



ASSOCIATION OF  
FAMILY AND  
CONCILIATION COURTS



eNEWS

#### Ask the Experts

##### **Top Ten Tips for Professionals Appointed to Conduct a Child Custody Evaluation Accompanied by Allegations of Child Sexual Abuse**

*Kathryn Kuehnle, PhD, Indian Shores, Florida*

Evaluating allegations of child sexual abuse requires specialized training and expertise. When those allegations exist in the context of a custody battle, the situation becomes even more complex.

[Read more](#)

#### AFCC 49th Annual Conference

##### **Attachment, Brain Science and Children of Divorce: The ABCDs of Child Development for Family Law June 6–9, 2012, Chicago, Illinois**

##### **Touring Chicago's Architecture by Train and Boat**

*By Joe Yonan, Courtesy of the Washington Post*

I'm on the "L," Chicago's elevated train, rumbling past building after building, 20 feet off the ground, when a little voice in my left ear says, "Okay, just before we turn the corner, be on the lookout for the third shell medallion from the end, and tell me what you see."

[Read more](#)

#### AFCC Thanks Sponsors of the 49th Annual Conference

Special thanks to the sponsors of the AFCC 49th Annual Conference in Chicago. Second City Sponsor: [Schiller DuCanto & Fleck LLP](#); Platinum Sponsor: [American Academy of Matrimonial Lawyers—Illinois Chapter](#); Gold Sponsors: [www.OurFamilyWizard.com](#), [Complete Equity Markets, Inc.](#), [Berger • Schatz](#), and [NOVA Southeastern University](#). Silver Sponsors: [National Cooperative Parenting Center](#), [Feinberg & Barry, PC](#) and The Fieldstone Family. Local Sponsors: Judge Karen G. Shields (Ret.), [Collaborative Law Institute of Illinois](#), [Creighton University](#), [Loyola Civitas ChildLaw Center](#), [Mediation Council of Illinois](#) and [Resolution System Institute/Center for Conflict Resolution](#).

#### AFCC Sponsors in the News

Conference sponsors Schiller DuCanto & Fleck LLP and Berger Schatz were both featured in Best Lawyers Chicago 2012.

[Read more](#)

#### AFCC Member News

**Kids' Turn**, and its executive director **Claire Barnes**, San Francisco, California, received the 2012 Community Boards Leadership Peacemaker Award for making a significant impact in reducing violence and building community in San Francisco.

**Ronn Lavit**, Phoenix, Arizona, was awarded the 2012 AFCC Arizona Chapter Lifetime Achievement Award.

**Judge Philip Marcus**, Jerusalem, Israel, has retired after 17 years on the bench. He plans to continue researching, teaching and writing, and will continue his involvement with AFCC, the World Congress on Family Law and Children's Rights and the Association of International Family Judges.

**Justice Janice M. Rosa**, Buffalo, New York, received the 2012 Law Day Distinguished Jurist Award for her tireless efforts as judge, educator, mentor and leader, and her invaluable contributions to the Unified Court System and those it serves.

#### APA Pre-Convention Core Training in Parenting Coordination July 31 & August 1, 2012 at the Peabody Orlando Hotel, Orlando, Florida

AFCC members should indicate their membership on the registration form in order to receive the

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#### Upcoming Conferences

**AFCC 49th Annual Conference**  
*Attachment, Brain Science and Children of Divorce: The ABCDs of Child Development for Family Law*  
June 6–9, 2012  
Hyatt Regency  
Chicago, Illinois  
[More information](#)  
[Conference brochure](#)

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[Schiller DuCanto & Fleck LLP](#)

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**AFCC 10th Symposium on Child Custody Evaluations**  
November 1–3, 2012  
Arizona Grand Resort  
Phoenix, Arizona

**AFCC 50th Anniversary Conference**

discounted registration rate.

[More Information](#)

Hofstra Law School and AFCC Family Law Writing Competition  
Congratulations to Nick Tamburri, Seton Hall Law School, the first place winner of the 2012 Family Law Writing Competition for his article, *A Lack of Civility: How New Jersey Law Fails to Protect Women*. Honorable mention goes to Sarah Primrose, Michigan State College of Law, for her article, *The Decline of Common Law Marriage & the Forgotten Social Implications*.

