



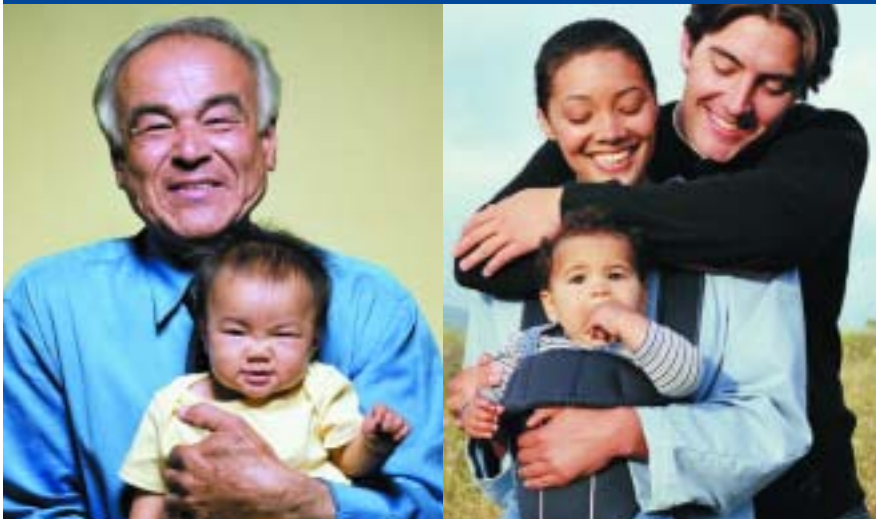
FOUNDED IN 1963

# AFCC NEWS

ASSOCIATION OF FAMILY AND CONCILIATION COURTS

Volume 26, Number 4

Fall 2007



## 45th Annual Conference in Vancouver

### *Five Star Conference, Five Star City*

Whether you are traveling by plane, train or automobile, make plans now to join your colleagues in beautiful Vancouver, British Columbia, for AFCC's 45th Annual Conference, May 28-31, 2008 at the Westin Bayshore Resort. Participants will enjoy breathtaking views of the coastline and snow capped mountains, while in walking distance to downtown Vancouver.

### **New 3-Hour Advanced Workshops**

AFCC's 45th Annual Conference, *Fitting the Forum to the Family: Emerging Challenges for Family Courts*, features many new programs to build your practice skills including *new* 3-hour advanced workshops. Preliminary program topics include domestic violence, the child's voice, high conflict families, child welfare mediation and decision making, parenting coordination, collaborative law and mediation. More than 175 presenters, including Dr. Julie Macfarlane, University of Windsor; Hayne Wai, M.A., Vancouver, Canada; Dr. Peter Jaffe,

*continued on page 8*

## Vancouver 2008

### **Don't Forget your Passport!**

All U.S. citizens traveling by air to and from Canada are now required to have a valid passport. If you are considering attending the conference, please plan ahead as passports can take up to six months to be processed. Information on applying for or renewing passports can be found at the Bureau of Consular affairs Web site at <http://travel.state.gov/passport/>.

**[www.afccnet.org](http://www.afccnet.org)**



**ASSOCIATION OF FAMILY  
AND CONCILIATION COURTS**

AFCC is an interdisciplinary and international association of professionals dedicated to the resolution of family conflict.

### **Mission**

To improve the lives of children and families through the resolution of family conflict.

### **Vision**

A justice system in which all professionals work collaboratively through education, support and access to services to achieve the best possible outcome for children and families.

### **Values**

- Collaboration and respect among professions and disciplines
- Learning through inquiry, discussion and debate
- Innovation in addressing the needs of families and children in conflict
- Empowering families to resolve conflict and make decisions about their future

*Views expressed in the AFCC News are those of individual contributors and do not necessarily reflect the opinions of AFCC.*

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## **AFCC News**

Vol. 26, No. 4 Fall 2007

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*AFCC News* is a publication of the Association of Family and Conciliation Courts and is published four times a year. Deadlines for news items and advertising are January 1, April 1, July 1, and October 1.

### **AFCC News Advertising**

	AFCC member	Non-member
Full page	\$425	\$600
Half page	\$300	\$450
Quarter page	\$150	\$250

# President's Message

When I look at AFCC, I see a bustling marketplace of ideas; a place where divergent approaches and innovations can be shared. As in any "marketplace," the best innovations will be "purchased," in that they will be brought home and put to use. In this way, AFCC leads by helping to place innovative practices in the communities of its

members, conference attendees and readers of its publications.

*In order for our marketplace of ideas to continue to thrive, we need to understand more about our customers and what they are looking for. And we need to reach out beyond our existing members to explore untapped markets as well.*

In order for a marketplace to function efficiently, it must address the age old tension between supply and demand. In the case of AFCC, we must bring to the market a supply of ideas or programs that is as broad and diverse as possible, while meeting the demand for information that is most relevant to the issues confronting our members and the families and children they serve.

Of course, relevance is relative, and therein lies the rub. AFCC is a diverse organization in many ways. Our

members represent more than a dozen disciplines from 24 countries around the world, including ten Canadian Provinces and 49 of the United States (for those wondering, the answer is North Dakota).

At the same time, there is a level of homogeneity within AFCC, which for some is discomfoting. Even with members from two dozen countries, 97% of our members come from North America, and 90% from the U.S. Looking around at AFCC conferences it appears that we are not as ethnically and racially diverse as we would like to be nor are we, alas, particularly youthful, although most AFCC members are undoubtedly young at heart!

However, drawing conclusions about membership based solely upon observing the roughly 25% of AFCC members who attend our conferences is certainly less than scientific. Because AFCC has not historically requested demographic data from members, there is a lot we simply do not know about our membership.

