



# NEWSLETTER

## Association of Family and Conciliation Courts

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

Volume 15, Number 2  
Spring 1996

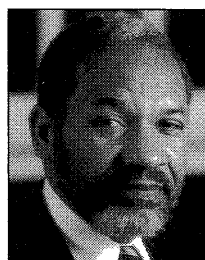
### Y'all Come on Down to San Antonio!



**John J. Wilson**  
Deputy Administrator  
Office of Juvenile  
Justice and  
Delinquency  
Prevention  
Washington, D.C.



**Janet Johnston, Ph.D.**  
Director of Research  
Center for the Family  
in Transition  
Corte Madera, CA



**Charles Ballard, M.S.W.**  
President and Founder  
Institute for  
Responsible  
Fatherhood and  
Family Revitalization  
Washington, D.C.

**A** FCC's 33rd Annual Conference, **Best Interest: Special Issues for Children & Families**, takes place May 8-11, 1996 at the Hyatt Hotel on the Riverwalk, deep in the heart of San Antonio. The 1996 Annual Conference will provide something for everyone who works with families.

AFCC welcomes Texas Attorney General Dan Morales and John J. Wilson, Deputy Administrator of the Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice, to the Thursday Awards Luncheon.

The Annual Conference will feature six Pre-Conference Institutes, 32 workshops and four extended workshops including, **Dealing with Parental Alienation in High Conflict Custody Cases, Guidelines for Lawyers Representing Children and Mediation and Best Interest: Models that Work for Children.**

The plenary sessions will examine how a variety of factors—including joint custody, father/child relationships and cultural considerations—impact on what is in the best interest of children. The conference opens Wednesday evening with a **Joint Custody Retrospective**, a visit with children, parents and step parents from two Dallas, TX families with a 13-year joint custody history.

Thursday morning's general session, **Defining Best Interest: A Round Table Discussion** will examine the difficulty in defining the term "best interest" in an interdisciplinary setting. The session will feature Howard Davidson, J.D., Director, American Bar Association Center on Children and the Law; Janet Johnston, Ph.D., Director of Research, Center for the Family in Transition; Joan Kelly, Ph.D., Director, Northern California Mediation Center; Hon. Dee Miller, Dallas, TX; and William Howe, III, J.D., Chair, Oregon Task Force on Family Law.

Friday's general session examines **Dad's Dilemma and the Best Interest of the Child** by looking at the role of the father when parents are living apart. Featured presenters will be Charles Ballard, M.S.W., President and Founder, Institute

for Responsible Fatherhood and Family Revitalization, and Wade Horn, Ph.D., Director, National Fatherhood Initiative.

Saturday's closing session will focus on **Cultural Considerations in Family Court**, led by Hon. Charles Gonzalez, San Antonio, TX; Pamela Gaitor, M.S., Sociology Instructor, Collin County Community College, McKinney, TX; Robert Tompkins, M.A., Deputy Director, Family Division, Connecticut Superior Court; and Carolyn Wah, J.D., Brooklyn, NY.

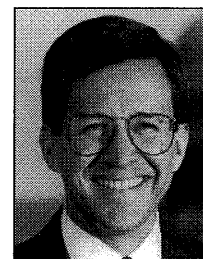
Conference activities include the Opening Reception, Awards Luncheon, Annual Banquet, Taste of the Riverwalk and the River Run. Conference participants will want to take advantage of the many touring opportunities (see related story on page 3). For further information or to register for the 1996 Annual Conference, contact AFCC, 329 W. Wilson St., Madison, WI 53703, Phone: (608) 251-4001, FAX: (608) 251-2231.

#### Join AFCC For a Taste of the Riverwalk

Thursday evening, conference participants will have the opportunity to join local hosts for activities along the Riverwalk. Enjoy a ride on a river barge, relax over dinner and drinks at an outdoor cafe or kick up your heels and go dancing at one of San Antonio's hottest club. Participants will be responsible for their own costs for this optional activity.

#### AFCC River Run Set for Friday Morning

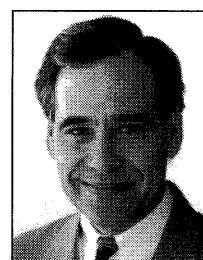
Whether you are a serious runner or simply looking for an opportunity to enjoy a quiet morning stroll along the Riverwalk, AFCC's River Run is for you. This 5K event is sponsored by Hon. Charles Gonzalez of San Antonio. All entrants will receive an official River Run T-Shirt with prizes going to the winners. Registration fee for the River Run is \$10. All proceeds will benefit the Second World Congress on Family Law and the Rights of Children and Youth.



**Dan Morales**  
Attorney General  
State of Texas



**Joan Kelly, Ph.D.**  
Director  
Northern California  
Mediation Center  
Corte Madera, CA



**Hon. Charles Gonzalez**  
San Antonio, Texas



## AFCC EXECUTIVE COMMITTEE

### President

Mr. John Kydd  
Seattle, Washington

### President Elect

Ms. Linda Hahn  
Dallas, Texas

### Vice President

Hon. Alastair Nicholson  
Melbourne, Australia

### Vice President

Ms. Christine Coates  
Boulder, Colorado

### Vice President

Dr. Philip Bushard  
Reno, Nevada

### Treasurer

Hon. Arline Rotman  
Worcester, Massachusetts

### Secretary

Ms. Lorraine Martin  
Toronto, Ontario

### Past President

Hon. Douglas McNish  
Wailuku, Hawaii

### Executive Director

Ms. Ann Milne  
Madison, Wisconsin

## AFCC NEWSLETTER

Vol. 15, No. 2

### AFCC Newsletter Editor

Peter Salem

Published by AFCC  
329 W. Wilson Street  
Madison, WI 53703  
Tel: (608) 251-4001  
Fax: (608) 251-2231

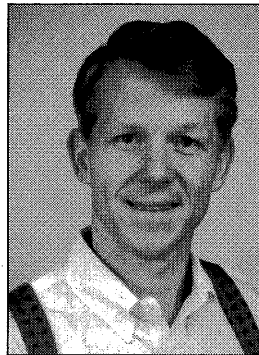
The AFCC Newsletter is a publication of the Association of Family and Conciliation Courts. The Newsletter is published four times a year. Deadlines for news items and advertising are March 1, June 1, September 1, and December 1. Advertising copy must be camera ready and payment made in U.S. funds.

