



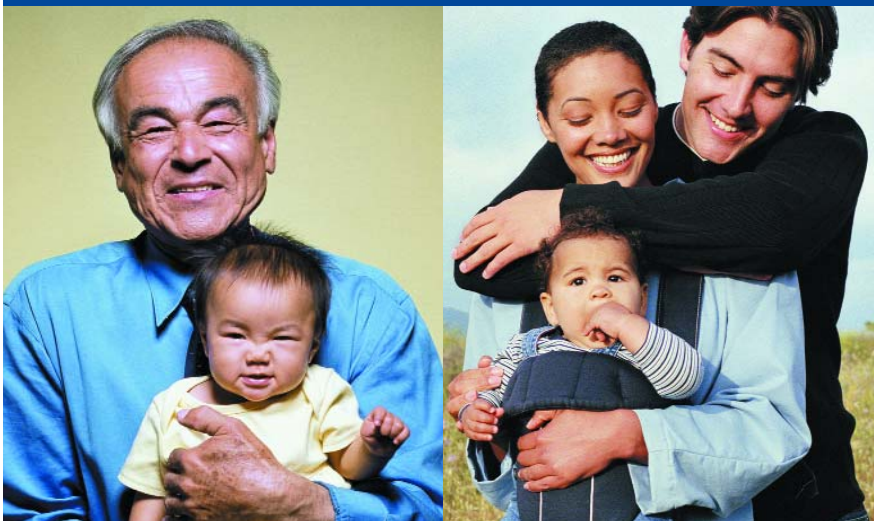
FOUNDED IN 1963

AFCC NEWS

ASSOCIATION OF FAMILY AND CONCILIATION COURTS

Volume 26, Number 2

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AFCC and NCJFCJ Cosponsor Wingspread Think Tank on Domestic Violence and Family Courts

*by B. L. Dunford-Jackson, Co-Director, Family
Violence Department, NCJFCJ and Peter
Salem, AFCC Executive Director*

Family court judges, lawyers, domestic violence advocates, social science and legal scholars, court administrators and psychologists were among the nearly 40 participants (see page 9) who attended a Think Tank on Domestic Violence and Family Courts, cosponsored by AFCC and the National Council of Juvenile and Family Court Judges (NCJFCJ) on February 15-17, 2007 at the Johnson Foundations' Wingspread Conference Center in Racine, Wisconsin.

Participants spent two days addressing critical issues raised by the growing awareness that not all uses of violence in intimate relationships are the same. It has been widely acknowledged that domestic violence varies according to the motivation of the abusing partner; the significance of the violence to the victim and other members of the household; whether or not the violence is likely to recur; and whether it is likely to be accompanied by controlling or manipulative behaviors.

However, state laws generally treat all uses of violence in these relationships the same, interventions are often one-size-fits-all, and the implications of these differences for custody and visitation decisions in family court remain largely unexplored. Moreover, various interest groups often send conflicting messages about appropriate interventions and outcomes in these cases, so that direct service providers who work with families where domestic abuse has been alleged or identified may be furnished

www.afccnet.org

continued on page 9



**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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President's Message

Organizations are inherently complex entities, encompassing multiple relationships of a professional, personal and political nature. Being an international nonprofit membership association adds additional layers of complexity, as the organization combines members, active volunteers, committee chairs, leadership, consultants and staff from all corners of the globe. Throw in the fact that AFCC membership brings together representatives of more than a dozen disciplines – many of whom communicate in different professional vernacular – and it is pretty amazing we can communicate effectively with one another, much less achieve the significant outcomes that we do.

It is always a challenge to work on behalf of an entity as potentially unwieldy as AFCC but it certainly is stimulating to try to do so in concert with multiple other, equally complex organizations. To effectively merge organizational cultures, policies and personalities and work in sync with another organization is truly a collaborative event. Collaboration is defined as the act of working together with one or more people in order to achieve something; to participate or assist in a joint effort to accomplish an end; and to cooperate with an agency or instrumentality with which one is not immediately connected.

