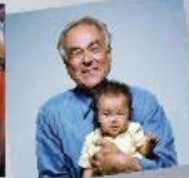




ASSOCIATION OF
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eNEWS

AFCC 10th Symposium on Child Custody Evaluations
Research and Practice: Bridging the Gap and Finding the Balance
November 1-3, 2012, Arizona Grand Resort in Phoenix, Arizona

October 5 is the Early Registration Deadline

Time is running out to take advantage of the early registration discounted rate. If you are not already a member of AFCC, join when you register. You will save \$10 on your first year's membership and register at the member rate. Early registration ends Friday, October 5, 2012. Be sure that both your registration and payment are received or postmarked on or before October 5th to take advantage of this reduced rate.

[Register online.](#)

[Conference program brochure](#)

Hotel Block Released October 1

Now is the time to make your hotel arrangements. The AFCC room block at the Arizona Grand Resort will be released for general sale on Monday, October 1, 2012; the special group rate will not be guaranteed after the release date or if the hotel sells out early. AFCC attendees will receive the special rate of \$159/night single or double occupancy and the resort fee is waived for reservations made at the AFCC special rate. All reservations will be charged a one-night room deposit, refundable up to seven nights prior to arrival. [Book online](#) or call the Arizona Grand for reservations at (602) 438-9000 or (877) 800-4888.

Exhibit and Advertise in Phoenix

Symposium attendees are an excellent audience for you to showcase your products and services. Exhibit tables are competitively priced and include admission to sessions. If you cannot attend in person and would still like to reach an audience of custody evaluators, judges, lawyers and family court professionals, a registration packet insert is a great way to connect.

[More information](#)

Continuing Education Credits

AFCC is an Approved NBCC Provider

The National Board for Certified Counselors (NBCC), the largest counselor credentialing body in the United States, has designated AFCC as an NBCC-Approved Continuing Education Provider. National Certified Counselors (NCCs), LPCs, LMHCs, and LCPCs may earn NBCC-approved clock hours at AFCC-sponsored trainings and conferences.

Meet Your End of the Year CE Requirements

AFCC will offer a number of opportunities to help you fulfill your continuing education requirements this fall, before those end-of-the-year deadlines. The 10th Symposium on Child Custody Evaluations, November 1-3, 2012, in Phoenix, provides up to 16.5 hours of continuing education for psychologists, mental health professionals, mediators and other specific professions.

[More information](#)

On December 3-6, 2012, AFCC, in collaboration with the University of Baltimore

MONTHLY E-NEWSLETTER
VOL. 7 NO. 9
SEPTEMBER 2012

Upcoming Conferences

[AFCC Phoenix brochure](#)

AFCC 10th Symposium on Child Custody Evaluations

Research and Practice: Bridging the Gap and Finding the Balance
November 1-3, 2012
Arizona Grand Resort
Phoenix, Arizona
[Conference brochure](#)
[Register online](#)
[Online hotel reservations](#)

AFCC 50th Anniversary Conference

Riding the Wave of the Future: Global Voices, Expanding Choices
May 29-June 1, 2013
JW Marriott Los Angeles L.A. LIVE
Los Angeles, California
[Call for Proposals](#)
[Online submission form](#)

AFCC-AAML Conference

September 26-28, 2013
Gaylord National Resort
Washington, DC Metro Area

AFCC Regional Training Conference

November 7-9, 2013
The Westin Crown Center
Kansas City, Missouri

AFCC Training Programs

Intractable Issues in Child Custody Disputes

Mindy Mitnick, EdM, MA
December 3-4, 2012
University of Baltimore, School of Law,
Student Center
Baltimore, Maryland
[More information](#)

Parenting Coordination: Working with High Conflict Families

Christine Coates, MEd, JD

School of Law's Center for Children, Families and the Courts, will offer two training programs: *Intractable Issues in Child Custody Disputes*, with Mindy F. Mitnick, EdM, MA, and *Parenting Coordination: Working with High Conflict Families*, with Christine A. Coates, MEd, JD. Each two-day training program is eligible for 12 hours of continuing education for psychologists and 12 CE clock hours for national certified counselors. The University of Baltimore qualifies as an automatic sponsor for offering academic courses or programs recognized as acceptable social work curriculum, subject areas pursuant to the Maryland Board of Social Work Examiners Continuing Education Regulations.

