AFCC Board Votes for Member Price Freeze

At its meeting on May 27, 2020, the AFCC Board of Directors voted to freeze all fees for members for the next year. This action comes in response to the challenges that some members are facing due to the recession and pandemic. "We understand that this is a small gesture," said AFCC President-Elect Larry Fong, "but even as we feel the financial pinch after cancelling the annual conference, we believe it is important to make a statement that we are doing our best to support AFCC members." The price freeze will be in effect for membership dues, as well as all conferences, training programs, and webinars through June 30, 2021.

What Happens in Vegas, Happens Online … For Now!

The 14th Symposium on Child Custody, originally scheduled as a live conference in Las Vegas, Nevada, will now occur in a virtual conference format over new dates, November 9-13, 2020. This outstanding program will feature two pre-conference institutes, two plenary sessions, and 20 workshops in real time, offering up to 22.5 hours of continuing education. Presentations will occur over the Zoom platform. Read more.
The AFCC Special Webinar Series Runs through July 7, 2020

AFCC’s Special Webinar Series on Parent-Child Contact Problems has been enormously popular, with some sessions attracting more than 550 registrants!

The webinar series features authors from the April 2020 special issue of *Family Court Review*, AFCC's quarterly academic journal, published by Wiley.

All good things must come to an end, and this webinar series is no exception. Stay tuned for additional online educational opportunities from AFCC!

The last four webinars in the series begin next week, so register for them today!

**Innovative Psychojudicial Responses to Resist-Refuse Cases**
Francine Cyr, PhD, Karine Poitras, PhD, and Elisabeth Godbout, PhD
June 23, 2020, 3:00pm-4:30pm Eastern time US

**Parental Alienation and Misinformation Proliferation**
William Bernet, MD
June 25, 2020, 3:00pm-4:30pm Eastern time US

**The Blind Men and the Elephant: What We 'See' in Professional Literature**
Aaron Robb, PhD, LPC-S
June 30, 2020, 3:00pm-4:30pm Eastern time US

**Responding to Severe Parent-Child Rejection Cases Without a Parentectomy**
Shely Polak, PhD and Linda Popielarczyk, MSW, RSW
July 7, 2020, 3:00pm-4:30pm Eastern time US

* AFCC is approved by the American Psychological Association to sponsor continuing education for psychologists. AFCC maintains responsibility for the program and its content. Lawyers, judges, social workers, counselors, and other professionals seeking continuing education credits may use the AFCC Certificate of Attendance to verify attendance when applying to their state, provincial, or other regulatory or licensing agency.

*The courses outlined in the agenda have been approved as corresponding to subject areas specified in California Rules of Court, rule 5.210, 5.225, and 5.518. The views expressed in this training are those of the trainers and do not necessarily represent the official positions or policies of the Judicial Council of California.

Ask the Experts: Ten Tips (Plus One for Good Measure) for Professionals Working Towards Promoting Change in Parent-Child Contact Problem (PCCP) Cases
*Barbara Fidler, PhD and Nicholas Bala, JD, LLM*
1. Be intentional about mitigating your inevitable biases.

Professionals who are expected to be impartial, like judges, parenting evaluators, therapists and mediators need to understand and be aware of their own inevitable biases. Knowledge heuristics and biases, such as confirmation bias, selective attention bias (cherry-picking), repetition bias, source and affiliative bias, and understanding the impact of emotions and social pressure on our beliefs, perspective taking abilities and decision-making, are necessary, but not sufficient. Develop a systematic approach to your practices, procedures, and protocols. Be intentional about exploring alternative hypotheses. Read more.

AFCC Board of Directors News

AFCC welcomes new members of the Board of Directors, effective July 1, 2020:

**Lawrence Jay Braunstein, Esq.**, White Plains, NY
**Beth F. McCormack, JD**, Chicago, IL

Congratulations to the Officers of the Board for 2020-21:

**President**: Larry S. Fong, PhD  
**President Elect**: Mindy F. Mitnick, EdM, MA  
**Vice President**: Hon. Linda Fidnick  
**Secretary**: Stacey Platt, JD  
**Treasurer**: Hon. Dolores A. Bomrad  
**Past President**: Matthew J. Sullivan, PhD

A special thanks to departing members of the Board for their many years of service:

**Milfred “Bud” Dale, PhD, JD**, Topeka, KS  
**Hon. Dianna Gould-Saltman**, Los Angeles, CA

A Fond Farewell: Leslye Hunter

Leslye Hunter, AFCC Associate Director, is retiring after 14 years as a member of the AFCC staff and prior service on the AFCC Board and as AFCC President. Leslye joined AFCC in 1996 after attending her first Symposium on Child Custody Evaluation in Clearwater Beach, Florida. She served as Local Chair for the 2000 Annual Conference in New Orleans, was immediately nominated to the Board of Directors and became President in 2004-05.