### Advertising Rates:

Full page (7½" x 10") ..... \$400  
Half page (7½" x 4½") ..... \$300  
Quarter page (3½" x 4½") ..... \$175

## President's Message

by John Kydd, M.S.W., J.D.  
Seattle, Washington



This is my last column to you. Thank you for the support and learning opportunities you have provided me. I'll try to share a bit of what I've learned from you and then finish with some opportunities that are before us.

### If Our Work Were Sacred

I received more mail from my last column on this topic than all of the others combined. Some of you spoke sadly of having to move away from the courts into private practice because the adversarial system had become "too toxic," "too bitter" or "too impersonal." Some wrote of having a strong faith that sustains their court work but fear how to share it. "I'm a professional and the sacred is personal," or "what you're talking about is sharing how we keep the faith to do what we have to do day after day. I think it is time to do it and I'd get a lot out of doing it, but I just can't figure out a safe way to start...but I know that if any organization does it AFCC will."

Some of you said your work is your ministry. Some were actual chaplains with a ministry for single parents, some were training as pastoral counselors, as rabbinical aides, as shamans or as healers. Others have a deepening sense of the importance of feeling a deeper meaning in their work:

"You can't be doing this for the money... it is too taxing."

"The sacredness is always there, awaiting those with the courage to unveil it."

"I used to try to make my decisions in my head after lining up the evidence, but that's not enough anymore. In the last few years my decisions have to ring true to my soul too. I can't explain it or teach it, but it is terribly important that I do it."

As one family court supervisor said:

"Ten years ago what you believed was **personal** and what you did was **professional**. That has changed. I don't know if it is the pressure of the case load or a sign of the times, but supporting each other on a personal level is becoming professional."

### The Financial Crunch

For many family court staff, training and traveling budgets are a thing of the past and AFCC conferences are increasingly difficult to afford. As one said, "Face it, we feel a lot like our clients who don't have the money or the time to raise their kids." On the

brighter side, I find many more reports of court personnel banding together to lobby for the funds you need and sharing strategies by e-mail. While our work has always been important to families, there is an increasing sense of its **political** importance. For many parents, our work is the most intimate contact they will have with the government. The impression we make is life long. To do it right we need decent budgets to support devoted staff.

### The Family Friendly Court

The pendulum that gave us mediation and all the other alternatives to litigation is now swinging back. Some cases, often those where children are most at risk, need judicial involvement. Now that we have built a humane alternative to courts, it is time to create humane alternatives within courts. For example, we need to change how family lawyers are educated so they can better understand the emotional needs of their clients and their children, so they can better deal with high conflict couples and model behaviors of appropriate dispute resolution. We need appropriate training for Guardians and counsel for children so they better understand the developmental needs of children who have been harmed. We need to directly address the epidemic of violence to make courts a safe place where the truth can be spoken without fear of reprisal, the need for unlisted home numbers or the need to watch our backs after making difficult decisions. We need to address poverty, lack of health care and day care as forms of institutional violence. We need to address how, in our children of today, we are stunting their capacity to parent tomorrow.

### The Second World Congress on Family Law and the Rights of Children and Youth

Fortunately, the above needs (and many more) will be addressed at our World Congress, June 3-7, 1997 in San Francisco. We will hear many of the best experts the world has to offer on the critical issues of violence, poverty and health as they pertain to children and youth. In addition to our usual complement of lawyers, judges and mental health professionals, we will have active participation from pediatricians, epidemiologists, sociologists, economists, clergy, representatives from indigenous cultures and a forum for youth. We will have delegates and representatives from fifty or more countries, UNICEF, UNFPA and the United Nations Committee on the Rights of the Child. We will not simply address problems, we will act on them by proposing resolutions and model legislation for adoption at the end of the Congress. While we will be looking at issues globally, you will find that many of the workshops will relate to our day to day practice.

Part of our Congress will be available on the World Wide Web for those unable to

(Continued on page 3)

# San Antonio A City to Remember

San Antonio with its rich history, is the spirit of Texas. A city of wonderful variety, visitors will see as many cowboy hats and Mexican dresses as business suits. San Antonio's welcoming spirit, many attractions and unique cultural opportunities make it an exciting travel destination.

Spanish missionaries settled the area in the early 1700's and their legacy is still felt in modern San Antonio. Four exquisite—and still active—Spanish missions serve as a link to San Antonio's past. The tranquil missions are a marvelous way to explore the city's roots.

## The Alamo

Visitors are frequently surprised to find the legendary **Alamo** in the middle of downtown San Antonio. The "Cradle of Texas Liberty" is another reminder of the city's Spanish past. It began life in 1718 as Mission San Antonio de Valero, the first of the city's missions. It entered the history books in 1836 when 189 defenders held the old mission against 4,000 Mexican troops for 13 days. The cry "Remember the Alamo" became the rallying point of the Texan revolution. Today the Alamo is a shrine to its valiant defenders and is open to the public.

## The Riverwalk

If the Alamo is the soul of San Antonio, the gracious **Riverwalk** is surely its heart. This two-and-a-half mile stretch of hotels, shops, cafes and restaurants shaded by colorful umbrellas is one of the premier attractions in the United States. Open-air barges cruise the river and their passengers wave to strollers and diners on the walk. Located twenty feet below street level, the Riverwalk is a cool, mid-town oasis.

A stroll along the River Walk leads visitors to several points of interest. The **Arne-**

**son River Theater** is most unique—the stage is located on one side of the San Antonio River while the audience is seated on the other. Up the river is **La Villita**, one of San Antonio's first settlements. The charming adobe, wood and brick buildings have been carefully restored and presently serve as studios and shops for local artisans.

At the other end of the Riverwalk is the **Southwest Craft Center**. Built by French nuns, the center once was the first school for girls in the city. It is now a gallery and workshop for many talented area artists.

The Riverwalk also boasts an exciting retail/food/hotel complex called **Rivercenter**. Sightseeing barges float into this three-story glass complex, full of dazzling stores and more. **South Bank** is the Riverwalk's newest dining and entertainment complex. It is anchored by San Antonio's own **Hard Rock Cafe**. Six other new restaurants and nightclubs in South Bank make it the place "to be seen" in 1996!

## Downtown

Downtown San Antonio offers many terrific museums to explore, including the **Institute of Texan Cultures**. This lively, colorful museum chronicles the many ethnic groups that make Texas what it is. Their stories are told through works, photos and fascinating displays, that include such eclectic items as an authentic tepee, an old-time barbershop, a frontier dentist office and a sharecropper's shack.

