



NEWSLETTER

Association of Family and Conciliation Courts

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

Volume 14, Number 4
Fall 1995

AFCC Prepares for Florida Symposium and Congress

AFCC is busy gearing up for the **Second International Symposium on Child Custody Evaluations** and **Second International Congress on Parent Education Programs** in Clearwater Beach, Florida in January 1996. Both programs will take place at the Sheraton Sand Key Resort (\$96 single or double). Early interest in both programs is very strong and AFCC is planning for an excellent turnout.

The Sheraton Sand Key Resort is the ideal place to attend a conference, take the family on vacation, or both! Located on ten acres of beach front property, the resort is just twenty miles from the Tampa International Airport. Clearwater Beach offers golf, deep sea fishing, tennis, shopping and close proximity to Disney World, Sea World, Busch Gardens, Cypress Gardens and more!

For more information or registration contact AFCC, 329 W. Wilson St., Madison, WI 53703 (608) 251-4001; Fax (608) 251-2231.

Second International Symposium on Child Custody Evaluations January 20-22, 1996

Participant feedback from the 1994 Symposium has helped the planning committee put together a program that will meet the needs of all who attend. The 1996 Symposium will include three tracks: Core Skills, Advanced Applications and Professional Practice Issues.

Core Skills workshops are for those looking to reinforce their skills and for evaluators new to the field. Participants following this track will obtain a grounding in the core skills required to conduct a child custody evaluation. Workshops will include: (1) interviewing parents and children; (2) assessing family relationships; (3) report writing; (4) preparing for court and more.

Advanced Applications workshops are designed for practitioners with experience and those interested in the more challenging aspects of custody evaluations. Topics will include: (1) parental alienation syn-

drome; (2) child sexual abuse; (3) domestic abuse; (4) high conflict families; (5) psychological testing; and (6) move aways.

Professional Practice Issues sessions are designed for practitioners of all levels and will focus on the many difficult issues faced in the course of child custody evaluations. Discussions involving ethical dilemmas, case consultation and examination of what judges and lawyers want from custody evaluations will highlight this track.

For those looking for comprehensive training, the **Symposium** will offer five Special Institutes on Saturday, January 20. Institutes are designed as hands-on, skill building sessions. Full-day institutes include:

- **Court Preparation for Professionals or "How to be a Witness and Live to Tell About It."** Barbara Chisholm, MSW, Toronto, Ontario.
- **Assessing Child Sexual Abuse.** Kathleen Faller, Ph.D. University of Michigan Family Assessment Clinic and Rosemary Neidzwicki, ACSW, Child Guidance Clinic, New London, Connecticut.
- **Special Mastering.** Margaret Lee, Ph.D., Greenbrae, CA, and Phil Stahl, Ph.D., Dublin, CA.

Half-day institutes include:

- **Using Play Therapy in Child Custody Evaluations.** Anita Trubitt, ACSW, Kamuela, Hawaii.
- **Custody Evaluations with High Conflict Families.** E. Robert LaCrosse, Ph.D. and Linda Reed, Ph.D. Denver, CO.

Second International Congress on Parent Education Programs January 27-29, 1996

Building on the success of the first Congress, held in Chicago in 1994, the **Second International Congress on Parent Education Programs** will focus on the specifics of program development, operations, management and evaluation.

The **Congress** will offer a choice of four special institutes, and more than 20 workshops and plenary sessions. David Sadker, Ed.D., Professor of Education at American University, will open the conference by addressing gender issues in adult education. Dr. Sadker is co-author of *Failing at Fairness: How Our Schools Cheat Girls* and gave a stimulating presentation at AFCC's 1995 Annual Conference in Montreal.

Featured speakers will include:

- **Professor Andrew Schepard**, Co-founder of New York's Parent Education and Custody Effectiveness (P.E.A.C.E.) Program, Chair, AFCC Parent Education Committee
- **Elizabeth Hickey**, Director, Divorce Education Program, Salt Lake City, Utah
- **Hon. Susan Snow**, Cook County Circuit Court, Bridgeview, Illinois
- **Bev Bradburn-Stern**, Director, Community and Education Training Services, Children Cope With Divorce, Atlanta, Georgia
- **Carol Roeder-Esser**, Director, General Responsibilities as Divorcing Parents, Mission, Kansas

Congress workshops will focus on a variety of topics, including, Parallel Parenting; The Care and Feeding of Your Program; Education by Interactive Video; Anger; Forging Community Alliances, Experiential Activities for Adults and Experiential Activities for Children.

The Congress will also feature four half-day Pre-conference Institutes on:

- **Instructional Strategies for Adult Learners**
- **How to Evaluate Your Program**
- **Developing a Program for Children**
- **Establishing a Parent Education Program in Your Community**

Ample opportunities will be provided for informal discussion, sharing of information and materials and building professional networks.



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AFCC NEWSLETTER

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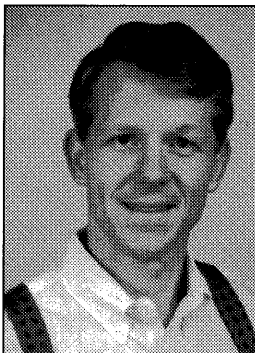
The AFCC Newsletter is a publication of the Association of Family and Conciliation Courts. The Newsletter is published four times a year. Deadlines for news items and advertising are March 1, June 1, September 1, and December 1. Advertising copy must be camera ready and payment made in U.S. funds.

Advertising Rates:

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Quarter page (3½" x 4½")\$175

President's Message

by John Kydd
Seattle, Washington



and family court services has never been more clear.