Future AFCC Conferences

**Save the Dates!**

The AFCC 10th Symposium on Child Custody Evaluations will be held November 1–3, 2012, at the Arizona Grand Resort in Phoenix.

Next year, the AFCC 50th Anniversary Conference will be held May 29–June 1, 2013, at the JW Marriott Los Angeles L.A. Live.

AFCC and AAML will hold the second biennial joint conference September 26–28, 2013, at the Gaylord National Resort and Convention Center in the Washington, DC Metro Area.

The 2013 AFCC Regional Training Conference will be held in Kansas City, Missouri at the Westin Kansas City at Crown Center, November 7–9.

AFCC returns to Canada for the 51st Annual Conference, which will be held in Toronto at The Westin Harbour Castle, May 28–31, 2014.

The 52nd AFCC Annual Conference will be held May 27–30, 2015 at the Hilton New Orleans Riverside.

Welcome to AFCC, Carly Wieman

Carly Wieman began working as the administrative assistant at AFCC in April 2012. In her role as administrative assistant, Carly answers the phone and assists with inquiries. She also helps maintain the membership database, assembles mailings, keeps the filing in order and packs and ships publication orders. In addition to working at AFCC, Carly volunteers as a children's advocate at Domestic Abuse Intervention Services (DAIS). Carly will graduate this month, earning her BA in English Literature and Gender and Women's Studies with a Certificate in LGBT Studies from the University of Wisconsin-Madison.

Family Law in the News

**Taking E-Mail Vacations Can Reduce Stress, Study Says**

*By Nick Bilton, Courtesy NYTimes.com*

You probably don't need a doctor or scientist to tell you this, but your e-mail could be killing you. A new study released Thursday by the University of California, Irvine, which was co-written with United States Army researchers, found that people who do not look at e-mail on a regular basis at work are less stressed and more productive.

[Read more](#)

**Never Married Parents get Help from Special Court**

*By Sasha Aslanian, Courtesy of NPR.org*

Across the U.S., 40 percent of children are now born to unmarried parents. This demographic shift, primarily among younger, low-income parents, can pose a challenge to a child support system designed chiefly to extract money from paychecks.

[Read more and listen](#)

May 29–June 1, 2013  
JW Marriott Los Angeles L.A. Live  
Los Angeles, California

**AFCC 51st Annual Conference**

May 28–May 31, 2014  
The Westin Harbour Castle  
Toronto, Ontario, Canada

AFCC Chapter Conferences

**Minnesota Chapter Annual Conference**

August 2, 2012  
University of Minnesota  
Continuing Education and Conference Center  
Saint Paul, Minnesota

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Ask the Experts  
Do you have a question that you would like answered by an AFCC expert? Let us know and your question could be answered in the next AFCC eNEWS.  
[Email your question](#)

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Readers are welcome to forward this e-newsletter to interested colleagues. All opinions expressed are those of the author and do not necessarily reflect those of AFCC.

Editor:  
Leslye Hunter  
[editor@afccnet.org](mailto:editor@afccnet.org)

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# Core Training in Parenting Coordination

July 31 & August 1, 2012

2 days prior to the APA Convention

9am- 4:30pm (both days)

Peabody Orlando Hotel  
(Plaza International Ballrooms D&E)  
9801 International Drive  
Orlando, FL 32819

**A two-day training for psychologists and other legal and mental health professionals who work with separating and divorcing families.**

Parents who are in chronic high conflict pose particular difficulties for the courts, the professionals who are involved with them, and their children. This two-day training will examine the role and functions of the parenting coordinator and the interventions helpful to reduce conflict. Participants will have the opportunity to develop core knowledge and skills in this emerging area. Focus will be on the psychological dynamics in high conflict families and the impact on their children. Practical parenting coordination techniques and decision making methods will be highlighted. APA's Guidelines for the Practice of Parenting Coordination will be used to illustrate recommended practices.