[More information](#)

AFCC 50th Anniversary Conference

**Riding the Wave of the Future: Global Voices, Expanding Choices
May 29–June 1, 2013, JW Marriott Los Angeles L.A. LIVE**

October 4 is the Deadline to Submit a Workshop Proposal

Be a part of this landmark event! The AFCC Annual Conference is an extraordinary opportunity to present your work, research, programs or ideas to the interdisciplinary AFCC community. AFCC is accepting proposals for 90-minute workshops now through October 4, 2012. Proposals must be submitted using the online submission form.

[Call for Proposals](#)

[Submit a Proposal](#)

Sponsorship, Advertising and Exhibit Opportunities

AFCC has many opportunities for sponsorship and advertising at the 50th Anniversary Conference. Whether you are interested in a sponsorship, print ad in the conference program brochure or on-site promotions like an exhibit table or registration packet insert, there is an option for every budget and every desired level of exposure.

[More information](#)

AFCC History: Did you know?

As the 50th Anniversary Conference next year in Los Angeles approaches, we will highlight some AFCC trivia from the past 50 years. Do you know—or even remember—the different names *Family Court Review* has had?

California Conciliation Courts Quarterly: March 1963–June 1964

Conciliation Courts Review: January 1965–December 1988

Family and Conciliation Courts Review: July 1989–October 2000

Family Court Review: January 2001–Present

Family Court Review 50th Anniversary Special Issue

By Courtney Rodriguez, Managing Editor of Family Court Review, Volume 51

I am proud to announce *Family Court Review's* upcoming 50th anniversary issue.

The issue is due to be published in January 2013 and will provide readers with insightful articles focused on the progression of the journal and the field of family law. Two well-crafted student notes will be included. I would like to take this opportunity to thank the special editor of this issue, Connie Beck, for all of her hard work and enthusiasm. Beginning next month with a reflective piece by *FCR* editor, Andrew Shepard, titled "Kvell[ing] for *Family Court Review* on its 50th Birthday" the *AFCC eNEWS* will highlight an article from the issue each month until its publication. I hope you will enjoy the special issue and join us in celebrating an incredible milestone for the journal and the organization!

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Research in a Strained System—When and How Can it Be Useful?

By Lyn R. Greenberg, PhD, Leslie M. Drozd, PhD, and Mary Catherine M. Bohlen, Esq.

As thousands of families pass through courtrooms every day, can research be of use to the court in determining what to do for these children? What core concepts will help professionals use the available research most effectively?

The authors will present on these issues at the upcoming *AFCC 10th Symposium on Child Custody Evaluations*, along with Hon. R. John Harper, Kathryn Kuehnle, Nancy Olesen, Michael Saini, Hon. Harvey Silberman, and a host of other distinguished experts.

December 5–6, 2012
University of Baltimore, School of Law,
Student Center
Baltimore, Maryland
[More information](#)

Nuts and Bolts of Parenting Coordination: Helping High Conflict Parents Resolve Disputes

Joan B. Kelly, PhD
March 4–5, 2013
Loyola University Chicago, Philip H. Corboy
Law Center
Chicago, Illinois

When Nuts are Loose and Bolts Don't Fit:

Advanced Practices in Parenting Coordination

Arnold T. Shienvold, PhD
March 6–7, 2013
Loyola University Chicago, Phillip H. Corboy
Law Center
Chicago, Illinois

AFCC Chapter Events

Wisconsin Chapter Training

What Children Know and How They Tell Us
Presented by Mindy Mitnick
October 5, 2012
Country Springs Hotel
Pewaukee, Wisconsin
[More information](#)

Ontario Chapter Annual Conference

*The GPS of Family Law... The Road Not
Taken*
October 19, 2012
Toronto Public Library
Toronto, Ontario
[More information](#)

Arizona Chapter Annual Conference

*Cultivating Resilience in Children, Families
and Professionals*
February 1–3, 2013
Hilton Sedona Resort and Spa
Sedona, Arizona
[More information](#)

Louisiana Chapter Annual Conference

*Collateral Damage: Addressing the Hidden
Costs to Families and Professionals
in Chronic High Conflict Cases*
March 7–8, 2013
Hampton Inn
New Orleans, Louisiana
[More information](#)

Florida Chapter Annual Conference

Creating Our Future: One Family at a Time
March 15–16, 2013
The Rosen Center
Orlando, Florida
[More information](#)

Washington Chapter Conference

Pinnacles of Practice in Times of Challenge
April 6, 2013
Washington Athletic Club
Seattle, Washington
[More information](#)

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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](#)

About AFCC eNEWS

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.