After losing her office to Hurricane Katrina, Leslye relocated from New Orleans to Covington, Kentucky and joined the staff in 2006 to help develop AFCC Chapters. In 2008, she was promoted to Associate Director. Leslye leaves an important legacy with AFCC. In 2004, she appointed and actively led the task force that created the 2006 Model Standards of Practice on Child Custody Evaluation. She has played a central role in the development of conference programs for the last 15 years. Most notably, she has developed, nurtured, and trained a generation of leaders for AFCC Chapters, of which there were only a handful when she took on the role of Chapter Consultant and today number 22. Leslye plans to spend time reading and writing non-family law related materials, and hanging out with her family, especially grandsons Michael and Chase. AFCC wishes her health and happiness in retirement.

Family Law Writing Competition Winner Announced

Congratulations to Mollie McGuire, a student at the University of North Carolina School of Law. Mollie received first place in the 11th Annual Family Law Writing Competition,
conducted by Hostra School of Law, Family Court Review, and AFCC. Her article, "A Voice for Children in Guardianship Proceedings," will appear in a future issue of Family Court Review. She also received $500 and her choice of one-year student membership for AFCC or complimentary registration to the next AFCC Annual Conference. Congratulations, Mollie!

The Center for Policy Research Releases COVID-19 Resource

The Center for Policy Research (CPR) has developed a series of briefs to address what child support looks like now, given the economic impacts of COVID-19. The first brief provides insight on changes in payers and non-payers due to employment changes related to COVID-19 and the federal response to alleviate the negative impact on household income. It also suggests actions child support agencies can take to respond to these new needs. Read more.

Surviving During a Pandemic

A new book, Living Together, Separating, Divorcing: Surviving During a Pandemic, includes advice from over 70 leading mediators and related professionals from 10 countries to help you deal with the loss of income, lack of accommodation, child care, and dealing with each other! Both digital and print versions of the book are available on Amazon.com. The book includes the guidelines produced by AFCC and the American Academy of Matrimonial Lawyers.

AFCC Webinar Corner

The Opioid Epidemic and Family Courts
Stephanie Tabashneck, PsyD, JD
July 21, 2020 | 1:00-2:00pm Eastern Time US
Registration closes on July 20, 2020 at 9:00am Eastern Time US.

Practitioners and courts across the country are confronting the challenge of how to manage the effects of opioid addiction on families. Drawing on the latest research, this webinar will provide attorneys, judges, and mental health professionals with the information necessary to thoughtfully approach cases involving opioid-addiction dynamics. Topics covered include the impact of opioid misuse on parenting, the science of addiction, and best practices for family court.

Registration
Members: $15
Non-Members: $50

Certificate of Attendance
Members: $15
Non-Members: $20

Attendees may purchase a certificate of attendance along with their registration. No refunds or credits will be issued if you are unable to attend the webinar. Webinars will be archived as a member benefit, for personal use only. These can be found in the Member Center on our website. If you are not currently a member, join when you register to save $10 off your first annual membership as well as webinar registration at the member price.

Register today!

Stay tuned for August's webinar:
Sociopaths: The Con Artists of Family Law
Bill Eddy, LCSW, Esq.
AFCC Judicial Webinars

Family court judicial officers are frequently faced with issues that require proficiency in substantive issues that are typically associated with the mental health profession. To help bridge this gap, the Association of Family and Conciliation Courts has produced a series of webinars presented by interdisciplinary teams of judicial and mental health professionals and designed specifically for judicial officers. These webinars are provided free of charge.