Over the last several years, that is exactly where AFCC

has focused its efforts and if I do say so myself, AFCC now specializes in collaborations.

It is a time-consuming ambition for all involved. For the AFCC President, these collaborations mean spending time on the important relationships with our colleagues from other organizations, sometimes following up on work begun by predecessors, other times planting seeds that will benefit others in the future. It means traversing the country to attend meetings and participating in conference calls to address both the big picture and myriad details necessary to move initiatives forward. For the AFCC staff, it often means deviating from the standard work plan and identifying and incorporating procedures of other organizations into the mix, incorporating other logos, sharing administrative responsibilities and merging work styles.

So given all the time and headaches involved, why do we do it? Because the investment is worth the effort. For

AFCC members, these collaborations mean a richer, broader and deeper experience. These collaborations mean that AFCC is not only able to provide you with more ideas and information, but that AFCC is able to contribute in a meaningful way to improving the future for professionals and families.

Courtesy of our collaboration with Hofstra Law School and Blackwell Publishing, AFCC members have access to the *Family Court Review (FCR)*. Most AFCC members are probably not aware that Hofstra is not simply the home of Andy Schepard, *FCR* editor, but that the journal is staffed by 36 law students and Hofstra administrative staff. Hofstra Law School is also a full cosponsor of the Family Law Education Reform Project, hosting one of the think tanks and providing significant administrative support.

The hallmark of my tenure as President of AFCC is the recent Wingspread Conference, which was a think tank on Family Courts and Domestic Violence that was sponsored by AFCC and the National Council of Juvenile and Family Court Judges (NCJFCJ). For three days in the frigid cold of Racine, Wisconsin, 37 participants (a virtual who's who in the world of domestic violence research, advocacy and practice) braved the temperature outside to warm up to the sometimes heated, but always respectful, and very productive discussions inside. What was apparent at the end was that there was a true melding of ideas and thoughts, maybe not consensus on every point, but a commitment to continue the discussions. My hope is that we have just begun laying the foundation for future dialogues and collaborations so that children and families will have better outcomes.

AFCC's work with the NCJFCJ is not just limited to the Family Courts and Domestic Violence Project with the Family Violence Department. We are currently working in partnership with each of the three major NCJFCJ departments. AFCC is cosponsoring the Fall Regional Training Conference in Columbus with the Juvenile and Family Law Department. We are also working with the Permanency Planning Department and others on developing a dependency mediation project.

For the last four years, AFCC members have had access to training programs in Baltimore, Chicago, New Orleans and Tampa on parenting coordination, child custody issues, custody evaluations and other important topics. These would not have been possible without our partners at the University of Baltimore School of Law, Loyola University Law School of Chicago and New



Mary M. Ferriter
AFCC President
Boston, Massachusetts

Over the last several years, that is exactly where AFCC has focused its efforts and if I do say so myself, AFCC now specializes in collaborations.

continued on page 15

MEMBER PROFILE

AFCC Member, Hon. William Jones



Hon. William Jones
Charlotte, North Carolina

Hon. William Jones (ret.), AFCC Member from Charlotte, North Carolina, retired as Chief District Court Judge after 25 years on the bench in Charlotte, where he was instrumental in improving the quality of services provided to litigants in family and juvenile courts. He is a longtime AFCC member and is currently serving as a consultant to the Children's Bureau's National Resource Center on Legal and Judicial Issues at the ABA Cen-

ter on Children and the Law. He is also the Accountability Agent for Fulton County, Georgia, requiring improved representation for abused and neglected children and a member of the Los Angeles County Katie A. Panel, which monitors compliance with the settlement agreement in that case. Judge Jones was a member of the AFCC Task Force on Parenting Coordination and a participant in the Wing-spread Think Tank on Domestic Violence and Family Courts.

What are the biggest changes in our field that you have observed since you began your career?

