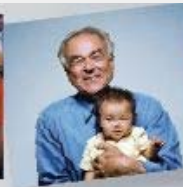




ASSOCIATION OF
FAMILY AND
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eNEWS

February 2018

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AFCC 55th Annual Conference

Compassionate Family Court Systems: The Role of Trauma-Informed Jurisprudence

June 6-9, 2018, Washington Hilton Hotel

The AFCC 55th Annual Conference [program brochure](#) is now available online and **registration is open!** Start making your plans to attend. The early bird deadline ends **March 12, register today to save up to \$50 on your**

MONTHLY
E-NEWSLETTER

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[AFCC Annual Conference](#)

Compassionate Family Court Systems: The Role of Trauma-Informed Jurisprudence

registration!

[Book your hotel room, check out the conference brochure, view the scholarship application and more!](#)

[Register today](#)

Q & A with Jaycee Dugard, AFCC Keynote Speaker

The AFCC annual conference theme focuses on the role of trauma in the family courts and AFCC is privileged to have best-selling author, Jaycee Dugard, present the opening keynote address. She has shared her personal story of stranger abduction at age 11, and sexual and emotional abuse while she was imprisoned for 18 years which was an experience of prolonged and severe personal trauma. Her survival, ongoing recovery after she was freed and transformation of that victimization to an heroic adult life is an inspiration for all of us. Jaycee, the author of two books (*A Stolen Life* and *My Book of Firsts*), was briefly interviewed about her remarkable experience. **Read her interview** here and be sure to attend the AFCC 55th Annual Conference, June 6-9 in Washington, D.C. to hear more from her.

[Read more](#)

Apply for a Conference Scholarship

AFCC is offering **more than 30 conference scholarships**, which include a pre-conference institute registration, a full conference registration, and a certificate of attendance. In addition, a limited number of \$500 and \$1,000 travel stipends are available to qualifying applicants with high travel costs, international applicants, and those who demonstrate a financial need. **The deadline to apply for a scholarship is quickly approaching, March 9, 2018.** Recipients will be notified mid-to-late March.

[Apply now](#)

June 6-9, 2018
Washington Hilton
Washington, DC

AFCC Chapter Conferences

Alberta Chapter Annual Conference

March 15-16, 2018
Matrix Hotel
Edmonton, Alberta

Missouri Chapter Annual Conference

March 15-16, 2018
Marriott St. Louis West
St. Louis, Missouri

Oregon Chapter Annual Conference

April 13, 2018
River's Edge Hotel
Portland, Oregon

Australia Chapter Annual Conference

August 16-18, 2018
Hilton Victoria Square
Adelaide SA, Australia

Washington Chapter Annual Conference

September 22, 2018
Washington Athletic Club
Seattle, Washington

Florida Chapter Annual Conference

September 26-28, 2018
The Florida Hotel and
Conference Center
Orlando, Florida

Wisconsin Chapter Annual Conference

September 28, 2018

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Ask the Experts: Ten Things Judges Appreciate in a Child Custody Evaluation

Hon. Dianna Gould-Saltman

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[Read more](#)

AFCC 13th Symposium on Child Custody Call for Proposals

Guidelines and Standards and Rules, Oh My!

November 8-10, 2018

Denver, Colorado

The AFCC Conference Committee is seeking proposals for 90-minute workshop sessions. Share your work with the interdisciplinary community of family law professionals who attend AFCC conferences. Proposals must be received using the online form by May 7. The program brochure and online registration will be available July 2018.

[View the call for proposals.](#) [Submit online.](#)

Donate to the Silent Auction

The annual AFCC Silent Auction is a longstanding tradition, this year's auction is the 20th! All proceeds

[AFCC March Training Programs](#)

Building a Successful
Unbundled Family Law
Practice

March 5-6, 2018

Loyola University Chicago

Philip H. Corboy Law
Center

Chicago, Illinois

Parenting Coordination:

Work in the Trenches with

High Conflict Co-parents

March 7-8, 2018

Loyola University Chicago

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support AFCC special projects and initiatives. Donate an item and attend the auction to bid! You do not need to attend the conference to donate. Past auction items include tropical getaways, one-of-a-kind jewelry, sports memorabilia, the latest gadgets and electronics, books, and more. [Donate an item.](#)

