



# AFCC eNEWS

MONTHLY E-NEWSLETTER  
VOL. 5 NO. 10  
OCTOBER 2010

## AFCC's Ninth Symposium on Child Custody Evaluations

### It's Not Too Late to Register

October 28–30, 2010, Cambridge/Boston, Massachusetts

AFCC's hotel room block has sold out and remaining space is very limited at the Hyatt Regency Cambridge. The hotel is taking reservations at the rate of \$239 for AFCC symposium attendees as they receive cancellations. **To make reservations at the Hyatt Regency Cambridge, please call (800) 233-1234. Other Hyatt reservations phone numbers and online registration will say the hotel is sold out.**

For the names of other area hotels, please call the AFCC office at (608) 664-3750.

[Register online...](#)

[Program brochure...](#)

## AFCC President's Message

### Is the *Lack of Money* the Root of Much Anger?

*By Robert M. Smith, J.D., M.Div., Windsor, Colorado*

While there is an often quoted phrase "the love of money is the root of all evil," I am seeing what is perhaps a companion principle operating in a number of jurisdictions during these months preceding the election in the United States and some other countries. A generalized mood of anger about the state of the economy has caused some groups to adopt what at first appears to be a fairly simplistic answer: just reduce the amount of governmental services so that fewer taxes need to be paid.

[Read more...](#)

## AFCC Member Profile

### Hon. Paula M. Carey, Chief Justice of the Massachusetts Probate and Family Court

Chief Justice Carey joined AFCC in 2001 and became Chief Justice of the Massachusetts Probate and Family Court in 2007. She is coordinating the opening session at the Ninth Symposium on Child Custody Evaluations in Cambridge on October 28, 2010, *Risks and Benefits of Child Custody Evaluations*.

[Click here to read an interview with Chief Justice Carey...](#)

## UPCOMING CONFERENCES AND TRAININGS



### AFCC Ninth Symposium on Child Custody Evaluations

October 28–30, 2010  
Hyatt Regency Cambridge  
Cambridge/Boston, MA

### 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

## ASK THE EXPERTS

### Ten Steps on the Path to Stepfamily Happiness

By Leslie Todd, LCSW, ACSW, Baton Rouge, Louisiana

Many of the families we interact with in our daily practices have new partners involved. Leslie Todd will present a workshop addressing some of the issues that may arise, *Stepfamily Dynamics in Custody Disputes*, in Cambridge at the Ninth Symposium on Child Custody Evaluations. Here she outlines Ten Steps on the Path to Stepfamily Happiness.

[Read more...](#)

### Intimate Partner Violence Screening Tool

*The Mediator's Assessment of Safety Issues and Concerns (MASIC): A Screening Interview for Intimate Partner Violence and Abuse*, an instrument created by and discussed by its authors, Amy Holzworth-Monroe, Connie J.A. Beck and Amy G. Applegate, in an article in the October special issue of *Family Court Review*, is available in the public domain.

[Click here for the MASIC...](#)

### Association for Conflict Resolution (ACR) Draft Model Standards for Mediation Certification Programs

ACR has posted a draft document, Model Standards for Mediation Certification Programs, for comment. These standards are intended to set goals to which new and existing mediator quality assurance programs should aspire. All comments should be sent to [ModelStandards@ACRnet.org](mailto:ModelStandards@ACRnet.org).

[Click here to read the Model Standards draft...](#)

### AFCC Member News

**Hon. R. John Harper**, a Judge of the Superior Court of Justice of Ontario (London) and an AFCC Board member, has been appointed Senior Judge of the Family Court Branch (Toronto).

[Click to read more...](#)

### AFCC Chapter Updates

AFCC currently has 13 chapters across the U.S. and in Canada, each working to carry out the AFCC mission at the local level.

[Read more about what some of the chapters are doing...](#)

### FCR Issue Available Online

The *Family Court Review* July 2010 Special Issue, *The Fifth World Congress on Family Law and The Rights of Children and Youth*, is available free online, thanks to *FCR* publisher Wiley-Blackwell.