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Member News

Bill Eddy, of San Diego, California, and **Don Saposnek**, of Aptos, California, have published a new book called, *SPLITTING AMERICA: How Politicians, Super PACs and the News Media Mirror High Conflict Divorce*. The book looks at the similarities between the behaviors exhibited in high-conflict divorces and those in the US political system. The authors say the book is, "our small effort to calm this national conflict—for the good of the American family."

Julie Macfarlane, of Kingsville, Ontario, Canada, was the recipient of the 2012 Scholar of the Year Award from the Institute for Social Policy and Understanding. The award recognizes Julie's work on Islamic marriage and divorce and the use of Sharia law, which was influential both for the Muslim community, and the public, media and policymakers in trying to understand the North American Muslim community.

Marya Kolman, of Columbus, Ohio, became president of the Association for Conflict Resolution (ACR) at the ACR annual conference this month in New Orleans. Marya has been the director of mediation programs for the Domestic Relations and Juvenile Court in Columbus, Ohio, since 1999.

Member Profile

Loretta Frederick, JD, Winona, Minnesota

AFCC member Loretta Frederick has made a career out of giving voice to the underrepresented. Beginning as a young legal aid attorney and growing into one of the United States' leading experts in domestic violence, Loretta has been Senior Legal and Policy Advisor for Minnesota's Battered Women's Justice Project since 1995. In a career filled with remarkable accomplishments, one of the most fascinating turns is that Loretta has become a major contributor to AFCC after spending a great deal of time on the other side of the proverbial aisle.

[Read more](#)

Family Law in the News

Evaluator Immunity: Cooney v. Rossiter, Illinois Appellate Court Civil Court *The judgment of the court was delivered by Justice Howse, courtesy of the Illinois Bar Association*

Material contained in report of court-appointed psychological evaluator is absolutely privileged because of public interest in protecting such reports in custody action, so evaluators can fulfill their obligations without worry of harassment and intimidation from dissatisfied parents.

[Read more](#)

Do Genes Explain Why Divorce Affects Children In Different Ways?

By Robert Hughes, Jr., courtesy of Huff Post Divorce

One of the most consistent research findings that explores the effects of divorce on children is that the results are inconsistent. Yes, that is what I meant to write. Thirty years of scientific study have concluded that there are no simple answers to the question about how children will be affected by divorce. In 2010, Paul Amato [summarized current research](#) and concluded, "A reasonable assumption is that divorce can have varied consequences, with some children showing improvements in well-being, other children showing little or no change, some children showing decrements that gradually improve and yet other children developing problems that persist into adulthood."

[Read more](#)

Beware the Un-dissolved Civil Union: Massachusetts' Highest Court Says that a Subsequent Marriage is Polygamy

By Joanna L. Grossman, courtesy of Verdict

Todd Warnken entered into a civil union with a man in Vermont in 2003. Without dissolving that relationship, he then married another man, Richard Elia, in Massachusetts in 2005, shortly after same-sex marriage became legal in that state. Was this a valid marriage? That depends on whether Massachusetts treats the civil union as a marriage for purposes of applying its bigamy laws, which prohibit a person with a living spouse from marrying another person.

[Read more](#)

first-time member and names you as the referral source on the membership application you will earn ten AFCC dollars to spend on conference registrations, membership renewals and publications. For more information, please contact AFCC at afcc@afccnet.org or (608) 664-3750.