In order for our marketplace of ideas to continue to thrive, we need to understand more about our customers and what they are looking for. And we need to reach out

beyond our existing members to explore untapped markets as well.

In the winter of 2008, AFCC will be conducting a membership survey in an effort to learn more about you, our members, how you view AFCC and what you would like to see from the association in the future. The survey will be an important component of our next five-year strategic plan that will begin in 2009. It will provide important baseline information and help us form a vision for the future of AFCC.

In the meantime, my present-day vision of AFCC is, above all, dedicated professionals committed to excellence in the delivery of services that affect the lives of families and children in court.

What do you see when you look at AFCC?



**Hon. William C. Fee**  
AFCC President  
Angola, Indiana

## Win Free AFCC Membership

### Does AFCC Have your Email?

It's time to double check that AFCC has your email address for our annual free membership drawing. This will also ensure that you receive AFCC's bi-monthly e-newsletter and periodic membership updates, and will have the opportunity to respond to AFCC's membership survey this winter.

If AFCC has your email address, you are eligible for a free AFCC membership. During the first week of January 2008, a drawing will be held among all members with emails in our membership database. The winner will receive their next year's membership free!

Please log on to the Member Center on the AFCC Web site and click "Update Your Email" to check if your email is listed and accurate. To update or provide a new email address, enter the email address and click the submit button.

*AFCC limits membership email announcements to no more than one or two per month, and we never rent or share our email list.*

If your email does not need to be updated, you do not need to do anything. The winner will be announced in the next issue of the *AFCC NEWS*. If you have any questions, please contact AFCC at [afcc@afccnet.org](mailto:afcc@afccnet.org) or (608) 664-3750.

# Message from the Executive Director



**Peter Salem**  
AFCC Executive Director  
Madison, Wisconsin

## Comparing Apples to AFCC

November 2007 will be my five-year anniversary as executive director of AFCC. Although it has gone by very quickly, five years is clearly enough time to create institutions that seem to have been around forever. For example, in 2002 the now pervasive Apple iPod was entering its first full year on the market and *American Idol* made its television debut.

At the time of my appointment, I, along with many in AFCC leadership, were hopeful that the administrative transition of 2002 would be the final chapter in a lengthy (some would say exhaustive) period of organizational self-reflection and reorganization that began in the late 1990s.

By the summer of 2002, AFCC had completed an organizational assessment, a membership survey and restructured its governance. Overhauling the administrative structure of AFCC would be the final piece in the puzzle that would finally allow us to spend our energy moving forward rather than looking back and focusing outward rather than within.

Not so fast. We first needed to complete our strategic plan. Then funding for an organizational effectiveness analysis practically dropped into our lap. Without giving short-shrift to the planning process, it became clear that we needed to move beyond our bread and butter activities of conferences and publications if we were to be a vibrant and relevant organization.

So while the internal discussion about who AFCC is and how we do business continued, we took on a variety of new initiatives designed to impact the world in which our members practice. AFCC initiated a series of special projects including the development of the civil intake assessment screen with the Connecticut Court Support Services Division; Guidelines for Parenting Coordination; Model Standards of Practice for Child Custody Evaluation; Family Law Education Reform Project; Domestic Violence and Family Courts Project; and the Developing Nations Libraries Project.

At the same time, AFCC also doubled its membership and number of staff members, increased conference attendance, added numerous member benefits and began collaborating with a growing number of organizations on projects and programs.

Today, AFCC is very different than the organization that undertook an organizational assessment in 1999 and even from who we were just five years ago. We are very proud of our growth and accomplishments but we should also keep it in perspective.

Going back to the Apple comparison, the first iPod came with 5 gigabytes of memory and sold for \$399. Today, for \$349 you can get 160 gigabytes in the "iPod classic." More importantly, Apple provides more than additional gigabytes for the dollar. Advancements have been made and new products added for new audiences.

AFCC has, in some ways (although clearly at a far more modest pace) moved forward like Apple. Just as today's iPod buyers get more gigabytes for their dollar, today's AFCC member gets far more value for their \$150 investment in membership dues. Some members continue to enjoy the "AFCC classics" like *Family Court Review (FCR)* and the annual conferences. Others take advantage of new opportunities like listening to conference audio online, the AFCC Parenting Coordination Network, the *AFCC eNEWS*, or searching and downloading *FCR* through Blackwell Synergy. And others, still, come to AFCC through the projects and collaborations we have developed.

We will always have "AFCC classic," our conferences and journal that have been with us since 1963, and are our lynchpins. But for AFCC to stay vibrant and relevant, we must continuously reflect upon who we are, and what we want to be. So it turns out that my hope—to finally complete the planning process—may never come to pass.

Over the course of the coming year we will begin working on a new strategic plan. We will be looking carefully at the day-to-day business of AFCC; but we will also spend time looking beyond our operations and examining our potential for expanding our influence and fulfilling our mission.

We will be asking all members to participate in this process by responding to a member survey, to be conducted during the winter of 2008. The survey will be sent to all AFCC members via email. We hope that you will take this opportunity to participate in the future direction of AFCC.

## MEMBER PROFILE

### AFCC Member, M. Jerry McHale, Q.C.

*Jerry McHale is an AFCC Member from Victoria, BC, Canada. He is the Assistant Deputy Minister, Justice Services Branch in the British Columbia Ministry of Attorney General. Jerry served six years as Director of the Dispute Resolution Office in the Ministry. For more than a decade, he practiced as a barrister and solicitor, and mediator in family and commercial law. He was a founding Board member of the Mediation Development Association of British Columbia, the University of Victoria Institute for Dispute Resolution and the Canadian Bar Association Alternate Dispute Resolution Section.*

#### What does your current position entail?

I am responsible within the British Columbia Ministry of Attorney General for overall civil justice programs, including those affecting families (family court counselors and family maintenance enforcement), mediation and dispute resolution programs in the courts, legal aid, and family law policy and legislation.

