

AFCC NEWSLETTER



VOLUME 18, NUMBER 3

An interdisciplinary association of professionals who work with families, courts and communities

SUMMER 1999

California Chapter Hosts AFCC in Newport Beach

The AFCC California Chapter will host the AFCC Board of Directors and members from throughout the world for the Southwest Regional and California Chapter Conference, November 4-6, 1999 at the Marriott Hotel and Tennis Club in Newport Beach, California.

The conference theme is *AFCC & Y2K: Getting the Bugs Out of Family Law*. The conference will feature more than 25 institutes, workshops and plenary sessions examining the "bugs" in the family law system, including parental alienation, allegations of child abuse, never-married parents, domestic violence and poverty.

Conference Program

The conference will open on Thursday with three full-day pre-conference institutes. **Advanced Issues for Family Mediators** will examine how mediators can deal with tough issues such as impasse, high conflict and cultural differences. The **Child Custody Evaluators Institute** will focus on how evaluators define their roles and the implications for practice. The **Lawyers Institute** will join with the custody evaluators for part of the day, as participants focus on how to

help clients navigate the turbulent waters of a child custody evaluation.

Conference plenary sessions will give everyone something to talk about. The opening night keynote address will be given by Ronald Johnson, Executive Director of the National Family Life and Education Center in Los Angeles. Mr. Johnson, a former gang member who graduated from Columbia University, is a spellbinding presenter. He will share his experiences working with disadvantaged youth and teenage fathers.

Parental alienation will be the topic of Friday morning's plenary session as Drs. Janet Johnston, Joan Kelly, Margaret Lee and Matthew Sullivan share their latest work on reformulating how we look at and respond to a child's alienation from a parent.

Conference workshops will examine a wide variety of topics, including fast track evaluations, the role of CASA volunteers in family law cases, the "how to's" of supervised visitation, cross-cultural issues, ethical issues in custody evaluations, special masters, dependency mediation and more.

AFCC is offering continuing education credits for lawyers, psychologists, social workers and marriage and family therapists.

Travel and Accommodations

Conference delegates can fly into John Wayne/Orange County Airport and take a quick 10-minute ride to the Marriott Hotel and Tennis Club on the complimentary hotel shuttle. Those who drive to the conference will receive complimentary parking.

The Newport Beach Marriott Hotel and Tennis Club is one mile from the beach, overlooks the Newport Harbor and the Pacific Ocean and is adjacent to the fabulous Fashion Island Mall. The Marriott features two outdoor pools, a health club, eight lighted tennis courts, nearby golf and a jogging trail. Nearby attractions include Disneyland, Knott's Berry Farm and Catalina Island tours and cruises. AFCC has secured a rate of \$129 per night, single or double room.

Tennis Tournament

The AFCC Development Committee is sponsoring a tennis tournament for players of all levels. The action begins on Saturday afternoon after the conference concludes. Entry fee is \$35 per player for approximately three hours of tennis. Balls and rackets will be provided for those who need them. Register and pay on site.

Golf Outings

AFCC will coordinate group outings to any of the 14 different golf courses within a 20 minute drive of the Marriott. Green fees range from \$65-\$225 for 18 holes. Advance reservations are recommended. Check with the AFCC registration desk at the conference for more information.

Further information

For further information about the conference, please contact AFCC (608) 251-4001 or check our web site at: www.afccnet.org

Domestic Violence Training for Family Court Professionals

Two special domestic violence training programs will also be offered to meet California's domestic violence training requirements. **Domestic Violence Training for Family Court Professionals** is a 12-hour program designed to meet the needs of evaluators, judges, lawyers, mediators, parent educators and others working with family court and domestic violence issues. This program will be offered on Thursday, November 4, from 8:00pm-5:00pm and Saturday, November 6, from 8:00am-12:00noon. A four-hour program, **Domestic Violence Update for Child Custody Evaluators and Investigators**, will be offered Saturday, November 6, 8:00am-12:00noon. Participants may register for these programs separately or as part of the conference.



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AFCC NEWSLETTER

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PRESIDENT'S MESSAGE



Phil Bushard, Reno, NV

Greetings to my fellow members and friends in AFCC. I have the pleasure to serve this year as your Association President. Since my election at the Vancouver conference, I have been busy organizing the year's agenda. I am excited. With apologies to David Letterman, let me share with you the Top Ten Reasons why this year will be great for AFCC.

10 AFCC is on the net. Have you checked out the AFCC web site at www.afccnet.org? AFCC is new to the Internet and we hope to make great use of our web site in the next year. You can register for conferences, renew your membership, purchase AFCC products and e-mail members of AFCC's Executive Committee, Board of Directors and staff. The Internet will become a vital resource to our members. Log on and check us out !!

9 Committee Vitality. This year we will institutionalize standing committees in two areas. Administrative Committees will support governance and routine association business. Professional Service Committees are those which reflect the disciplines and professional interests of our members. I will be working with committee chairs to develop written action plans. Look for information on our committees on the web site later this year. Where does your participation fit in?

