Speaker Profile: Grande Lum

At first blush, Grande Lum’s dispute resolution experience seems quite distant from the work of AFCC members. As Director of the US Department of Justice’s Community Relations Service (CRS), Grande worked on major civil rights-related disputes involving hundreds of citizens and garnering national and international attention, a stark contrast to, e.g., a confidential mediation session with separating or divorcing spouses. But it soon became clear that there are many similarities between conflict in families and in communities: the skills of the neutral, external politics that weigh on the conflict, and the impact of the conflict and process on the disputing parties. Read more.
Register by March 2nd and save!
Register now for the AFCC 57th Annual Conference. Members save $30 if they register by March 2, 2020. Read the conference brochure for more information.

Reserve Your Room Today
The AFCC room block is already 70% full! If you are planning to stay at the New Orleans Marriott, reserve your room now! AFCC conference attendees receive a special rate of $199 per night for single/double occupancy. Reserve online or call 1-888-771-4429 and request the AFCC rate.

Apply for a Scholarship by March 2nd!
Thanks to the generosity of donors to the AFCC Scholarship Fund, AFCC will offer over 30 scholarships for the conference. Each scholarship includes a pre-conference institute, conference registration, a certificate of attendance, and more! Apply now.

Donate to the AFCC Silent Auction!
Proceeds from the AFCC Silent Auction help fund AFCC projects and initiatives. The auction takes place in New Orleans on Friday, May 20, 2020. To donate an item, contact AFCC's Communications Coordinator Gina Wentling at gwentling@afccnet.org or 608-664-3750.

Exhibit Space Available!
The Exhibit Forum provides vendors an opportunity to connect with 1,000+ family law professionals. Read the prospectus and email Gina Wentling or call 608-664-3750 to sign up.

Training Programs on Parenting Coordination and Child Development
Loyola University Chicago

Parenting Coordination: Essential Tools for Conflict Resolution
Mindy Mitnick, EdM, MA
March 2-3, 2020

This program will describe the fundamentals of parenting coordination (PC), including the principles and functions of the PC role, the knowledge base for being an effective PC, and ethical guidelines. Participants will learn how to help clients utilize the parenting coordination process and how to effectively write recommendations or decisions.

Understanding Child Development and Family Dynamics: It's a Brave New World
Marsha Kline Pruett, PhD, MSL
March 4-5, 2020

How do we do our best family law-related practice if we don’t understand child and family development in terms of
current issues, research, and practice relevant to separation and divorce? This training program is for mental health, legal, and educational professionals who work with children and families and want an update on what affects development—positively and negatively—and what they can do to tip the needle towards increased co-parenting and positive child development.

Register now!

AFCC Scholarship Fund

Consider donating to the AFCC Scholarship Fund to give back to the community you’ve found through AFCC and support the future of family law. Help deserving family law professionals attend an AFCC conference, where they can learn, network, and invest in their careers.

We suggest donating one billable hour. (If you don't bill your time, consider one hour of salary or equivalent.) If you can contribute more, that would be appreciated too!

All donors will be recognized in onsite signage at the AFCC 57th Annual Conference in New Orleans and on the AFCC Scholarship Fund page as a contributor.

Donate now!

Submit Your Proposal for the 14th Symposium on Child Custody!

AFCC is accepting proposals for 90-minute workshops for the 14th Symposium on Child Custody, October 22-24, 2020 at Planet Hollywood in Las Vegas. The Symposium will offer a range of programs addressing practice skills, research, and professional practice issues including ethics and risk management, policy, programs, and more!

The Symposium is designed for custody evaluators, judges, lawyers, mediators, parenting coordinators, educators, and any professional who works with separating and divorcing families.

All proposals must be submitted by April 20, 2020 using the online form.

Learn more

Resource of the Month

AFCC-Ontario Parenting Plan Guide

The ASC Toronto (Advice and Settlement Counsel) Project: An Access to Justice Initiative
In over one-half of family cases in Canada’s courts, one or both parties appear without a lawyer. This reality coupled with cutbacks to duty counsel services, which were previously provided by Legal Aid Ontario (LAO), was the impetus for the development of an innovative, more affordable, fee-for-service model to assist self-represented litigants. Up until July of 2019, any litigant, or potential litigant, qualified for up to 20 minutes of summary advice on certain topics in family. Today, only litigants who qualify financially can receive assistance, and LAO has withdrawn from the Toronto Superior Court. Read more.