#### How did you first learn about AFCC?

Nearly thirty years ago, my good friend Robert McWhinney of Toronto was on the AFCC Board, and he recommended the organization to me. I looked at a couple of issues of the *Family Court Review* and then I participated in a couple of conferences. As a beginning lawyer with a background in social work and work with families, I had been struck by the fact that the issues as defined by the law addressed only one part of the problem people experience on separation. It seemed that the non-legal aspects of family breakdown were exerting a huge and complicating influence over the legal process but that there was really no theory or system in place to deal with them. So the interdisciplinary approach of AFCC, where a range of professional viewpoints contribute their expertise to address the whole situation, appealed to me.

#### What aspect of your work have you enjoyed the most?

Family law touches many people. The justice system makes highly consequential choices about how family conflict will be managed. I enjoy working on the "macro" policy development and program design level where one might, hopefully, influence family law processes for the better.

#### What is the biggest change in our field that you have observed since you began your career?

There has been a sea change over the last 25 years in attitudes toward non-adversarial approaches to family conflict. It has happened incrementally, and you need to stand back and consider the big picture to really appreciate how much things have changed. Where mediation was once little understood and sometimes even actively opposed, its value is now universally recognized. In fact, it has affected the whole culture of family law. It created

fertile ground for collaborative law to take root and even litigation is not as polarized or adversarial as it once was.

#### What is the greatest challenge in your work?

The greatest challenge is access to justice. In the pursuit of procedural fairness, common-law systems have complicated the court process to the point where it is unaffordable to all but the wealthiest. We need to be able to deliver, on a larger scale, dispute resolution processes that are both fair and affordable. The evidence is clear; in common-law jurisdictions around the world, large numbers of people can't afford to buy help and can't negotiate the system without it. We haven't yet put a number on it, but there is undoubtedly a huge social cost to this.

#### What trends do you anticipate in the future with family dispute resolution processes?

First, family dispute resolution processes will become more responsive to the question, "What do people really want?" As a Canadian judge said, "People don't come to the system looking for litigation, they come looking for solutions." Increasingly, we will move towards problem-solving approaches with less reliance upon the adversarial analysis. Second, mediation and collaborative law will continue to push a trend whereby people will take more responsibility and demand more direct involvement and increased control over the decisions that affect their lives so much.

#### What is your proudest personal achievement?

Raising and watching three wonderful daughters grow up.



**M. Jerry McHale, Q.C.**  
Victoria, BC, Canada

*Where mediation was once little understood and sometimes even actively opposed, its value is now universally recognized. In fact, it has affected the whole culture of family law. It created fertile ground for collaborative law to take root and even litigation is not as polarized or adversarial as it once was.*

# AFCC Hosts Think Tank on Child Welfare Decision Making

by **Bernie Mayer, Ph.D.**

and **Joan Kathol, M.A. (Candidate)**

Werner Institute for Negotiation and Dispute Resolution,  
Creighton University

When the use of mediation and related dispute resolution procedures in child welfare decision making was first introduced 25 years ago, it seemed to many a rather outlandish idea. How could mediation, facilitated decision making or other consensus building processes be used for such complicated problems with seriously disrupted families and troubled parents in a system that was overburdened and underfinanced, and where the stakes were so high? Just getting child protection agencies and service providers to consider trying it was no easy task. But the reasons for using dispute resolution processes in child protection and permanency planning were also compelling. Bringing parents and extended families into the decision making processes, obtaining their genuine agreement to intervention plans, creating a greater sense of teamwork among all the many players involved in these processes, and allowing much more extensive dialogue among parties who need to cooperate but are set up to be adversaries is critical to the effectiveness of child protection. Therefore, slowly but surely, more and more child welfare systems began to introduce some form of cooperative decision making procedures.

Today, the use of mediation, family group decision making, facilitated case planning and placement review, and related procedures is widely recognized as a valuable

service by child welfare systems around the world. The questions we have to ask now are not whether these procedures are a good idea (although every time they are introduced somewhere new, the case still has to be made), but how best to provide them. During the past 25 years, much has been learned about how to make child welfare mediation and related processes work in different settings. What we have not been able to adequately accomplish, however, is to create a mechanism for consolidating and disseminating the best wisdom these programs have to offer about effective alternative approaches.

In response to this need, AFCC, along with the National Council of Juvenile and Family Court Judges (NCJFCJ), the Werner Institute for Negotiation and Dispute Resolution at Creighton University School of Law, and the National Center for State Courts, has undertaken a project to better understand the best practices, lessons, challenges, and opportunities of child protection conflict resolution. In order to obtain data from programs across the United States and Canada, a survey of leading child welfare dispute resolution practitioners was conducted last summer and followed up by a series of intensive interviews. The survey and interview included questions regarding the basic functioning of the particular program, the factors that contribute to a successful conflict resolution, the obstacles to success, the program's major successes and challenges, and the program's attempts to deal with those obstacles.

The results of this effort became a working paper that informed the discussion of thirty leading practitioners who gathered for a two-day Think Tank on child welfare conflict resolution held in conjunction with the AFCC and NCJFCJ Regional Conference in Columbus, Ohio on September 25-26, 2007. Professionals from across the United States and Canada attended this gathering, including judges, program directors and coordinators, and researchers. Picking up on the themes that emerged from the survey, participants tackled the broad range of issues that child protection mediation and family group decision making programs face. Of particular importance to everyone was how to balance the pressure to obtain agreements in a timely and efficient manner with the importance of empowering families, giving them a powerful voice at the table, and creating family centered and family driven processes. Lively discussion occurred about the appropriate role of professionals, particularly lawyers in this process, about the fundamental purpose of these efforts, about how to define and measure "success" and about how to obtain professional support, particularly in view of the initial resistance many programs face.