Contrarily, at least in the U.S., the incidence of preventable child poverty has never been higher (one in four); the gap between rich and poor has never been greater; the problems brought into family courts and family court services have never been more severe and the budgets to meet this tidal wave of malaise has never been more limited. As of this writing, the U.S. Congress has stricken the entire budget of the Legal Services Corporation, opting for funding only if the state applies for block grants. Poor battered spouses will have no counsel, save charity.

According to Children's Defense Fund:

Every morning, as we wake up, 100,000 American children wake up homeless. Every 32 seconds, about the time it takes to walk to the kitchen and put the coffee on, an American baby is born into poverty. Every 14 minutes, while we shower and brush our teeth, a baby needlessly dies in America. Every 64 seconds, while we lock our doors and leave for work, a baby is born to an unmarried teenage mother; and every 13 hours, before we go back to sleep that night, an American pre-schooler is murdered.

Beyond this is the additional reality of low income parents who are working full-time, who cannot afford adequate health care, cannot afford day care and whose children are living one step away from homelessness. They confront waiting lines in emergency rooms that exceed six hours in many major urban centers. Meanwhile, the U.S. Congress is actively considering spending \$26 billion for a B-2 bomber which even the Pentagon does not support, but which will be produced in Georgia. This is reassuring. The situation is far better in Canada, Australia, and with our other industrial peers but they too face significant cuts.

The cuts in funding would be easier to accept in a severe recession. Our economy is booming. Only our family services are in a recession. This suggests that the problem is not *economic*, it is *political*. It is political

To paraphrase Dickens, it is the best of times; it is the worst of times. Our conferences and trainings have never been better or more popular; our journal has never been more widely read; the need for family court

decisions that compel our court administrators and family judges to struggle heroically to retain staff only to find them leaving because of the case overload, the inability to pay a decent wage, or provide the opportunity for education and training. An increasing number of our Board members no longer have the funds to attend AFCC conferences. People tell me that working harder, smarter, and faster usually results only in the assumption that the higher case-loads that were imposed on an "emergency" basis now continue as "business as usual." Some judges speak of dockets so large they don't have the time to be certain they are making a fair decision. They say they are now processing families and are no longer certain they are protecting them.

The *political* problem is that family courts and family court services are funded only to the degree that our work (and our clients) are *politically* valued. As the plight of the poor family is politically ignored, so too are those who work on their behalf. It is a political fact that the well-being of our economy is being divorced from the well-being of our poor families. However, we, unlike doctors, lawyers, and psychologists, have neither lobbyists nor a trade association to represent us. We have no standards for minimum staffing, no comprehensive strategies to help us defend our budgets to state and provincial authorities, and few, if any, media kits to promote the necessity (and cost-effectiveness) of our services.

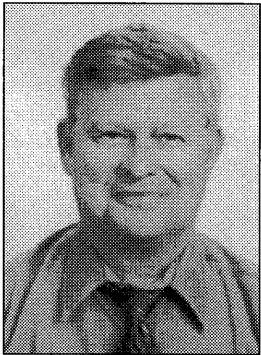
Reasonable steps we can take to remedy this situation are:

1. **Staffing Standards for Family Court Services.** Hospitals must meet rigorous standards of staffing, protocol and service provision in order to pass inspection. We should think seriously about establishing minimum standards of staffing for parenting, domestic violence, and substance abuse investigations, etc. We should mandate clear ceilings for case-loads, and floors for salaries, staff support, and staff training. *We cannot protect our professionalism if we cannot defend our right to secure sufficient resources to perform professionally.*
2. **Protecting and Defending Family Court Budgets.** No public office or officer is indispensable unless they are *politically* indispensable. We need to develop ways to better *defend what we have* and to *get what we need*. We need to create prototype budgets with a master introduction that cites the key research and rationales for the indispensability of family court and family court services. To defend what we have, we could create letter campaign networks to combat surprise budget cuts. We could consider a nationwide (or

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MEMBER PROFILE:

California Member Larry Lehner, Master of All Trades



Larry Lehner, director of Alameda County (Oakland, CA) Family Court Services, is in many ways the embodiment of the membership of the Association of Family and Conciliation Courts. His professional life of

nearly thirty years has been dedicated to improving the lives of children and families. His work has been far reaching, including direct service to children and families, administering volunteer efforts, and serving in policy making, training and planning capacities at the national, state and local levels. While his resume lists an impressive array of activities and credentials, Larry has managed to make important professional contributions in a quiet, unassuming manner.

A native of Portland, Oregon, Larry moved to Palo Alto, California with his family at age 16. He enrolled in San Francisco State University and left midway through his second year to "bum around the world." Larry's travels took him to Hawaii and to Europe. He toured Europe with friends for six months using his Eurail pass, the first year that the popular train passes became available.

After another six months working in Hawaii, Larry returned to San Francisco. He completed his B.A. and M.A. in psychology

at San Francisco State University and began work as a school psychologist for the Berkeley School District. After a decade as a school psychologist, Larry had become a husband, a father and earned his Ph.D. He met his wife Judy, then a special education teacher in the Berkeley Schools, and in 1972 their daughter Marla was born. Looking for a change, Larry and Judy decided to pick up and move to Honolulu in 1978, where Larry worked as a clinical psychologist for the Department of Public Health, working directly with children and families, and subsequently taking an assignment working with the courts.

Upon returning to California in 1983, Larry became director of the Child Advocacy Program in Marin County, CA. As director of one of the first Court Appointed Special Advocate (CASA) programs in California, Larry was soon elected the first president of the California CASA Association, which led to the establishment of the California CASA office which is now funded, in part, by the Judicial Council of California.

In 1989 Larry went to work with the Statewide Office of Family Court Services as Training and Education Coordinator, and subsequently Management Coordinator. He worked for six years planning and implementing statewide education and training programs for court-based mediators, evaluators, family court judges and family court service administrators. Larry also was active with the California legislature in shaping legislation affecting mediation practices.