8 By the spring meeting in New Orleans . . . no more Y2K hysteria. Hooray! Enough said.

7 Organizational Assessment. AFCC is truly fortunate to be approaching the new millennium with organizational continuity, financial stability and leadership energy. We will be conducting an organizational review funded by the Hewlett Foundation. Key issues for the review will include the role and relationship of the Board of Directors and the Executive Committee, Chapter and Committee functions and improved administration and management activities. The time frame for this task is completion by the spring of 2000 with

recommendations to the Board at the New Orleans meeting. (Y2K is really a beginning . . . not the end.)

6 Court Programs Committee. I have appointed Dave Hodges, Supervisor with King County Washington Family Court Services, and Jan Hood, North Carolina Administrative Office of the Court, to co-chair this new committee. This committee will be developing a major program for AFCC's 37th Annual Conference, May 31-June 3, 2000 in New Orleans.

5 Membership survey. Also funded by the Hewlett Foundation, this survey will look at a range of member interests. If you have issues which you would like included in this survey, contact LaDeana Gamble, Chair, AFCC Membership Committee at: gambel@co.clark.nv.us

4 AFCC will be re-convening a *Symposium on Model Standards of Practice for Family and Divorce Mediators*, February 26, 2000 at the Hilton Riverside Hotel in New Orleans. The National Council of Dispute Resolution Organizations will serve as co-convenor of this event. For further information, see the article on pages 6-7.

3 AFCC hosted the *Second International Child Protection and Dependency Mediation Colloquium* in Columbus, OH, September 16-18, 1999. AFCC is pleased to take a lead in advancing the dependency mediation field with this program.

2 AFCC's 37th Annual Conference in New Orleans will offer the very **best** of AFCC—the **best** programs, the **best** networking, the **best** party. A fitting way to conclude a busy year.

1 The personal honor to be of service to AFCC. I would like to thank you for the opportunity and pledge my best efforts in stewardship and service. Please feel free to contact me at pbushard@mail.co.washoe.nv.us. I would like your comments on this year's agenda. There is much to be done — lets get to it!

Top 10 Reasons Why . . .

AFCC President, Phil Bushard

Phil Bushard has made an impressive mark on AFCC during his two decades as a member of the association. More than 15 years ago he served as chair of an AFCC regional conference in Phoenix, AZ. As chair of the Publications Committee, Phil was the catalyst for the growth of AFCC's collection of publications from a few brochures to a library of more than 30 publications, pamphlets and videotapes, many written or edited by Phil himself. He has served on the AFCC Board of Directors for more than a decade, on the Executive Committee since 1993 and has taken the lead on projects, task forces and committees too numerous to list. In 1991 he was the recipient of the first President's Award, presented by then AFCC President Russ Schoeneman, to acknowledge extraordinary service to AFCC.

For all of his important contributions, Phil may be most well known for his welcoming presence, his inclusive approach and his sincere desire to be certain that everyone has an opportunity to enjoy the best AFCC has to offer. He is often seen at AFCC functions searching out newcomers, making them feel welcome and truly serving as a goodwill ambassador for AFCC. "The relationships are probably the most important part of my experience with AFCC," Phil acknowledged.

Phil was born and raised in a suburb of Minneapolis. Although he claims to have fond memories of his days in the Twin Cities, his recollections seem to center on his experiences trudging through the waist

deep snow delivering newspapers. "It seemed as though I had to walk uphill regardless of which direction I was going," he said.

When Phil was 13, his family moved to Phoenix. Following graduation from high school, he attended Loyola University in Los Angeles, where he was one of the few students to find the cafeteria to his liking. "I was standing in line at the cafeteria when I met my wife Nancy," he remembers. "Our first date was a concert. We saw Eric Clapton and Cream at the Fabulous Forum in Los Angeles."

Phil and Nancy married and moved to Phoenix following graduation. Phil accepted a job as a probation officer with the Maricopa County Juvenile Court and enrolled part-time in a master's of counseling program at Arizona State University. Phil was awarded his master's degree in 1976, the same year his daughter Aimee was born. Two years later his daughter Danielle was born and his son Jeremy was born in 1988.

In 1979, Phil transferred from Juvenile Court to the Conciliation Court to make better use of his counseling skills. "I wanted to work with families and conduct the evaluations and short term counseling that were part of the original conciliation model," he said. Phil was promoted in 1983 and became supervisor of the custody evaluation unit. A few years later he began working on his doctorate in public administration while maintaining his job at the Conciliation Court. He went on to earn his

Doctor of Public Administration from Arizona State University.

After twelve years at the Conciliation Court Phil was looking for a new challenge and the opportunity presented itself in Reno, Nevada. Washoe County offered him a six month contract to develop a new custody mediation program. Phil took a leave from his position with Maricopa County and within three months was offered a permanent position as director of the Washoe County Family Mediation Program. "I have really enjoyed the opportunity to implement a program that has had an impact on the court system and the community," Phil said. "It was terrific to have someone hand you the keys and say 'Do it.'"

Initially, Phil served not only as director of the program but as its only mediator. After 18 months he hired Patti Bengsten as a second mediator and the two continue to handle the entire caseload, which is growing rapidly.

