

# Association of Family and Conciliation Courts



# NEWSLETTER

An international association of judges, counselors, mediators, and lawyers.

Volume 2, Number 1  
March 1983

Editors, Stanley N. Cohen, Ph.D.  
Laurance M. Hyde, Jr.

## CONCILIATION COURTS REVIEW MARKS 20TH YEAR

The December, 1982 issue of the Conciliation Courts Review marks the end of the Review's first 20 years as the official journal of AFCC. Meyer Elkin, former Director of the Los Angeles County Conciliation Court, has served as Editor of the Review since its founding in 1963. A subscription to the Review is included in AFCC membership dues. Individual copies may be obtained through the Association offices in Williamsburg.

## REPORT OF THE BOARD OF DIRECTORS' MEETING - SAN DIEGO

The Board of Directors met during AFCC's mid-winter meeting December, 1982. The Board approved the contract with the National Center for State Courts to serve as secretariat for the Association and for Stanley Cohen of Portland, Oregon to serve as Executive Director. AFCC members who are not current in their membership dues have been dropped from the mailing list and will no longer receive the Conciliation Courts Review. AFCC guidelines have now been established for the receipt of chapter applications.

Laurance Hyde, of Fort Lauderdale, Florida, former Executive Director of AFCC, Judge Kathleen Nachtigal of Portland, Oregon and Judge Richard Lavine of Los Angeles were elected to the Board of Directors. Retiring Board members include Donald Holub (Wisconsin) and Charles Fleck (Illinois).

Board member O. J. Coogler died July 25, 1982. Dr. Coogler was the founder and president of the Family Mediation Association. A noted author and lecturer, Dr. Coogler will be remembered for his devotion to divorce mediation as a means of assisting families in the resolution of family conflict.

## MEDIATION NEWS

### AFCC CONVENES SYMPOSIUM ON STANDARDS AND ETHICS FOR DIVORCE MEDIATORS

A symposium on Standards and Ethics for Divorce Mediators was held December 8-9, 1982 in San Diego, CA. The Association of Family and Conciliation Courts served as the convenor of this symposium with financial assistance from the Academy of Family Mediators, the American Arbitration Association and the Children's Judicial Resource Council.

Approximately 40 individuals attended the symposium representing over 30 different professional organizations. A full report regarding the symposium on Standards and Ethics will be forthcoming and you will be advised of its availability through this Newsletter.

The symposium included stimulus presentations by Joan Wolf, Director of the California State Bar Specialization and Certification Committee, Judith Hines, Director of Evaluation and Development, Council on Accreditation of Services for Families and Children and Hugh McIsaac, Director of the Los Angeles Family Mediation and Conciliation Service.

Delegates' concerns regarding the developmental and professional issues of divorce mediation were distilled into five major discussion topics:

1. Should mediation be viewed as a separate profession as opposed to a technique;
2. What are the minimal qualifications to practice mediation;
3. What are the standards of practice;
4. Should there be a defined system of regulation;
5. What are the issues related to education and training of divorce mediators.

It was the consensus of the delegates that the symposium provided for a productive and stimulating exchange which should be continued. Therefore, the Association of Family and Conciliation Courts will again act as the convenor for the continuation of the symposium on Standards and Ethics for Divorce Mediators -- May 17-18, 1983 at the Sheraton Centre, Toronto, Ontario, Canada immediately preceding AFCC's annual conference.

Further information may be obtained by contacting Ann L. Milne, AFCC Mediation Committee Chairperson, 314 E. Mifflin Street, Madison, WI 53707 (608) 251-0604.

#### LEGISLATIVE NEWS

##### NEW JERSEY INSTITUTES FAMILY COURT

Legislation to provide for a family court in New Jersey was recently signed by Governor Thomas Kean. The family court will handle both juvenile and family court matters. The statute attempts to integrate counseling servi-

ces with judicial due process and sets forth minimum staff qualifications.

AFCC members Tim Salius, Director of the Connecticut Court Services program, Hugh McIsaac, Director of the Los Angeles Mediation and Conciliation Service provided technical assistance which aided in this legislation.