*This workshop will provide core Training that can be complemented by additional specialized training to fulfill the requirements for PC practice in many states.*

#### Workshop Presenters:

Debra K. Carter, PhD  
National Cooperative Parenting Center and  
Carter Psychology Center  
Bradenton, FL

Robin M. Deutsch, PhD  
Massachusetts School of Professional Psychology  
Boston, MA

Shirley Ann Higuchi, JD  
American Psychological Association  
Washington, DC

#### **This workshop is designed to help you:**

- Understand the psychological dynamics of high conflict families;
- Describe the parenting coordinator's objectives, role, and functions;
- Identify the qualifications and skills needed to be a parenting coordinator;
- Understand the legal framework for parenting coordination and the type of court orders or agreements needed to proceed;
- Learn interventions to help parents reduce conflict and develop a more functional relationship that focuses on the best interests of the children;
- Explain when and how to include children in the parenting coordination process;
- Analyze disputes and create procedures for screening and initiating cases, writing agreements, and drafting decisions;
- Identify ethical and legal challenges in parenting coordination; and
- Learn culturally competent parenting coordination practices.

To register visit [www.flapsych.com](http://www.flapsych.com).  
Registration fee for 2-day training and  
12 hours of continuing education.

FPA and APA Members: ..... \$300  
FPAGS Members: ..... \$150  
Non-FPA/APA Members: ..... \$390  
Non-FPAGS Students:..... \$195



***FPA and the APAPO wish to thank Argosy University and the APA Insurance Trust for their generous sponsorship of this program.***

ALL WORKSHOP ATTENDEES: Join us on July 31, 4:45-7, for a NETWORKING RECEPTION in to be held as part of the two-day parent coordinator training. The reception will feature remarks by distinguished contributors to the field of parenting coordination and provide an opportunity to network with legal, judicial, and mental health professionals working as or with PCs. The reception will be held at the Peabody Orlando Hotel, Plaza International Ballroom F.

*This workshop is being co-sponsored by the Florida Psychological Association and the American Psychological Association Practice Organization. The Florida Psychological Association is approved by the American Psychological Association to offer continuing education for psychologists. The Florida Psychological Association maintains responsibility for this program and its content.*

*The Florida Psychological Association is approved by the Board of Clinical Social Work, Marriage and Family Therapy, and Mental Health Counseling as a provider of continuing education.*



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## **Top Ten Tips for Professionals Appointed to Conduct a Child Custody Evaluation Accompanied by Allegations of Child Sexual Abuse**

*Kathryn Kuehnle, PhD, Indian Shores, Florida*

### **1. The mental health professional should do an appraisal of his/her competencies.**

Prior to accepting a court appointment, the evaluator must determine if he/she has the training, experience, and expertise to conduct all or only some of the components of a child custody evaluation with one parent's allegation that the other parent has sexually abused their child. The mental health professional may decide to:

- (a) Conduct all components of the child custody and child sexual abuse evaluations, with or without consultation with another expert;
- (b) Conduct all components of the child custody and child sexual abuse evaluations, with the exception of a psychosexual evaluation of the alleged sexually abusive parent, which would be conducted by another expert;
- (c) Conduct all components of the child custody evaluation, with the child sexual abuse evaluation conducted by another expert or experts;
- (d) Decline to take the case altogether.

### **2. A court order must identify by name the appointed mental health professional, delineation of the specific role of the appointed professional, and identification by name and role of other experts involved in the evaluation of the parties and their children.**

A court order that is vague or does not specifically identify the evaluator by name and describe the evaluator's role should be returned to the parties' attorneys for revision.

### **3. Court appointed mental health evaluators must strive to protect themselves from unconscious biases when conducting a child custody evaluation accompanied by an allegation of child sexual abuse.**

To avoid confirmatory bias, evaluators must approach the evaluation with multiple hypotheses and identify the data they gather as supporting or opposing the various hypotheses. This organizing format allows the evaluator to systematically analyze data

and upon completion of the evaluation to present information to the court in a clear and logical manner. Possible hypotheses include:

- (a) The child is a victim of sexual abuse and is credible;
- (b) The child is not a victim of sexual abuse, but a sincere, hyper-vigilant parent inaccurately believes the child is the victim of sexual abuse;
- (c) The child is not a victim of sexual abuse, but a parent is using the allegation of sexual abuse to manipulate the court system during child custody litigation;
- (d) The child is a victim of sexual abuse, but due to misguided loyalty will not disclose his/her abuse;
- (e) The child is a victim of sexual abuse, but due to limited language skills cannot credibly report the abuse experiences;
- (f) The child is not a victim of sexual abuse, but has developed a tainted memory and believes that he/she has been engaged in sexual activities by the alleged abuser;
- (g) The child is not a victim of sexual abuse and is credible, but is estranged from the identified parent perpetrator and has misperceived an innocent or ambiguous interaction.