I think the biggest challenges for courts and judges have been in family law, including child abuse and neglect and domestic violence. More specifically, we must respond to the ever-increasing volume and complexity of these cases. Designing and implementing family courts that are tailored to the needs of each jurisdiction, responding appropriately to the enormous expansion of pro se litigants and developing problem solving approaches to family law cases. These include the one judge/one family model; drug treatment courts; mental health courts; expert testimony regarding the best interests of children and other issues that require expert analysis; and alternative dispute resolution processes that protect against domestic violence and other forms of coercion, including mediation, collaborative law, judicial settlement conferences, parenting coordination, parent education, domestic violence interventions and self-serve centers for unrepresented litigants.

What trends do you anticipate in the future with family dispute resolution processes, such as collaborative law, mediation, parenting coordination and custody evaluations?

As the volume of cases continues to grow, the quality of our resources for intervening in families and supporting the transitions they experience becomes even more critical and

must continue to improve. These particular resources, however, are currently available to only well-heeled litigants. New methods must be found to make these processes accessible for the poor and the unrepresented.

What trends in post-separation and post-divorce parenting do you anticipate in the future?

I'd like to think that all courts hearing family law cases would evolve along the lines described above, by establishing best practices, as opposed to continuing to decide these cases in more traditional ways.

What aspect of your work have you enjoyed the most?

Designing and implementing new and improved models for family law judges to resolve the cases that come before them.

How did you first learn about AFCC?

From mental health professionals in my community who were members and who touted its merit.

What keeps you involved with AFCC?

The products it generates, the innovations of its members and the pleasure of their company.

What has AFCC meant to your career?

It has expanded my knowledge of how courts and judges can improve practice and opened my eyes to a wide range of topics that enhanced outcomes for the litigants who appeared before me. In other words, my association with AFCC made me a better judge and resulted in improved practice in the courts for which I was responsible.

My association with AFCC made me a better judge and resulted in improved practice in the courts for which I was responsible.

GLOBAL ISSUES

Children Beyond Dispute: A Prospective Study of Outcomes from Child Focused and Child Inclusive Post-Separation Family Dispute Resolution

by **Jennifer E. McIntosh, Ph.D. and Caroline M. Long, M.A.**

Victoria, Australia

This is Part II of a two-part article. Part I of this article was published in the Winter 2007 issue of AFCC NEWS. AFCC members can access this issue along with archives dating back to the Fall of 2001 in PDF format by logging onto the Member Center on the AFCC Web site at www.afccnet.org.

Children Beyond Dispute was funded by the Australian Government Attorney-General's Department, and conducted through a collaboration between Family Transitions, Relationships Australia and La Trobe University, Victoria, Australia. The report explores the outcomes for two groups of families using two different types of mediation—child focused mediation and child inclusive mediation.

Two hundred and seventy-five parents took part in the study (142 families). They reported on 364 children, and 193 of those children, aged 5-16 years, also participated directly in the research. No significant differences were found between the two treatment groups on demographic variables. A good retention rate of 75% over the year occurred for children and 83% for parents.

The Child Focused intervention prioritized the psychological and relational elements of parents' separation, and the making of parenting arrangements that would best support the developmental needs of the children. Children were not seen for the purposes of the mediation. The average length of time spent with both parents in this intervention, including intake, was 5.1 hours.

The Child Inclusive intervention shared the same intent and approach, but also involved a brief direct assessment of children's experiences of the separation and of their relationships with each parent. The children's material was carefully formulated and considered with parents, and core themes incorporated into their negotiations. The average duration of this intervention with parents, including intake and feedback of the children's material, was 6.2 hours, plus a separate 1.5 hours with children. Extensive repeated measures of data were collected from parents and children prior to mediation commencing, and then again three and twelve months after the conclusion of mediation.

Children's mental health outcomes

Children's overall mental health tended to improve over the year after intervention, although 21% of children remained in the clinical range, in contrast to about 15% in the general population. The combination of factors that best accounted for children's poor mental health outcomes over the year were their father's low education, high parental conflict, shared care and the experience of poor emotional

availability in their mother. The findings suggest that the children whose emotional health suffered most were those for whom shared care posed a developmental risk; namely younger children whose parents remained in high conflict, with poor cooperation and regard for each other, and where a poor relationship between mother and child was mutually reported.