Register Today for Chicago Training Programs

Register now for AFCC's March training programs, in collaboration with Loyola University Chicago School of Law Civitas ChildLaw Center. [View the brochure](#)

Building a Successful Unbundled Family Law Practice

Forrest "Woody" Mosten, JD
March 5-6, 2018

Parenting Coordination: Work in the Trenches with High Conflict Coparents

Matthew J. Sullivan, PhD
March 7-8, 2018

[More Information](#)

AFCC Webinar Corner



Register now for next month's webinar:

An Evidence-Informed Approach to Parental Alienation

Michael A. Saini, PhD
March 14, 2018 1:00pm Eastern

[Register now](#)

If you missed this month's webinar, *New Research on LGBTQ Parenting*, AFCC members may access the recording for free through the [Member Center](#) of the AFCC website.

Join AFCC E2M (early-to-mid career professionals) webinar:

Work/Life Balance

Annette T. Burns, JD
March 7, 2018 1:00-2:00pm Eastern Time
[Registration is now open!](#)

This webinar is geared towards the E2M crowd and is free to AFCC members. Please register to participate!

Donate to the AFCC Scholarship Fund

Help your colleagues attend AFCC conferences by giving to the AFCC Scholarship Fund. AFCC scholarship recipients increase our diversity by bringing professionals from different backgrounds, representing the many disciplines we represent as an organization. The annual appeal letter was recently mailed to all AFCC members. Will you contribute to allow a hard-working professional like yourself attend an AFCC conference? [Thank you to all of those who have donated already!](#)

[Donate Today](#)

AFCC Chapter News



Meet Wendy Edwards, President of the **Louisiana Chapter**

[Read more](#)

Member News

AFCC member, **Forrest "Woody" Mosten**, published a new book: [Unbundled Legal Services: A Family Lawyer's Guide](#). Co-authored with Elizabeth Potter Scully, this book provides a crucial step forward in matching individuals with the family law services they need.

AFCC Award Nominations

AFCC awards acknowledge many important contributions made by individuals and organizations to enhance the lives of children and families involved in family courts. Your nominations help recognize and bring attention to these accomplishments.

Nominations for the following awards, to be presented at the AFCC Annual Conference in Washington, D.C., will be accepted online through March 15, 2018:

John E. VanDuzer Distinguished Service Award recognizes outstanding contributions and/or achievements by AFCC members;

Stanley Cohen Research Award, sponsored by the Oregon Family Institute, recognizes outstanding research and/or achievements in the field of family and divorce; and

Irwin Cantor Innovative Program Award recognizes innovation in court-connected or court-related programs created by AFCC members.

[Submit a nomination online, see past recipients, learn more about the awards and criteria.](#)

Association of Family and Conciliation Courts (AFCC)

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Q & A with Jaycee Dugard, Keynote Speaker

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The AFCC annual conference theme focuses on the role of trauma in the family courts and AFCC is privileged to have best-selling author, Jaycee Dugard, present the opening keynote address. She has shared her personal story of stranger abduction at age 11, and sexual and emotional abuse while she was imprisoned for 18 years which was an experience of prolonged and severe personal trauma. Her survival, ongoing recovery after she was freed and transformation of that victimization to a heroic adult life is an inspiration for all of us. Jaycee, the author of two books (*A Stolen Life* and *My Book of Firsts*), was briefly interviewed about her remarkable experience. **Read her interview** here and be sure to attend the AFCC 55th Annual Conference, June 6-9 in Washington, D.C. to hear more from her.

How do you understand the trauma you experienced? Since it was prolonged, how did you cope and survive during the ongoing traumatic ordeal?

When I think about the trauma of being kidnapped and the sexual torture I experienced, first I accept it. For me always acknowledging that it happened, and most importantly that I survived it, is an important reminder for me every day. If I didn't accept it and instead chose to ignore the trauma of my past I would not feel as healthy as I do today. I survived each day by not looking to the future, and just getting through each day as it happened. I had my memories of being home to think back on too and I feel like that kept me from going crazy on those really lonely days. Sometimes I would have the TV on just to hear the voices and that made me feel like I wasn't so alone, too.

What have been the characteristics of PTSD for you? Is it a unique set of issues for each individual or do you think there are commonalities? What is helpful for professionals working with patients who have been traumatized to understand about PTSD?