In May of this year Larry assumed the position of director of Alameda County

Family Court Services. "I am still adjusting to moving from administration back to the front lines," he said, "but I like the job and the challenges it presents." One of Larry's biggest challenges has been filling the shoes of his predecessor, AFCC member Mary Duryee. "This was an extremely well functioning program when I arrived," Larry noted.

Larry's dedication to his work is evident to his colleagues. He said, "I like working with the courts because they establish the parameters for how our society operates. It is both interesting and exciting to be where decisions are made, where policies are established and where social justice is defined. To be part of that, and to also have the opportunity to be responsive to the individual problems and crises of families, is an honor."

Larry and Judy live in Sonoma Valley, about an hour from Oakland. Judy is now an artist and Marla has moved to Manhattan and works for Houghton Mifflin Publishing. Larry participates actively in outdoor sports, particularly downhill skiing. He has been a member of AFCC since coming to work for the Statewide Office of Family Court Services in 1989. "I think AFCC has tremendous strength in the diversity which comes with a cross-disciplinary emphasis, and I don't know of any other organization that does that," he said. "It is a particularly progressive organization with new ideas and creative people who are always thinking ahead. I find that tremendously stimulating."

MEMBER NEWS

Christine Coates, AFCC Vice President from Boulder, CO, has joined JAMS-Endispute in Denver. Ms. Coates will continue her active family mediation practice and her involvement with AFCC. She may now be reached at 4890 Riverbend Road, Boulder, Colorado 80301. Phone: (303) 443-8524; Fax: (303) 545-9901.

Diane (Bryner) Gilbert, member from Alexandria, VA, has emerged from an 18 month AFCC hiatus with a new family and job. Ms. Bryner travelled to Paraguay in April 1994 to adopt her daughter Devon. Shortly thereafter Diane became engaged to Dennis Gilbert, who she had known since college. They were married in December. Mr. Gilbert has been involved in parent education for several years and is working toward certification as a mediator. In January Ms. Bryner accepted a part-time position with the Fairfax County, VA, Court. She promises that we will see

both her and her husband at AFCC soon. AFCC congratulates the Gilbert family on a banner year.

Linda Hahn, AFCC President Elect, has accepted a promotion to Dallas County District Courts Administrator. After serving in the dual role of Acting Courts Administrator and Director of Family Court Services, Ms. Hahn says she is looking forward to working one job. Her new contact information: 600 Commerce, Suite 7-134, Dallas, Texas, 75202. Phone: (214) 653-6034; Fax: (214) 653-6613.

Hon. Benjamin Mackoff, AFCC Board Member from Chicago, IL, has announced his retirement as Presiding Judge of the Domestic Relations Division, Circuit Court of Cook County. Judge Timothy Evans took over the position in September of this year. Judge Mackoff will be establishing a mediation department with the Chicago firm of Schiller, Du Canto & Fleck. He may be

reached at 200 N. LaSalle St., Chicago, IL 60602.

Andrew Schepard, AFCC Board member from Hempstead, NY, received the American Bar Association Family Law Section Chair's Cup at the 1995 ABA Annual Conference in Chicago. The award was presented by Section Chair Lynne Gold-Biken for meritorious service.

Stephen Schlissel, AFCC member from Mineola, Long Island, was recognized by the American Bar Association at the 1995 ABA Annual Conference for his outstanding efforts in promoting the mission and goals of the Family Law Section. Mr. Schlissel's substantial contributions in the area of parent education were acknowledged.

Cook County Marriage and Family Counseling Service (Chicago, IL) has moved to a new location. MFCS staff may be reached at 28 N. Clark St., Suite 600, Chicago, IL 60602; (312) 345-8800.

REQUEST FOR COMMENTS

The Joint Task Force on Parent Education Programs of the Association of Family and Conciliation Courts and the Family Law Section of the American Bar Association

INTRODUCTION

The Joint Task Force on Parent Education Programs of the Association of Family and Conciliation Courts and the Family Law Section of the American Bar Association requests comments on court affiliated education programs.

Research has documented the emotional, economic and educational problems faced by children and parents as a result of the conflict and turmoil associated with separation and divorce. In response, many courts have initiated educational programs for both parents and children. Some states and local jurisdictions mandate participation in educational programs under varying terms and conditions. National surveys also indicate that programs do not exist in many judicial districts.

Development of court affiliated parent education programs is ongoing. Preliminary research indicates that parents and children value these programs. Most programs cover a core curriculum focused on the impact of divorce and separation on children and how parents can ease that impact. Beyond the core curriculum, however, the content of the programs is variable. Most programs provide little, if any, information about the legal process of divorce and separation.

AFCC/ABA JOINT TASK FORCE

The Association of Family and Conciliation Courts and the Family Law Section of the American Bar Association have established a Joint Task Force to promote the development and growth of these court affiliated education programs. The Joint Task Force believes that careful development of court affiliated educational programs is a positive opportunity for collaboration between judges, lawyers, the mental health professions and the larger community for the benefit of reorganizing families.

The Joint Task Force anticipates completion of a Report and Recommendations to its sponsoring organizations on the status and future of court affiliated educational programs during 1996.

REQUEST FOR COMMENTS

The Joint Task Force requests information and comment from parents, judges, lawyers, court administrators, mental health professionals, educators and others interested in the role court affiliated education programs do and should play in the process of divorce and separation.

Specifically, the Joint Task Force particularly welcomes input on the following questions:

1. Should courts sponsor education programs for divorcing and separating parents and children and, if so, why?
2. What goals should court affiliated education programs try to serve? How should we determine if they achieve their aims?
3. What should the content of the programs be?