Phil stays extremely busy managing his agency and keeping up with the demands of being AFCC President. But he still manages to set aside time for his family and his extra-curricular pursuits, which include tennis, biking and skiing. His home in Reno allows him the opportunity to take frequent day trips with his son Jeremy to Lake Tahoe ski resorts. And despite being hobbled by a bum knee in recent years, Phil continues to bring his tennis racket to AFCC conferences in search of a game. He'll be looking for a doubles partner in Newport Beach.

A Note of Thanks



Christie Coates

I would like to thank the membership for an incredible year as President of AFCC! I met many interesting and delightful people from around the world and was honored to speak on behalf of AFCC to various groups and serve on national committees and task forces. The Executive Committee and Board are truly an energetic group of folks setting policy and creating the vision for AFCC, with the organization's strategic plan carried out by the many, many dedicated committee chairs and members. I have appreciated working with all of them.

I will boast a little bit here - we have the best staff of any organization that I have encountered. They keep us afloat, offering guidance, hard work and giving the volunteers the credit for all of the behind the scenes work that they do day in and day out. Thank you to all who have helped me through this year. It has been a year to remember and savor.

And as my Australian friends told me in Vancouver, "You were the big rooster, now you're just the feather duster!" Our new big rooster, Phil Bushard, brings sensitivity, organizational skills and devotion to AFCC in his year as President. I join with the entire AFCC family in saying, "Enjoy your year, Phil. You can rest in June 2000!"

Christie Coates, Past President

AFCC Board Approves Dues Increase

The AFCC Board of Directors approved the first increase in association annual dues in four years at its June 2, 1999 meeting in Vancouver, British Columbia. Dues for the year beginning January 1, 2000 will be \$135 for an individual membership, \$330 for an institutional membership, \$1,200 for a life membership and \$55 for a student membership.

Save \$\$ on AFCC Life Membership

If you have been considering joining AFCC as a life member, this fall presents the perfect opportunity. If you join before January 2000 you will receive the \$1,000 life membership rate before next year's dues increase. In addition, you may apply your 1999 dues toward your life membership fee! AFCC life memberships may be paid in three annual installments. For more information on becoming a life member contact:

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329 W. Wilson Street
Madison, WI 53703
Tel: (608) 251-4001
Fax: (608) 251-2231
E-mail: afcc@afccnet.org

Kids Count Club Hits the Target

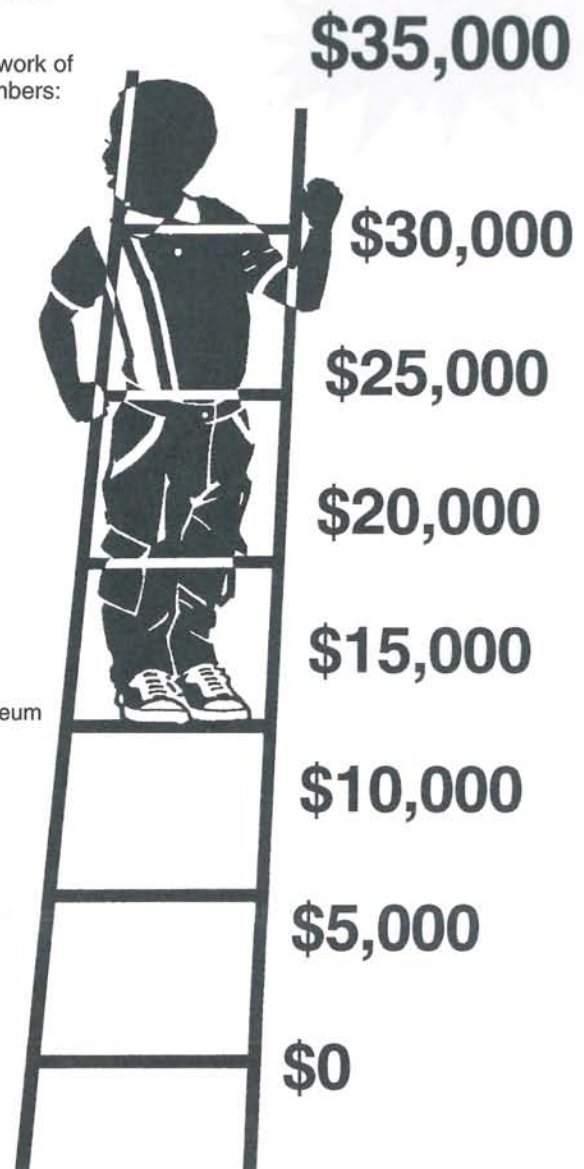
A FCC is pleased to report that it has reached the \$35,000 target for the AFCC Anniversary Fund. Funds were raised through a variety of activities including contributions to the AFCC Kids Count Club, the AFCC Leadership Gift, the AFCC Past President's Gift, the Halloween Pumpkin Decoration Contest in Orlando, Florida and AFCC's Silent Auction and Raffle at the 36th Annual Conference in Vancouver, BC.

The Anniversary Fund is the first step in AFCC's plan to raise \$500,000 for its Resource Development Fund. AFCC would

like to acknowledge the hard work of Development Committee members:

R. John Harper, Chair
Larry Lehner
Hon. Arline Rotman
Jan Shaw
Suzie Thorn
Joan VanDuzer
Hon. John VanDuzer

Congratulations on a job well done!



