with one side and the attorney conferring with the other. Judicial officers vary in terms of how much they participate in this process. Some are in on virtually all of the discussions, while others find it helpful to step out of the room, believing this can facilitate a more open and relaxed atmosphere. It is important to remember that all of this is taking place "off the record." Parents are encouraged to be creative, open-minded and to explore options, while they are also supported and structured by the panelists. If the parties reach settlement, the agreements are then read into the court record. In some cases, partial settlement may occur, which reduces the issues that will need to be resolved at trial. Sometimes a temporary agreement is made with a plan to reconvene in several months, to determine whether the agreement is working. In these cases the panelists typically are willing to participate in the follow-up conference.

Program outcomes: Since its inception, the ISC program has been specifically aimed at high conflict cases. Though relatively large geographically, Marin County has a population of about 250,000 people. In 2007, 543 cases were referred to Family Court Services for mediation. This was about the same in 2008. During that year, 19 high conflict cases were referred to the ISC program. One case settled prior to the conference, 16 cases settled at the ISC conference and two cases were set for contested hearings. Both of these cases settled prior to trial. Thus the Court believes that this process has been very successful from several vantage points. Not only does it save valuable court resources, but it helps parents make sound decisions about their own children. Parents who have been actively involved in settlement efforts are more likely to accept and follow through on the agreements they work hard to achieve.

Thus far, the ISC program is benefitting a range of families. Lower income families are able to have access to the input of experienced attorneys and MHPs they might otherwise not be able to afford. All families experience a team of professionals working in collaboration, and putting children's needs in the forefront. The judicial officers voice the advantages of having immediate access to experts who have no stake in the outcome but a wealth of experience and knowledge. For those of us who have participated in the program, it has been a deeply rewarding and gratifying experience. It requires thinking on one's feet, working quickly and efficiently, and using both clinical and forensic skills.

This is a program that could be adopted in other jurisdictions. This year, for example, some members of Family

Court in San Francisco have begun a similar program. Judge Verna Adams has taken the lead in our county and is now in the process of establishing a similar program for selected civil cases. We are pleased to say that she has found a willing and able group of experienced panelists who have found that participating in the program has both benefitted parents and children and has further enriched their own professional lives.

President's Message

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The conference will give us a chance to listen and learn from one another so we can become more effective and better informed in the work that we do. It is also my hope that the conference will stimulate policy makers and researchers to address the topic of alienation. The objective is always to better assist the children and families we serve.

I am excited about the many opportunities the 47th Annual Conference presents to all of us. I am looking forward to it and to seeing you in Denver.

It is with sincere regret that we accepted Janet Johnston's decision to resign as Associate Editor of the Family Court Review. As with everything Janet Johnston does, her service to FCR has been nothing short of outstanding and her shoes will be difficult to fill. Thank you, Janet, for your years of service - and then for so generously donating your honorarium to the AFCC Scholarship Fund.

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AFCC Chapter News

Massachusetts

The AFCC Massachusetts Chapter thanks Marsha Klein Pruett, Ph.D. for her presentation, *How Fathers Parent Differently Than Mothers and Why it Matters* at the chapter's Fall Symposium and Dinner on October 15th. During the event, long time chapter board member, Ruth Whitney, was again honored for her dedicated service to the chapter.

Minnesota

The AFCC Minnesota Chapter will have its annual meeting and educational event on April 30, 2009 in St. Paul. Matthew Sullivan, Ph.D., will be speaking on high conflict issues in family court matters. The chapter just completed its third lunch and learn seminar, *Demystifying Ethical Dilemmas in Family Court: How Mental Health Professionals Can Avoid Board Complaints*. As with the prior two lunch and learns, this event was well-attended and well-received. The chapter continues to work with the Hennepin County Juvenile Court and its pilot project involving child protection mediation; they are cosponsoring a training, with several of their members doing presentations as well as serving as mediators with the project.