*Perhaps the most significant benefit of this process was the opportunity it provided for a group of passionate professionals to network and come together to learn from each other, to understand the many different ways that mediation and conferencing processes could be structured, and to build a supportive network for future collaboration.*

*continued on page 13*



## Columbus Regional Training Conference

Nearly 320 participants from 38 states and four countries, as far away as Ireland, joined AFCC and National Council of Juvenile and Family Court Judges (NCJFCJ) in Columbus for the AFCC and NCJFCJ Regional Training Conference, *Applications for High Conflict Families, Domestic Violence and Alienation*, September 27-29, 2007.

The conference kicked-off with a welcome by Ohio Supreme Court Chief Justice Thomas Moyer on Friday morning, which was followed by the plenary session, *Domestic Violence, Family Courts and Differentiation: A Look at the Future?*, presented by Clare Dalton, LL.M. and Professor Nancy Ver Steegh, J.D., M.S.W. The session provided the first insights from the AFCC and NCJFCJ Domestic Violence and Family Courts Project. The audio recording is available for free download at the Member Center of AFCC's Web site at [www.afccnet.org](http://www.afccnet.org).

The conference featured five professional tracks and 20 three-hour workshops designed for judicial officers, lawyers, mediators, custody evaluators and parenting coordinators. On Friday evening, conference participants were invited to a special reception and private tour hosted by the Supreme Court of Ohio.

AFCC would like to thank the Conference Planning Committee: Hon. Karen Adam, Hon. Denise McColley, Arnie Shienvold, Joy Lyngar, Billie Lee Dunford-Jackson and Peter Salem. Thanks also to conference shepherds Sandy DeBlanc Robbins, Kristen Henry, Diane Jeffers, Carly Lane, Denise Nixon-Sparks and Nate Witkin. Thanks also to Ohio natives Dick Altman, Denise McColley and Eileen Pruett for their extraordinary help in creating awareness for this conference and their outstanding hospitality.

### Special Thanks to NCJFCJ and Supreme Court of Ohio

AFCC wishes to extend a special thanks to the NCJFCJ for serving as conference cosponsor and furthering the collaboration between the two organizations. Thanks also to the Supreme Court of Ohio, in particular Chief Justice Thomas J. Moyer, Dispute Resolution Section Manager Jacqueline Hagerott and Judicial College Education Manager Christy Tull, without whose support the conference would not have been possible.

## Columbus Plenary Session Audio Online

Audio recording from the Columbus plenary session, *Domestic Violence, Family Courts and Differentiation: A Look at the Future?*, presented by Clare Dalton, LL.M. and Professor Nancy Ver Steegh, J.D., M.S.W. is available for free download for AFCC



members. Log on to the AFCC Member Center and listen to the presenters discuss developments of the AFCC and NCJFCJ Domestic Violence and Family Courts Project and more. If you were unable to attend the conference, all sessions can be purchased in CD, CD ROM or MP3 format through Digital Conference Providers, Inc., at [www.dcporder.com/afcc/](http://www.dcporder.com/afcc/).

## Albuquerque Selected for 2008 Child Custody Evaluation and Parent Education Conferences

Mark your calendar for AFCC's Eighth Symposium on Child Custody Evaluations, September 25-27, 2008 and AFCC's Eighth Congress on Parent Education and Access Programs, September 26-27, 2008.

Join AFCC in Albuquerque, New Mexico for these outstanding programs only offered in alternate years. For the first time, AFCC will hold both conferences simultaneously. The conferences will take place at the Albuquerque Marriott, located in the heart of the restaurant and shopping district and overlooking the Sandia Mountains. AFCC has secured the special room rate of \$122 per night.

Be on the look out for more information in the *AFCC eNEWS* and on the AFCC Web site at [www.afccnet.org](http://www.afccnet.org). Mark your calendar now!

## New Requirements for Domestic Abuse Training and Screening in Ohio

by **C. Eileen Pruett, J.D.**

*Franklin County Municipal Court, Columbus, Ohio*

The Supreme Court of Ohio adopted expanded training and screening for domestic abuse requirements on January 1, 2007. Many AFCC member hands contributed to these changes to the way Ohio's Rule 16 of the Rules of Superintendence for Ohio Courts approaches regulation of mediation training and screening procedures. The revised rule solidifies the Court's position as a leader in committing court resources to mediation and meeting the needs of

families. For full text of Rule 16, please view [www.sconet.state.oh.us/Rules/](http://www.sconet.state.oh.us/Rules/).

First, all mediators for court-connected family mediation programs will complete 14 hours of specialized training about domestic abuse issues in mediation. The Supreme Court has been offering this training to domestic relations and juvenile court parenting mediators for several years. Now child protection mediators, Juvenile Court victim offender and youth to youth mediators will also receive this interdisciplinary training.

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# Uniform Collaborative Law Act Drafting Committee Invites Comments

by **Brittany Shrader**

*Hofstra University School of Law, Hempstead, NY*

The National Conference of Commissioners on Uniform State Laws (NCCUSL) is currently drafting a proposed Uniform Collaborative Law Act (UCLA). AFCC member and Hofstra Law School Professor Andrew Schepard is the appointed Reporter for the UCLA drafting process.