On the western edge of downtown is one of San Antonio's favorite attractions, **Market Square**. Mexico is in the air here. Mariachis serenade diners, Mexican folk dancers perform, and Tex-Mex food is the specialty. In the square are El Mercado and Farmers Market Plaza, border-style marketplaces that feature authentic Mexican crafts, cloth-

ing, pottery, foods, piñatas and other items. Market Square is a great place to buy, browse or people watch.

Other downtown points of interest are the **Spanish Governor's Palace**, **San Fernando Cathedral** (the oldest cathedral in the United States), the opulent **Majestic Theater** (a memorable setting for Broadway shows and concerts), **HemisFair Park**, the lovely **King Williams Historic District**, the **IMAX Theater** (with a six-story-high-screen and wrap-around sound) and several museums. The sky-high **Tower of the Americas** in HemisFair Park is one of the best ways to see the city. This 750-foot-high tower has a restaurant and observation deck at its summit, allowing a panoramic view of the city as it gradually fades into the Texas Hill Country.

Old fashioned trolleys buzz visitors around downtown for just a quarter. The picturesque trolleys—with their wooden benches and brass trim—drop visitors at a number of attractions.

## President's Message *(continued from page 2)*

attend. Thus, we will have virtual as well as actual participants. For an undertaking of this immensity help is needed from everyone. If you would like to help with the program or in contacting delegates from other countries, please write or e-mail me at my address below.

## Conclusion

Now that I am becoming ex-President, I look forward to having more time to meet\* you and hear your ideas and concerns. If you have ideas you would like to explore with others we can create a conference on

AFCC On-line. The time between conferences is often too long for important questions. To better serve families we are becoming a family. The years we have to do this work often pass rapidly. What remains will largely be the relationships we have created and the trust we have shared. Perhaps the goal is less the light at the end of the tunnel than the light within.

Thank you.

John Kydd  
900 4th Ave., Suite 1616  
Seattle, WA 98164  
jkydd@igc.apc.org

## American Association for Marriage and Family Therapy Summer Institutes

August 4-8, 1996

The Village at Breckenridge  
Breckenridge, Colorado

Intensive Week-long Courses in  
the Beautiful Colorado Rockies:

- Clinical Hypnosis
- Sex Therapy Training
- Divorce and Family Mediation  
(Co-sponsored by Association  
of Family and Conciliation  
Courts)
- The Business of Providing  
Therapy
- Marriage and Family Systems  
Supervision

For information  
contact AAFMT at  
(202) 452-0109

# Research on Mediation of Child Abuse and Neglect Cases

by Sharon Boesl, M.A.  
Nova Southeastern University  
Fort Lauderdale, FL

In 1993, the Nova Southeastern University Department of Dispute Resolution was asked by Hon. Arthur Birken, Seventeenth Circuit Court of Broward County, to collaborate in developing the Juvenile Dependency Mediation Project (JDMF). The project was designed to include mediation in the processing of cases involving child abuse and neglect. Impetus for the project was twofold. First, the court was overwhelmed with new cases and the number of requests for hearings on existing cases was increasing. Second, the conflicting interests of multiple parties was making full or partial resolution of these cases difficult, if not impossible.

The JDMF provides juvenile court judges with the opportunity to refer cases to mediation. The multi-party mediation process provides an opportunity for the parents, guardian ad litem, caseworker and attorneys to work out a settlement which addresses the multiple interests involved. When appropriate, mediation can help

ensure the timely and safe return of a child to his or her natural home environment.

In order to fully assess the value and usefulness of the JDMF, it was determined that the evaluation component would look beyond outcome effectiveness, i.e., whether or not parties managed to come to an agreement. The project therefore employs a qualitative evaluation design in which multiple perspectives on the value, usefulness and effectiveness of the mediation process are considered. This design calls for the gathering and analyzing of the "stories" of mediation participants in order to learn what takes place, how it is viewed by various participants, and what improvements might be made.

Research on child protection mediation generally has reported high rates of settlement and it has been supported as a useful court service. Initial outcome data in this study provides similar results. While collection of the qualitative data continues, preliminary analysis reveals a few noteworthy trends.

- Reports on the value and usefulness of mediation appear to depend upon

one's role in the process. Guardians ad litem have provided the most positive responses. Agency caseworkers have been most negative.

- Some responses appear to be determined by case processing. For example, attorneys representing the child protection agency were positive in their remarks about the usefulness of mediation. However, responses about the value of mediation differed if a case proceeded to trial to revoke parental rights.
- There was great variation in descriptions of *how* the mediation service is effective.

As resources diminish it is imperative that agencies find effective ways to examine the value of services as difficult funding decisions are made. Incorporating multiple perspectives of those involved is one way to provide for informed decisions.

*Sharon Boesl will present a workshop entitled "Child Protection Mediation: A Multi-Perspective Study," at the AFCC Annual Conference, May 8-11, 1996 in San Antonio, TX.*

## AFCC's Yellow Rose: Pat Ross, Dallas, Texas

After twenty years of working with divorcing families, AFCC member Pat Ross has lost control...and she loves it. "As a court counselor and mediator I knew when my appointments were, when I could do paperwork, etc.," said Pat, who was recently promoted to Director of Dallas County Family Court Services. "My new job is totally different. I am not in control of my schedule anymore. I respond to situations as they occur. It is very stimulating and I love it."



Pat had no intention of working in a family court setting when she left her home in Dallas to attend college at East Texas State University. After Pat completed her degree in French and English, she married Mike, her college sweetheart, and accepted a position as Director of a Women's Residence Hall at East Texas State. Pat and Mike (and 400 other women) lived the dormitory life until Pat completed her M.Ed. in Guidance and Counseling and Mike completed his studies in Industrial Management.

Upon completion of his education Mike was required to fulfill his commitment to the

Air Force. However, he was grounded by allergies which kept him out of both the pilot's seat and Viet Nam. Instead, Pat and Mike were assigned to New York, where Mike worked with the Air Force's Office of Special Investigation. Pat accepted a position as Director of a Women's Residence Hall at Wagner College on Staten Island. After a transfer to New Orleans, courtesy of the Air Force, Pat and Mike returned to Dallas where Pat accepted a position at Family Court Services.

In twenty years as a Court Counselor Pat has seen just about everything. "I think mediation is the best thing to have happened during that time," she said. "It has really helped parents understand that they can regain control over decisions. When they start, some parents don't even understand that it's all right for them to talk with one another."