This month’s featured judicial webinar:

**Self-Represented Litigants – Being Fair, Appearing Fair**

Arnold Shienvold, PhD and Hon. Mark Juhas

Chapter News

**Dr. Melanie English, PhD, MSW**, the new president of AFCC’s Washington chapter, is a licensed clinical psychologist who works as a parenting evaluator and Guardian Ad Litem in the Seattle, Washington area (and no, it doesn’t actually rain 360 days a year there!). Dr. English worked for King County Superior Court Family Court Services for more than 10 years and has been in private practice for almost 12 years focusing on high conflict divorce, paternity, third-party custody and modification cases. She is a frequent speaker and trainer for workshops and often contributes to online periodicals and articles on parenting. She wants the WA-AFCC chapter to expand and hopes you will email her with questions or ideas or general outreach (including if you’re in the area and need a good hiking recommendation). [menglish@drmenglish.com](mailto:menglish@drmenglish.com)

**Carey Haley Wong**, the new president of AFCC’s Indiana chapter, currently serves as Chief Counsel at Child Advocates, Inc. and is the mother to four girls. She is a graduate of Depauw University (1999) and Indiana University McKinney School of Law (2002). She served an attorney at the Indiana Department of Child Services from 2002-2009. She served as Chief Counsel of the Marion County Office of DCS from 2009-2011. Since 2011, she has continued her career in child welfare at Child Advocates, Inc. While at both DCS and Child Advocates, Carey has trained DCS case managers or volunteer GAL/CASAs on the legal aspects of their jobs. Carey is a member of the National Association of Counsel for Children, the IBA, ISBA and ABA. Carey is the cofounder of the Child Advocacy Clinic at the IU McKinney School of Law in Indianapolis and currently serves as adjunct professor for the clinic.

Member News

**Bill Eddy**, LCSW, Esq., AFCC member in San Diego, California, has written a book that received an IPPY Award, given by the Independent Publisher Book Awards. His 2019 book, *Why We Elect Narcissists and Sociopaths And How We Can Stop!* from Berrett-Koehler Publishers, received the Silver Prize in the category of Current Events I (Political/Economic/Foreign Affairs). The book includes many tips for election-year campaigns such as the 2020 presidential campaign. He has also written several books on divorce that are popular at AFCC conferences, including *Don't Alienate the Kids* and *Splitting*. Congratulations, Bill!

**Colin Rule**, MPP, AFCC member in San Jose, California, has been named President and Chief Executive Officer of...
Mediate.com. Jim Melamed, the company’s co-founder and CEO for 25 years, is now chair of the board and general counsel. Rule is former director of online dispute resolution at eBay and Paypal, and an ODR pioneer. “I am very excited to be re-joining Mediate.com,” said Rule. “Mediate is uniquely positioned to lead the global effort to apply technology to the task of resolving disputes.” Congratulations, Colin!

Do you have a notable achievement to share? Email Gina Wentling with your story and a professional head shot (JPEG or PNG preferred), if you have one, to be featured in next month's Member News!

Where in the World is AFCC?

Shelter in place with AFCC! Send a picture of yourself wearing your AFCC hat in your favorite room in the house, on a virtual meeting, or on an essential errand! Post the picture in an AFCC hat on social media using #AFCChats #whereintheworldisAFCC. Email your photo to afcc@afccnet.org with a subject line “AFCC hats.”

Judge Linda Fidnick, a member of the AFCC Board of Directors, wears her AFCC hat and a face mask to the grocery store. The AFCC Board of Directors met virtually this year. Members hail from Canada, the UK, Australia, and all corners of the United States, including the Midwest, South, West, Southwest, East Coast, West Coast, and Alaska!

Sent anonymously with the comment: "I'm getting bored. Need a conference to attend." We know the feeling!

AFCC eNEWS

The AFCC eNEWS is the monthly e-newsletter of the Association of Family and Conciliation Courts. The eNEWS provides up-to-date information for professionals including practice tips, case law and research updates, international news, and the latest initiatives in family law and conflict resolution. The AFCC eNEWS is free and you do not need to be a member of AFCC to subscribe. Subscribe here.

AFCC members are free to share eNEWS content.

EDITOR:
Leslye Hunter

ASSOCIATE EDITOR:
Gina Wentling
What Happens in Vegas, Happens Online … For Now!

Katie Porter, AFCC Program Director

The 14th Symposium on Child Custody, originally scheduled as a live conference in Las Vegas, will now occur in a virtual conference format over new dates, November 9-13, 2020. This outstanding program will feature two pre-conference institutes, two plenary sessions, and 20 workshops in real time, offering up to 22.5 hours of continuing education. Presentations will occur over the Zoom platform.