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eNEWS

Continuing Education Credits

AFCC 10th Symposium on Child Custody Evaluations Research and Practice: Bridging the Gap and Finding the Balance November 1–3, 2012, Arizona Grand Resort in Phoenix, Arizona

AFCC will provide a certificate of conference attendance for a processing fee of \$15 for members and \$20 for non-members. Please select this option when registering for the conference and be sure to fill out and turn in the blue verification of session attendance form provided at the conference.

Psychologists: AFCC is approved by the American Psychological Association to sponsor continuing education for psychologists. AFCC maintains responsibility for this program and its content. All pre-symposium institutes, plenary sessions and workshops are eligible for up to 16.5 hours continuing education credit for psychologists.

Counselors: AFCC is an NBCC-Approved Continuing Education Provider (ACEP™) and may offer NBCC-approved clock hours for events that meet NBCC requirements. All pre-symposium institutes, plenary sessions and workshops are eligible for up to 16.5 NBCC-approved clock hours. The ACEP is solely responsible for all aspects of the program.

Social Workers: Continuing education approval from the National Association of Social Workers (NASW) has been submitted for up to 16.5 CE credits; however, individuals need to verify approval with their credentialing or licensing boards.

California Board of Behavioral Sciences: AFCC is approved by the California Board of Behavioral Sciences to offer continuing education to MFT and LCSW professionals in California, PCE#4630. Pre-symposium institutes qualify for up to 6 hours and the symposium program qualifies for up to 10.5 hours toward continuing education required by CA BBS.

Judicial Council of California—Administrative Office of the Courts Approvals: The course outline or agenda for this training has been approved as corresponding to subject areas specified in the California Rules of Court, rule 5.210(f), 5.225(d)&(i), 5.230(e)(2), and 5.215(j)(2). The views expressed in this training are those of the trainer and do not necessarily represent the positions or policies of the Judicial Council of California or the Administrative Office of the Courts. The pre-symposium institutes provide six hours of initial training of continuing education for child custody mediators and evaluators, and selected institutes provide up to six hours domestic violence (DV) initial or annual update training (Institute 1 and Institute 3). The symposium provides 10.5 hours toward initial training or continuing education for child custody mediators and evaluators; and selected sessions provide up to nine hours DV initial or annual update training (General Session, Workshops 7, 9, 14, 15 and 26).

Mediators: All conference sessions are eligible for continuing education units through the Association for Conflict Resolution (ACR).

Lawyers: The State Bar of Arizona does not approve or accredit providers or programs. Arizona attorneys should sign up to receive a certificate of attendance in order to self-report hours via affidavit. Out-of-state conference attendees may use the certificate of attendance to apply to their accrediting agency for credit.

A complete list of conference sessions eligible for specific continuing education credits will be available at the AFCC registration desk on-site in Phoenix.



ASSOCIATION OF
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eNEWS

Ask the Experts

Research in a Strained System—When and How Can it Be Useful?

Top Ten Tips to Help Professionals Use Research Effectively

By Lyn R. Greenberg, PhD, Leslie M. Drozd, PhD and Mary Catherine M. Bohen, Esq.

Nineteen-month-old Johnny and his three-year-old sister Sally need a parenting plan. Both are having difficulty with transitions. Father alleges that Mother is limiting his access to the children and interfering with the crucial development of the children's bond to their father. Father believes that his parenting time should be increased, to include overnight time with the children. Mother distrusts Father's parenting skills. Mother has read that children should never be separated from their mothers before the age of 5. Each parent has brought an article from a website to court, suggesting that "science" supports that parent's position.

As thousands of families pass through courtrooms every day, can research be of use to the court in determining what to do for these children? What core concepts will help professionals to use the available research most effectively?

1. Avoid believing that "If it's published, it must be quality research."

Based on a critical appraisal of 60,352 articles from 170 journals, McKibbin, Wilczynski, & Haynes (2004) found that only 6.8% of published articles were deemed "high quality" studies. Not all studies are created equally. Published reports can make erroneous claims that may not be based on high quality evidence. Contradictions in research findings may reflect differences in the quality of the research, the populations studied, the sample size, the research design used, and the accuracy with which it is reported. With the increased use of open source publishing (e.g., publishing material on the internet), it is easy to find at least one "study" to support just about any theory. Science can help us understand complex relationships so it should neither be discounted nor used without critical appraisal (Drozd, Olesen, & Saini, 2012).