Missouri

The AFCC Missouri Chapter will host its annual conference March 11-12, 2010, at the Sheraton Hotel & Resort in St. Louis. The Program is titled, *Mediating High Conflict Cases: Creating Questions to Enhance Hope and Change*, and features keynote speaker Dr. Larry Fong, R. Psych. In conjunction with the annual conference, the chapter will hold its annual business meeting and elect new members to the board of directors.

Preparations are also underway in St. Louis and Kansas City for upcoming trademark Missouri Chapter lunch and learns. The St. Louis lunch and learn in January featured the topic, *What You Need to Know About the St. Louis County Domestic Violence Court*, with speakers Judge Michael Burton, Domestic Violence Court Coordinator Carey DeLargy and Domestic Relations Service Manager Tom Weber.

The Kansas City lunch and learn in February featured the topic, *7th Judicial Circuit "Pro Se Court" Is it a good idea to represent yourself in Court?* The guest panel includes: Honorable David Chamberlain, 7th Judicial Circuit, Kathleen Bird, Committee on Access to Family Courts, and Andrew Roffman, Clay County Bar Past President.

New Jersey

The New Jersey Chapter of AFCC has an ambitious schedule of educational opportunities and networking opportunities for members and guests from other states. Its executive board has monthly open meetings on

Sundays at which they conduct formal business, network, and share experiences. The chapter also has monthly meetings of the Parenting Coordination Roundtable, which functions as a peer support group, discussing cases and planning research. The annual membership meeting is currently being planned for late spring. The topic for the educational presentation that night will be *Managing Family Restructure*.

Ontario

The AFCC Ontario Chapter has been producing outreach programs. In the fall, Maggie Hall and Justice Harvey Brownstone went to Thunder Bay and Sault Ste. Marie to expand the communities' knowledge about ADR. Lynn Lavery held an AFCC Ontario sponsored event on high conflict and child development, featuring Dr. Jean Clinton, in Pembroke. In Windsor, AFCC Ontario sponsored another dinner to attract law students to child protection work. Thanks to the Law Foundation of Ontario, they were able to give law students an opportunity to discuss child protection law with judges and senior members of the bar. In November, the Parenting Capacity Assessors Working Group, chaired by Anthony Macri, held another workshop entitled, *What Do You Want from a PCA and What Can You Expect?* The next session, *PCAs and Sexual Issues*, will be held on April 16, 2010.

The Ontario Chapter's 2010 conference is scheduled for October 14-15. Topics confirmed for the workshops will include: advice to experts in family law who testify, the mediation-arbitration process, custody assessments, the future of the family, and a high conflict think tank.

Texas

The Texas Chapter of AFCC held its annual conference *Interventions for Family Conflict with Unmarried Parents: What are the Policy, Legal, and Societal Implications?* Nearly 100 conference participants listened to speakers from around the United States and Texas, including Professor Cynthia Osborne from the University of Texas LBJ School of Public Health in Austin, Texas, Professor Mary O'Connell from Northeastern University School of Law in Boston, Massachusetts, and Dr. David Finn, from Rolling Meadows, Illinois. The chapter thanks everyone whose contributions and efforts helped make the conference a success.

Welcome New Chapter Presidents

AFCC welcomes and congratulates Diane Wasznicky, President of the California Chapter, Frank Weiss, President of the New Jersey Chapter and Rod Wells, President of the New York Chapter.

AFCC Chapters provide an outstanding opportunity for members to network on the local level. If you would like to join an AFCC Chapter or get more information, please view www.afccnet.org/membership and click the "AFCC Chapters" link.

New Study Validates Positive Family Impact of Kids' Turn Services

Kids' Turn, a San Francisco-based non-profit organization, announced results of a landmark study by Dr. Jeffrey Cookson, Department of Psychology at San Francisco State University.

In the study, conducted over four years, Dr. Cookson validated the impact of the Kids' Turn curricula (The Kids' Turn Way), which includes a six-week course for children and parents focused on reducing the negative impact of parental separation. Attending the Kids' Turn workshop resulted in a significant decrease in parent conflict and parental alienation and a significant decrease in the children's internalizing behavior problems.