Everyone is a Winner at AFCC Silent Auction

Autographed sports memorabilia, fine wines, original artwork and vacation homes in northern Ontario and London, England were just a few of the items available for bid at AFCC's first Silent Auction, sponsored by the AFCC Development Committee at the annual conference in Vancouver, British Columbia.

The silent auction, which ran from 9:00am-9:00pm on Friday, June 6, attracted enough contributions to fill one-third of a hotel ballroom. Bidding started out slowly in the morning, but by early evening the pace had picked up and as closing time approached many enthusiastic participants were seen hovering over the items of their affection like a mother bird protecting her nest. When all was said and done, more than \$10,000 was raised for the AFCC Anniversary Fund.

The AFCC Development Committee would like to thank those who contributed and those who solicited donations for the Silent Auction.

AFCC
Academy of Family Mediators
Dick Altman
Anaheim Visitors and Convention Bureau
Adam's Mark Hotel, Columbus, OH
AFCC Massachusetts Chapter
Carole Brown
Phil Bushard
CDR Associates
Christie Coates
Center for Divorce Education
Chapter's Bookstore
Clarence Cramer
Corrections and Community
Justice Division, Justice Institute of BC
Doneldon Dennis
Hon. George Czutrin
El Dorado Hotel, Reno, NV
Jane Falconer
Hon. William Fee
Mary Ferriter
Jane Grafton
Gray Line of Vancouver
Greater Columbus Visitors
and Convention Bureau

Harper Jaskot, Barristers
Hilton Hotels Worldwide
David Hodges
Dawn Holmes
International Children's Art Museum
Lands End
Larry and Judy Lehner
Michele MacFarlane
Marriott Hotel & Tennis Club
Denise McColley
Hon. Alastair Nicholson
Pleasant Company
C. Eileen Pruett
Rebok Canada/Family Fitness
Hon. Arline and Barry Rotman
David Rotman
Steven Rotman
Andy Schepard
Russ Schoeneman
Jan Shaw
Sound of Knowledge
Phil Stahl
Suzie and Joe Thorn
Hon. John and Joan VanDuzer
Westin Bayshore Hotel, Vancouver
Westin Michigan Avenue, Chicago
World Congress, Inc.

Grand Prize Winner

Hon. Jim Williams of Dartmouth, Nova Scotia was the winner of two airline tickets good throughout North America and a weekend for two at any Starwood Resort property. The raffle raised more than \$2,000 for the AFCC Anniversary Fund. A very special thank you to Ed Mani, President of Burkhalter Travel, and David Narwich of Starwood Resorts, for contributing the grand prize for this year's raffle.

Donor of the Month

AFCC recognizes Mr. Len Carpenter of Ontario for a \$2000 contribution to the **Kids Count Club**. Mr. Carpenter is a client of R. John Harper, Chair of AFCC's Development Committee. AFCC thanks Len Carpenter for his extraordinary generosity.

AFCC Approved as APA Provider

AFCC has been approved as a sponsor of continuing education activities by the American Psychological Association (APA). This status will enable psychologists to receive continuing education credits for attending designated AFCC educational activities.

Thirty-six states automatically accept programs offered by APA approved sponsors. In addition, many governing boards for counselors, marriage and family therapists and social workers also automatically accept credits from APA approved sponsors. Please contact your state or provincial governing agency to determine if you automatically qualify for credit by attending educational events planned by APA approved sponsors.

AFCC Chapter Update

New Jersey



AFCC's new chapter in New Jersey has been granted provisional status and is off and running. The chapter, which was first conceived at AFCC's 1998 Annual Conference in Washington, D.C., has an interdisciplinary Steering Committee of 35 lawyers, mediators, mental health professionals, judges and court services staff members.

The New Jersey Chapter has developed a mission statement, a newsletter and several active committees including Membership, Program, Educational Resources, Special Projects, Legislative Action and By-Laws Development. It also has its own website at www.psychologyinfo.com/NJ-AFCC.

Several members joined the New Jersey Chapter at AFCC's 1999 Annual Conference in Vancouver, British Columbia. Chapter President Ron Silikovitz used the Vancouver conference for recruiting purposes and pleasure, celebrating his 35th anniversary with his wife Arlene with an elegant dinner at the Tea Room in Stanley Park.

AFCC New Jersey Chapter Officers and Executive Committee Members include:

President

Dr. Ron Silikovitz

Vice President

Mr. William Light

Treasurer

Mr. Phil Sobel

Secretary

Dr. Frank Weiss

Membership Chair

Dr. Sharon Montgomery

Newsletter Editor and Website Chair

Dr. Donald Franklin

Educational Resources Committee Chair

Ms. Dawn Stept

Massachusetts

AFCC's Massachusetts Chapter has been busy this summer planning for its recent conference, *When Children Pay the Price: Emerging Practices in Family Court*. The conference took place September 17-18 at



Northeastern University School of Law. Featured presenters included Elizabeth Berg, author of several award winning novels, Hon. Anne Dranginis, Chief Justice, Connecticut Family Court, Hon. Sean M. Dunphy, Chief Justice, Massachusetts Probate and Family Court Department and Hon. Martha Grace, Chief Justice, Massachusetts Juvenile Court Department.