4. What qualifications, skills and training should program presenters have?
5. Should parental or child attendance be mandatory or voluntary?
6. How should parent education programs be financed?

Comments on any or all of these issues can be provided through the following methods:

PUBLIC MEETINGS

The Task Force will sponsor public meetings at the following conferences. Specific times will be announced prior to the conference.

- The **Second International Congress on Parent Education Programs** sponsored by AFCC at the Sheraton Sand Key Resort, Clearwater, Florida, January 27-29, 1996.
- The **Spring Section Meeting** of the Family Law Section of the American Bar Association at the Williamsburg Lodge in Williamsburg, Virginia, April 11-14, 1996.
- The **Annual Conference** of the Association of Family and Conciliation Courts, Hyatt Hotel on the Riverwalk, San Antonio, Texas, May 8-11, 1996.

To receive information about participation in these meetings, please write or fax:

Ms. Eileen Biondi
c/o Meltzer, Lippe, Goldstein
Wolf, Schlissel & Sazar, P.C.
190 Willis Avenue
Mineola, NY 11501
Fax: (516) 294-3188

WRITTEN COMMENTS

If you wish to provide comments to the Task Force but are unable to attend the public meetings, written comments are also welcome. Comments should be received by May 30, 1996 in order to be considered by the Task Force and should be addressed to Ms. Eileen Biondi at the address above.

A list of references providing more information about court affiliated parent education programs is also available from Ms. Eileen Biondi.

We look forward to your participation in the work of the Task Force and in the development of court affiliated education programs.

The Joint Task Force members are Hon. Douglas McNish, Co-Chair, Wailuku, Hawaii; Stephen W. Schlissel, Co-Chair, Mineola, New York; Joy Feinberg, Chicago, Illinois; Linda Hahn, Dallas, Texas; Margaret Masunaga, Kealahou, Hawaii; Mark Robens, Phoenix, Arizona; Anthony Salus, Wethersfield, Connecticut; Andrew Shepard, Reporter, Hempstead, New York; Hon. Susan Snow, Bridgeview, Illinois; Timothy B. Walker, Littleton, Colorado; Peter Salem, AFCC Staff Consultant, Madison, Wisconsin.

Southern Hospitality Planned for 1996 Annual Conference in San Antonio

AFCC's planning committee is hard at work getting ready for AFCC's 1996 **Annual Conference, Best Interest: Special Issues for Children and Families**, May 8-11, 1996 at the Hyatt on the Riverwalk. The planning committee, chaired by AFCC President Elect Linda Hahn has already held several meetings and is designing an exciting program, wonderful local hospitality and a good time for all who attend.

Planning committee members include Hon. Charles Gonzalez, Marlene Labenz-Hough, Dr. Frank Paredes, Jose Castillo,

Marsha Merrill, Dr. Mina Sanders, Terri Zablocki, Mike Arreaga and Karen Marvel.

The conference will feature more than forty plenary sessions and workshops. Pre-conference institutes will be held on Wednesday May 8, 1996. Topics include: Representing Children; Dealing with Domestic Abuse in Family Cases; Settlement Conferences for Judges; Mediation; and Developing Divorce Education Programs for Children.

The Riverwalk borders both sides of the San Antonio River and winds its way

through parks, sidewalk cafes, specialty boutiques and nightclubs. Both the conference and the city offer plenty to look forward to, so mark your calendar now.

For more information please contact AFCC, 329 W. Wilson St., Madison, WI 53703; Phone: (608) 251-4001, Fax: (608) 251-2231.

Parents Apart: From Parallel to Cooperative Parenting

by Geri Fuhrmann, Psy.D., and Joseph C. McGill, M.S.W., Worcester, MA

Parents Apart is a five hour program for separated or divorced parents, being offered in seven sites in Massachusetts. A collaborative effort between the University of Massachusetts Medical Center, Department of Psychiatry and Family Services of Central Massachusetts, Parents Apart is designed to be taught by two mental health professionals with expertise in child custody, parenting and the impact of divorce on children.

Parents Apart uses a parent's handbook, slides, videotape, role plays and hypothetical situations to keep participants actively engaged and maximize learning. Topics covered include adults' and children's response to divorce, research findings on the impact of divorce on children and common parental pitfalls. The emphasis, however, is on how parents can help circumvent negative consequences of divorce for their children. Concrete suggestions, problem-solving strategies and troubleshooting tips are provided.

Many parent education programs emphasize the importance of interparental cooperation and teach strategies of cooperative parenting. Parents Apart takes a different approach. Building on the work of Maccoby and Mnookin and clinical experience, Parents Apart suggests that post-separation parenting relationships *progress* from parallel to cooperative parenting.

Like many programs, Parents Apart teaches that the parental relationship must be good for the children and tolerable for the parents. Ideally, *cooperative parenting* is possible. Cooperative parents are able to communicate directly about their children's needs, are flexible regarding co-parenting schedules and relate to each other in a polite business-like manner.

Most parents, however, are not emotionally able to cooperate immediately after separation. High interparental conflict may result from efforts to communicate between parents who are not ready for a cooperative post-separation relationship.

When calm communication between parents is not successful then Parents Apart recommends *parallel parenting*. In parallel parenting, each parent assumes total responsibility for the children during the time they are in their care. There is no expectation of flexibility. While parallel parenting may not always be best for children, it is far superior to exposing children to ongoing conflict between parents.

Parallel and cooperative parenting are part of a continuum. Most parents begin with a parallel relationship and, over time, gradually move toward a more cooperative parenting relationship with their ex-partner. In families in which domestic violence has occurred, however, cooperative parenting is *not* a goal. Only parallel parenting, which maintains separation for parents, affords some degree of safety.