Dr. Cookson evaluated behaviors of a sample of parents and children before and after attending Kids' Turn workshops. According to the study, "Overall, our results indicate that the Kids' Turn program has demonstrated the ability to improve the lives of parents and their children after a divorce. For parents, there is a decrease in parental conflicts and improvement in parent functioning (i.e., lower anxiety and depression). For children, there is lower anxiety and overall improvement in mental health. That we found change behaviors following participation in a community based program suggests that families will benefit from participation in the Kids' Turn multiple session group. Given that divorce is one of the most difficult times that both parents and their children face and that the Kids' Turn program has demonstrated the ability to help these families recover from the devastation, we are hopeful that further attention will be paid to offering these services in multiple communities."

In making the announcement, Claire Barnes, Kids' Turn Executive Director, said, "The study unequivocally validates the work we are doing to increase hope and optimism of children of families going through parental separation. The negative impact that parental separation has on individual children and society has reached epidemic proportions. Children often find themselves caught in the middle of parental disputes. The tangential relationships between parental separation and childhood difficulties (e.g., obesity, developmental, academic, social, psychological problems, etc.) are well proven. Kids' Turn takes children out of the middle of parental struggles and puts them at the center of family healing and resolution through a curriculum that teaches children a variety of coping skills and provides parents with appropriate parenting and conflict reduction skills."

Kids' Turn is the only organization where the entire family participates in a comprehensive program that helps children develop essential coping skills and gives adults the critical parenting skills they need to support their children through family reconfiguration.

For further information about Kids' Turn, please visit the Kids' Turn website: <http://www.kidsturn.org>.

AFCC 47th Annual Conference

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problem, as well as discuss possible implications of including parental alienation in the *DSM-V*.

Helping Families with Children Who Reject Parents: Consensus, Controversies and Future Directions, presented by Robin M. Deutsch, Ph.D.; Steven N. Friedlander, Ph.D.; Richard Warshak, Ph.D. and moderated by Nicholas Bala, LL.B., LL.M., will discuss three very different types of interventions, similarities and differences in principles and procedures, as well as experience with the outcomes of each approach.

Addressing Allegations of Alienation: Judicial Dilemmas, presented by Federal Magistrate Dr. Tom Altobelli, Hon. Paula Carey, Hon. Donna Martinson and moderated by Barbara Fidler, Ph.D., who will share their thought processes and frustrations in addressing difficult questions such as how to ensure effective methods for identifying alienation, how to distinguish alienation from other forms of high conflict and estrangement and how to manage these cases effectively.

Assessing Alienation in the Context of Domestic Violence and Child Brain Development, presented by Jean Clinton, M.D. and Linda Neilson, LL.B., Ph.D., will examine how child brain development and typical attachment needs might be affected by domestic violence. They will discuss what factors can help distinguish genuine concerns from litigation tactics.

In addition to these riveting plenary sessions, there are six pre-conference institutes (focusing on advanced parenting coordination, parenting plans, brain research and mediation, alienation and estrangement, privacy interests and conflict-reducing skills training for parents) and another 80 workshops covering every aspect of the important work our members do. Please join us!

Free Membership Winner

Lynne Halem, Ed.D., Wellesley Hills, MA, an AFCC member for twenty years, has won a free year's AFCC membership renewal by providing AFCC with her email address. All AFCC members with an email address in the AFCC membership database were included in the drawing. Congratulations, Lynne!



Scholarships for AFCC's 47th Annual Conference in Denver

A record number of conference scholarships will be awarded this year to AFCC's 47th Annual Conference, *Traversing the Trail of Alienation: Rocky Relationships, Mountains of Emotion, Mile High Conflict*, June 2-5, 2010, at the Sheraton Denver Downtown Hotel.