Another positive for Pat has been the development of the Dallas Family Court Services Orientation Program. The agency also offers an educational program for parents adopting unrelated children and is working on developing an educational program for step-parent adoptions.

On the negative side, Pat notes that the challenges of working with families have grown. "There are so many families with histories of substance abuse, allegations of child abuse and spousal abuse, mental ill-

ness and even divorcing parents who are homeless. There are more moms working, more dads involved with their children, and more disputes over custody."

Pat credits her staying power to the staff at Family Court Services. "I am not the only one who has this kind of longevity. We work in a setting where there is tremendous professional and personal support. It is a very positive place to come to work despite the circumstances of our clients."

Pat and Mike have two sons. Jon is 22 and a senior majoring in Sports Management at Texas A&M University. Chris is 16, a high school sophomore and a new driver. Both sons have busy activity schedules which often involve Pat and Mike. Last year, Chris recruited Pat for his volunteer work fixing up houses for the elderly, giving Pat her first opportunity to cook for 100 volunteers. "This year we are doing it again in Colorado," Pat said. "We'll be sleeping—but not cooking—in army tents."

Pat first attended an AFCC conference in Phoenix in 1988, and is looking forward to having AFCC come to San Antonio this spring. "I enjoy every contact I have with AFCC. I love the opportunity to talk with so many people who are doing the same work. I'd like to give a warm Texas 'howdy' to everyone who is coming to visit."

# Boston Pre-Conference Institute

## Mediating Child Protection Cases

**A** FCC's Professional Development and Technical Assistance Committee will present a full-day institute, **Mediating Child Protection Cases**, Thursday September 19, 1996. Institute faculty will feature pioneers of abuse and neglect mediation from throughout the United States. The program will take place immediately prior to AFCC's Northeast Regional Conference and Board of Directors Meeting, September 19-21, 1996. Both events are at the Swissôtel in Boston, MA.

As courts, social service agencies, family court services and lawyers continue to struggle with effectively managing the rising number of child abuse and neglect cases, the use of mediation in child protection cases is increasing at a rapid rate. Courts in Connecticut, Florida, California, Colorado and throughout the United States have found that mediation offers opportunities for parents, caseworkers, lawyers and children that are not available through traditional processing of abuse and neglect cases.

**Mediating Child Protection Cases** will help participants learn how to:

- Manage a mediation process involving multiple parties, including parents, children's lawyers, social workers, and case managers;
- Assess and address power imbalances inherent in relationships between parents and caseworkers, children and parents, lawyers and parents, caseworkers and lawyers, etc.; and
- Facilitate a process which protects children within a complex legal system.

AFCC is fortunate to have an outstanding faculty for this institute, including some of the leaders in child protection mediation. Faculty for **Mediating Child Protection Cases** will include:

**Christine Coates, J.D.**, AFCC Vice President, Boulder, CO. Ms. Coates is Chair of AFCC's Mediation Committee and has been mediating complex family disputes for more

than a decade. She was a mediator for the first demonstration project on mediating child protection cases in Colorado in the mid 1980's.

**Gregory Firestone, Ph.D.**, Coordinator, University of South Florida Mediation Institute, Tampa, FL. One of the pioneers of child protection mediation in Florida, Dr. Firestone has provided training throughout North America. He is a member of Florida Supreme Court Committees and Subcommittees on Mediation and Arbitration, Mediation Training and Juvenile Dependency.

**Marilou Giovannucci, M.S.**, Family Division, State of Connecticut, Wethersfield, CT. Ms. Giovannucci is a Supervisor with the Family Division of the Connecticut Superior Court for Juveniles. She developed one of the first court-based child protection mediation programs in the United States. A member of the Governor's Task Force on Justice for Abused Children, Ms. Giovannucci has conducted numerous trainings in child protection mediation.

For additional information about **Mediating Child Protection Cases**, contact AFCC, 329 W. Wilson St. Madison, WI 53703. Telephone: (608) 251-4001, Fax: (608) 251-2231.



### Association of Family and Conciliation Courts

## Northeast Regional Conference and Board of Directors Meeting

**Boston** • September 19-21, 1996  
Swissôtel (\$129 single or double)



# *Facing Up to the Complexities of Family Violence: No Simple Solutions*

### Pre-Conference Institute

Mediating Child Protection Cases  
September 19, 1996 9:00am-5:00pm

Sponsored by AFCC's Mediation and Professional Development and Technical Assistance Committees

AFCC • 329 W. Wilson Street • Madison, WI 53703 • (608) 251-4001 • Fax (608) 251-2231

## SPOTLIGHT SERIES

# Educating Parents with Post-Decree Disputes

by Kathleen Borland, LCSW, and Joy Segal, Ph.D., Chicago, IL.

Attendance at **Focus on Children**, the Circuit Court of Cook County (Illinois) court-ordered parent education program was mandated in April 1994 for all of the county's divorcing parents. Housed in the largest unified court system in the United States, the four-hour, single session program was designed to serve a culturally and economically diverse population of 20,000 parents annually. Since its inception, the program has been facilitated by the Domestic Relations Division's court mediators.

Shortly after its enactment, the court rule mandating all separating and divorcing parents to attend **Focus on Children** was successfully challenged in court. Since then, Domestic Relations Judges order parents on a case-by-case basis. As a result, attendance among parents in the process of divorce has decreased. At the same time, the number of post-decree parents—those most mired in the courts—has increased.

A committee of **Focus on Children** facilitators was developed to assess how to best address post-decree parents' needs in an educational setting. Facilitators quickly identified what they had already experienced in mediation: the different dynamics at work with pre-decree and post-decree parents. Many parents in post-decree classes, whether divorced or never married, are in chronic conflict and make frequent use of the court system. These parents usually have not resolved previous losses nor accepted the end of their relationship with the other parent. Their anger at the other parent and/or the court often controls their lives and negatively affects their children. Many post-decree parents have low self-esteem with little access to resources and options. It is as though they are caught in a web of anger that inhibits their ability to focus on their children's needs and the concept of "cooperative parenting."

A separate class was created for parents with post-decree disputes. The challenge was to create an environment in which post-decree parents can receive information that enables them to move forward, thereby effectively meeting the needs of their children. The committee responded with a new curriculum and several specific strategies. The strategies are more directive and interactive than those used in pre-decree classes.