**AFCC Webinar Corner**

**Opposing the Self-Represented Litigant in Family Court**

Annette T. Burns, JD
March 19, 2020 | 1:00-2:00pm Eastern Time US

Registration closes on Wednesday, March 18, 2020 at 9:00am Eastern Time.

Parties who are self-representing make up the majority of family court litigants today. Attorneys in family court need to effectively oppose and work with self-represented parties to properly represent their own client, act ethically, and assist the court. The experience for the attorney, her client, and the self-represented party is fraught with potential pitfalls, but doesn’t need to be unduly adversarial. This webinar will explore skills and strategies that can make the experience better for all.

**Note:** This program is not approved for continuing education for psychologists.

**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 get $10 off your first annual membership as well as webinar registration at the member price.

Register today!

Stay tuned for April's webinar:
**How to Build a Problem Solving Family Court Within a Traditional Court from Scratch with No Money**
Linda Fidnick, JD
April 9, 2020 | 1:00-2:00pm Eastern Time US
Registration opens March 11, 2020

**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:
Child Development in Infancy through School Age: Implications for Custody
Robert Emery, PhD, and Hon. Dolores Bomrad

AFCC Is Hiring!

AFCC is hiring a Program Director who will work at its offices in Madison, Wisconsin. The successful candidate will develop AFCC educational programs, work closely with AFCC Chapters, oversee continuing education, communications, staff special projects and committees, and serve as a resource to nearly 5,500 amazing AFCC members! Read the job description and application information.

Nominate a Colleague for an AFCC Award

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 these accomplishments.

Nominations for the following awards, to be presented at the AFCC Annual Conference in New Orleans, will be accepted online through March 9, 2020:

- **John E. VanDuzer Distinguished Service Award** recognizes outstanding contributions and/or achievements by AFCC members
- **Stanley Cohen Distinguished Research Award**, sponsored by the Oregon Family Institute, recognizes outstanding research in the field of family and divorce
- **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.

AFCC Awards

Where in the World is AFCC?

Where do you wear your AFCC hat(s)? Share it with your AFCC colleagues! Post your picture in an AFCC hat on social media using #AFCCChats #whereintheworldisAFCC. Email your photo to afcc@afccnet.org with a subject line “AFCC hats.”

Executive Director Peter
AFCC member Jay Flens
AFCC board member
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.

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Gina Wentling
Speaker Profile: New Orleans Keynote Speaker Grande Lum

At first blush, Grande Lum’s dispute resolution experience seems quite distant from the work of AFCC members. As Director of the US Department of Justice’s Community Relations Service (CRS), Grande worked on major civil rights-related disputes involving hundreds of citizens and garnering national and international attention, a stark contrast to, e.g., a confidential mediation session with separating or divorcing spouses. But it soon became clear that there are many similarities between conflict in families and in communities: the skills of the neutral, external politics that weigh on the conflict, and the impact of the conflict and process on the disputing parties.

Grande was born in San Francisco in the mid-60s, just a few blocks from Haight Ashbury, the birthplace of the 1960s counterculture movement. “It was a fascinating time to grow up in San Francisco,” he recalls. “I remember Patty Hearst and the Symbionese Liberation Army, the Zodiac killer, the assassination attempts on President Ford, and desegregation of the San Francisco schools.” Grande graduated from Lowell High School, alma mater of US Supreme Court Justice Stephen Breyer, and enrolled at University of California, Berkeley where he played club basketball. One evening he played in a pick-up game with Kevin Johnson, future NBA All-Star and Mayor of Sacramento. “I got hot,” Grande said, “and kept hitting jump shots and getting steals. I still remember Johnson looking over at me and asking, ‘Who is that guy?’”

After graduating from Berkeley, Grande spent a year working as a reporter for an Asian-American newspaper covering the 1988 presidential elections, then headed east to attend Harvard Law School. “I came to Harvard with the idea of being a civil rights lawyer. What led me down what seemed like a different path was in my first year I took a negotiation course from Roger Fisher and Bruce Patton [who, with William Ury, wrote the-best-selling book Getting to Yes]. I thought I was going to learn how to outmaneuver the other side, and I was shocked to find out it was the opposite, and that I really liked the idea of being a creative problem solver.”