For the purposes of the UCLA, collaborative law is a voluntary dispute resolution process for parties represented by counsel. It is a settlement-focused option, in which parties and their counsel resolve their dispute without the assistance of an outside adjudicator. Parties who participate in the collaborative law negotiation process must sign a participation agreement, which contains a disqualification provision for the attorneys. In other words, if the collaborative law process terminates before a resolution is reached and a party seeks judicial intervention in the dispute, counsel for both parties must withdraw from further representation in legal proceedings.

The goal of the drafting committee is to develop a statute that defines collaborative law and clarifies its role in modern legal advocacy. In addition, a few states have already independently implemented collaborative law statutes, so a uniform law could help bring consistency to the quality and nature of the process across the United States.

While collaborative law has already taken root in the field of family law, it is unclear whether its viability extends to other areas of law. In particular, the business community has been reluctant to embrace collaborative law, mostly

due to concerns about the disqualification provision. With this in mind, the UCLA drafting committee will consider whether or not to limit the focus of the statute to application in family law, or if other areas of law may also benefit from collaborative law.

The first meeting of the UCLA Drafting Committee took place April 20-21, 2007 in Salt Lake City, Utah. Following this meeting, the Drafting Committee released the first draft of a proposed UCLA for comments on September 4, 2007. The Drafting Committee met most recently October 5-6, 2007 in Boise, Idaho. Comments from this meeting will be incorporated in the second draft of the UCLA.

Hofstra Law School hosts an unofficial UCLA Web site, which contains information for anyone interested in the UCLA. The Web site includes a list of committee members; background research on collaborative law; current and past drafts of the UCLA; upcoming events; related links; and a section for comments. The Web site can be accessed at [www.law.hofstra.edu/ucla](http://www.law.hofstra.edu/ucla). The Drafting Committee invites comments. Those posting comments may request either to post their comments to the Web site for the general public's perusal, or may alternatively request their comment be sent directly to the Reporter.

To learn more about the drafting of proposed uniform state laws, please visit the National Conference of Commissioners on Uniform State Laws Web site at [www.nccusl.org](http://www.nccusl.org). To learn more about collaborative law or to find a list of upcoming events in the collaborative law community, please visit the International Academy for Collaborative Professionals' Web site at [www.collaborativepractice.com](http://www.collaborativepractice.com).

## 45th Annual Conference in Vancouver

*Continued from page 1*

University of Western Ontario; Woody Mosten, author, *The Complete Guide to Mediation* and Dr. Janet Johnston, San Jose State University, will address the latest topics that impact children and families.

### Conference Scholarships

Thanks to the outstanding member support of AFCC's Annual Appeal, the AFCC Resource Development Committee is offering 25 scholarships to AFCC's 45th Annual Conference. In addition to regular conference scholarships, a limited amount of scholarships will be designated to international participants, graduate students, professionals working in the conference host community and Court

Services professionals. Look for the scholarship application on the AFCC Web site at [www.afccnet.org](http://www.afccnet.org) in January.

### The Westin Bayshore Resort

The Westin Bayshore Resort is located along historic 1,000 acre Stanley Park and steps from downtown Vancouver. Conference attendees will receive the special room rate of CAD \$178/single or CAD \$199/double. Hotel rooms have sold out in recent years, so please plan ahead and make your reservations early. Keep an eye on AFCC's Web site and the *AFCC eNEWS* for the conference brochure and online hotel registration. By the way, the Westin Bayshore is the only resort in Vancouver that has its own marina, in case you want to arrive by boat!

For more information, please contact AFCC at [afcc@afccnet.org](mailto:afcc@afccnet.org) or (608) 664-3750.



## AFCC Member Paula Carey Appointed Chief Justice of Massachusetts Probate and Family Court

Hon. Paula M. Carey, AFCC member from Burlington, Massachusetts was appointed Chief Justice of the Probate and Family Court for a five-year term. Judge Carey succeeds AFCC member Chief Justice Sean M. Dunphy of Boston, Massachusetts, who retired September 30, 2007, after 29 years of exemplary service.

Chief Justice for Administration and Management Robert A. Mulligan announced the appointment and said, "I am very pleased to announce the selection of Judge Paula Carey to succeed Chief Justice Sean Dunphy as the next Chief Justice of the Probate and Family Court Department. Judge Carey brings a high degree of intelligence, experience and leadership skills that render her extremely qualified to lead the Probate and Family Court. She is highly respected for her extraordinary energy, work ethic and depth of knowledge in the area of Family Law. She will contribute significantly to the management reform efforts underway in the Massachusetts Trial Court through her commitment to the continuous improvement of access to justice for families across the state."

Chief Justice Carey has been a Probate and Family Court judge since her appointment to the bench in 2001. She currently sits in Norfolk County and serves as a member of the Child Support Guidelines Task Force. Chief Justice Carey is a member of the AFCC Massachusetts Chapter and was the guest speaker at the Chapter's Annual Dinner, October 18, 2007 at the Wellesley Club in Wellesley, Massachusetts.

## AFCC Member News

**Hon. Susan B. Carbon**, AFCC member from Plymouth, New Hampshire was elected to serve as President of the National Council of Juvenile and Family Court Judges (NCJFCJ). Judge Carbon was appointed to the bench in 1991 and currently serves as Supervisory Judge of the Grafton County Family Division in New Hampshire.

**Jacqueline Hagerott**, AFCC member from Columbus, Ohio was named chair of the Ohio State Bar Association's Dispute Resolution Committee. Jacqui is manager of the Supreme Court of Ohio's Dispute Resolution Section and an adjunct faculty member at Franklin University in Columbus.