Program facilitators have found the following strategies particularly helpful:

### ■ Sharing Stories

Facilitators model and encourage the sharing of stories of each parent's current situation to help address the issues of prior losses and self-esteem. In the process, parents feel heard, empathized with and connected to others with similar experiences. The facilitators reframe (always mindful of the need for boundaries), reflect back, normalize, and help parents focus on what can be changed or controlled.

### ■ Exercise, Video and Discussion

To help parents begin to free themselves from the anger that often immobilizes them, facilitators use an exercise designed to help parents identify their anger, the purposes of anger and how it affects them. The video "Shattered Dishes" is shown to demonstrate to parents how chronic conflict negatively impacts children's lives. In the "group as a whole" or small "break out" groups, participants then share their observations and experiences of how chronic conflict affects children. Parents also have an opportunity to express what they have found to be helpful to children.

### ■ Options for Communication

To respond to the fact that participants usually have limited emotional and physical resources to manage their anger and conflict, facilitators provide options. Parents are empowered by participating in exercises on effective communication and conflict management. Parents are encouraged to take an active role in problem solving, because even the smallest change in one parent can make

a difference in a child's life. Exercises have been developed which help parents identify obstacles to communication and techniques for effective communication. Facilitators also show a vignette from the video "Children in the Middle" to demonstrate how parents can change their communication styles to effectively meet the needs of their children. Finally a "Support Network" exercise helps parents identify and access the resources that may help to strengthen them during this stressful time.

We have been encouraged by parents' responses to the program. A sampling of what they tell us on their evaluations confirms the importance of this effort:

"I am going to try to change my tone and the way I deal with my ex."

"I will focus more on my child's feelings and thoughts concerning this divorce."

"I liked the group setting and seeing other parents involved in similar situations, and that it is possible for some people to work things out."

"I'll be more aware of what I say and do and how that affects my child."

There is more work to be done to better understand what facilitates change in post-decree parents. The process is as important as content. Our work is but one effort for parent education programs in the courts. We hope to confer with other post-decree programs to identify different models and create a clearer understanding of the different approaches in working with post-decree parents.

## NORTHERN CALIFORNIA MEDIATION CENTER

Since 1981

A Nonprofit Corporation

### DIVORCE MEDIATION TRAINING

#### **34 MCEP CREDITS - #NOR045-01**

A dynamic introductory 34 hour course that provides the philosophy, techniques, theory and skills necessary to mediate comprehensive divorces.

JOAN B. KELLY, Ph.D. & NANCY J. FOSTER, J.D.

June 5-9, 1996; September 18-22, 1996

\$800

### THE USE OF THE SPECIAL MASTER IN CUSTODY & PARENTING DISPUTES

#### **6.5 MCEP CREDITS - #NOR045-02**

This workshop will define and describe the Special Master's role, the type of court orders recommended for appointment, and the nature of the cases appropriate for this intervention.

JOAN B. KELLY, Ph.D. & S. MARGARET LEE, Ph.D.

November 1, 1996, 9 a.m. - 4:30 p.m.

\$170

### INTERVIEWING CHILDREN IN MEDIATION

#### **4 MCEP CREDITS - #NOR045-03**

When and how to include children in mediations when divorcing parents are in dispute.

JOAN B. KELLY, Ph.D.

April 26, 1996, 8:30 a.m. - 12:30 p.m.

\$140

**CALL FOR BROCHURE: 415-927-1422**

100 Tamal Plaza, Suite 175, Corte Madera, CA 94925  
15 minutes north of San Francisco



# From Sydney to San Francisco

## The Evolution of the World Congress

by Rod Burr, Solicitor  
World Congress Executive Committee  
Adelaide, Australia

### "It can't be done."

*A totally instinctive and understandable reaction considering the enormity of the problem and our own perceived impotence in the face of seemingly overwhelming odds. The problem was the appalling plight of the world's children. The challenge was to improve it.*

In 1990, Sydney solicitor Stuart Fowler and I were invited to Hong Kong to address the council of LAWASIA, an association which represents lawyers and lawyers' organizations in some 21 countries in the Asian and Pacific region. We thought we would be invited to establish a Family Law Section for LAWASIA, having had considerable experience doing so in Australia. Hon. Alastair Nicholson, Chief Justice of the Family Court of Australia, agreed to accompany us as we contemplated the significant but not insurmountable work load that the establishment of such a Section would entail.

LAWASIA did indeed issue such an invitation but then delivered a challenge that was intimidating in the extreme. The Council of LAWASIA asked us if we would take a brief for the human rights of families and children in the Asian and Pacific region. Members of the Council then individually and collectively regaled us with tales of the utmost horror. They told us of:

- the plight of some 140,000 children under the age of 14 years sold into prostitution in Taiwan;
- the potential decimation of several generations in Thailand by the spread of AIDS through child prostitution;
- the appalling conditions in child labor camps and factories in several countries in the region;
- the deliberate and brutal mutilation of children in order to use them as beggars;
- the forced and brutal removal of children's organs for sale in the organ transplant trade;
- the abduction for adoption of many children; and
- the appalling poverty and health problems of millions of children.

Our instinctive reaction was, "It can't be done." What could a couple of unknown lawyers and a Judge from Australia do about generational problems of the most severe proportions? It seemed impossible.

However, it also became impossible to ignore. No longer was the education and care of our own families and the pursuit of

a comfortable retirement the only priority. There had to be something that could be done. If someone did not accept the challenge, then it certainly would be impossible.

And so, the First World Congress on Family Law and Children's Rights was conceived and ultimately born in Sydney, Australia in July 1993. It was the product of three years of very hard but very rewarding work. The more people we told of the problems and told of our hopes, the more offers we received and the more volunteers "sprang from the woodwork."

From its inception, the World Congress was designed and promoted to be result oriented. It was to achieve outcomes. It was not simply to be a "talk fest" and a gathering for the exchange of views and ideas which would be quickly forgotten once the departure tax had been paid at Sydney Airport.

Over 850 delegates from 54 countries of the world answered the initial challenge and worked hard throughout the Congress to educate and inform others from their own experience and expertise, but more importantly to draft solutions and remedies and to establish the momentum for change.