#### FLORIDA, MICHIGAN AND NEW HAMPSHIRE MAKE MEDIATION PUBLIC POLICY

Florida (FS 749.01), Michigan (HB 4870) and New Hampshire (HM 383, effective Jan. 1982) have enacted legislation to encourage the use of mediation to resolve custody and visitation disputes.

#### UPCOMING CONFERENCES:

AFCC -- May 17-18, 1983 -- Toronto Sheraton Centre - Symposium on Standards and Certification for Divorce Mediation - contact Ann L. Milne, 314 E. Mifflin St., Madison, WI 53703 (608) 251-0604.

May 18-21, 1983 -- AFCC Annual Conference, Toronto Sheraton Centre, theme "Breaking Barriers" - contact Unified Family Court, 100 James St., South, Hamilton, Ontario, Canada L8P 2Z3 (416) 525-1421.

December 1-4, 1983 -- AFCC mid-winter conference, Williamsburg, Virginia - contact AFCC, c/o National Center for State Courts, 300 Newport Ave., Williamsburg, VA 23185 (804) 253-2000.

May 1984 -- Denver, Colorado

December 1984 -- Phoenix, Arizona

## AFCC PUBLICATIONS

All prices are in U.S. Currency Payable to AFCC, c/o National Center for State Courts, 300 Newport Ave., Williamsburg, VA 23185, unless another address & payee is shown.

### VIDEOTAPES AND FILMS

#### "Custody Resolution Counseling"

Designed for training counselors in mediation techniques for family disputes concerning child custody and visitation. 3/4" video tape cassette, 45 minutes. \$40/5 days; Purchase \$150.

#### "A Family Affair"

Designed to inform judges and other professionals of the legal remedies and implications regarding domestic abuse. "A Family Affair" is AFCC's production, under a \$100,000 LEAA grant. It was the Gold Medal winner in its category in the fall New York International Film and Television Festival. It also was a winner in the Motion Pictures Seminar of the Northwest. Available in 16 mm or 3/4" video tape cassette through VISUCOM Productions, Inc., 1047 Whipple Avenue, Redwood City, California 94063. Rental-\$60/3 days.

#### "Best Interest of the Child"

Designed to be shown to parents who are considering mediation of custody or visitation issues. The film is a discussion between San Francisco Superior Court Judge Don King and mediator/author Judith Wallerstein regarding the mediation process used in San Francisco. The 3/4" 17-minute cassette is available for purchase for \$30 from The Center for Judicial Education, 2150 Shattuck Ave., Suite 810, Berkeley, CA 94704.

#### "Discussion Guide for 'A Family Affair'"

A video tape discussion guide of The Family Affair is available. The 23 minute tape interfaces with the film by the use of interviews with judges, counselors, a law enforcement officer, a legislator, and children whose parents were involved in domestic violence. The cassette tape is available for rental (\$40/5 days).

### PUBLICATIONS

#### Divorce Mediation-Theory and Practice

The reading materials for AFCC's December, 1981 Conference in Fort Lauderdale comprise some 250 pages, soft bound. This is an excellent collection of new articles about mediation. \$12.00 each. Orders of ten or more, \$10.00 each.

#### Joint Custody-A Handbook for Judges, Lawyers and Counselors

This handbook provides a comprehensive exploration of the advantages and disadvantages of joint custody, sample agreements and some initial research findings. With this information, professionals can begin to build a

resource book that will assist in the best possible planning for parents and children experiencing divorce. \$12.00 each. Orders of ten or more, \$10.00 each.

#### Guidelines for Establishing A Court Connected Counseling Service

A manual written for courts and individuals with helpful information regarding how to establish a court connected counseling service. \$2.00 each.

#### My Mom and Dad Are Getting a Divorce

Written by Florence Bienenfeld, an AFCC member and conciliation court

---

## PUBLICATIONS (Cont.)

counselor in Los Angeles, this colorfully illustrated book appeals to children whose parents are going through divorce and assists parents in understanding their children's feelings. Available for \$3.95 plus \$1.25 postage and handling from Changing Times Education Service, Division of EMC Publishing, 180 E. 6th Street, St. Paul, MN 55101 (800) 328-1452.