Arizona

AFCC's Arizona Chapter is busy planning its Annual Conference. This year's program takes place February 4-6 in Sedona, AZ, at the Doubletree Inn-Sedona Golf Resort. Rooms are \$94 per night and Arizona Chapter President, Hon. Fred Newton, is encouraging all AFCC members to join their Arizona colleagues for what promises to be an outstanding conference.

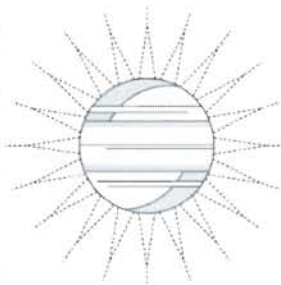


This year's conference theme is *Redefining Families: Controversy and Consensus*. Featured speakers will include two experts on fatherhood, Dr. Richard Warshak, author of *The Custody Revolution* and Dr. Louise Silverstein, Yeshiva University, New York, author of the recent article "Deconstructing the Essential Father." Also featured will be Los Angeles attorney Marjorie Fuller, who served as guardian ad litem in the O.J. Simpson/Brown family custody dispute.

For further information about the Arizona Chapter Conference, please contact Hon. Fred Newton at (520) 779-6598 or e-mail fnewton@courts.sp.state.az.us.

California

AFCC's California Chapter has been working with AFCC's Conference Committee and administrative office to plan this year's Southwest Regional and



California Chapter Conference, November 4-6, 1999 at the Marriott Hotel and Tennis Club in Newport Beach, California. California Chapter Vice President Vahan Hovsepian has taken the lead for the California Chapter as Chair of the Planning Committee, with help from numerous members including Rick Rothell, Jane Schatz, George Ferrick, Don Eisenberg, Jan Shaw, Linda Louie, Pat Foster and Margaret Little.

The conference will offer a special domestic violence training program and update for California custody evaluators and investigators. For additional information on the conference see the related story on page one.

Custody Evaluation Symposium and Parent Education Congress Scheduled for South Carolina in Fall 2000

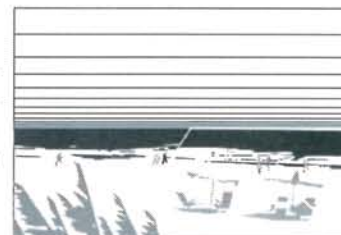
Kiawah Island Resort in South Carolina will be host to AFCC's Fourth International Symposium on Child Custody Evaluations and Fourth International Congress on Parent Education Programs. The dates for the programs will be November 9-11, 2000 for the Custody Evaluation Symposium and November 12-14, 2000 for the Parent Education Congress.

Kiawah Island is located just 20 miles from historic Charleston, SC. The resort features golf, tennis, biking and a ten mile stretch of beach.

Accommodations on Kiawah Island include one and two bedroom villas. Two bedroom villas are suitable for sharing and offer the privacy of individual bedrooms and bathrooms as well as a shared living room, dining room and kitchen. Two bedroom villas are available for \$99 per bedroom. One bedroom villas include a

private living room, kitchen and dining room and are available to AFCC guests at a rate of \$154 per night. The Kiawah Island reservation agents will be happy to match AFCC registrants with villa-mates.

Mark your calendar now for these popular events. Watch for additional information in upcoming editions of the *AFCC Newsletter* and on AFCC's website at www.afcnet.org



AFCC to Convene Mediation Standards Symposium with National Council of Dispute Resolution Organizations

A FCC is pleased to announce that the National Council of Dispute Resolution Organizations (NCDRO) has agreed to serve as co-convenor of a second Symposium on Model Standards of Practice for Family and Divorce Mediators, February 26, 2000 at the Hilton Riverside Hotel in New Orleans, LA. The New Orleans meeting will continue the work on the Standards of Practice initiated by the Task Force of the Family Law Section of the American Bar Association and subsequently reviewed by representatives of more than twenty dispute resolution associations at AFCC's Standards Symposium in October 1998 in Orlando, FL.

The National Council of Dispute Resolution Organizations represents major dispute resolution organizations including: AFCC, Academy of Family Mediators, ABA Section of Dispute Resolution, National Association For Community Mediation, Conflict Resolution Education Network, Society of Professionals in Dispute Resolution and the National Conference on Peacemaking and Conflict Resolution. NCDRO serves the dispute resolution field by creating a forum for inter-organizational discussion on policy, legislation and administrative concerns that affect the field.

A draft of the *Model Standards* is available for review and comment on the Mediation Committee's page of AFCC's website at:

www.afccnet.org/mediacomit.htm

Please see the accompanying article for further information.

Preface to Draft Divorce and Family Mediation Standards



by Andrew Shepard, J.D.,
Reporter for the Model Standards
of Practice for Divorce and
Family Mediators, Editor, Family and
Conciliation Courts Review.