The First World Congress did achieve results and significant results at that:

- the enactment of laws imposing criminal sanctions for the abuse and exploitation of children committed extraterritorially;
- the generation of a climate of international condemnation of the exploitation of children;
- significant exchange of information leading to new developments in family law, family courts and alternative dispute resolution;
- the creation of a LAWASIA Children's Trust to fund projects consistent with the resolutions of the Congress; and
- the promotion of a protocol to the UN Convention on the Rights of the Child designed to bolster international sanctions for the prevention of trafficking of children.

Delegates left the conference with an enormous sense of satisfaction but an awareness that a very long journey had only just begun. It was essential that an organization be found in one of the countries of the world which had the capacity to lead by example, to continue and to expand upon the humble beginnings of the First World Congress.

Fortunately, Chief Justice Nicholson introduced Stuart Fowler and myself to the Association of Family and Conciliation Courts, which selflessly and warmly embraced the World Congress and agreed

to serve as Secretariat for the Second World Congress, to be held in San Francisco June 3-7, 1997.

The energetic and enthusiastic contributions of the AFCC representatives on the organizing committee drawn from many and varied professions, seems almost to have ensured the success of the Second World Congress. But complacency will be our greatest enemy. John Kydd has shouldered an enormous responsibility in working with Dr. Peter Nygh of Australia in putting together a comprehensive international program of relevance and interest. Suzie Thorn has shouldered the burden of raising funds for this essential project. Linda Hahn, Bob Tompkins, the Honorable John Van Duzer and Ann Milne have taken much upon themselves to ensure the Congress' success. Ira Lurvey from the American Bar Association Family Law Section has thrown the might and influence of the ABA behind the project. There are many other tireless workers behind the scenes, regrettably too many to mention.

Your own First Lady, Hillary Rodham Clinton, has embraced the project and serves as Honorary Chair of the Second World Congress.

It is the aim and intention of the Second World Congress to establish a significant trust fund in order to benefit the children of North, Central and South America. Laws prohibiting the exploitation of children for sexual gratification and in labor markets will be actively pursued. Voluntary codes of conduct will be urged upon the world's corporations. Further United Nations protocols will be proposed and "report cards" on the performance of the world's countries will be compelled. Many other initiatives are being developed.

Our instincts were wrong. The task is not impossible. It may take many generations to accomplish, but it can be done.

### Supervised Visitation Network to Present Standards and Guidelines

by Anne Reiniger, J.D.  
President, Supervised Visitation Network New York, NY

The Supervised Visitation Network will unveil its Standards and Guidelines for Practice at the AFCC Annual Conference, **Best Interest: Special Issues for Children and Families**, May 8-11, 1996 in San Antonio, Texas. The workshop session will take place Thursday May 9, and will feature Nadine Blaschak-Brown, Rob Straus, Judy Harrison and Anne Reiniger.

The Standards and Guidelines for Practice will be voted on at the SVN Annual Meeting, May 6, 1996 in Austin, Texas. The Guidelines are the result of more than two years of committee work, led by Nadine Blaschak-Brown, Hedi Levenback, Glynne Gervais Rob Straus.

# Florida Special Topic Conferences Are a Hit

## Second International Symposium on Child Custody Evaluations

Custody evaluators from around the world came to Clearwater Beach, Florida for AFCC's **Second International Symposium on Child Custody Evaluations**, January 20-22, 1996. AFCC's first Florida conference in several years also attracted participants from throughout the state and served as the impetus for the development of an AFCC Florida Chapter.

The Symposium was highlighted by **Critical Issues in Custody Evaluations: A Comprehensive Case Analysis**, a three-part general session which took the audience inside the lawyer's office, judge's chambers, evaluator's office and courtroom to examine the custody evaluation process from all angles in a truly interdisciplinary fashion. The panel featured Phil Stahl, Ph.D., Chair, AFCC Custody Evaluation Committee, Dublin, CA; Dee Samuels, J.D., San Francisco, CA; Dick Podell, J.D., Milwaukee, WI; Hon. Arline Rotman, Worcester, MA; and Linda Hahn, M.S., Dallas, TX.

The Symposium also featured five pre-conference institutes and 24 workshops focussing on core skills, advanced applications and professional practice issues. The Sunday evening Beach Party provided an opportunity for participants to relax with a barbecue dinner and dancing on the beach.

## Second International Congress on Parent Education Programs

AFCC's **Second International Congress on Parent Education Programs**, January 27-29, 1996 in Clearwater Beach, provided exceptional educational and networking opportunities.

David Sadker, co-author of *Failing at Fairness: How Our Schools Cheat Girls*, presented on **Gender Issues in Educating Parents**. Combining group activity, role play and a great sense of humor, Dr. Sadker offered a fascinating and entertaining look at the messages men and women send when they communicate with one another.

The second general session, **Building the Profession: Standards, Qualifications and Professional Issues**, set forth the challenges for parent education providers as the field develops. Andrew Schepard, Chair of AFCC's Parent Education Committee, Hon. Douglas McNish, Co-Chair of the AFCC/ABA Family Law Section Joint Task Force on Parent Education Programs, and Bev Bradburn-Stern, of **Children Cope with Divorce**, led a spirited discussion on issues such as program standards, certification and qualifications.

## Joint Task Force Meeting Attracts Widespread Interest

The strong interest in the development of the parent education field was evident at the first of three scheduled public meetings of the AFCC/ABA Family Law Section Joint Task Force on Parent Education Programs.

Nearly forty providers attended the public meeting, which took place at AFCC's **Second International Congress on Parent Education Programs**, January 27-29, 1996 in Clearwater Beach, Florida. Led by Joint Task Force Co-Chairs Stephen Schlissel and Hon. Douglas McNish, participants discussed program goals and content, policy and procedural concerns, the development of parent education as a distinct field of practice and the continued necessity and growth of programs.

The Clearwater meeting is the first of three public meetings sponsored by the

Joint Task Force, formed to support the development of parent education programs. Comments will be presented by the Joint Task Force in a Final Report and Recommendations to the leadership of AFCC and the ABA.

Future Public Meetings will be conducted at the ABA Family Law Section Spring Meeting, April 11-14, 1996 in Williamsburg, Virginia and at the AFCC Annual Conference, May 8-11, 1996 in San Antonio, Texas. Additional sharing of information will be encouraged.

For further information and to provide comments to the Joint Task Force, contact Eileen Biondi, c/o Meltzer, Lippe, Goldstein, Wolf & Schlissel, P.C., 190 Willis Ave., Mineola, NY; Fax (516) 294-3188.