**Kathleen M. Jeffords**, AFCC member from Madison, Wisconsin will retire in January 2008 after nearly 40 years of service at the Dane County Family Court Counseling Service (FCCS). Kathleen is a longtime AFCC member and first joined the FCCS staff in July 1971.



## AFCC members Write On

**AFCC members Jonathan W. Gould and David A. Martindale** have written *The Art and Science of Child Custody Evaluations*. Published by Guilford Publications, this book addresses key topics in child custody evaluation and provides essential knowledge for practitioners who want to meet the highest standards for both scientific validity and legal admissibility.

**Where to find it?** AFCC's Online Member Bookstore! More than 100 books written or edited exclusively by AFCC members are available on AFCC's Web site. Go to [www.afccnet.org/shopping/](http://www.afccnet.org/shopping/) and click "Online Bookstore."

**Have you written a Book?** We want to let others know about new books in the field by AFCC members. Please send information to David Vigliotta, Editor, *AFCC NEWS*, at [editor@afccnet.org](mailto:editor@afccnet.org).

## Earn AFCC Dollars Today!

AFCC members can earn AFCC dollars to spend on conference registrations, membership renewals and conference registrations. Each time you recruit a colleague to join AFCC and you are named as the referral source, you earn ten AFCC dollars. In order to qualify, they must be first-time members of AFCC. Each time your name is given as the referral source, your membership file will be noted and at the beginning of each calendar year you will receive a credit from AFCC. For more information, please contact AFCC at [afcc@afccnet.org](mailto:afcc@afccnet.org) or (608) 664-3750.

## Correction

The summer issue of the *AFCC NEWS* article on the 2007 Irwin Cantor Innovative Program Award recipient For The Children, mistakenly indicated that the program is offered state-wide. The program is currently exploring interest and funding for state-wide, mandated parent education programs. AFCC apologizes for the error.

# AFCC Chapter News

## Arizona

The AFCC Arizona Chapter is co-sponsoring a training with the Maricopa County Superior Court, December 7, 2007 in Phoenix. The training will prepare mental health professionals to work with the court system in the areas of custody evaluation, parenting coordination and therapeutic intervention, and allows participants to be listed on a roster that is maintained by the court system for appointments.

The Arizona Chapter's Annual Conference, *Pursuing Possibilities: Exploring Emerging Trends in Family Law*, takes place February 8-10, 2008 at the Sedona Hilton Resort and Spa in Sedona. The conference features a Friday evening plenary session, *Roles of Emotions and the Brain*, by Dr. Ricardo Weinstein and Professor Janet Weinstein, California Western School of Law. The conference also features a pre-conference institute, *Personality Disorders in Domestic Violence and Child Abuse Cases* by Bill Eddy, LCSW, Esq. from San Diego, CA. Workshop topics include advanced parenting coordination, personality disorders, relocation, reintegration, the difficult client and Internet issues in divorce.

## California

The AFCC California Chapter will host its Annual Conference, *The Rosetta Stone of Child Custody: The Bar, the Bench and Mental Health Experts Decoding Each Other's Philosophy and Practice*, February 8-10, 2008 at the Sheraton Delfina in Santa Monica. A wide range of lively and informative plenary topics include, *The Philosophic Divide in Move-Aways: Burgess, LaMusga and Beyond*, *Abduction Risk and Response*; *The Impact of Celebrity on the Lives of Children: Special Considerations or Special Treatment?*; and *Private Life, Public Parenting: Is a Parent's Sexual Behavior Relevant?*

Attendees will have the opportunity to choose from a dozen workshops. Featured speakers include Sanford Braver, Ph.D., Professor Scott Altman, Janet Johnston, Ph.D. and Kathy Kuehnle, Ph.D. AFCC Executive Director Peter Salem will moderate the opening plenary of the conference. In true California style, the conference will also offer great networking opportunities including a cocktail reception by the pool and dine-arounds at some of Santa Monica and West Los Angeles's best restaurants. Registration and more information is available at [www.afcc-ca.org](http://www.afcc-ca.org). For further information, contact Debbie Peacock at AFCC-SCA08@aol.com.

## Colorado

The AFCC Colorado Chapter received its Provisional Chapter Status in October 2006, and is well on the way to becoming a Chartered Chapter. The chapter's Board of Directors was elected after its inaugural event, *Breaking the Mold: Innovative Ideas in Family Law*, March 2, 2007 at the University of Denver Sturm College of Law. In April 2007, the Chapter's first Board of Directors meeting was held. Over the summer, the Board held a retreat to begin the development of plans for the next year. The Chapter will host four half-day workshops in 2008, bringing in local experts to discuss emerging research and professional issues in the field. Future plans include hosting events outside of Denver, to allow active participation of members statewide.

## New York

The AFCC New York Chapter is hosting its Annual Conference, December 7, 2007 at the City Bar of New York in Manhattan. The program is titled, *Will You Still Need Me When I'm 64: Meeting the Needs of Spouses and Families Leaving Long Term Marriages*, and features keynote speaker Dr. Xenia Montenegro, Project Director and Lead Research Analyst for AARP and author of *The Divorce Experience: A Study of Divorce At Mid-Life and Beyond*. The conference also features opening remarks by AFCC President Hon. William C. Fee and AFCC Executive Director Peter Salem. A networking wine and cheese reception will follow the program.

## Texas

The AFCC Texas Chapter held its Seventh Annual Conference, *Child Custody and Mental Health Professionals—Social Sciences on the Witness Stand*, October 5-6, 2007 in Austin. More than 100 mental health professionals, mediators, financial planners, lawyers, judges and parenting coordinators were in attendance. The conference examined the role of social sciences in family courts and covered topics ranging from cross-examination, report writing and review, ethical practices and standards, and professional expectations. Featured keynote speakers included Jonathan Gould, Ph.D., associate editor of the *Journal of Child Custody*, and Tim Tippins, J.D., a professor at Albany Law School. The Chapter's Eighth Annual Conference will take place during the first week of October 2008 at South Texas College of Law in Houston.