I don't really identify myself as having PTSD. Sometimes I experience dreams of still being trapped in the backyard and wake up thinking I'm still there and all that I have now is just the dream, but reality quickly sets in for me and I know I haven't lost anything of my new life. On the other hand, we had some fires in California last year and I feel I do have some PTSD around this trauma. It was very windy the night the fires started and I find it hard to sleep when the wind picks up now. I don't feel like I will always feel this way and I am fully aware of why I hate the wind. I try to let myself feel what I need and get over it when I feel ready. PTSD has been overused in my opinion. I think there is all kinds of trauma people experience but it doesn't have to last forever and control your life if you make the choice to face it, acknowledge, and move forward.

What have been the essential aspects of your recovery work (aspects that are not considered important by mainstream therapeutic methods)?

Horses, cats, dogs and Dr. Rebecca Bailey and Jane Dickel, in that order. In both my books, *A Stolen Life* and *My Book of Firsts*, I write a lot about my love of animals and how much I loved how Rebecca incorporated them into the therapy we did together. Animals, and especially horses, have the special ability to make you be totally in the moment. They make talking about the trauma I went through so much easier and less painful. I remember one day, in particular, that I couldn't get a certain very traumatic sound out of my head. It just kept repeating until after we went down to feed the horses, I admit I wasn't really there. I was somewhere in my head and not paying attention like I should when feeding any animal, and this lesson was ingrained when I felt a crunch on my finger that I had left a little too long next to the big mouth of Dr Velcro, one of Rebecca's therapy horses. Well, it not only brought me back to the present, I also to this day can't recall that sound anymore. Granted the horse was just wanting to eat and you might say what's so magical about that? Horses are very aware of their mouths and most are extremely gentle, Velcro not being the exception. So, did he just not see my finger or was it something more...

You were involved in legal proceedings; can you comment on the aspects of that experience and process that were difficult and negatively impacted your recovery?

I made the choice to sue the federal government for their involvement and lack of supervision throughout the years [her kidnapper] was on parole. I stand by my decision, but it was difficult going through the depositions of not only me, which lasted over 8 hours, but that of my daughters, as well. I went home exhausted and reliving all over again the trauma of my kidnapping and multiple rapes. The questions and the way they

were delivered left me with the feeling like I was to blame for not finding a way to escape. The evaluation by the court appointed psychologist was extremely uncomfortable and he was just downright rude to boot. I hate that I lost the case but I still am proud of myself so trying.

How has your relationship with Dr Bailey evolved over the years?

I believe in order to move forward in life, relationships need to evolve and change, especially with the changing circumstances of life. This occurred for me a few years into my therapy when I wanted to move forward and focus more on helping others. Rebecca and I talked at length about the nature of our relationship and about how it could evolve with my changing needs. The first adjustment was a shift for her from therapist to mentor. In this role she assisted me in beginning the Foundation to help other families going through traumatic situations. This included writing a new informed consent and us both signing it. The entire treatment team is on board with these changing roles. During the years a deep friendship has evolved, and we both make a point of defining which hat we wear in each situation. Today we work together on making the JAYC Foundation, a place families can recover and heal.



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Ask the Experts: Ten Things Judges Appreciate in a Child Custody Evaluation

Hon. Dianna Gould-Saltman

Child custody evaluations can be an invaluable tool for bench officers when they are timely, sufficiently comprehensive, and provide information and analysis that, when coupled with other evidence, assist the bench officer in making orders that serve the best interests of the children involved. To understand what sorts of things will be useful to a bench officer when doing a child custody evaluation, it is critical to understand the basis for being asked to do one in the first place.

Federal Rules of Evidence, Rule 702, on which many jurisdictions base their own rules of evidence pertaining to expert witnesses, provides, in pertinent part, “A witness who is qualified as an expert by knowledge, skill, experience, training, or education may testify in the form of an opinion or otherwise if: (a) the expert’s scientific, technical, or other specialized knowledge will help the trier of fact to understand the evidence or to determine a fact in issue.” A slight variation can be found in the California version, California Rules of Evidence, Rule 801, which provides, in pertinent part, “If a witness is testifying as an expert, his testimony in the form of an opinion is limited to such an opinion as is: (a) Related to a subject that is sufficiently beyond common experience that the opinion of an expert would assist the trier of fact.”