[Read the July 2010 FCR...](#)

### Parenting Coordination Trainings

Join AFCC in Baltimore, Maryland, in December for two parenting coordination trainings. *Parenting Coordination: Working with High Conflict Families*, presented by Robin M. Deutsch, Ph.D. on

Chicago, Illinois

### AFCC 50th Annual Conference

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

### Arizona Chapter Annual Conference

January 28–30, 2011  
Sedona, Arizona

[More information...](#)

### California Chapter Annual Conference

February 11–13, 2011  
*Times They are a-Changing*  
The Mark Hopkins Hotel at Nob Hill  
San Francisco, California

[More information...](#)

### Parenting Coordination: Working with High Conflict Families

*Robin M. Deutsch, Ph.D.*  
December 6–7, 2010  
Baltimore, Maryland

### Parenting Coordination: Advanced Practice Issues

*Matthew J. Sullivan, Ph.D.*  
December 8–9, 2010  
Baltimore, Maryland



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### JOIN AFCC

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December 6–7, 2010, and *Parenting Coordination: Advanced Practice Issues*, presented by Matthew J. Sullivan, Ph.D.  
December 8–9, 2010.

[Click here for more information...](#)

## LOL with AFCC

If you were at the AFCC annual banquet in Denver in June, you likely heard Greg Schwem, who made us laugh at ourselves and our profession. Greg Schwem is a corporate stand-up comedian and humorous speaker. His clients include Microsoft, IBM, McDonald's, United Airlines and AFCC. Greg's comical bits on business, technology and raising children in a digital world can be heard regularly on Sirius Radio's Laugh USA.

[Click here for a video of Greg...](#)

If you enjoyed Greg, you might like to take a look at his new book, *Text Me if You're Breathing*.

## FAMILY LAW IN THE NEWS

### DOD to Give More Help to Troops in International Child-Custody Disputes

*By Charlie Reed, courtesy of Stars and Stripes*

Troops who marry foreign nationals while stationed overseas will get more advice about the child custody issues that can plague international marriages gone sour. The Defense Department has agreed to provide the military legal and family support agencies with more information on the family court systems in countries such as Japan and Germany, where servicemembers have become entangled in complicated court battles to see their children, according a congressionally mandated report issued by the Pentagon in August.

[Read more...](#)

### Group Says Lessons in Law for Lovers May Prevent Marriage Breakdown Later

*By Claire Byrne, The Canadian Press, courtesy of Winnipeg Free Press*

No one wants to think about the law when they're in love. But that is just what an Ontario group looking to improve the family justice system is recommending. A group from The Law Commission of Ontario said giving people a lesson in the law before they marry may prevent marriage breakdowns.

[Read more...](#)

## ABOUT AFCC eNEWS

*AFCC eNEWS* is a monthly e-newsletter published by the Association of Family and Conciliation Courts (AFCC). *AFCC eNEWS* provides professionals with time sensitive and up-to-date topics including practice tips, research innovations and international news. Readers are welcome to forward this e-newsletter to interested colleagues.

[AFCC eNEWS archive...](#)

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AFCC welcomes your comments, questions or feedback. Please email the editor by [clicking here](#).

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### President's Message

#### **Is the Lack of Money the Root of Much Anger?**

*by Robert M. Smith, J.D., M.Div., Windsor, Colorado*



While there is an often quoted phrase “the love of money is the root of all evil,” I am seeing what is perhaps a companion principle operating in a number of jurisdictions during these months preceding the election in the United States and some other countries. A generalized mood of anger about the state of the economy has caused some groups to adopt what at first appears to be a fairly simplistic answer: just reduce the amount of governmental services so that fewer taxes need to be paid. While news stories of military overspending on commonly available hardware items and legislators advocating

for limited-use pet projects have grabbed the headlines in previous elections, this year’s stories appear to focus on simply advocating that we vote to cut funding and hope that at least essential services survive. In my home state of Colorado, courts have uniformly had to cut the hours—and sometimes, a day or two each month—that they are open to serve litigants; and some districts limp along with far fewer court staff than are needed, causing more and more delays in hearing cases.