## AFCC Award Nominations

AFCC is seeking nominees for the following awards to be presented at AFCC's 45th Annual Conference in Vancouver, BC, Canada, May 28-31, 2008.

**John E. VanDuzer Distinguished Service Award:** Recognizes outstanding contributions and/or achievements by members of AFCC.

**Stanley Cohen Research Award:** Recognizes outstanding research and/or research achievements in the field of family and divorce.

**Irwin Cantor Innovative Program Award:** Recognizes innovation in court-connected or court-related programs. Nominations for this award should be for programs, not individuals.

If you would like to nominate someone for one of the awards, please email your nomination to AFCC care of David Vigliotta at [dvigliotta@afccnet.org](mailto:dvigliotta@afccnet.org). Please specify the award for which you are submitting a nomination. Include your name, address and phone number along with the same information for the nominee. Please include a statement of no more than 600 words as to why you believe the nominee is a good candidate for the award. The nomination deadline is March 15, 2008.

Electronic submissions in Word or WordPerfect are preferred. For further information on award criteria and nominating instructions, please visit the "Awards Committee" page on the AFCC Web site at [www.afccnet.org/about/awards\\_committee.asp](http://www.afccnet.org/about/awards_committee.asp).

## AFCC Board of Directors Nominations

The AFCC Nominating Committee is seeking the names of individuals to serve on the AFCC Board of Directors. Recommended individuals must be AFCC members and have an interest and knowledge of AFCC and its work.

Nominations must be received by January 15, 2008 in order to be considered by the committee prior to election at AFCC's 45th Annual Conference, May 28-31, 2008 in Vancouver, BC, Canada.

If you or another member you know is interested in serving on the AFCC Board of Directors, please forward name, contact information, resume and letter of intent to:

Mary M. Ferriter  
Chair, Nominating Committee  
c/o AFCC  
6525 Grand Teton Plaza  
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Fax: (608) 664-3751  
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## AFCC Baltimore Trainings in December

Joan B. Kelly, Ph.D. and Leslie M. Drozd, Ph.D. will present two outstanding programs this December in collaboration with the University of Baltimore School of Law's Center for Families, Children and the Courts in Baltimore, Maryland.

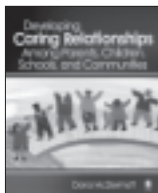
Dr. Kelly will present *Parenting Coordination: Helping High Conflict Parents Resolve Disputes*, December 3-4, 2007. Dr. Drozd will present *The Battle Between Abuse and Alienation: Assessment, Diagnosis and Interventions*, December 5-6, 2007.

Both trainings are recommended for all professionals who work with high conflict families. Each training is eligible for 13 hours of continuing education for psychologists and AFCC members receive a \$70 discount per training. Please register early, as last year's program in Baltimore sold out.

A block of rooms has been reserved at the Peabody Court Hotel, 612 Cathedral Street, Baltimore, in the name of the University of Baltimore School of Law. For reservations at the special rate of \$125 per night, please identify yourself with the University of Baltimore School of Law and call (410) 727-7101 or (800) 292-5500.

The training brochure, registration and more is available at [www.afccnet.org/training/](http://www.afccnet.org/training/). For additional information, please contact AFCC at [afcc@afccnet.org](mailto:afcc@afccnet.org) or (608) 664-3750.

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## In Memoriam

**Elizabeth O'Neill**, long time AFCC member from Fresno, California, passed away September 4, 2007. Elizabeth served on the AFCC Board of Directors from 1973-1984 and was intimately involved in the formation of the AFCC California Chapter.

Elizabeth, an alumnus of the University of California Berkeley School of Law in 1969, established the first Conciliation Court Office in Alameda County, California. Elizabeth worked on the behalf of children as a special master, arbitrator, mediator and evaluator in child custody and visitation. Her written reports were legendary in their use of language and her ability to ferret out the facts could equal that of Sherlock Holmes' efforts. On one occasion when Elizabeth had finished testifying on behalf of the custody evaluation she had prepared, the judge asked if the counsel would like to cross examine the witness. The counsel replied, "Your Honor, no, I would rather cross examine Mother Teresa!"

Before and after retirement, Elizabeth devoted herself to the causes of children and families. She received many honors and awards, and in 2006, on the 25th anniversary of mediation in the courts, she was honored by the Judicial Counsel, Administrative Office of the Courts, for her contribution to family mediation.

Elizabeth is survived by four of her five children, nine grandchildren and six great grandchildren. Her beloved husband William and daughter Nancy predeceased her.

At the service in her memory in September in Fresno, Hon. Steven J. Kane said, "She was always Elizabeth, gracious, caring, honest, courageous, smart and always a lady."

**Tony Wells**, AFCC member from the United Kingdom, passed away July 25, 2007 at age 77. Born in Berkshire, United Kingdom, Tony was an active AFCC member ensuring that opportunities for international training were fostered. During the last 30 years, Tony made an outstanding contribution to the reform of family law procedure and practice, to interdisciplinary co-operation in family proceedings and to the founding of the first family mediation service in the U.K. Tony served as director of the National Council for Family Proceedings from 1990-1997.