**4. Child sexual abuse is an event or a series of events, not a psychiatric disorder, and the potential symptoms that sexually abused children may exhibit vary significantly.**

The broad range of behaviors exhibited by child victims varies as a function of Personal Factors (e.g., age, gender, cognitive attributions); Familial Factors (e.g., parental history of CSA, family discord, family violence, parental reaction to disclosure); and Abuse-Specific Factors (i.e., sexual acts, duration of abuse, co-occurring forms of abuse, victim–perpetrator relationship). Sexual abuse is not an experience leading in some basic and systematic manner to a single symptom or syndrome. Although research shows an association between children’s aberrant sexualized behavior and experiences of sexual abuse or exposure to a highly sexualized environment, all behaviors and symptoms, including aberrant sexual behaviors, are nonspecific and also associated with a variety of other disturbing life experiences and stressors.

**5. A large body of research accumulated over the past several decades has led to the emergence of research consensus on factors that facilitate or impede the accuracy of children’s reports of experienced events.**

Age is the most reliable predictor of the accuracy of children’s memory. Both cognitive and social factors are associated with age differences in children’s suggestibility when presented inaccurate information. Passage of time may alter the strength of the child’s memory, past suggestive interviews may have tainted the child’s memory, and the child’s present resistance to suggestibility will all influence the accuracy of the memory narrated by the child.

**6. Interviews typically include several types of questions and children's suggestibility varies across question types.**

Regardless of the type of direct question, children's errors increase when they are asked direct rather than free-recall questions. Recall questions produce the most accurate information, while recognition questions produce the most unreliable information. Children's accuracy declines as questioning moves from free recall (e.g., "Please tell me everything that happened."; "Then what happened?"), to more focused questions (e.g., "Did he take your clothes off?"), to questions about a specific detail (e.g., "What were you wearing?"), or to questions that offer the child limited options (e.g., "Did he touch your pee-pee?"; "Did he tell you not to tell?"; "Were his pants on or off?").

**7. A neutral interviewer, open-ended questioning, absence of repeated suggestive interviewing, and no induction of a motive for the child to make a false report are conditions that increase the accuracy of even very young preschool-age children.**

When interviewers are supportive but do not selectively reinforce the child's responses and ask open-ended questions, they garner information that is based on the child's memory of an experience and lessen the risk of inaccurate statements. However, open-ended questions can elicit inaccurate reports if a child has incorporated as part of his or her memory misinformation through previous suggestive interviews.

**8. There is consensus among researchers that audio recording or videotaping the child's interview is the most accurate method of recording the specific questions of the interviewer and answers of the child.**

Note-taking fares very poorly compared to either audio or video recording and evaluators who rely on note-taking are found to miss a significant amount of important information. Videotaping provides the most accurate and detailed form of recording CSA interviews, audio recording provides a less adequate system of recording than videotaping since nonverbal demeanor and behavior is lost, but both are better than note-taking.

**9. Similar to a comprehensive child custody evaluation, conclusions and recommendations regarding child sexual abuse evaluations do not solely rely on the verbal report of the child.**

The evaluator's summary of findings encompasses a myriad of information including parents' childhood histories, parents' mental health and presence of any personality disorders, timing of and motivation for disclosure, results of the psychosexual evaluation, medical evidence for or eye witness evidence to the sexual abuse events, collateral information, and other relevant documents and observations.

**10. It is not within the psycho-legal role of the evaluator to offer an opinion on the ultimate issue.**

The evaluator's role is to assist the court by providing data on the strengths and weaknesses of the allegation, not to determine the truth of the sexual abuse allegation.