In addition to regular conference scholarships, a number of scholarships will be designated to court services professionals, judicial officers, nonprofit legal services professionals, graduate students, professionals working in the Denver area and international participants. Conference scholarships include registration fees for the conference, one full-day pre-conference institute, a ticket to the awards luncheon and annual banquet, networking functions and a certificate of attendance. Conference scholarship recipients are responsible for funding their own travel, lodging, additional meals and other related expenses.

A limited number of conference scholarships will also include a travel stipend of US \$1,000. Preference for these scholarships will be given to applicants with higher travel costs, international applicants and applicants who show financial need.

This year the AFCC Board of Directors has generously donated funding to offer a one-time conference scholarship to honor retired Judge Arline Rotman's service as Chair of the AFCC Resource Development Committee. The 2010 Hon. Arline Rotman (ret.) Scholarship includes registration fees for the conference and one full-day pre-conference institute, a ticket to the awards luncheon and annual banquet, networking functions and a certificate of attendance. In keeping with Judge Rotman's career in family law and dispute resolution, her 12 years as an Associate Justice of the Massachusetts Probate and Family Court and her strong commitment to bringing new people to AFCC, preference will be given to judicial officers who have never attended an AFCC conference and who are not current AFCC Members. Nominations or self-nominations will be accepted. Please nominate friends and colleagues who fit these criteria.

More information on scholarship opportunities, including the application and criteria, is available through the homepage of the AFCC website at www.afccnet.org. The application deadline is March 1, 2010.

Co-parenting after divorce

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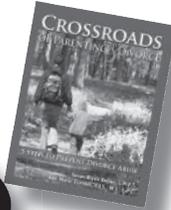
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RESOURCE DEVELOPMENT UPDATE

AFCC's Annual Appeal

AFCC's Resource Development Committee would like to thank AFCC members for their generous donations in response to this year's Annual Appeal. If you have not yet donated to this year's fund, please consider making a contribution today. Remember, 100% of your contribution goes

directly to conference scholarships. Donations can be mailed to the AFCC office by completing the form below, can be submitted online at www.afccnet.org on the Resource Development Committee link, or by calling the AFCC office at (608) 664-3750.

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Please mail to: AFCC — Resource Development Fund
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AFCC Members Write On

Benjamin Garber, AFCC member from Merrimack, NH, has written *Developmental Psychology for Family Law Professionals: Theory, Application and the Best Interests of the Child*. Published by Springer Publications, this book helps family law and mental health professionals gain a broader understanding of each child's unique needs when in the midst of family crisis. Ultimately, this book presents guidelines for making appropriate legal decisions and recommendations for children who have experienced crises such as relocation, divorce, abuse, neglect, and much more.

Joan B. Kelly, AFCC member from Corte Madera, CA, has written the text for "What Should We Tell the Children? A Parents' Guide for Talking about Separation and Divorce." Published in November 2009 by the American Academy of Matrimonial Lawyers, the 25 page booklet has nine sections, including reading suggestions for parents and children of different ages. The booklet will be helpful for parents and professionals. For more information, contact AAML at www.AAML.org/publications, or (312) 263-6477.

Forrest (Woody) Mosten, AFCC member from Los Angeles, CA, has written *Collaborative Divorce Handbook: Effectively Helping Divorcing Families Without Going to Court*. Published by Jossey Bass, the handbook is a practical resource for the burgeoning collaborative divorce movement. With contributions from other AFCC members **Pauline Tesler**, **David Hoffman** and **Nancy Cameron**, this up-to-date book gives an explanation and overview of the various models of collaborative practice, puts these models in context with other dispute resolution options, and provides readers with basic practice skills, tool and strategies.

AFCC Member News

Louise Lee McEvoy, AFCC member from Houston, Texas and AFCC Texas Chapter President, and her husband Robert welcomed their first child, Charlee Faith McEvoy, on January 16, 2010. Congratulations!

Gail Perlman, AFCC member from Northampton, MA, was honored with the first ADR Award from the first Massachusetts Continuing Legal Education ADR Conference. Judge Perlman's acceptance speech was titled "The View from the Balcony," referring to the belief that if one takes a broad view of the problem, there are many more opportunities for generating options for settlement.