## Mark your Calendar!

### Advanced Issues in Parenting Coordination: Functional Co-parenting for High Conflict Families

**Presenter: Matthew J. Sullivan, Ph.D.**  
February 18-19, 2008  
Wyndham DFW Airport North  
Dallas/Irving, Texas

### The Battle Between Abuse and Alienation: Assessment, Diagnosis and Interventions

**Presenter: Leslie M. Drozd, Ph.D.**  
February 20-21, 2008  
Wyndham DFW Airport North  
Dallas/Irving, Texas



## AFCC Hosts Think Tank

*Continued from page 6*

Participants also grappled with the way child protection mediation and family group decision making processes could be integrated into an effective spectrum of child welfare decision making services. But, perhaps the most significant benefit of this process was the opportunity it provided for a group of passionate professionals to network and come together to learn from each other, to understand the many different ways that mediation and conferencing processes could be structured, and to build a supportive network for future collaboration.

This was very much a first step in what is to become an ongoing effort. The group created the beginning of a communication infrastructure and plans to hold further discussions in the future, including a meeting in conjunction with the AFCC 45th Annual Conference in Vancouver, Canada. The January 2009 *Family Court Review* will be devoted to child welfare conflict resolution and decision making. Hopefully these efforts will lead to a viable, ongoing forum for continued communication among child welfare mediation and family group conferencing programs, mediators, facilitators, and the community of stakeholders that participate in these efforts.

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**Special Thanks to the Family Service Association in Toronto!**

## New Requirements for Domestic Abuse Training

*Continued from page 7*

The specialized interdisciplinary training program for family mediators has received special recognition from AFCC as an exemplary program. AFCC member Bernie Mayer and Judy Mares Dixon of CDR Associations in Boulder, Colorado helped develop the training program and created the "train the trainer" component. AFCC member Jacqueline Hagerott, Dispute Resolution Section Director at the Supreme Court notes that, "The Domestic Abuse Issues training curriculum has been updated to include additional information about domestic violence and cultural competency."

To further address concerns about domestic abuse, the rule requires all court mediation programs to implement domestic violence screening procedures. AFCC Board member Dick Altman leads a work group developing screening tools and training for civil, probate and appellate mediators. "Looking for indicators of abuse, coercion and control in all cases provides important safeguards to Ohio citizens participating in a wide variety of mediation programs," Dick noted. He also said that the efforts of the Supreme Court staff and Advisory Committee on Dispute

Resolution over several years led to thoughtful development of the Rule and widespread acceptance of the changes by courts and practitioners.

The Rule also provides for participation by, "an attorney or other individual designated by an individual," as required by the Uniform Mediation Act. Finally, the Rule adopts the AFCC, ABA and ACR Model Standards for Family Mediators as the aspirational standards for family mediators in Ohio. Adoption of aspirational standards of conduct for mediators, safety protocols and procedures that encourage referrals to legal services for parties, including victims of domestic violence "enhance the rule significantly," says Judge Denise McColley, past president of AFCC. "The Supreme Court facilitated the shift from a 'bare bones' training and qualifications rule to a comprehensive rule developed with input and approval from key stakeholders."

Supreme Court Advisory Committee member Tom Weeks, Director of Ohio State Legal Services, also sees the changes as "a tremendous accomplishment." Tom supervises legal aid offices in nine Ohio Counties. Tom remarked, "For the Supreme Court to support a thoughtful approach to development and implementation of comprehensive guidelines that will protect victims in call mediation programs is a great step forward in recognizing the realities of domestic abuse that litigants in all of Ohio's courts face."

## Annual Appeal Update from the Resource Development Committee

AFCC needs your help to keep pace with the demand of AFCC's scholarship program. In the past year, more than one hundred family court professionals applied for scholarships to attend AFCC conferences. Applications were received from 21 states and 9 countries outside North America including Ethiopia, Jamaica, India, Trinidad and Tobago, New Zealand, Nigeria, Singapore and the Philippines.

The scholarship program strives to increase the number of scholarships given each year. With your support, we can continue to designate more scholarships for international professionals, graduate students, local

professionals and others that share your passion for helping children and families. Your support will make it possible for more professionals to learn, network and bring the latest advancements in family law and dispute resolution back to their communities.

AFCC is asking for your help to continue to develop the initiatives of the Resource Development Fund by making a contribution today. Donations can be mailed to the AFCC office by completing the form below or can be submitted online at [www.afccnet.org/about/committees.asp](http://www.afccnet.org/about/committees.asp) and clicking the "Resource Development Committee" link.

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## Upcoming AFCC Conferences and Trainings

### AFCC Trainings

**Advanced Issues in Parenting Coordination: Functional Co-parenting for High Conflict Families**

*Presenter:*

*Matthew J. Sullivan, Ph.D.*

February 18-19, 2008

Wyndham DFW Airport North  
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**The Battle Between Abuse and Alienation: Assessment, Diagnosis and Interventions**

*Presenter: Leslie M. Drozd, Ph.D.*

February 20-21, 2008

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### AFCC Conferences

**AFCC 45th Annual Conference**

May 28-31, 2008

Westin Bayshore Resort  
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[www.afccnet.org](http://www.afccnet.org)

**AFCC Eighth International Symposium on Child Custody Evaluations**

September 25-27, 2008

Albuquerque Marriott  
Albuquerque, New Mexico

**AFCC Eighth International Congress on Parent Education and Access Programs**

September 26-27, 2008

Albuquerque Marriott  
Albuquerque, New Mexico

### AFCC Chapter Conferences

**New York AFCC Annual Chapter Conference**

December 7, 2007

City Bar Association  
New York, NY  
[www.afccny.org](http://www.afccny.org)

**Arizona AFCC Annual Chapter Conference**

February 8-10, 2008

Hilton Sedona Hotel & Spa  
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**California AFCC Annual Chapter Conference**

February 8-10, 2008

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