In addition to describing the parallel/cooperative parenting concept, Parents Apart provides tips for successful parenting apart, spanning the parallel to cooperative continuum. This portion of the program invariably results in additional suggestions or variations from participants. Although empirical research is not yet complete, clinical impressions indicate that the parallel/cooperative parenting concept is meaningful for separated parents for the following reasons:

- At a time when they are least able, parents typically receive strong messages that cooperation is essential. A developmental line of post-separation parenting offers parents a tolerable way to parent for the present, hope that it will be different in the future and a decrease in feelings of shame for failing to cooperate at the outset.
- Parents who are emotionally able to cooperate but whose ex-partners are not, are helped to understand that the other parent may not be inflexible for malevolent reasons but may be less developmentally able to cooperate at this time.

- By highlighting parallel parenting in the seminar, a transition from a very conflictual co-parenting relationship to a detached or parallel co-parenting relationship may be facilitated for some participants.

Evaluations of Parents Apart have been very positive regardless of whether participants attend on a court-ordered or voluntary basis. As with many education programs for separated and divorcing parents, Parents Apart teaches that cooperative parenting relationships are the ideal. However, parental efforts to communicate and cooperate when one or both parties are not emotionally ready can increase conflict and cause further emotional difficulties for the children. Further discussion of the parallel/cooperative parenting continuum seems a fruitful endeavor for those in the field of parent education.

All proceeds for Parents Apart support non-profit agencies serving children in family court. For further information please write Geri Fuhrmann, University of Massachusetts Medical Center, Department of Psychiatry, 55 Lake Avenue North, Worcester, MA 01655, or call Gail at (508) 856-6048.

Geri Fuhrmann and Joseph McGill are presenters at AFCC's Second International Congress on Parent Education Programs, January 27-29, 1996, Clearwater Beach, Florida.

Correction

The Spring edition of AFCC's **Newsletter** incorrectly reported the telephone number of M. Gary Neuman, LMHC, founder of the **Sandcastles Program**. The correct telephone number is (305) 532-2558.

Education for Separated and Divorcing Parents: A Gift Courts Must Deliver

by Hon. Susan Snow, Associate Judge, Circuit Court of Cook County, Bridgeview, IL

I believe that parent education should be required for every parent participating in a divorce and for those who have never been married to each other, but whose parent-child relationships are the subject of a court proceeding. In the language of court administration, I am in favor of mandatory parent education.

My views are informed by nearly fourteen years of experience in the divorce division of the largest consolidated court system in the world. That translates as an experience of huge numbers of cases and as an observer of how a court system delivers service to an enormous number of families. The lesson I have learned is that education benefits parents, the court system and *especially* the children as families undergo restructuring. There is something for every divorcing or separating couple to learn about the impact their adult decisions have upon their children. There is potential to help every parent avoid unnecessary litigation by enhancing their insight and decision-making resources. And there is always the possibility that something about a child's life, present or future, will be improved when parents gain a greater understanding of how their behaviors and decisions directly impact their children.

As I have learned that parent education is a gift of important information with the potential to benefit all, I have come to believe that the courts are *obliged* to deliver it to all parents who are experiencing separation and divorce. How do we deliver this gift to each parent? In a system as large as Cook County, Illinois, it is a challenge.

I begin with a firmly rooted assumption that parent education is beneficial and that it is a service to our community. The logical extension of that assumption is that the service must be uniformly delivered. But what if we do not all share that view? How do we choose who should go to the parent education class? Do we only refer volunteers? Obviously, any non-volunteer to be referred to parent education would have to be ordered by a judge to attend. That requires a court hearing and a finding that the referral is needed or warranted by the circumstances.

When 20,000 divorcing parents enter the system each year, it is truly costly in time and expenses for all 10,000 of their cases to appear before a judge. The trip to court to get a judicial order to attend the class not only wastes valuable time but is an overwhelming burden to the court when added to the normal docket. A court mandate both announces the requirement and sets the stage to facilitate the referral of every parent

in a uniform and, hopefully, more efficient process.

Uniform delivery is important. I wince at the thought that any parent must be "judged" before receiving information that is intended to be constructive and supportive. Those thus referred cannot help but feel singled out, deficient and punished. In such a process the most frightening outcome is, however, the failure to provide every family and, thus, every child, with the same constructive concern. Is a child to petition the court with its own prayer not to be forgotten by the adults?

Cook County has used both the mandatory and discretionary referral systems since establishing our parent education program, FOCUS on Children. During mandate, the classes had full attendance and diversity amongst participants. Parents who were functioning without conflict (and without court contests) met in the sessions with parents who were experiencing conflict. Our facilitators, who are also on our court mediation staff, reported that, as a result, positive parental role-modeling was one of the most surprising and frequent outcomes. They also reported that the atmosphere of the classes was untainted by any sense of isolation or segregation; no one felt that they had been pronounced a "bad parent" by the judge.

Classes after the discretionary referrals began were adversely impacted by the lack of diversity, lack of parent to parent identification and modeling, resentment and further isolation experienced amongst a group prone to that self-assessment by virtue of the divorce process. The judicial referrals are inconsistent in timing and rationale and not everyone is referred *before* mandatory mediation when the information is most useful to conflicting couples.

Uniform delivery of education for separated and divorcing parents benefits children, parents and courts. It sends a message to the community that courts are interested and will play an active role in assisting families, not simply judging them. The most powerful lessons learned by parents are often from one another. The positive parental role-modeling, an unplanned but invaluable component, simply does not exist without uniform service delivery.

My experiences have only served to reinforce my firm belief that parent education is a gift universally deserved and which should, therefore, be universally delivered.

Hon. Susan Snow will be a presenter at AFCC's Second International Congress on Parent Education Programs, January 27-29, Clearwater Beach, Florida.