## Special Thanks

AFCC thanks everyone who participated in the planning and production of the **Second International Symposium on Child Custody Evaluations** and the **Second International Congress on Parent Education Programs**. Special thanks to Phil Stahl, Chair, AFCC Custody Evaluation Committee; Andrew Schepard, Chair, AFCC Parent Education Committee; Bob Tompkins, Chair, AFCC Conference Planning Committee; Tim Salius, Chair, AFCC Professional Development and Technical Assistance Committee; Greg Firestone, Florida Coordinator; Bill Rosa and Roxie Crowell, Hospitality Suite Hosts, and Workshop Shepherds Cheryl Anderson, Eileen Biondi, Phil Bushard, Pete Cafentzsis, Jenine Collins-Boyd, Lee Germaine, Debbie Kulak, Jan Roberts, Ryan Russo, Kerri Schneider and Maryann Turco.

## And They Want to Make This Mandatory?

Educational programs for separated and divorcing parents have captured widespread media attention and are popular with parents, judges, lawyers and children around the world. But life as a parent educator isn't always a bed of roses. Consider the recent experience of AFCC Board Member Jennifer Mastrofski, of University Park, PA.

Jennifer arrived at the courthouse bright and early on a Saturday morning in March to prepare for her class of thirty divorcing parents. No sooner had she observed the service trucks surrounding the courthouse, when she was informed that the power would be out in the building that morning. "The image of thirty, not-altogether-thrilled divorcing parents arriving on a Saturday morning to be told the courthouse was closed was dreadful," Jennifer said.

Jennifer's dedication to positive post-divorce parenting (and her fear of the wrath of the class members) led her to persevere. Surveying the scene, she noted that the windows in the third floor courtroom allowed in enough light and, for some unknown reason, the electrical outlet near the VCR was working while the other outlets remained dead.

Twenty minutes into the program, Jennifer was summoned from the room by court personnel and a fire fighter. "It seems that the building was being evacuated," Jennifer said, "because the basement had registered carbon monoxide readings of 700... and rising. Ambulance personnel were outside in the parking lot to make sure everyone was okay."

While at least one parent was being whisked off to the hospital, other class members realized that a critical question remained unanswered: *Would their attendance that morning satisfy the court order or would it be necessary to return for a repeat session?*

It was then that the heroic efforts of the fire department came into play. "Not only did they offer to host the class, *they made us coffee*," Jennifer exclaimed. "I didn't know if my own symptoms were physical or psychological, but I made it through the class. I told class members that this was a true test of their perseverance and flexibility as a divorcing parent."

Jennifer's own symptoms persisted so she ended the day at the emergency room of the local hospital taking in a couple of hours worth of pure oxygen while she looked over the evaluations. There were several helpful suggestions, including one parent who wrote "I would have preferred shock therapy over oxygen therapy."



# DISPUTE RESOLUTION PROFESSIONALS:

## Reach the Companies and Individuals That Need Your Services

### Present Your Credentials in the Martindale-Hubbell® Dispute Resolution Directory

Large corporations...small businesses...trade associations...local, state and federal government...and the general public—are discovering alternatives to traditional litigation. And when they need a mediator, arbitrator, or other neutral, they turn to the **Martindale-Hubbell® Dispute Resolution Directory**.

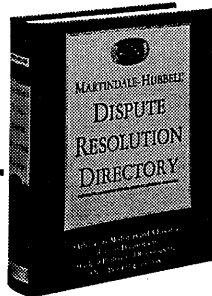
Published in cooperation with the American Arbitration Association, this resource is the only authoritative guide to the field of dispute resolution. It combines a national directory of over 60,000 of your colleagues with a thorough introduction to the field of dispute resolution.

#### Reach Key Dispute Resolution Decision Makers

With a listing in the **Dispute Resolution Directory**, you can present your professional qualifications to more than 14,000 potential clients—*everyone* you need to reach to enhance your visibility and promote your services:

- Corporate counsel at Fortune 1,000 companies
- Attorneys at major law firms
- Patrons of public, government, university and law libraries
- Members of key professional groups such as the AAA, SPIDR, and NIDR.

Martindale-Hubbell is a registered trademark of Reed Elsevier Properties Inc., used under license.



#### Free Basic Listings... Cost-Effective Enhanced Listings

A basic listing is available at no charge. Or choose one of our enhanced listing options to describe your background as fully as you wish, the cost is surprisingly economical. You can receive up to a page in the profession's definitive directory for one full year—for less than the hourly rate of most ADR practitioners.

For more information, complete and return the form below. There is no obligation—but there is every opportunity for a successful resolution!



**MARTINDALE-HUBBELL**  
A Reed Reference Publishing Company

☐ **Yes!** Please send me more information on including my credentials in the definitive guide to the expanding field of alternative dispute resolution: the **1997 Martindale-Hubbell Dispute Resolution Directory**.

☐ Send me information on ordering the **Dispute Resolution Directory**.

Name \_\_\_\_\_ Title \_\_\_\_\_

Organization \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State/Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Mail to Martindale-Hubbell, Dept MC, 121 Chanlon Road, New Providence, NJ 07974.

**Or for fastest service, call 1-800-526-4902, Ext. 5095  
Fax (908) 771-8784.**

FCC

# Parents Are Forever...

## in any language!

AFCC is now offering the popular brochure

## Parents Are Forever

in English, Spanish and French



Please send me **Parents Are Forever** at \$.25 each  
(or \$.20 each for quantities of 1,000 or more).

Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Send or fax your order to:

AFCC

329 W. Wilson Street, Madison, WI 53703

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

### Shipping & Handling—U.S. only

0-\$12.50	\$3.00
12.51-50.00	4.50
50.01-100.00	6.50
Over 100.00	\$6.50 + \$4.00 for each additional \$25.00 purchase

Shipping & Handling for Canada and foreign  
orders will be billed separately.

English \_\_\_\_\_ copies

Spanish \_\_\_\_\_ copies

French \_\_\_\_\_ copies

Total number of copies \_\_\_\_\_ copies

Shipping & Handling \_\_\_\_\_

Total enclosed \$ \_\_\_\_\_  
U.S. Funds Only

# Establishing Parenting Plans for Children Born Out of Wedlock

by Joel Bankes, M.A.  
Director, Domestic Relations Division  
Administrative Office of the Courts  
Phoenix, AZ

**A** FCC's Child Support Committee is in the process of completing a national survey of state courts and child support enforcement agencies concerning services that support parenting plans for never married parents.