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Association of Family and Conciliation Courts

Call for Presenters

Ninth Symposium on Child Custody Evaluations

Cambridge/Boston, Massachusetts

October 28-30, 2010

Hyatt Regency Cambridge

AFCC's Ninth Symposium on Child Custody Evaluations will offer a wide range of pre-conference institutes, workshops and plenary sessions addressing practice skills, professional issues and advanced applications. The Symposium is designed for custody evaluators, judges, lawyers, mediators and anyone who works with separated and divorcing families.

All proposals must be submitted by May 14, 2010, using the online form at www.afccnet.org.

Proposed topics may include, but are not limited to:

Hybrid evaluation models
 Drafting orders for custody evaluations
 The evaluator as parenting coordinator
 Managing stress and avoiding burnout
 Ethical considerations in evaluations
 Psychological testing
 The ethics of reviewing custody evaluations
 The role of the litigation consultant
 Interviewing skills
 Working with high conflict families
 Assessing allegations of child abuse and neglect
 Effective use of collateral sources
 Domestic abuse and custody evaluations
 Alienation and the DSM-V
 Multi-disciplinary perspectives on custody evaluations
 Testifying and cross-examination
 Research updates on shared parenting

PLEASE NOTE: IF YOU DO NOT RECEIVE AN EMAIL CONFIRMING RECEIPT OF YOUR PROPOSAL WITHIN ONE WEEK OF SUBMISSION, CONTACT AFCC BY TELEPHONE AT (608) 664-3750.

AFCC is accepting proposals for *ninety-minute workshop sessions*. To submit a workshop proposal, please include the following information: (1) an abstract of 250 words or less describing your proposed workshop; (2) a workshop title and a "program ready" abstract of up to 80 words for the conference brochure; (3) a one-page outline of your proposed workshop; (4) three learning objectives that will be addressed by your proposed workshop; (5) complete contact information for all proposed presenters; (6) resumes for all proposed presenters; (7) the name of the person who will be coordinating your workshop; and (8) contact information for two professional references.

Maximum of four presenters per workshop. Please note that the deadline for proposals is May 14, 2010. AFCC is unable to guarantee consideration of incomplete proposals or those submitted after the deadline. AFCC offers a reduced registration rate for conference presenters but is unable to reimburse for travel and related expenses. All proposals must be submitted via the online form, accessible at www.afccnet.org. Please direct any questions to (608) 664-3750 or afcc3@afccnet.org.

www.afccnet.org



Association of Family and Conciliation Courts

Upcoming AFCC Conferences and Trainings

AFCC Conferences

AFCC 47th Annual Conference

*Traversing the Trail of Alienation:
Rocky Relationships, Mountains of
Emotion, Mile High Conflict*
June 2-5, 2010
Sheraton Denver
Denver, Colorado

Ninth Symposium on Child Custody Evaluations

October 28-30, 2010
Hyatt Regency Cambridge
Cambridge/Boston, Massachusetts

AFCC 48th Annual Conference

June 1-4, 2011
Hilton Orlando Bonnet Creek Resort
Orlando, Florida

AFCC Regional Training Conference

October 27-29, 2011
Hyatt Regency Indianapolis
Indianapolis, Indiana

AFCC 49th Annual Conference

June 6-9, 2012
Hyatt Regency Chicago
Chicago, Illinois

AFCC 50th Annual Conference

May 29-June 1, 2013
J.W. Marriott Los Angeles - L.A. Live
Los Angeles, California

AFCC Chapter Conferences

Missouri Chapter Annual Conference

March 11-12, 2010
Sheraton St. Louis
St. Louis, Missouri

Florida Chapter Annual Conference

March 12-13, 2010
Renaissance Tampa Hotel
Tampa, Florida

Massachusetts Chapter Annual Conference

April 30, 2010
Regis College
Weston, Massachusetts