### Directory of Mediation Services

A directory of nearly 400 individual and organizations in the public and private sector who offer divorce mediation services, divorce mediation training or associations for mediators and others interested in alternative dispute resolutions. The 138 page directory is available for \$10.00, including mailing costs, from The Divorce Mediation Research Project, 1720 Emerson Street, Denver, CO 80218.

"Divorce and Family Mediation: History, Review, Future Considerations," by Daniel G. Brown, Ph.D.

A monograph, published in the December, 1982 issue of the Conciliation Courts Review is available as a reprint. This timely 45 page article presents a well researched history of the development of mediation in the field of divorce. \$5.00 each. Orders of ten or more, \$4.00 each.

## PAMPHLETS

The following AFCC pamphlets are \$.20 each with a minimum order of 100. Orders over 1000, \$.15 each.

### "Parents are Forever"

Internationally acclaimed pamphlet used by Conciliation Court staff, family courts, lawyers, counselors and mediators to assist families in the divorce process. Pamphlet addresses custody and visitation issues and assists parents in using the divorce experience as an opportunity for growth.

### "An Important Message to Step Parents"

This pamphlet provides guidelines that will assist the blended family in working together.

### "Joint Custody: A New Way of Being Related"

This new AFCC brochure provides guidelines for parents considering joint custody of their children and suggestions for what to include in a joint custody agreement.

### "Twenty Questions Divorced Parents Ask About Their Children"

This new AFCC brochure answers 20 of the most commonly asked questions about how to help children adjust to divorce. "How can parents prepare children for divorce" and "What kinds of things are especially damaging to children."

## NEWSLETTER NEWS

Won't you help us let other newsletter readers know what's happening in your area? We'd like to hear about innovative programs, legislation, personnel changes, upcoming meetings, etc. Drop a line to Stan Cohen, Executive Director.

### TORONTO WELCOMES AFCC ANNUAL MEETING - 1983

The Sheraton Centre in Toronto, Ontario, Canada will serve as headquarters for AFCC's annual meeting, May 18-21, 1983. The theme "Breaking Barriers" symbolizes the international and inter-disciplinary nature of this conference.

Information regarding registration and hotel accommodations may be obtained by contracting the Unified Family Court, 100 James Street South, Hamilton, Ontario, Canada L8P 2Z3 (416) 525-1421.

### 1982 SAN DIEGO CONFERENCE A NOTED SUCCESS

Murray Bloom and staff of the San Diego Family Counseling Service of the Conciliation Court report that over 200 registrants attended the AFCC mid-winter meeting at Vacation Village. Richard Gardner was the keynote speaker. Dr. Gardner's new book Family Evaluation in Child Custody Litigation serves as a recognized guide book for professionals involved in disputed child custody matters. Other conference sessions included workshops on child custody evaluations, postdissolution adjustment and emotional and legal effects of divorce. Conference tapes may be ordered from Convention Recorders, 1945 Kurtz Street, San Diego, CA 92110 (714) 299-6042

### ADMINISTRATIVE CHANGES -- AFCC

The Association selected the National Center for State Courts as its secre-

tariat effective January 1, 1983. The Center's address is 300 Newport Avenue, Williamsburg, Virginia 23185.

Bea Monahan is responsible for handling AFCC business matters. She will be able to process requests for our membership applications, film/cassette rentals or sales, pamphlets, and other general information. Mrs. Monahan can be reached at the National Center for State Courts 804-253-2000.

The Board of Directors appointed Dr. Stanley N. Cohen to serve as AFCC Executive Director effective January 1, 1983. The appointment is made on an annual basis. The Executive Director's tasks now include those previously assumed by Anne Milne as Field Secretary.

Stan has been affiliated with AFCC since its inception in 1963. He has extensive experience working in court-connected services as both a practitioner and consultant in California, Oregon and Washington.