When completed, the Model Standards of Practice for Divorce and Family Mediation ("Model Standards") aim to perform three major functions: (1) to serve as a guide for the conduct of family mediators; (2) to inform the mediating parties; and (3) to promote public confidence in mediation as a process for resolving disputes.

It is important, however, to understand that the *Model Standards* are simply a step toward performing these functions. They are a Draft only, designed to begin a concrete dialogue about the role of family mediation in the dispute resolution system in the twenty-first century. The *Model Standards* draw on existing codes of conduct for mediators and take into account issues and problems that have surfaced in divorce and family mediation practice. While they are the product of a great deal of research and thought, the Draft *Model Standards* are in no sense a final product. The sponsoring organizations welcome input from concerned members of the mediation community, the family law bench and bar, and informed members of the public on any or all aspects of the Draft.

It may be helpful to those reviewing the Draft *Model Standards* to provide brief commentary on how the Draft *Model Standards* evolved and what the process will be for reviewing and revising them.

The Draft *Model Standards* are the latest milestone in a nearly twenty year old effort by the family mediation community to create standards of practice that will increase public confidence in an evolving profession. They are the product of an effort by prominent mediation-interested organizations to create a unified set of standards that will replace existing ones.

Between 1982 and 1984 AFCC convened three national symposia on divorce mediation standards. Over forty individuals from thirty organizations attended to explore issues of certification, licensure and standards of practice. Drafts were distributed to over 130 individuals and organizations for comment and review. The result of the efforts was the 1984 *Model Standards of Practice for Family and Divorce Mediation* ("1984 Model Standards") which have served as a resource document for state and national mediation organizations.

In tandem with the process convened by AFCC, the ABA Family Law Section drafted *Standards of*

Coming from AFCC

**Southwest Regional and
California Chapter Conference**
November 4-6, 1999
Marriott Hotel and Tennis Club
Newport Beach, CA



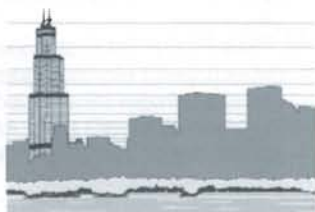
AFCC 37th Annual Conference
May 31-June 3, 2000
Hilton Riverside Hotel
New Orleans, LA

**Fourth International Symposium
on Child Custody Evaluations**
November 9-11, 2000
Kiawah Island, Resort
Kiawah, SC



**Fourth International Congress
on Parent Education Programs**
November 12-14, 2000
Kiawah Island Resort
Kiawah, SC

AFCC 38th Annual Conference
May 9-12, 1999
Westin Michigan Avenue
Chicago, IL



Model Standards of Practice for Family Mediators

Practice for Lawyer Mediators in Family Law Disputes (1984) ("1984 ABA Standards"). The 1984 ABA Standards were primarily aimed at lawyers who wished to be mediators, a role at that time some thought inconsistent with governing standards of professional responsibility for lawyers. The 1984 ABA Standards helped define how lawyers could serve as family mediators and still stay within the ethical guidelines of the profession. Several members of the Committee who worked on the 1984 Model Standards, particularly Jay Folberg and Tom Bishop, participated in the drafting of the 1984 ABA Standards. As a result the 1984 ABA Standards were compatible with the 1984 Model Standards.

Following promulgation of the 1984 Model Standards and 1984 ABA Standards interest in mediation in all fields and family mediation in particular burgeoned. Interested organizations promulgated their own Standards of Practice. The Academy of Family Mediators, for example, promulgated its own standards of conduct based on the 1984 Model Standards. Several states and courts have also set standards. See, e.g., Florida Rules for Certified and Court-Appointed Mediators (October, 1995); Iowa Supreme Court, Rules Governing Standards of Practice for Lawyer-Mediators in Family Disputes (1986).

Other efforts were made by concerned organizations to establish standards of practice for mediation generally. For example, a joint Task Force of the American Arbitration Association, American Bar Association and the Society of Professionals in Dispute Resolution (SPIDR) published *Model Standards of Conduct for Mediators* in 1995.

In 1996, the Family Law Section of the American Bar Association came to the conclusion that interest in and knowledge about family mediation had expanded dramatically since the 1984 ABA Standards were promulgated and a fresh look at that effort was required. It created a Task Force on Standards of Practice for Divorce Mediation (later renamed the Committee on Mediation) ("ABA Committee") to review the 1984 ABA Standards and make recommendations for changes and amendments. The ABA Committee was chaired by Nancy Palmer and Phyllis Campion. Professor Andrew Schepard of Hofstra Law School was asked to serve as the Committee's Reporter. The project was conceived of as a collaboration with other interested groups; membership of the ABA Committee included non-lawyer mediators and liaisons from AFCC, AFM and SPIDR.

After intensive review and study, the ABA Committee concluded that while the 1984 ABA Standards were a major step

forward in the development of divorce and family mediation they were in need of significant revision.

First, the 1984 ABA Standards did not address many critical issues in mediation practice that have been identified since they were initially promulgated. They did not mention domestic violence and child abuse. The 1984 ABA Standards also did not address the mediator's role in helping parents define the best interests of the child in their post-divorce parenting arrangements. They made no mention of the need for special expertise and training in mediation or family violence. Nor did they make any distinction between private mediation and mediation conducted in a court-affiliated program.