Alaska Judicial Council Publishes New Brochure

The Alaska Judicial Council has completed a new pamphlet entitled *A Consumer Guide to Selecting a Mediator*. The guide incorporates current research and policy information on mediator qualifications into a five-step process for finding and choosing a mediator. The guide will be especially useful to:

- lawyers, counselors and others advising their clients,
- court systems and mediation programs that provide information to consumers,
- judges who refer litigants to mediation, and
- consumers who have been referred by the court to mediation and who must select their own mediator.

Brochure development was funded with a grant from the State Justice Institute. It is available on hard copy and computer diskette (ASCII Text, WordPerfect 5.2 for Windows, WordPerfect for DOS and Microsoft Word and other word processing formats).

For further information contact the Alaska Judicial Council, 1029 W. Third St., Suite 201, Anchorage, AK 99501, (907) 279-2526.

AFCC Expresses Condolences

AFCC wishes to express condolences to Board Member Rosemary Vasquez, on the recent loss of her son, David Hobler, who died on August 30, 1995 at the age of 22. Memorial contributions may be made to the Bay Area Outreach and Recreation Program, 830 Bancroft Way, Berkeley, CA 94710; or to the Spinal Cord Injury Association, 545 Concord Ave., Cambridge, MA 02138. Donations to the latter organization should be designated for research on pain and spasms for spinal cord injuries.

Parent Education: It's a Matter of Choice

by Stephen W. Schlissel, J.D., Co-chair, AFCC/ABA Joint Task Force
on Parent Education Programs, Mineola, New York

Experience demonstrates that when individuals act *voluntarily*, rather than at the direction of another, they are more likely to participate in and to benefit from their activity. That alone is sufficient to refute each and every argument advanced by my colleague, Hon. Susan Snow, who advocates *mandatory* attendance at parent education programs. There are, however, additional reasons why attendance in parent education programs should not be mandatory.

Foremost among the reasons that parent education should not be mandatory is my belief that mandates necessitate governmental involvement, which is not needed for a program to succeed. The accomplishments of the Parent Education and Custody Effectiveness (P.E.A.C.E.) Program — a purely voluntary effort — demonstrate that programs can be effective *without* mandates and State participation. It is not my concern that State participation may bring about outside interference or control from those who do not operate parent education programs. Indeed, P.E.A.C.E. has received substantial cooperation from the judiciary and court administration throughout New York State. My fear, however, is that with State participation, programs will become bogged down in bureaucracy or be threatened with the loss of operating funds.

Moreover, most jurisdictions in which parent education is mandated — and therefore State controlled in some manner — charge a fee for parents to participate in the program. I believe that parent education should be free to all of those who wish to participate, although I do admit that a request for a voluntary contribution at the end of the program would not be inappropriate.

With mandatory attendance also comes regulation. Although I have no fear of regulation, I believe that local and statewide advisory boards, both of which are important components of P.E.A.C.E., are able to provide the necessary safeguards for an effective program.

Judges have raised several concerns about mandatory parent education programs. These concerns include authority to compel attendance; sanctions for non-atten-

dance; and the use of attendance as a weapon by one of the parties. Because the development of parent education is largely reliant on the support of the judiciary, it is important that programs not present judges with additional complications. Keeping parent education voluntary goes a long way toward accomplishing this objective.

Finally, participation in a parent education program may not be appropriate for every divorcing parent. For example, parents who are victims or perpetrators of domestic violence, or those who have amicably settled issues related to separation and divorce, may be less likely to benefit. Even if the appropriate waivers exist, programs mandating participation for all parents will likely result in many attending who need not, or should not.

I would like to reserve my right to reconsider the issue once the AFCC/ABA Joint Task Force on Parent Education Programs addresses the issue of models and standards for parent education programs. As the field develops, it is possible that I may move closer to a "quasi-mandatory" system, such as that presently in place in Erie County, New York. There, while attendance is not mandated in all cases, judges are encouraged to make referrals in cases they deem appropriate.

Mandatory parent education has been the subject of vigorous discussion within the AFCC/ABA Joint Task Force and among parent education providers, legislators, judges, lawyers and court administrators throughout the country. At this time, members of the Joint Task Force and the professional community are not unified on this issue. I also recognize my disagreement on this issue with Andrew Schepard, my co-founder of P.E.A.C.E. and dear friend. One of the strengths of our relationship is the right of each of us to be wrong once in a while. The discussion, however, is critical in helping the field continue to grow.

Stephen Schlissel will be a presenter at AFCC's Second International Congress on Parent Education Programs, January 27-29, 1996 in Clearwater Beach, Florida.

President's Message

(continued from page 2)

international) effort that would stimulate hundreds of letters in the event of an attempt to cut budgets of any of our key family courts. These letters could be pre-written with pointed research citations and revised to fit the occasion.

3. To Create Our Own Advocate: Friends of Family Court. FOFC would have a small, but potentially powerful, Board which would promote family courts and family court services. Unlike AFCC, FOFC could *and would* pointedly lobby. It could take an advocacy position that our judges and administrators could not comfortably do. I know it is controversial to be "political". It is rather more controversial to be de-funded. Either way, it is not controversial to simply discuss the idea.

FOFC could spawn chapters in any state or province needing local advocacy. Chapters should have a local Board of Directors including savvy family advocates, sympathetic political figures, and eminent people who have been helped by family court. Similarly, each of our conferences could contain course curriculum focusing on presenting and defending family court budgets and pursuing *secure* funding. We could post on AFCC On-Line samples of budget formats that have succeeded, lobbying strategies, form letters, and the like.