Correspondence to Stan can be addressed c/o OSHU, Department of Psychiatry, 3181 Sam Jackson Road, Portland, OR 97201. He can be reached by phone at 503-225-8145.

### INTERESTED IN AN ACTIVE ROLE IN AFCC?

Much of AFCC's direction emanates from Committee work. At the last meeting in San Diego, Board Members specifically requested a call be made for the general membership to participate through committee service.

AFCC standing committees include: awards, reorganization, long range planning, nominating, auditing, research and training, mediation and membership. Your involvement is welcomed so please advise Stan Cohen of the committees to which you would like to be assigned.

## NATIONAL CENTER FOR STATE COURTS:

### SECRETARIAT TO THE ASSOCIATION OF FAMILY AND CONCILIATION COURTS

The National Center for State Courts (NCSC) welcomes the opportunity to serve the members of the Association of Family and Conciliation Courts. As your Secretariat we stand ready and willing to assist both you and your organization. To acquaint you with NCSC we provided the following general information about NCSC activities and the specific services available to AFCC members.

### NATIONAL CENTER FOR STATE COURTS - ORGANIZATION & SERVICES

The National Center for State Courts maintains a staff of over 100 employees, the majority of whom are located at its Williamsburg, Virginia, headquarters with others at its offices in San Francisco and North Andover, Mass.

Much of the Center's work with the state courts is in the form of specific projects that address problems of courts in particular states. These projects are generally conducted by the regional offices, whose staff, with a wide range of skills and experience and with the assistance of specialists from the Center's other offices, are involved with court officials in a "hands-on" environment. The Center's regional offices, with their close working relationship and familiarity with the judicial systems in their region, constitute a most valuable asset.

Projects and technical assistance performed under separate grants or contracts represent only a part of the National Center's work. When similar problems exist for a number of states, the Center seeks federal agency, corporate, or private foundation support for a national-scope project to research the problem or to assist a number of states in dealing with the issue. Most of this work is based at the Center's headquarters office in Williamsburg. Activities carried on in the headquarters also include secretariat services, research and information services, one of the best and most current judicial administration libraries, and an increasingly impressive publications program.

The coordinated efforts among the headquarters project staffs, the headquarters departments, and the regional offices have proven to be effective means of transferring advancements in one court or jurisdiction to others across the country.

Through numerous and varied national, regional, states, and local projects, the National Center helps individual courts and court systems deal with a broad spectrum of practical problems. The National Center's services make it a uniquely valuable resource for court improvement in this country--a resource that broadens with each year its range of assistance and its ability to respond to the needs of the states.

In carrying out its work, the National Center maintains liaison with all state and federal agencies concerned with the administration of justice and the adjudication of disputes. It also works closely with other nonprofit organizations having the same or similar purposes. In 1981, the Center for Jury Studies, a nonprofit corporation established in 1978 to develop and apply juror management and usage technology for courts across the country, merged with the National Center. Also in 1981, the National Center's Board of Directors authorized the founding of the Institute on Mental Disability and the Law as a unit within the National Center; it will be a focal point for continuing the work done by the National Center in this important area.

The National Center provides assistance to all levels of state courts--appellate, general jurisdiction, and limited jurisdiction. Its efforts on a national scale involve researching issues basic to court functioning, testing findings through demonstration projects, serving as an information clearinghouse for courts seeking advice on particular issues or problems, and providing on-site technical assistance to courts. Most National Center projects are aimed at improving the structure and management of state courts and the manner in which they process litigation. In addition to addressing such matters as personnel, financing, planning, caseload management and information systems, Center projects explore other subjects such as jury selections and utilization that are important to state court operations.

The professional staff of the National Center for State Courts is characterized by its diversity of skills and experience. A number of staff members have technical or systems backgrounds, others are trained and experienced in management or the social sciences, and others are lawyers with experience in court administration. Many have had key administrative positions in state courts.