How do we preserve justice while operating in such a tight economy as promising programs are decimated because funding no longer exists? How can we accommodate lengthy hearings for high-conflict parents who are back in court for even more post-decree fighting? How can we provide the time for procedural safeguards that often take longer with self-represented litigants? Very few political leaders have felt that they could suggest the alternative—that more money is needed for vital services rather than less. It appears that it may be up to us to concentrate on finding ways to serve as many litigants as we can with programs that meet many of their legal needs outside of the courtroom.

Mediation has long been a timely and valuable program to assist litigants in appropriately resolving their issues, particularly in domestic relations cases. Other concepts and roles have been developing in recent years to work in conjunction with mediation, or to serve families in other spheres of their conflict. Family law attorneys have found that getting their clients into well-designed parenting education programs early in the legal process, as well as sending their high-conflict clients to multi-session level II programs, can reduce the level of parental fighting and refocus them on the disastrous effects their conflict has upon their children.

Another process that has gained the favor of courts in Colorado, as well as in other jurisdictions, is Minnesota’s “social” Early Neutral Evaluation Process (ENE), a process that was described in detail in the October 2006 issue of *Family Court Review* by Yvonne Pearson and members of the Hennepin County Family Court Services. Since many jurisdictions tend to initially assign new judges and magistrates to family law, many of whom never practiced in family law prior to being appointed to the bench, while simultaneously reducing or eliminating judicial training budgets, some family law attorneys and mental health professionals have answered the call from their courts to volunteer in developing introductory family law

workshops designed to help these new judicial officers understand the nuances that can help families reduce their conflict and benefit their children.

AFCC is very aware of the economic climate and has tried to keep our program expenses down during these difficult times. The AFCC Board of Directors has consistently chosen to keep the cost of an annual membership, with its significant benefits, at \$150 annually for the past nine years. Conference registration fees and hotel costs have also been kept relatively low, compared to other organizations in the field; and AFCC's Scholarship committee has been able to offer conference scholarships each year to those who would otherwise not be able to afford to attend.

In this period of financial anguish and rising frustration, I hope AFCC members will continue to create new approaches to helping families resolve their conflict, and will join with others to assist their jurisdictions in weathering these sometimes bleak economic times, until family law courts and programs finally have the funds they need to provide services to all families in need.

I hope to see you all later this month in Cambridge, Massachusetts, for what promises to be a tremendous Child Custody Evaluation Symposium.

—Bob Smith, AFCC President

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### AFCC Member Profile

**Hon. Paula M. Carey, Chief Justice of the Massachusetts Probate and Family Court**



#### What does your current position entail?

I was appointed as a Justice in the Probate and Family Court in January of 2001 and on October 1, 2007, I became Chief Justice of the Probate and Family Court. My current position involves sitting when I can; however, most of my daily duties involve the management of the Massachusetts Probate and Family Court, which is comprised of 14 divisions and has 50 judges, 14 elected Registers and 500+ employees. I develop policy and endeavor to improve our systems

to benefit the families and other users of our court.

#### How did you become interested in the field of family law?

I became interested in the area of family law because of the opportunities in the family law field to help people. When I speak, I often tell people that working in the area of family law is a vocation, not a job. You have to have a unique personality and a willingness to accept people where they are at that moment in their life and be willing to roll up your sleeves and try to help them. Otherwise you will burn out and become ineffective and frustrated. The challenges in the family law area include cutting edge issues as the definitions of family evolve and as technology causes us to become less certain about who is a parent or what makes a family.

#### What advice would you give to someone entering the field now?

I would advise someone entering the field now to work hard and educate yourself about families and children, including their developmental needs. Read not only the law but the psychological literature in the field. Affiliate yourself with organizations such as AFCC and local bar associations.