Second, the 1984 ABA Standards were inconsistent with other guidelines for the conduct of mediation promulgated subsequently. The ABA Committee believed that uniformity of mediation standards between interested groups is highly desirable to provide clear guidance for family mediators and for the public. It found it impossible to provide that uniformity and clarity and address important unmentioned issues within the framework of the 1984 ABA Standards. The ABA Committee therefore decided to replace the 1984 ABA Standards with a new document.

The ABA Committee, including representatives from AFCC, AFM and SPIDR, therefore, created a new draft of standards of practice for family mediation specially applicable to lawyers who sought to involve themselves in that process. (The views expressed herein have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the policy of the American Bar Association.) The Committee set several goals for the revised standards. First, the ABA Committee sought to insure that its revised standards were state of the art, addressing as many of the problems of family mediation practice that have been identified since the adoption of the 1984 ABA Standards and 1984 Model Standards as possible. Second, the ABA Committee sought to insure that its recommended standards were consistent, as far as is possible, with other standards of practice for divorce and family mediation.

To meet these goals, the ABA Committee examined all available standards of practice, conducted research, and consulted with a number of experts on family and divorce mediation. It particularly focused on consultations with experts in domestic violence and child abuse about the appropriate role for mediation when

family situations involved violence or the allegations thereof.

The Council of the ABA's Family Law Section reviewed the ABA Committee's first draft effort in November of 1997. It concluded that other mediation-interested organizations should be included in the process of drafting revised standards of practice for family mediation.

Other mediation organizations recognized that their current standards of practice for family mediation also needed review in light of developments in mediation practice since they were promulgated. In 1998, AFCC offered to re-convene the Model Standards Symposium using the draft of Standards of Practice created by the ABA Committee as a beginning point of discussion.

In October 1998 the Standards Symposium convened in Orlando to review the draft standards created by the ABA Committee. Representatives of over twenty family mediation organizations reviewed the ABA draft line by line during a full day session facilitated by Tom Fee.

The organizers felt that the Draft Model Standards are advanced enough that they can usefully be commented on by the family mediation community in the hopes of developing a consensus on the key issues involved in their development. They have been mailed to all mediation interested organizations that can be identified. Their publication in the *Family and Conciliation Courts Review* insures they will come to the attention of a wider audience still.

The next Standards Symposium convened by AFCC is scheduled for February 26, 2000 in New Orleans. It is hoped that the Draft Model Standards will be finalized at that time. The final Model Standards will be published in appropriate places. Thereafter, the use of the final Model Standards will be up to interested individuals and jurisdictions to adopt in whole or in part.

The Symposium organizers hope that the family mediation community will join in the effort to create a useful guide to the practice of divorce and family mediation in the new Millennium. Readers interested in commenting on the Draft Model Standards can find a copy on the Mediation Committee page of the AFCC website:

www.afccnet.org/mediacomit.htm

Please send comments to the Project's Reporter, Professor Andrew Schepard, at the contact points listed below.

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1999 Annual Awards Presented

The Association of Family and Conciliation Courts recognized the following individuals and organizations at its Annual Awards Luncheon at the 36th Annual Conference, June 4, 1999, Vancouver, British Columbia.



DISTINGUISHED SERVICE AWARD

Hon. Landon Pearson, Senate of Canada

Hon. Landon Pearson, a member of the Canadian Senate, has been an advocate for children and families for decades. She has served as co-chair of the Joint Committee on Child Custody and Access, Advisor on Children's Rights to the Minister of Foreign Affairs and as co-chair of *Out From the Shadows: International Summit of Sexually Exploited Youth*. Senator Pearson was a featured presenter at the *Second World Congress on Family Law and the Rights of Children and Youth* and is a member of AFCC.

Justice David Steinberg

Senior Justice, Family Division

Superior Court of Justice of Ontario

Justice David Steinberg has been involved with AFCC since the early 1970's serving as AFCC Secretary in 1972. Justice Steinberg was appointed as judge of the Family

Division of the Ontario Provincial Court in 1969 and was president of the Provincial Family Court Judge's Association. He was one of the original three appointments to the bench for the Unified Family Court pilot project in 1977 and was subsequently appointed the first senior judge of the Unified Family Court. Justice Steinberg has been a strong leader in court reform and in promoting the expansion of Unified Family Courts.

STANLEY COHEN DISTINGUISHED RESEARCH AWARD

Dr. Charlene Depner California Statewide Office of Family Court Services

Dr. Charlene Depner, head of research and evaluation for the California Statewide Office of Family Court Services, was awarded the Stanley Cohen Distinguished Research Award for her outstanding contribution to research in family law. Over the past 11 years, Dr. Depner has led an effort to develop rigorous, large-scale, longitudinal and representative research in the California family courts. Under her leadership, Dr. Depner's research team has developed the largest database in the United States on court-based family mediation. The research team has conducted three large-scale and six follow-up studies with more than 14,000 parents describing the experience of litigants with court-based mediation

and child custody evaluation and investigation procedures.