The National Center's Secretariat Services provides administrative staff support for the following twelve national court-related organizations: The Conference of Chief Justices, the Conference of State Court Administrators; the Coordinating Council of National Court Organizations; the American Judges Association; the Association of Family and Conciliation Courts; the National Conference of Metropolitan Court; the National Association of Trial Court Administrators; the National Association Women Judges; the National Association for Court Administration; the National College of Probate Judges; the National Conference of Appellate Court Clerks; and the National Council for Judicial Planning.

## SERVICES PROVIDED BY THE NATIONAL CENTER TO AFCC

### SECRETARIATE SERVICES

Administrative support is provided for membership and financial activities of AFCC, as well as distributing AFCC publications. Bea Monahan, Staff Attorney, is AFCC's Secretariat representative. You may reach her by calling (804) 253-2000, ext. 338. If Bea is not in, you may contact Charlotte Carter, Staff Attorney at ext. 339. As Secretariat the National Center will maintain all financial records for AFCC. Questions regarding financial matters should be directed to Jane Gurtler, ext. 352. The oversight of all Secretariat Services at the National Center is the responsibility of Marilyn Roberts, Director of Secretariat Services.

In addition to providing secretariat services to AFCC, the National Center can also assist the officers and members of AFCC in other areas. Listed below are six of these additional services that are available to all AFCC members at no charge to the individual or to the organization.

### LIBRARY

The NCSC library has an extensive and unique collection of materials pertaining to all aspects of judicial systems. Library staff members continue to develop a collection that provides both historical perspective and the most current information possible. All materials can be used on the premises and most volumes can be loaned to AFCC members upon request.

### Research and Information Services

The research and Information Service (RIS), using its own extensive subject files and the National Center's library, is equipped to respond to requests for information on court-related subjects. Members of AFCC are given a higher priority than members of non-secretariat organizations. Assistance can be obtained by calling (804) 253-2000.

### Washington Liaison

The NCSC Washington Liaison acts as observer of the reporter on federal legislation and administrative agency actions that affect the state court systems. Reports to the Board of Directors on developments in Washington will be provided upon request. Members of AFCC may call the Washington liaison office, at (202) 347-5924 for an up-to-date status report on matters affecting their particular responsibilities.

### NCSC Facilities for Meetings

AFCC can hold meetings of the membership, committees, officers or directors at the National Center's headquarters in Williamsburg or at any regional office on a mutually convenient basis. Staff are willing and able to assist AFCC in any way they can. By using NCSC facilities, AFCC can reduce costs.

### Regional Offices

Each NCSC regional office is familiar with the structure and operation of the state court systems within its area. These offices work regularly with the states on a wide variety of matters, including assistance in conducting state and regional seminars and conferences. The NCSC has regional offices in San Francisco, Calif., (415) 557-1515; North Andover, Mass., (617) 687-0111; and Williamsburg, Va., (804) 253-2000. Assistance can be obtained by calling the regional director of the office.

**Headquarters**

Edward B. McConnell, Executive Director  
300 Newport Avenue  
Williamsburg, VA 23185  
(804) 253-2000

**Northeastern Regional Office**

CT, IA, IL, IN, MA, ME, MI,  
MN, MO, NH, NJ, NY, OH, PA,  
RI, VT, WI  
Samuel D. Conti, Regional Director  
723 Osgood Street  
North Andover, MA 01845  
(617) 687-0111

**Southeastern Regional Office**

AL, AR, DE, DC, FL, GA, KY,  
LA, MD, MI, NC, OK, PR, SC,  
TN, TX, VA, VI, WV  
James R. James, Regional Director  
300 Newport Avenue  
Williamsburg, VA 23185  
(804) 253-2000

**Western Regional Office**

AK, American Samoa, AZ, CA, CO,  
GU, HI, ID, KS, MT, ND, NE, NV,  
NM, OR, SD, UT, WA, WY  
Larry L. Sipes, Regional Director  
720 Sacramento Street  
San Francisco, CA 94108  
(415) 557-1515

**Washington Liaison**

Harry Swegle, Washington Liaison  
Hall of the States, Suite 305  
444 N. Capitol Street, N.W.  
Washington, DC 20001  
(202) 347-5924