I may be California-centric here, but I think the addition is helpful. An evaluation should be ordered when merely hearing testimony of witnesses wouldn’t be enough to understand the context and relevance to parenting. A child custody evaluator offers that connection between the evidence and the importance of the evidence to parenting based on the evaluator’s education and experience that is beyond what a judge’s own experience could offer. If no such added expertise is necessary, a child custody evaluation will not provide added value for the added cost and time expended.

That being said, here are ten things that I find particularly helpful, and which I think most judges would find helpful, when drafting a child custody evaluation:

1. Mechanical stuff:

I appreciate the nuanced psychological information I get in a custody evaluation; however, sometimes I need basic information to anchor me. It's good to know how attached a child is to each parent. It's crucial to know where the parents live and work, how far that is away from the child's school or child care provider, and what parents' work hours are. Those mechanical pieces should probably be right up front so that I know if the issue is which parent gets the child 24 hours a day each weekday or, if one parent works night and weekends while the other works Monday through Friday 8 to 5, so the issue is about a few hours that overlap.

2. Analysis:

Most custody evaluations I have seen can be described as having three primary components: a section describing the data that was gathered, a section that analyzes that data and forms the basis for any recommendations, and the recommendations. As an attorney I cared about the recommendation and flipped to that section first. As a judge I primarily focus on the analysis. Yes, it's important that there have been sufficient data gathered, that the data was gathered in an appropriate manner, and that the data support the recommendations; however, going back to the whole reason we have asked for an expert to participate in a given case, what makes an evaluation valuable is the analysis. What data led to your recommendations? How did it lead to the recommendations? What hypotheses did you generate and how did the data align to confirm or refute those hypotheses? The quality of the analysis is the reason expertise is required. That data could have been gathered and presented on a witness stand. It's the professional analysis that makes it expertise.

3. Supporting literature:

I don't need a treatise, but if your analysis wants me to understand why some facts are more important to parenting than others, show me why. Is your recommendation based on prevailing theory or something less common or more complex? Is there a special issue (mental health, drugs, alcohol, domestic violence) about which there is current peer-reviewed literature on which you've relied? Let me know.

4. Clarity-call of the question:

This is kind of a double-header. Firstly, when you are appointed, make sure you know why. It should be clear from the appointment order. While it may be a matter of "court culture" to provide a general order (i.e. "Evaluator is to provide recommendations as to a parenting plan which will be in the best interests of the children,"), it's important to know if the judge has some reason why she or he believes expertise is necessary in this case so that you don't fail to address that special concern. Is this a relocation case? Might it become one? Are there allegations of abuse? Alienation?

Then, when you draft your evaluation report, be clear and up front about the “question” you have been called upon to “answer” and do so. Use clear, non-technical terminology. This report will be read by people who do not have advanced degrees in psychology.

5. Brevity:

Balance the need to provide sufficient support with the need to say what needs to be said without repetition or flourish. I have seen reports ranging from eight pages to nearly three hundred. Not everything that is important in your notes needs to appear verbatim in your report. Likewise, a report that is so brief that the analysis section is basically, “Trust me. I’m an expert. Just go straight to the recommendation section.” will not be well-received.

6. Compassionate delivery:

There are no perfect people but, if there were, they would not be having their child custody evaluated. Parents will be reading what you write. They will focus on the negatives you say about them, even if your recommendation is overall consistent with what they have requested. You are not their judge. I am. You can provide the same information, including information that is unpleasant or critical, in a way which neither minimizes nor exaggerates. You may have seen a lot of families over the years but, for this family, you’ve only seen them during this one moment in their lives. Be as kind as you can when delivering information they (and I) need to know but which may be hard to hear. By doing so you may be laying the foundation for a settlement rather than a trial someone feels compelled to complete just to be vindicated.

7. Alternatives:

It is the rare case where the data leads on one and only one possible parenting arrangement. It is quite possible that some things may change between the time you issue your report and the time the parties get to trial. Some of those changes may be a direct result of your report. If you give me the benefits and risks of various viable arrangements, those changes can be accommodated.

One of my colleagues has taken to having evaluators send the attorneys the full evaluation but have the recommendations portion of the report sealed in the judge’s copy. That allows counsel to negotiate with full information and even have a pretrial conference with the judge without the recommendations affecting the judge’s thinking unless and until the matter does go to trial. If the analysis is sufficiently robust, the recommendations may not have even been necessary because the clarity of the analysis, coupled with the data, logically leads to a limited number of possible parenting arrangements.