Three 1.5-hour sessions are scheduled each day at convenient times to allow those in the Americas, Europe, Australia, and New Zealand to easily attend. Programming will begin each day at 1:30 pm US/Canada ET (6:30pm UK; 5:30am AUS; 7:30am NZ) and conclude each day at 7:30pm US/Canada ET (12:30am UK; 11:30am AUS; 1:30pm NZ).

Attendees will have an hour-long break after the first session and a thirty-minute break after the second session. Should work or life obligations, or simply a missed alarm clock, preclude an attendee from catching a session in real time, all sessions will be recorded and available for later viewing at no additional cost. (Note: You must attend sessions live to receive a certificate of attendance.)

The pre-symposium institutes are scheduled for Monday, November 9. Of the two offerings, the first will highlight Loretta Frederick, JD, from the Battered Women’s Justice Project in Minneapolis, MN and Arnold Shienvold, PhD, from Riegler Shienvold and Associates in Harrisburg, PA, speaking about domestic violence. The second offering will highlight AFCC Past President Matthew Sullivan, PhD, from Palo Alto, CA and Milfred (Bud) Dale, PhD, ABPP, JD, from Topeka, KS, speaking about telehealth, online dispute resolution, and child custody evaluations.

The plenary sessions are scheduled for middle time slots on Tuesday and Wednesday to maximize opportunity for attendance.

Tuesday, November 10, 2020

Stacking the Deck in Favor of Children: What to Do When the World Goes Haywire

Faculty includes Gabrielle Davis, JD; Susan Myres, JD; Hon. Marge Slabach; and AFCC Past President Matthew Sullivan, PhD

Wednesday, November 11, 2020

Betting on the Voice of the Child in Parenting Disputes

Faculty includes Marsha Kline Pruett, PhD, ABPP; Mindy Mitnick, EdM, MA; Stacey Platt, JD; and Hon. Herman Walker
Because a conference is much more than just professional development and webinars, social opportunities for networking and making connections will also be incorporated. Expect to see virtual happy hours hosted by some of the most prominent names in the field, social rooms based on profession and region, exhibitor spaces, a virtual bookstore, informal group chats with select presenters, and conversations in the “hallway” during breaks.

Please join us to prove the new Vegas marketing slogan wrong. What happens in Vegas, does not necessarily ONLY happen in Vegas! Stay tuned! The conference program will hit your email inbox in July.

Don’t forget to mark your calendars for the 15th Symposium on Child Custody at Planet Hollywood in Las Vegas from November 10-12, 2022. At which point, we’ll all give the older, better-known marketing slogan a try, “What happens in Vegas, stays in Vegas!”
Ask the Experts: Ten Tips (Plus One for Good Measure) for Professionals Working Towards Promoting Change in Parent-Child Contact Problem (PCCP) Cases

Barbara Jo Fidler, PhD, & Nick Bala, JD, LLM

1. Be intentional about mitigating your inevitable biases.

Professionals who are expected to be impartial, like judges, parenting evaluators, therapists and mediators need to understand and be aware of their own inevitable biases. Knowledge heuristics and biases, such as confirmation bias, selective attention bias (cherry-picking), repetition bias, source and affiliative bias, and understanding the impact of emotions and social pressure on our beliefs, perspective taking abilities and decision-making, are necessary but not sufficient. Develop a systematic approach to your practices, procedures, and protocols. Be intentional about exploring alternative hypotheses.

Remember, just as professionals have implicit and cognitive biases, so do the parents and children we are attempting to assist. Emotions, intractable conflict, and personality challenges run high in these families, and will necessarily impact emotional regulation, behavior, perspective taking and decision making. To cope with their parents’ conflict and disparate perspectives, children can easily fall prey to their parents’ direct and indirect, intentional and unintentional suggestions, and expectations to conform, appease, and see only what they are expecting or are primed to see. To tend to their parent’s needs, often children take on inappropriate roles to protect, befriend or care for one or sometimes both parents.

Professionals who are retained by one parent whose interests they paid to advance, like lawyers and therapists or experts retained, also need to be aware of their biases, including retention bias. You are not providing a helpful service to your clients if you come to share or reinforce perceptions that may be distorted, or if your professional involvement increases hostility towards a former partner with whom your client shares a child.