PRESIDENT'S AWARD

Denise McColley, AFCC Vice President

Christine A. Coates, AFCC Immediate Past President, presented the President's Award to Denise McColley in recognition of her contributions to AFCC over the past decade. An AFCC member since 1989, Ms. McColley currently serves as AFCC Vice President, co-chair of the Conference Committee and chair of AFCC's Governance Task Force. She was chair of AFCC's 1993 Regional Conference in Toledo, OH, has been a member of the AFCC Executive Committee since 1997 and a member of the Board of Directors since 1992.

IRWIN CANTOR INNOVATIVE PROGRAM AWARD

British Columbia Law Courts Education Society

The Law Courts Education Society, a joint project of the British Columbia Law Courts and Ministry of Attorney General, was awarded the Irwin Cantor Innovative Program Award for the development of Parent Education Programs for the culturally diverse communities of the Province of British Columbia. The award was accepted by Hon. Wallace Oppal, Chair, Law Courts Education Society and Ms. Wendy Hacking, Ministry of Attorney General.

AFCC Officers Elected for 1999-2000

The Board of Directors elected AFCC Officers for 1999-2000 at the 36th Annual Conference in Vancouver, BC. Ms. Jan Shaw, Director of Orange County Mediation and Investigative Services, joined the AFCC Executive Committee as Secretary.

1999-2000

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Ms. Christine Coates
Boulder, Colorado

New Board Members

The following AFCC members were elected to a three-year term on the Board of Directors at the membership meeting at AFCC's 36th Annual Conference in Vancouver, British Columbia:

Ms. Marilou Giovannucci, Connecticut
Hon. Ross Goodwin, Quebec
Mr. R. John Harper, Ontario
Ms. Jan Hood, North Carolina
Hon. Fred Newton, Arizona
Ms. Nancy Palmer, Florida
Dr. Janet Walker, England

Mr. Timothy Walker, Littleton, Colorado, was elected to a second three-year term.

Justice Alastair Nicholson Completes Service on AFCC Executive Committee

AFCC thanks Hon. Alastair Nicholson, Chief Justice of the Family Court of Australia, who has completed his term on the AFCC Executive Committee. Justice Nicholson has had a profound influence on AFCC during the latter half of the 1990's. He is most widely recognized for his role as Chair of the *Second World Congress on Family Law and the Rights of Children & Youth*, which helped bring truly international stature to AFCC. Justice Nicholson has also provided AFCC with distinguished leadership, wisdom and guidance while helping to bring to AFCC the best that the Family Court of Australia has to offer. We look forward to his continued participation.

AFCC also thanks the following members who have completed their service on the AFCC Board of Directors:

Ms. Rosemary Vasquez, Washington
Hon. Sheila McGovern, Massachusetts
Dr. Jennifer Mastroski, Pennsylvania

AFCC Committee Chairs 1999-2000

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PD & TA Division Collaborates on Training Opportunities

It has been a busy summer for the association's Professional Development and Technical Assistance Division as AFCC has collaborated with several organizations to provide training opportunities to family court professionals throughout the country.

In June AFCC collaborated with Kansas Legal Services as Phil Stahl, co-chair, AFCC Custody Evaluation Committee, provided a two-day training on Conducting Custody Evaluations in Topeka, KS. AFCC also worked with the Iowa Peace Institute to provide a 40-hour divorce mediation training in Grinnell, IA, conducted by AFCC staff members Ann Milne and Peter Salem.

In July AFCC teamed up with the University of Wisconsin for the fifth consecutive year to co-sponsor the Family Courts and Services Summer Institute. This year's institute featured two programs. The Child Protection and Dependency Mediation Institute was conducted by AFCC Board Member Greg Firestone. The Child Custody Evaluation Institute was conducted by Robin Deutsch, co-chair, AFCC Custody Evaluation Committee. AFCC staff



members Ann Milne and Peter Salem also provided a 40-hour divorce mediation training in Lansing, MI, sponsored by Western Michigan University.

AFCC would like to thank its volunteer trainers who have contributed their time and expertise to enhance AFCC's PD & TA course offerings. Special thanks also go to Larry Rute, Kansas Legal Services, Greg Buntz, Iowa Peace Institute, Margie Geasler and Linda Dannison, Western Michigan University and Jim Campbell,

University of Wisconsin, for providing the important links between AFCC and its collaborating organizations.

AFCC members or others interested in collaborating with the PD&TA Division for training services should contact Peter Salem, AFCC Associate Director at (608) 251-4001 or psalem@afccnet.org.

In Memory of Hon. Herb Walton

Longtime AFCC member Hon. Herb Walton, a veteran of more than 30 years on the Johnson County (Kansas) bench, passed away this summer at the age of 70 after a long battle with cancer. Judge Walton was a former President of the AFCC Kansas Chapter. He retired from the bench in 1992 and continued to work as a mediator and arbitrator.

A memorial service is scheduled to be held by the Johnson County Bar Association in Judge Walton's old courtroom on September 30, 1999. AFCC extends its sympathies to Judge Walton's family, friends and colleagues.



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