We have a remarkable membership who, characteristically, do far more for families for much less compensation and support than we deserve. Many speak of working for the wages of the heart, not the wallet. Many tell me that even that is being denied as they spend more and more of their time dealing with staff turnovers, budget cuts, impossible caseloads and unreachable deadlines.

If we wish to protect our right to serve children and families in the future, we must organize politically in the present. Please drop me a line at my address or e-mail (listed below) if you are interested. I will share your responses with others.

John W. Kydd

1616 Bank of California Center
900 Fourth Avenue, Ste. 1616
Seattle, WA 98164-1001
Phone: (206) 623-5221
E-Mail address: jkydd@igc.apc.org



Special Topic Programs Build Membership, Provide Focus

Early indications are that AFCC's **Second International Congress on Parent Education Programs** and **Second International Symposium on Child Custody Evaluations** will be as successful, if not more so, than the inaugural programs held in 1994. Over 150 presenter proposals were submitted to conference planning committees for the two programs. "I can't remember a response this strong before," said Bob Tompkins, Chair of AFCC's Conference Planning Committee. "It's a nice problem, to have to choose from so many high quality proposals."

According to Mr. Tompkins, the **Congress** and **Symposium** are the cornerstones of AFCC's Technical Assistance and Professional Development (PD&TA) efforts which have helped AFCC broaden membership and expand its reach. Start-up costs for these efforts were funded by a grant from the Hewlett Foundation.

Many new members have joined the association during the last year as a direct result of PD&TA programs. "The programs let us target and meet specific needs within the professional community," said Tim Salius, Chair of AFCC's PD&TA Committee. "They are a wonderful complement to our Annual and Regional conferences. They bring many new people in contact with the association: new presenters, new members of the Board of Directors, new Committee Chairs."

Mr. Salius noted that the PD&TA Committee has also co-sponsored training programs for parent educators and custody evaluators with the University of Wisconsin, in Madison, and provides mediation training programs in courts throughout the country.

Boston 1996 Regional Conference to Focus on Family Violence

AFCC has selected Boston's Swissôtel as the site of the 1996 Northeast Regional Conference and Board Meeting. The conference, entitled *Facing Up to Family Violence*, will take place September 19-21, 1996. The conference will be preceded by a special full-day institute on mediation in child protection cases, sponsored by AFCC's Mediation and Professional Development and Technical Assistance Committees.

Conference Chair Hon. Arline Rotman, Worcester, MA, and her planning committee are working to put together an exciting program and have picked the ideal time of year for AFCC members to visit Boston and New England.

The Swissôtel is located in the heart of Boston, walking distance to Boston's historic sights including, Boston Common, the Boston Public Garden, Beacon Hill, the Old North Church, Boston Harbor, Quincy Market and dozens of restaurants, museums and historic sights.

AFCC members are eligible for the exceptional room rate of \$129 (single or double). This rate is available three days prior to and following the conference.

If you are interested in presenting, please send a brief abstract and a one page outline of your proposed workshop with a resume to:

AFCC, 329 W. Wilson St., Madison, WI 53703; Phone: (608) 251-4001, Fax: (608) 251-2231; Attn: Northeast Regional Conference

Board of Directors Nominations

The Nominating Committee is seeking names of individuals to serve on AFCC's Board of Directors. Recommended individuals must be AFCC members and have an interest and a knowledge of AFCC and its membership. Please complete the form below if you are interested in making suggestions for consideration by the Nominating Committee.

1. Date

Name of AFCC member submitting suggestion:

Your mailing and email addresses:

Your telephone and fax numbers:

2. Name of AFCC member being suggested:

His/her mailing and email addresses:

His/her telephone and fax numbers:

His/her present profession/occupation:

3. Is the person being suggested a current AFCC member?

☐ Yes ☐ No

(If in doubt, please check with AFCC Executive Office)

4. Please list the specific past and present involvement in AFCC of the person suggested:

5. Return this form by February 1, 1996 to:

Dr. Russell Schoeneman
Chairperson, Nominating Committee
Conciliation Services
201 W. Jefferson
Phoenix, AZ 85003

If questions, please contact the above at 602-506-3298.

AFCC MEMBER SURVEY

Conferences Are AFCC's #1 Draw

by Phil Bushard, AFCC Vice President, Reno, Nevada

This is the final installment of a three-part report on AFCC's 1995 Membership Survey.

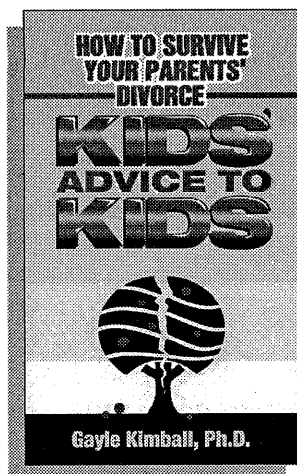
A FCC's Membership Survey, conducted in conjunction with the association's strategic planning efforts, asked respondents for comments regarding member needs in the area of conferences and professional development. Historically, conferences have been AFCC's most visible product. For the association, conferences are a substantial investment in time, talent and organizational resources. From a planning perspective, considerable effort goes into creating what members report is an excellent product.

Conferences are cited as the primary reason current members joined AFCC and the most common means for members to participate in the association. Respondents indicated they usually attend one AFCC event each year.

Responses to the Membership Survey indicated that the most important function of conferences is to provide infor-

mation relevant to changes in the field. This is an ongoing challenge given the many disciplines represented by AFCC members. Survey respondents who have been AFCC members for less than five years emphasize "skill building" as their greatest conference need. Many newer members (70%) also indicate that conferences serve as an important networking opportunity. Survey respondents who have been members for ten years or more identify a greater need for research.