#### What are the greatest challenges (or biggest changes) you see in the field now?

The greatest challenge I see in the field now is the state of the economy. The economy has put many families in crisis and has forced families, that might otherwise not need to seek judicial intervention, to seek intervention. The state of the economy has created a crisis situation in terms of staffing in the courts and the volume of cases has created inordinate stressors on staff and judges. Decreased resources for families mean that more and more people are unable to afford to pay for evaluations or hire lawyers. Judges are often left with inadequate or flawed information that must be sorted out to make decisions that can have multigenerational effects.

#### What would you like to see happen in the field ten years from now?

I would like to see the court adequately staffed and to have a triage system that can direct all parents to the appropriate resources to help resolve disputes, perhaps short of contested court intervention. I would like to see early intervention in cases to get them on the right track, to provide education and, hopefully, structure to get families through the break up of their family system and to help them develop a new system,

albeit functioning differently, that would ensure that both parents have involvement with all aspects of their children's lives, absent parental fitness concerns.

**What aspect of your work do you enjoy the most?**

I enjoy all aspects of my work. I find it tremendously fulfilling and important. I am humbled and honored to be able to serve in the Massachusetts judiciary and to work with incredibly committed judges, court staff, lawyers, GALs and others who all contribute to delivering justice to those who use our court. I am proud of the work we do and am committed to improving the process for families in the Probate and Family Court. As for the aspect I enjoy the most, it would be deciding cases and the hands-on opportunity to make a difference in the life of a child.

**How did you first learn about AFCC? When was that?**

I learned of AFCC as a lawyer from colleagues. I would say in the mid 90s.

**What do you like most about AFCC?**

I enjoy the collaboration between professionals, all of whom have a commitment to families and children and helping them emerge from the break up of a family system intact, albeit differently, in the most secure way they can. Members of AFCC are engaged in cutting edge thinking about how to deal with children, families and family systems breakdowns.

**What is your proudest personal achievement?**

My proudest personal achievement is becoming a justice of the Probate and Family Court in Massachusetts.

**What do you enjoy doing in your free time?**

I enjoy spending time with loved ones, biking, skiing, golfing, reading, painting (pictures not houses) and the ocean.

**Tell us something about yourself that your AFCC colleagues don't know or answer a question that you wish I had asked.**

My favorite lunch is yogurt and I get up each weekday at 4:15 a.m.

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### AFCC Member News

**Hon. R. John Harper**, a Judge of the Superior Court of Justice of Ontario (London) and an AFCC Board member, has been appointed Senior Judge of the Family Court Branch (Toronto) to replace Madam Justice M.J. Hatton, who was transferred to Durham effective August 6, 2010. Mr. Justice Harper was appointed a Judge of the Superior Court of Justice in 2006. He received a Bachelor of Laws (LL.B.) from Dalhousie Law School in 1972 and was admitted to the Ontario Bar in 1974. Prior to his appointment, he was a senior partner with Harper Jaskot. He has been a member and vice-chair of the Board of Directors of the Community Child Abuse Council (2005). He was past chairman of the Development Committee for the Association of Family and Conciliation Courts and past president of the Hamilton Law Association. He was recognized as a certified specialist in family law by the Law Society of Upper Canada in 1996. He has been a prolific writer and lecturer on family law matters.







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### AFCC Chapter News

*Please take a look at each chapter's website for more detailed information about the chapter's activities.*

#### Minnesota

The Minnesota Chapter of AFCC was granted its charter at the AFCC Annual Conference in Denver, Colorado, in June 2010. The chapter held its annual meeting and educational event in July, sponsored a lunch-and-learn in October and is co-sponsoring and participating in a Child Custody Roundtable at the William Mitchell College of Law. [www.afccmn.org](http://www.afccmn.org)

#### Missouri

The Missouri Chapter of AFCC created a new logo and revamped the design on its newsletter. The Chapter Board is working to create a YouTube channel that would allow the chapter to post videos of recent presentations from lunch-and-learns. The chapter collaborated with the parent organization on a training program in September and has planned its spring conference for March 3–4, 2011, in St. Louis. For more information, email Andrea Clark at [aclark@stlouisco.com](mailto:aclark@stlouisco.com).