2. Avoid the twin temptations of adopting oversimplified rules and disregarding science altogether. If it looks too simple to be true, it probably is.

Legal professionals often prefer simple, clear statements, and may perceive mental health professionals who present nuanced statements to be waffling or defensive. Social science is complicated, because children and families are complicated. Care is essential to determine which findings best apply to the family at hand. It is prudent to be cautious when polarized or politically driven extremes are presented (Johnston, 2007; Gelles, 2007). Research allows one to discover the full continuum of solutions as a means to navigate around ideological wars (Saini, 2012).

3. Summaries of the research can be handy, but are often misleading.

Because summaries may not accurately reflect the findings in the primary studies, they should be used with great caution (Saini, 2012). Does the author who conducted the review have an evident bias or agenda? Is the author articulating the limits of the research in the summary or acknowledging findings that point in different directions? Popular press articles and brief research summaries often present oversimplified results with considerable overstatement. They may fail to distinguish between research findings and statements of theory or opinion—presenting findings that support the author's perspective as

immutable facts and even omitting limitations cited by the original researchers (Greenberg, Drozd & Bohlen, 2012). For example, it is no less misleading to say that “the research” supports overnights for young children than it is to say that “the research” establishes that young children below age 5 should never spend the night away from their mothers. Studies suggest different conclusions and different issues to consider, depending on the family’s situation and characteristics. A closer look at the details can guide us to the issues most important and relevant to a particular child and family.

4. Look for experts and authors who put the limitations of their results out front, from the outset.

Banner headlines and broad, uncomplicated statements may be appealing but are often misleading. Many families do not have the funds to challenge material presented as “sound bites” or “headlines.” Harm can be done to families in between the overly broad statement and the presentation of context or amplifying material. That is one reason why psychologists have an ethical obligation to articulate the limitations of opinions they present and to take steps to mitigate any misrepresentation or misunderstanding of their work. Which expert would you find more credible—one who notes the limitations immediately, or one who is forced to do so under challenge from other experts or a cross-examining attorney?

5. Avoid considering research in a vacuum.

Consider the other variables, such as general child development issues, that may impact or inform the immediate issues. If the allegation in the case involves alienation, it is essential to also consider what we know about child development, violence, maltreatment, parent-child relationships and attachment. This approach will minimize the risk of neglecting the whole child in favor of focusing on contested issues.

6. Findings that appear to conflict may actually provide context or applicability.

When the expert looks more deeply at the findings, the various factors at play that provide the different findings may become evident and, in turn, may help the expert, and ultimately the court, see the family before them more clearly and accurately. Caution must prevail, given that the factors found in other domains related to child custody may not take into consideration the confounding effects of separation, conflict, and involvement with the family court system (Saini, 2012). Thus, extrapolating the evidence needs to be tentative and framed within the context that a given family finds itself in.

7. Push back from overgeneralizations and cookie-cutter approaches to solve complex problems.

Determine whether the studies cited are similar to the family and children in the case before the court. Consider the context and complexity of individual experiences of children and families in assessing the applicability of research findings (Drozd, Olesen, & Saini, 2012; Greenberg, Drozd & Bohlen, 2012.). If children in the case under consideration are ages 3 and 5 and the subjects in the studies looked at are teenagers, one might question the generalizability of the study to the children in the instant family.

8. Avoid phrases like, "the research says" given that the research rarely speaks with a single voice. Instead consider “the trends suggest...”

Even when there is broad agreement on general issues, details vary. Rarely is there agreement across all research on a given topic. The findings of individual studies are more likely to differ than to be identical. The differences in the research findings may be critical to crafting plans and interventions for a specific family. By way of example, while there is general agreement among mental health professionals that exposure to parental conflict may be harmful to children; the best plan for a family will depend on the type of conflict presented, the resources available, and the strengths and weakness of each family member (Kelly, 2007).

9. Seek research to inform about the possibilities, rather than narrowly looking at research to support one view. Seek research that challenges your preliminary opinion.