The survey also asked members to identify the content areas of future conferences. The open ended question generated a very large number of general and specific subject matters. The most commonly identified categories were: family violence, ethics and the impact of divorce on children.



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Phone _____

Academy of Family Mediators is on the Move

The Academy of Family Mediators (AFM) has announced the selection of Ericka Gray as new Executive Director. AFM's office has been relocated to Lexington, Massachusetts. Ms. Gray comes to AFM after serving as Senior Mediator and Regional Training Coordinator for JAMS/Endispute. She previously served as Executive Director of the Middlesex Multi-door Courthouse in Cambridge, Massachusetts.

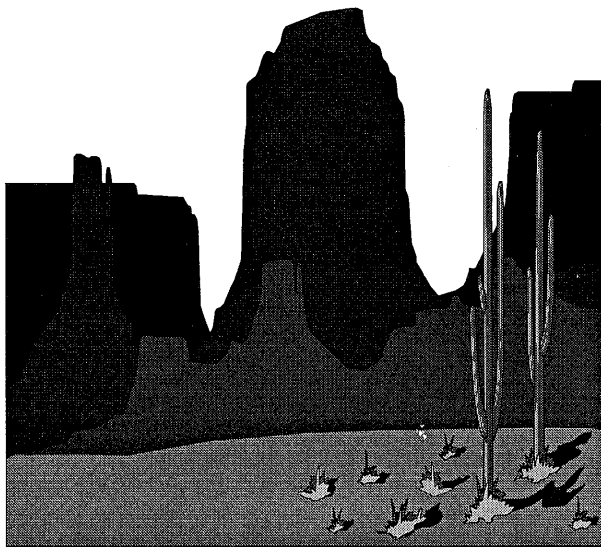
Ms. Gray replaces Linda Wilkerson who resigned as Executive Director last spring after two years of service. Ms. Wilkerson will be starting up a private association management firm in Minneapolis, MN.

Also new to the AFM staff are:

- Kathy Fazzalario, Conference Coordinator/Education Specialist;
- Susan Costello, Membership Coordinator/Office Manager; and
- Executive Assistants Kristen Savage and Lorna Reynolds.

AFM's new address and telephone:

Academy of Family Mediators
4 Militia Drive
Lexington, MA 02173
Phone: (617) 674-2663
Fax: (617) 674-2690



1996 Supervised Visitation Network Conference

**For More Information,
Please Contact:
Mike Wilkinson**

**Executive Director
The Kids Exchange
503 West 14th Street
Austin, Texas
78701**

Phone: (512) 472-8407

Officers for Your Questions

by John Kydd, AFCC President, Seattle, Washington

I am happy to announce the agreed duty areas of the AFCC officers effective until June 1996. The idea behind this endeavor is to provide you greater access to information and greater opportunity for your concerns to be heard. Your ideas and concerns are the future of AFCC. Ours is a listening leadership. Responsibility involves being responsive to you.

They are:

Treasurer, Arline Rotman

Phone: (508) 752-5056; E-mail: arotman@igc.apc.org
Arline is available for your comments and questions about the AFCC budget and finances.

Secretary, Lorraine Martin

Phone: (416) 314-8066; E-mail: lmartin@web.apc.org
Lorraine will address your comments and questions about the decisions of our Board and the minutes of our Board Meetings.

Vice President for Membership, Christie Coates

Phone: (303) 545-9901; E-mail: ccoates@igc.apc.org
Christie serves as the designated listener to membership. She looks forward to hearing from you. She will forward your comments and concerns to the Executive Committee and try to answer your questions.

Vice President for the Board of Directors, Phil Bushard

Phone: (702) 328-3556; E-mail: pbushard@igc.apc.org
Phil serves as the designated listener to Board Members. Phil looks forward to Board Member questions and will forward comments and concerns to the Executive Committee.

Vice President for Conferences, Chapters and Regions, Justice Alastair Nicholson

Phone: 011-613-602-2105
Meetings are the lifeblood of AFCC. Alastair serves as the designated listener for how to improve our conferences and how best to involve chapters and distant regions in AFCC.

President Elect, Linda Hahn

Phone: (214) 653-6034; E-mail: lhahn@igc.apc.org
Linda is the designated listener to Committee Chairs. She will forward Committee Chair comments and concerns to the Executive Committee and try to answer questions.

President, John Kydd

Phone: (206) 623-5221
E-mail: jkydd@igc.apc.org
John is available for any questions or concerns about the Board or Executive Committee not addressed by other officers. For example, please address any questions regarding AFCC E-mail and AFCC on-line to John.

Naturally, these duties do not limit officers from being active elsewhere. The above is a summary of a more detailed four page document. If you would like a copy of this please contact AFCC, 329 W. Wilson St., Madison, WI 53703. Phone: (608) 251-4001; Fax: (608) 251-2231; E-mail: afcc@igc.apc.org

SECOND INTERNATIONAL SYMPOSIUM ON CHILD CUSTODY EVALUATIONS

January 20-22, 1996

and

SECOND INTERNATIONAL CONGRESS ON PARENT EDUCATION PROGRAMS

January 27-29, 1996

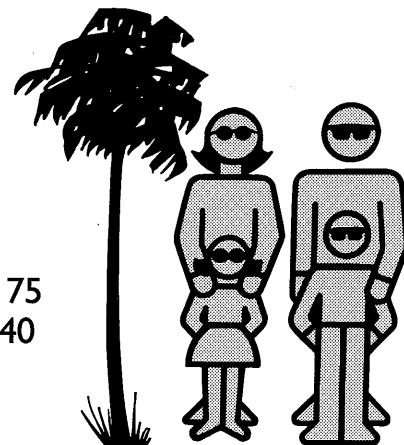
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Phone: (608) 251-4001 Fax: (608) 251-2231



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