2. Use a multi-factor model for understanding the nature and severity of PCCPs.

Children can resist or reject a parent for many reasons. Numerous interacting factors are involved in the development and maintenance of PCCPs. These include: child factors (i.e., temperament, gender, age, maturity, vulnerability); parental conflict before, during, and after the separation; sibling dynamics; coparenting functioning; each parent’s behavior, personality, and parenting; and external factors such as the adversarial process and third parties such as professionals (lawyers, therapists, child protection
workers), and extended family, new partners, and friends. The intensity, frequency, duration, and motivation of the parental alienating behaviors and the child behaviors will impact the nature and severity of the PCCP.

3. **Recognize the conundrum in balancing two equally important objectives—to identify/differentiate AND to ameliorate.**

The need for careful assessment and identification of the nature of the PCCP and the multiple causes contributing to it in a particular family, and the imperative of moving away from blame to effect change, presents a paradox. Efforts to find the “truth,” be it the type of contact problem or the cause(s), while important for designing appropriate legal and clinical interventions, will at some point fuel conflict, blame and polarization. Often, our attempted solutions become part of the problem. Though it may mitigate anxiety and discomfort for parents and children and is inherent in the litigation process, the blame/exoneration paradigm makes it more difficult to mitigate risks, and maximize resiliency and positive change, including the amelioration of the seemingly intractable conflict and the child’s relationship with both parents. Be solution, not problem focused. The multiple causes of PCCP, once identified, should guide the points of entry for goal setting and intervention. Parents should be involved in identifying clear and concrete goals for an intervention. Given the complexity of PCCPs, these goals may include repairing the child’s relationship with the resisted parent, improving each parent’s parenting and their coparenting, and addressing the child’s functioning and adjustment.

It is often a delicate balancing act to find the sweet spot in this dialectic between identification/assessment of the causes/differentiation of the PCCP and moving away from the blame-game, which is vital if we are to boost better parenting, coparenting, child adjustment, and parent-child relationships.

4. **Consider the voice of the child in context.**

Regardless of the nature and causes of PCCPs, children need to be involved in the various conflict reduction processes, and feel they have been “heard” by decision-makers, therapists, and other professionals. Understanding and respecting the perspectives of children is essential, but this does not mean that children should be making decisions about cutting off ties with a parent or participation in interventions to repair relationships. As much as possible, respect children’s views about how they want to be involved. In high conflict coparenting situations, children are often relieved to learn important decisions, that in effect require them to choose one parent over the other, are not theirs to make. However, as children become older and possibly more “independent actors,” entrenched or presenting with risk factors, consider whether interventions may do more harm than good.

5. **Prioritize the child’s best interests and need for a healthy relationship with both parents, where safe and possible.**

Almost all children, including those who have been abused and those who have been alienated, will benefit from a *healthy* relationship with both parents. Ask: Irrespective of the nature of the PCCP (e.g. affinity, alignment, alienation, realistic estrangement, hybrid) and the likely causes, consider whether it is in this child’s best interests in this particular set of circumstances to have a good relationship with both parents at this time. If so, what needs to happen to assist the child to restructure, build, or rebuild their
relationship with both parents and for the associated parenting and coparenting challenges to be ameliorated?

If it is not in the child’s best interests to have the relationship with the resisted parent now, or not possible at present to build or restore a healthy relationship, what steps may be necessary now or in the future to work towards these goals?

6. Implement early legal and mental health interventions with court oversight and detailed and unambiguous parenting plan orders.

The longer PCCPs persist, the harder they will be to remedy. The less severe cases, irrespective of the type (realistic estrangement/justified rejection, alienation/unjustified rejection, alignment, hybrid cases) and causes are likely to be responsive to appropriate and well-timed family systems-based interventions, delivered using a trauma/toxic stress informed approach. While therapy for the child alone or for the child with the rejected parent may be necessary, it is insufficient to resolve a PCCP. All family members must be involved. There may be more than one therapist or professional (e.g. parenting coordinator), all of whom must have adequate knowledge and specialized training. Court orders for therapy and the accompanying service agreements must be detailed and unambiguous. The therapist is not an evaluator, and accordingly, decisions or recommendations about parenting time or decision making must be left to the parents where possible, or alternatively to the court or an arbitrator.