When an expert, an attorney, or even a judge has a pre-existing view, the temptation is to consider and give weight only to information that supports that point of view. “Check yourself before you wreck yourself.” Experts may present more polished versions of the material that Johnny and Sally’s parents found on their preferred websites, though experts can be effectively challenged about their choices of source material, and whether they sought information about other possibilities. Systematic bias can be

even more harmful at earlier stages of the process when a consultant's report of the research may impact a family's decision to settle or pursue litigation.

10. Therapy, parenting coordination and other interventions should also be “scientifically informed.”

Too often, we expect a research base for the "big issues" that are the focus of litigation, and neglect the available research when deciding how to assist families. Controlled studies of specific interventions may not be available, but we can draw on research about domestic violence, children's development and adjustment, components in children's decision-making, suggestibility, and other related issues in crafting or providing interventions. There is a broad knowledge base in the mental health professions about many of these issues, and research from a variety of perspectives about what is essential or useful to promote behavior change in adults and progress in children. "What works" (and does not work) from the available research can help in assessing whether it may work as part of the interventions stipulated to by the parties or ordered by the court (Greenberg, Doi Fick, & Schnider, 2012; Greenberg, Gould, Gould-Saltman & Stahl, 2003).

While the volume of social science literature has increased dramatically over recent decades, important questions persist about applicability and whether the research can offer anything to Johnny and Sally's family. Undoubtedly, there are some findings that can be helpful in decision-making, *if used appropriately*. Skilled professionals can provide context to splash headlines on websites, educating parents to more accurate information relevant to their family. This may provide the basis for compromise and cooperation, with professional assistance. If the decision must be made by the court, research presented in the context of the family may assist the court. Conversely, decisions based on splash headlines or biased summaries may do more harm than good for the family.

Conscientious custody professionals look for consistent findings and themes across the professional literature. They look at the strengths and weaknesses of the studies, and the relevance of the findings to a particular family. They make deliberate attempts to contain bias, by seeking material inconsistent with their own prior opinions. Practitioners providing services to these families also have a responsibility to be familiar with the research that is relevant to their work and to practice in a scientifically defensible manner ([AFCC Guidelines for Court-Involved Therapy](#), 2010). Failure to do so risks enormous harm to the children and family. The applicability and implications of various studies may be debated for years in professional meetings and journals, with each new finding augmenting or complicating what was known before. Occasionally, but rarely, the bulk of available research will point in a single direction; just as rarely, a new finding will lead professionals to rethink prior assumptions and change practice.

Generally, the best use of psychological research is gradual, cautious, and nuanced. Used carefully and throughout the process, research may have much to offer to families. As with most tools, irresponsible use can lead to harm. Please see the following page for a list of references.

The authors will present on these issues at the upcoming AFCC 10th Symposium on Child Custody Evaluations, along with Hon. R. John Harper, Kathryn Kuehnle, Nancy Olesen, Michael Saini, Hon. Harvey Silberman, and a host of other distinguished experts.

Mary Catherine M. Bohan, Esq. is a Certified Family Law Specialist practicing in Downtown Los Angeles. She can be reached at mcb@bohenfamilylaw.com.

Leslie M. Drozd, PhD is the editor of the Journal of Child Custody and co-editor of Parenting Plan Evaluations: Applied Research for Family Courts (Oxford, 2012). She maintains a clinical and forensic practice in Newport Beach, CA. Her website is www.lesliedrozd.com.

Lyn R. Greenberg, PhD practices forensic and clinical psychology in Los Angeles, specializing in child custody and juvenile dependency cases. She has written and presented widely on variety of issues related to court-involved families, and co-edited the Journal of Child Custody's special issue on court-involved therapy. She can be reached at lyn@greenbergphd.com.

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eNEWS

Member Profile

Loretta Frederick, JD, Winona, Minnesota

AFCC member Loretta Frederick has made a career out of giving voice to the underrepresented. Beginning as a young legal aid attorney and growing into one of the United States' leading experts in domestic violence, Loretta has been Senior Legal and Policy Advisor for Minnesota's Battered Women's Justice Project since 1995. Among her many accomplishments, she founded and directed the Battered Women's Legal Advocacy Project, served on the Minnesota Supreme Court's Gender Fairness Implementation Committee, was a faculty member of the Minnesota Judicial College and the Family Law for the Judiciary education programs, was involved in the formulation of the Model Code on Domestic and Family Violence with the National Council of Juvenile and Family Court Judges (NCJFCJ) Family Violence Department and has worked as a consultant for the US Marine Corps to develop its response to domestic violence. In a career filled with remarkable accomplishments, one of the most fascinating turns is that Loretta has become a major contributor to AFCC after spending a great deal of time on the other side of the proverbial aisle.