Grande’s epiphany came in his third year while serving as a Teaching Fellow for an intersession negotiation class taught by negotiation and dispute resolution luminaries Roger Fisher, Bruce Patton, Frank Sander, and Robert Mnookin. “This was at a time when there was conflict with Iraq, over South African apartheid, and the professors were engaged in these problems,” he said. “The people at Harvard were traveling to South Africa and working on these issues. I was recommended for Conflict Management, Inc. (CMI), Fisher’s consulting firm, and began after law school, working with corporations and nonprofits, and in collective bargaining matters.”
While working at CMI, Grande moved back to San Francisco and in 1996 married Nan Santiago, whom he’d met at Berkeley prior to law school. Nan, a marriage and family therapist, completed her master’s at San Francisco State University. Nan and Grande have two children. Gianna, 23, is a graduate of University of California, Irvine and is now a graduate student in a climate and society program at Columbia University. Garren, 18, is a freshman at the University of Oregon.

After making partner with CMI, Grande and several colleagues created ThoughtBridge, a consulting firm that worked largely in education, facilitating collective bargaining, school reform, site-based decision making, and addressing other types of conflict, including racial and ethnic disputes within the schools.

After eight years with ThoughtBridge, and with a young family, Grande decided to find work that didn’t require constant travel and started Accordence, a dispute resolution training firm. He wrote his first book, *The Negotiation Fieldbook*, and was able to stay closer to home. Grande then joined University of California, Hastings College of the Law as a clinical professor and director of its Center for Negotiation and Dispute Resolution.

After two years at Hastings, Grande’s life took a turn. “One of my Harvard classmates decided to run for President,” he said. “I worked on the campaign, and when Barack Obama was elected in 2008, I was offered a position at the Small Business Administration (SBA) in Washington, DC, directing the HUBZone (Historically Underutilized Business Zone) program.” This federal contracting initiative supported companies that operate and create jobs in communities with economic needs. “I commuted from San Francisco to Washington, DC almost every week for 22 months,” Grande said, “and I saw many politicians, including our current Speaker of the House, on those flights.”

Upon starting with CRS, Grande didn’t have to wait long for a significant conflict to arise. “I was flying to Dallas to meet with the entire staff, and that morning there was a mass shooting at the Sikh Temple in Oak Creek, Wisconsin,” said Grande. “By the time I landed, everyone was on the phone working on the situation. Coincidentally, one of the CRS conciliators had met with people at the Temple the previous week. CRS had strong relationships with Sikh leaders because we were doing a lot of competency training that began with President Bush’s response to 9/11. That made a real difference, because we had relationships and expertise, and were known within the Sikh community.”

Grande’s work at CRS included major disputes related to the Michael Brown shooting in Ferguson, the Freddy Grey tragedy in Baltimore, and the Trayvon Martin shooting in Sanford, Florida. “Trayvon Martin, a 17-year-old, returning to a house after buying Skittles and a drink from 7-Eleven, was shot by George Zimmerman who was a neighborhood watch volunteer concerned about crime in the neighborhood,” Grande recalls. “There really wasn’t a lot of outcry immediately, but the family hired an attorney and it ultimately became the most reported on story of 2012, including the presidential election! One of the most interesting things about Sanford was that the city manager Norton Bonaparte had previously worked with CRS in Kansas, and one of the people working for the city was Andrew Thomas, who formerly ran the Dispute Resolution Center in Rochester, NY, so there was a mediator on the inside. Thomas Battles, one of CRS’s best conciliators, facilitated introductions and...
meetings that included Jesse Jackson and Al Sharpton, local pastors, the mayor, and others. There were multiple sides protesting, but there was never an arrest, or a single rock thrown. Jeff Triplett, the Mayor of Sanford, credited CRS with saving the community.”

Although Grande’s work with CRS was often with large-scale conflicts, he sees a strong tie to the work that AFCC members do with families. “Fundamentally, regardless of context, it’s about a human to human interaction and no matter the cause, the same emotions apply: anger, happiness, contempt, disgust. The emotions are the same, so if you are a mediator or parenting coordinator skilled at working with emotional people, you can serve the conflict well in either context. Throughout my career I have noticed that what good intervenors do seems remarkably similar whether the issue is race, politics, or family. If people feel they are being listened to, it makes a huge difference.”