#### Ontario

The Ontario Chapter of AFCC was granted its charter at the AFCC Annual Conference in Denver, Colorado, in June 2010. The chapter held its annual conference in Toronto in October, as well as co-sponsoring an ADR program in Windsor and organizing a child protection training program for new lawyers. The chapter continues to partner with other groups and Ontario has recently undergone massive legal reforms. [www.afccontario.ca](http://www.afccontario.ca)

#### Texas

The Texas Chapter of AFCC held its annual conference, October 15–16, 2010, in collaboration with the University of Houston Law Center Clinical Program. The conference, *Children Caught in the Conflict: A Multidisciplinary Perspective*, featured Isolina Ricci as the keynote speaker. [www.texasafcc.org](http://www.texasafcc.org)

#### Washington

The Washington Chapter of AFCC, the newest AFCC Chapter, was granted provisional status at the AFCC Annual Conference in Denver, Colorado, in June 2010. The chapter has a website in the early stages of construction and will hold its first meeting and inaugural event on November 12, 2010, with a "slice of AFCC" pizza luncheon. [www.wa-afcc.net](http://www.wa-afcc.net)



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#### Ten Steps on the Path to Stepfamily Happiness

*By Leslie Todd, LCSW, ACSW, Baton Rouge, Louisiana*

##### 1. Educate yourself before you commit

All stepfamilies are unique. Even if you grew up in a stepfamily, your new stepfamily will be different. Preparing for your new stepfamily will save countless hours of confusion and disappointment for all involved. Understanding the children's positions is as important as understanding the roles the adults will play.

##### 2. Talk about money before you commit

Stepfamily failures are largely attributed to childrearing and money issues. Stepfamily finances are complicated: child support money may be flowing in and/or out of your home. Be very clear with your partner about your prior financial obligations. Talk with your attorney regarding spousal support, child support, or educational fund responsibilities. Figure out how you're going to handle "his, her, and ours" money issues.

##### 3. Lower your expectations

The first marriage is about "us." The next marriages are about "them"—the children, the sets of grandparents, the former spouses' households, maybe even the court. The more people, the more likely that somebody somewhere in the system will be less than happy much of the time. Don't expect to please everyone, or for everyone to please you.

##### 4. Respect your unique perspectives

Empathy and curiosity are the traits that distinguish the best-functioning stepfamilies. Members are genuinely interested in listening and understanding each person's unique perspective. Members do not flinch when their viewpoints differ, but engage in conversation that builds trust and appreciation.

##### 5. Have a life outside your family

Your personal needs for love and validation are normal and good. Rather than overloading your stepfamily with expectations (conscious or unconscious), share yourself with a larger community. It relieves your stepfamily of having to "care too much" and also gives you more outlets for your talents and feelings.

##### 6. Do regular stuff together

Stepfamilies find their way by doing the normal stuff—eating together, doing chores, enjoying sports or a movie. Kids and adults will learn how to interact with one another over time.

##### 7. Let the children love their whole family

This sounds easy, but if it were, family courts wouldn't exist. Children will test out whether it's okay to love their parents in other homes, or may feel they have to "prefer" your new stepfamily in order to make it work. Show your children you are neither competitive nor threatened; help them grow big hearts.

##### 8. Get creative: experiment with new rituals

Rather than competing over whose rituals will win out in an awkward hybrid, try something entirely different now and then. A new vacation

destination or a nontraditional holiday menu allows everybody to enjoy creating a new experience together. The experiments that don't turn out well will be one-shots; the others may grow into your new family's cherished rituals.

**9. Be sure each child has one-on-one time with the biological parent in your home**

Loss of this special time is the number one complaint of children in stepfamilies. Especially in the early phase, don't let your anxiety about "blending" override the need to acknowledge and nourish blood-tie bonds.

**10. Make time for the new marriage**

Plan some regular date nights and get away from the munchkins. You'll be doing your kids a favor by not focusing on them ALL the time. Your new marriage deserves nurturing, and is the foundation on which your new stepfamily will flourish.

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