Nationally, approximately one third of all children are born outside of marriage. Although the marital status of the parents does not provide a guaranteed outcome, it is widely recognized that non-marital child-bearing generally has negative consequences for children. Foremost among these consequences is the risk of growing up in poverty. The welfare "safety net" and public measures to address the increased incidence of various social ills among this population of children significantly impact taxpayers. Therefore, the rate of out of wedlock births and associated costs have captured the attention of policy makers.

At the same time, in response to research regarding non-custodial parent behavior and other factors, this child support "problem" is being redefined. Child support collection strategies are coming to be viewed as necessary yet insufficient. In response to the President, the Office of Child Support Enforcement is reviewing the impact of its own programs and policies on the involvement of fathers with their children.

AFCC's Child Support Committee went looking for the "on-ramps" and "off-ramps" to parental involvement by surveying the practices of Courts and Child Enforcement Agencies nationwide. It is anticipated that the results will provide a gauge of the response of courts and IV-D agencies to parenting issues in paternity cases. Survey results will be reported to all survey participants as a potential resource for their own planning purposes.

Preliminary results from 200 responding courts include:

- Eighty five percent of courts report a significant increase in paternity cases;

- Court accessibility to never married parents regarding custody and access varies widely across courts;
- Parent education and mediation programs are the most frequently cited accommodation made by courts to address the custody and access concerns of never married parents; and
- The most frequently cited obstacles faced by parents interested in establishing parenting plans were parent attitudes (resentment or reluctance), lack of information and the prohibitive cost of legal counsel.

Complete results from the survey will be discussed, along with selected best practices, at the workshop *Parenting Plans for Never Married Parents: Big Barriers and Best Practices*, at AFCC's Annual Conference, May 8-11, 1996 in San Antonio, Texas.

## UPCOMING EVENTS

### **April 11-14, 1996—Williamsburg, VA**

American Bar Association  
Family Law Section Spring Meeting  
Contact: ABA  
(312) 988-5603

### **April 19-20, 1996—Urbana, IL**

Annual Conference  
Mediation Council of Illinois  
Contact: Kathleen Borland  
(312) 345-8822

### **May 1-5, 1996—St. Louis, MO**

Basic 40 Hour Divorce Mediation Training  
Contact: James C. Melamed  
(800) 532-4733

### **May 2-5, 1996—San Francisco, CA**

Basic 40 Hour Divorce Mediation Training  
Contact: John Lemmon  
(800) 994-6334

### **May 4, 1996—Hookset, NH**

New Hampshire Mediators Association  
Conference  
Contact: Suzanne Stiles  
(603) 224-8043

### **May 4-6, 1996—Austin, TX**

Annual Conference  
Supervised Visitation Network  
Contact: Mike Wilkinson  
(512) 472-8407

### **May 8-11, 1996—San Antonio, TX**

AFCC 33rd Annual Conference  
*Best Interest: Special Issues for Children & Families*  
Contact: AFCC  
(608) 251-4001

### **May 15-19, 1996—Los Angeles, CA**

Basic 40 Hour Divorce Mediation Training  
Contact: James C. Melamed  
(800) 532-4733

### **May 30-June 2, 1996—Washington, D.C.**

Creating Community through Dialogue:  
Bridging Differences in a Multicultural Society  
Contact: National Multicultural Institute  
(202) 483-0700

### **June 6-7, 1996—Los Angeles, CA**

Advanced Divorce Mediation Skills  
Contact: James C. Melamed  
(800) 532-4733

### **June 6-8, 1996—Washington, D.C.**

American Bar Association  
National Conference on Children and the Law  
Contact: ABA Center on Children and the Law  
(202) 662-1720

### **June 18-21, 1996—Madison, WI**

Family Court Service Institute  
AFCC and University of Wisconsin  
Contact: Professor James Campbell  
(608) 262-2352

### **June 21-25, 1996—Durham, NH**

Basic 40 Hour Divorce Mediation Training  
Contact: Olivia Ruel  
(800) 891-3971

### **June 21-22, 1996—Lancaster, PA**

Advanced Divorce Mediation Training  
Contact: Zena Zumeta  
(800) 535-1155

### **June 24-28, 1996—Lancaster, PA**

Basic 40 Hour Divorce Mediation Training  
Contact: Zena Zumeta  
(800) 535-1155

### **July 18-21, 1996—San Francisco, CA**

Basic 40 Hour Divorce Mediation Training  
Contact: John Lemmon  
(800) 994-6334

### **July 22-27, 1996—Breckenridge, CO**

Academy of Family Mediators  
Annual Conference  
Contact: AFM  
(617) 674-2663

### **August 5-9, 1996—Ann Arbor, MI**

Basic 40 Hour Divorce Mediation Training  
Contact: Zena Zumeta  
(800) 535-1155

### **September 19-21, 1996—Boston, MA**

AFCC Northeast Regional Conference  
and Board of Directors Meeting  
*Facing Up to the Complexities of Family Violence: No Simple Solution*  
Contact: AFCC  
(608) 251-4001

### **October 23-26, 1996—Winnipeg, Manitoba**

Family Mediation Canada  
Annual Conference  
Contact: FMC  
(519) 836-7750

### **October 24-26, 1996—Coeur d'Alene, Idaho**

AFCC Northwest Regional Conference  
Contact: Kit Furey  
(208) 334-2246

### **June 3-7, 1997—San Francisco, CA**

AFCC Annual Conference and  
Second World Congress on Family Law  
and the Rights of Children and Youth  
Contact: AFCC  
(608) 251-4001

Association of Family and Conciliation Courts  
and University of Wisconsin

# **Family Court Service Institute**

June 18–21, 1996

**University of Wisconsin**  
Madison, Wisconsin

**Establishing a Parent Education Program**  
June 18, 1996

**Conducting Child Custody Evaluations**  
June 19–20, 1996

**Developing and Administering Court Services**  
June 21, 1996

Participants may register for one day or all four. For further information, contact Professor James Campbell, Lowell Hall,  
610 Langdon Street, Madison, Wisconsin, 53703, Phone: (608) 262-2352.  
Or contact AFCC, 329 W. Wilson Street, Madison, WI 53703, Phone: (608) 251-4001, Fax: (608) 251-2231.

**Association of Family  
and Conciliation Courts**  
329 W. Wilson Street  
Madison, WI 53703

Nonprofit Org.  
U.S. Postage  
**PAID**  
Madison, WI  
Permit No. 1547