“Of course,” Grande added, “there are more difficult conflicts, where parties have very strongly held values around issues like abortion or gun control. When Thomas Battles mediated the Elian Gonzalez case, he had to go into hiding for several months because people thought he was anti-Cuban. People who wanted to attack President Obama went after Attorney General Eric Holder, who oversaw CRS. We were accused of creating the protests and working with Black Lives Matter and Dream Defenders to make law enforcement look bad, even though this was patently untrue. In the end, sometimes you just have to peel back the layers and find out why someone holds certain beliefs. When they tell their stories that can lead to greater understanding of one another by the parties. That can happen in community-wide conflict or family disputes.”

After leaving Washington, DC, Grande returned to San Francisco, first helping to establish The Divided Community Project at The Ohio State University Moritz College of Law, which built on his CRS work and focused more on preparation and planning to help communities stay out of crisis. He then accepted the position as Provost and Vice President for Academic Affairs at Menlo College, a private four-year institution in Atherton, California, just down the road from AFCC President Matt Sullivan, his co-presenter at AFCC’s 57th Annual Conference in New Orleans this May. “I’ve enjoyed getting to know Matt as we have prepared for our presentation,” he said. “It’s amazing that our work can be so similar when we work in such different contexts.”

And as for Washington, DC? “We ended up having a great family time there, meeting a lot of idealistic people, and making lifelong friends, but given what is going on in DC now, we are happy to be back in California.”

The ASC Toronto (Advice and Settlement Counsel) Project: An Access to Justice Initiative at the Toronto Superior Court (Family)

Andrea Himel

In over one-half of family cases in Canada’s courts, one or both parties appear without a lawyer. This reality coupled with cutbacks to duty counsel services, which were previously provided by Legal Aid Ontario (LAO), was the impetus for the development of an innovative, more affordable, fee-for-service model to assist self-represented litigants. Until July of 2019, any litigant, or potential litigant, qualified for up to 20 minutes of summary advice on certain topics in family. Today, only litigants who qualify financially can receive assistance, and LAO has withdrawn from the Toronto Superior Court.

Situated beside the court rooms and mediation services, litigants can avail themselves of a variety of services including pre- and post-mediation summary advice, coaching and/or drafting of Court documents, and attendance at court conferences and motions.

For example, when clients need advice about parenting issues, lawyers can provide suggested clauses from the recently released AFCC-Ontario Parenting Plan Guide and AFCC-Ontario Parenting Plan Template. Counsel can also draft agreements and provide advice on parenting, support, and property issues by using the new fill-in-the-blank Consent Order which is available at the Toronto Superior Court.

From the ASC Toronto Project’s inception in September 2019 to its implementation in January 2020, support for this initiative has been exceptional, including the 55 lawyers who have signed on to the roster (which requires one 3.5 hour shift every 2 months), the mediators and lawyers in the community who are referring clients to the program, and the judges who preside at the court.

Justice Suzanne Stevenson, the Senior Family Judge in Ontario, recently articulated her support saying “The family law bar’s Advice and Settlement Counsel Project is another
bar-led innovation that helps to increase access to affordable family law services. The court is extremely grateful to the bar’s commitment to this important issue.”

Litigants pay the sum of $200 plus harmonized sales tax (HST) for up to one hour of services at the conclusion of the session, with the option of extending the retainer in the form of additional time on that day or further limited scope services in the future.

The roster lawyers speak a range of languages and reflect the cultural diversity of Toronto. All lawyers have a minimum of 5 years of family law experience and a minimum of 50% of family law cases in their practice. Some roster lawyers are employed at downtown Toronto boutique law firms, while others are sole practitioners who serve middle- and lower-income clients.

This project was developed with support from Ontario’s Family Law Limited Scope Services Project (FLLSSP), which is working to increase the availability of limited scope services for separating families in Ontario. A pilot project in Barrie, Ontario was the “springboard” for the program.

The ASC Toronto Project is being evaluated by Dr. Rachel Birnbaum, a professor of social work, cross-appointed to childhood studies (interdisciplinary studies) and social work at King’s University College at Western University. Dr. Birnbaum is conducting research on various FLLSSP projects.

Lawyers in three other jurisdictions have reached out to learn more about the program. The ASC Toronto Project coordinators are happy to share materials and advice as this initiative is seen as a “collaborative approach” to the provision of access to justice in family law.

For further information please go to https://www.capyfamilylaw.com/ascproject/, or contact Andrea Himel or Lorna Yates.

Andrea Himel, LLB, MSW, Accredited Mediator and Arbitrator, Principal of Himel Mediation and Family Law Services is a past president of the AFCC Ontario Chapter and one of the architects of the ASC program. She is a family attorney and mediator in private practice in Toronto.