Interventions must begin with a brief intake screening/assessment to rule out cases involving significant risk factors (e.g., threats/risk to safety to self or other, abduction, untreated mental illness, active substance misuse, active child protection agency investigation, abduction, non-compliance with court orders, and service agreements). Can the parents agree with the key question identified in #5 tip (prioritizing a child having a relationship with both parents), or are they insisting on an evaluation or court finding as to whether or not it is in the child’s best interests to have a good relationship with both parents? In some cases, the family circumstances will indicate a family systems-based intervention is not appropriate, and that there may need to be other interventions (e.g., return to court, trauma therapy for child, rehabilitation of a perpetrator, substance use program, parenting capacity or child custody evaluation, etc.).

Some cases involving allegations of alienation or abuse will require a child custody evaluation. *How much assessment is necessary?* Consider the benefits of therapy starting earlier, once the initial screening intake has occurred and with provisions in place for status updates to the court. The therapist is bound by mandatory reporting of suspected abuse or may decide to conclude the therapy for other reasons. There are risks to any dispute resolution intervention and these risks need to be weighed. Frequently, evaluators recommend family-based interventions. However, by the time the evaluation is completed (including the time taken to even get it started), the PCCP has become even more entrenched. The efforts of each parent to blame the other parent and to convince the evaluator, and the child’s engagement in the evaluation process in support of one parent, may make interventions more difficult or impossible. Additional and significant delays will occur if the parents and their lawyers contest the evaluator’s recommendations and proceed to trial, all this increasing the counterproductive polarization. Frequently, and despite recommendations for the therapy, valuable financial resources have been depleted making it impossible for the best practice intervention to be implemented.

7. Recognize the critical role of the courts in more severe PCCP cases.
A court order is a blunt instrument, but good family law judges are parenting educators and change agents, and may be able to focus parents on the needs of their children. Good judges may be able to facilitate a negotiated resolution, especially at the early stages of proceedings.

Judges can only make orders on the basis of evidence presented in court, and it usually takes time and money for this evidence to be obtained. Cases involving risk to the safety of a parent or child may require protection orders and suspension of contact with an abusive parent. More severe alienation problems may require intrusive legal responses, including a custody change to the rejected parent combined with a temporary interruption of contact with the preferred parent, hopefully with later inclusion of the previously favored parent so that the children can have a healthy relationship with both parents. In some cases, after custody reversal, a previously favored parent may lack the willingness or ability to continue to have a relationship with a child.

All those involved in a PCCP case need to be realistic about the resources available to the family and the court, in the context of the specific case and community.

8. Track intervention outcomes.

Continuing with legal or clinical interventions that are proving to be ineffective is likely to exacerbate the PCCP and result in delays making the problems even more resistant to change. Is a voluntary or court-ordered intervention working? How do you know? Once articulated, the specific intervention goals can be used to monitor progress and measure change during and at the conclusion of the intervention(s). The Changes in Resist/Refuse Dynamics Checklist (Deutsch, Drozd, and Ajoku, FCR, April 2020) is one example of an outcome measurement tool, which can be used to identify cognitive, emotional and behavioral indices of change in the child, each parent, and the parent-child dyads as perceived by the therapist, child and parent.

9. Embrace uncertainty and change.

You know a lot when you know what you don’t know. Practice curiosity. Expand your ability to be comfortable with ambiguity; see this as an opportunity to expand your thinking and augment your skills. Though it may cause less discomfort, avoid binary thinking. To the extent that the inevitable complexity and nuance are ignored and focus remains on the cause(s), changes in the individual adjustment, parenting and coparenting, and repair of ruptured parent-child relationships will be limited.

10. Stay Informed.

Stay current on the social science literature/research—topics including the impact of separation/divorce, intimate partner violence, alienation, parental conflict on children and adolescents, risk and resiliency factors associated with adult and child outcomes, and appropriate interventions and therapy modalities for PCCP and trauma cases. For lawyers and judges, gain at least a basic understanding of child development and dynamics of high conflict separations.

11. Take care of yourself.
PCCP cases are very challenging for professionals, as well as for parents and children. Compassion fatigue and burnout are inevitable. Promoting change in others requires attention and active steps towards our own self-care and refueling.