8. Confounding data:

This is actually a requirement under the California Rules of Court but it’s a good idea in every case. If there were no disputed issues, there would be no need for a custody

evaluation. Since there are disputed issues, where you've accumulated sufficient data to make recommendations, it is likely some of that data will support your conclusions and some will not. How did you choose which data to use and which to ignore or to weigh less heavily? If the only data you include in your report is the data that supports your position, you have just set yourself up for cross-examination and created a bit of suspicion. The process works best when it is fully transparent, particularly to the judge.

9. Recommendations that are realistic:

There are things which may be good ideas but which the court does not have the power to order parties to do absent a stipulation. You should know what those are and, while you might suggest them for the parents, don't recommend that the judge order them. Likewise, recommending that people participate in activities they can't get to within the time required to do so, or at hours when they are not available, or to attend multiple types of counseling in various constellations of the family when the family is of limited means, the recommendations are not helpful to the court and may create a basis for further conflict for the parents (if you suggest individual therapy, and conjoint therapy, and child's therapy, but they can only afford one at a time, you can expect that a high conflict couple will not choose the same priority).

10. Finality:

While some judges consider follow-up to be part of their way of doing their job, that should be their choice. A recommendation which suggests that the parties come back to review things, to consider a step-up, or to monitor compliance, creates opportunity for further conflict. A child custody evaluation is a snapshot in time. You evaluate the family as it is today. Things will change. When that happens, if either party feels a change to the existing parenting arrangement is warranted, there is a mechanism for them to move that forward, informally, formally without judicial intervention, and with judicial intervention. Even where you believe someone should be overseeing these parents, unless they have fallen below a threshold where they can make autonomous decisions (in which case you will likely have made a referral to a child protection agency), let them be the parents. Giving a family finality within the court system, even if we have some reason to believe we'll see them again, allows them to get on with their lives, which may be the greatest gift you can give them.

Dianna Gould-Saltman is a California Superior Court Judge for Los Angeles County. Appointed in 2010, she sits in a family law department in Los Angeles, California. Prior to her appointment Judge Gould-Saltman was a Certified Family Law Specialist (the State Bar of California Board of Legal Specialization) and remains a Judicial Fellow of both the American Academy of Matrimonial Lawyers and the International Academy of Family Lawyers. In 2013, she was selected Family Law Judge of the Year by the Pasadena Bar Association Family Law Section and in 2014, was selected Family Law Judge of the Year for Los Angeles County by the Southern California Chapter of the American Academy of Matrimonial Lawyers. She has presented on family law issues to a variety of attorney and mental health organizations as well

*as California Bernard Witkin Judge's College, Los Angeles Superior Court Family Court Judges,
and California Judicial Council's Center for Judicial Education and Research.*



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Meet Wendy Edwards, President of the Louisiana Chapter

Wendy Edwards is an attorney in Baton Rouge, Louisiana. She attended law school at LSU's Paul M. Hebert Law Center, where she received her Juris Doctorate in June, 2003. Before graduating, she was inducted into the Phi Delta Phi Legal Fraternity and was awarded an honorary membership to the Wex Malone Chapter of the American Inns of Court based upon her outstanding performance in Trial Advocacy. Wendy was admitted to practice law in Louisiana in October 2003. She clerked for Judge William F. Kline, who was then serving on the First Circuit Court of Appeal, *pro tempore*, and for Judge Jennifer Luse, Chief Judge of the Family Court in and for the Parish of East Baton Rouge. Wendy began practicing primarily family law in July of 2006 and is now a partner at Dampf, Hessburg, Edwards, Thibaut, & Aydell, LLC. Currently, she is a member of the Louisiana State Bar Association and the Baton Rouge Bar Association. With the BRBA, she served on the Board of Directors for two years as an Ex Officio Member; as President of the Family Law Section for two years, with six years on that Section's Board; Chair of the Family Law Section's Legislative Improvement Sub-Section; and has been a member of the BRBA's Bylaws and Governance Committee. Currently, she is serving as President of the Louisiana Chapter of the Association of Family and Conciliation Courts. She has served on Louisiana's Protective Order Registry Steering Committee and has lectured extensively on domestic violence issues and the appropriate procedures and tools available to attorneys and their clients regarding Protective Orders and Restraining Orders.