Loretta graduated from Macalaster College in St. Paul, Minnesota, and then attended law school at William Mitchell College of Law. "Law school appealed to my interest in using logical thinking to defend a position," Loretta said. "My mother would tell you that I was really good at arguing!"

Initially, Loretta did not self-identify as a feminist and gender issues were not on her radar as she began her career at Southern Minnesota Regional Legal Services, a small legal aid office in Winona, Minnesota. "I handled cases for clients who were denied federal and state aid, wheelchair access (before the ADA) and other cases where low income people were not being treated justly."

In addition, Loretta represented clients in divorce proceedings. "I noticed this really interesting pattern—many of the women would not leave a phone number—they didn't want me to call them at home," Loretta recalled. "It turned out that they hadn't told their husbands they were filing for divorce and they were afraid they would be hurt if it came out. I started hearing awful stories about physical and sexual abuse, so I began to systematically start asking questions at intake. Things were very different then and people did not talk about domestic violence openly. I remember one woman told me that since I wasn't married I just wouldn't understand."

At the same time, Loretta became involved with forming the Women's Resource Center in Winona. She served on the board of directors and began speaking publically about domestic violence issues. When national funding to legal aid was deeply cut in the early 1980's, Loretta sought private funding sources to help low income clients enforce their own child support orders and to train advocates to help women

file orders for protection. These initiatives eventually evolved into the Battered Women's Legal Advocacy Project.

In 1983, the issue of violence became personal for Loretta when her sister was murdered. "It was a man who was the best friend of my sister's boyfriend. After Emily and her boyfriend broke up, the other guy became interested in my sister," Loretta said. "They never dated, but when she started seeing someone else, he killed her and then killed himself." For Loretta, this served as a wakeup call. "All of a sudden I realized that it didn't matter what your background is, or whether you came from a comfortable, non-violent family, which my sister did. I learned that you cannot, by virtue of who you are, protect yourself from violence in a gendered world."

As mediation became popular in the mid-to-late, 1980's Loretta and others involved in battered women's advocacy expressed some very real concerns. At the time AFCC was a leader in the mediation field and played a major role in establishing the process in mandatory mediation programs in courts throughout North America, leading Loretta into direct confrontations with AFCC leaders at times. "I saw all of these clients with protection orders that were disregarded by judges, who summarily ordered these women to mediation, where they would agree to things they never would have otherwise because of the dynamics in mediation, often with mediators who did not know much about domestic violence," Loretta said. "Advocates opposed mediation for a long time, although there was not necessarily a consensus in the advocacy community. Some saw mediation as inevitable and worked with the dispute resolution community to provide education on domestic violence."

As Loretta reflects on some of the struggle with mediation she says, "There's a much greater awareness about violence now, and most mediators understand that some cases of intimate partner violence are not appropriate for mediation. But the problem is actually much bigger than one process. The family court system, in general, has a lot to learn about realities of the lives of battered women and their children, victims of domestic violence and coercive abuse. In retrospect, the advocates didn't spend enough energy early on in the family courts systems generally and the systems developed without our input."

Loretta believes that the situation is improving, but that there is still much to be done. "More recently we have been able to collaborate with family courts and with AFCC," she said. "With the Wingspread Conference on Domestic Violence and Family Courts and subsequent projects, there seems to have been a shift in attitudes on both sides. Now we need to work together to make the best use of our resources." As a member, presenter at AFCC conferences, and member of numerous collaborative project teams, Loretta is in a great position to build bridges between professional communities and help influence the necessary change.

For more information on the [Domestic Violence and Family Courts Project](#), the Wingspread Conference and special issue of Family Court Review, as well as audio from conference sessions presented by project planning committee members, visit the [Center for Excellence in Family Court Practice](#) on the AFCC website.



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