Characteristics of poor progress

Both treatments had less success with long-term high conflict cases and parents with serious mental health issues. Findings support a careful screening of the entrenched and high conflict spectrum, aiming to divert parents in extreme conflict into tailored, longer-term therapeutic interventions with the family. The data suggest a strong need for close screening of personality and prodromal mental health symptoms at intake. Findings overall support inclusion criteria for both interventions that are *capacity* based, i.e. based around the ability of a parent to usefully participate and consider alternate and at times ego-dystonic information, rather than adhering to criteria based on the presence or absence of specific *issues*.

Implications for targeting the Child Inclusive intervention

The Child Inclusive intervention showed a differential capacity to bring about more durable and workable agreements with parents presenting with low alliances, or poor mutual regard and cooperation, than did the Child Focused intervention. Parents presenting with undamaged or adequate alliances reported similar levels of progress across the two groups.

Conclusion

While both the Child Focused and Child Inclusive dispute resolution interventions led to reduction in parental conflict, findings of this study suggest an enduring level of relationship repair unique to the Child Inclusive approach.

Significant changes in the quality of dyadic relationships were evident across the year, between former partners, and between each parent and their child/ren. From the children's perspective, the Child Inclusive intervention was associated with closer relationships with their fathers, and more emotionally available care from their mothers. In this light, the data point to the potential of the Child Inclusive intervention to target the crucial public health issue of children's emotional well-being post-separation, through a consequent effect of improved parental relationships.

continued on page 6

AFCC in Columbus for Regional Training Conference

Join AFCC for the second Regional Training Conference, *Applications for High Conflict Families, Domestic Violence and Alienation*, September 27-29, 2007 in Columbus, Ohio. The conference is cosponsored by the National Council of Juvenile and Family Court Judges (NCJFCJ) and will showcase the new expanded training track format AFCC offered in 2005 in Breckenridge, Colorado.

Three full days of program tracks are designed for judges, mediators, custody evaluators, lawyers and parenting coordinators. Participants can sign up for a full track or mix and match the sessions that are of most interest. The program begins with pre-conference institutes on Thursday, September 27, and continues with 3-hour sessions on Friday and Saturday, September 28-29.

The conference will take place at the Hyatt Regency in downtown Columbus, which is offering participants the special rate of \$131 per night for a single or double room. Port Columbus International Airport is only 10 minutes from the Hyatt.

For the latest information on AFCC's Regional Training Conference, keep an eye on the AFCC Web site at www.afccnet.org and in the *AFCC eNEWS*.

Do you know Columbus?

- Ohio's capital and the 15th largest city in the U.S.
- Jack Nicklaus Museum
- Downtown's Theater Row
- The Brewery District and German Village
- Columbus Zoo and Aquarium
- National Hockey League's Columbus Blue Jackets
- Major League Soccer's Columbus Crew
- Home to the Ohio State University Buckeyes

New York Chief Judge Announces First Collaborative Family Law Center

New York Chief Judge Judith S. Kaye announced plans to establish the nation's first court-based Collaborative Family Law Center in downtown Manhattan this year. Chief Judge Kaye made the announcement in her annual address on the judiciary, where she explained the current system involves, "too much money, too much delay, too much agony."

AFCC member Hon. Jacqueline W. Silberman, deputy chief administrative judge for matrimonial matters, said that the state's embrace of the process would mean, "we will have court oversight of the collaborative law center, and very importantly, we will be providing lawyers for people who can't afford lawyers to represent them."

The center will offer training for attorneys, provide space for participants and connect families with professional services such as child development specialists, financial services, mental health services and substance abuse treatment. The project is intended to make divorce faster and less costly for couples who want amicable settlements.

Chief Judge Kaye's announcement was made following the submission of a report by the New York Matrimonial Commission, chaired by AFCC member Hon. Sondra Miller. The Commission was established in January 2004 to examine every facet of the divorce process in New York and recommend reforms to correct existing problems.

Judge Kaye's complete 2007 State of the Judiciary report can be found at www.nycourts.gov/admin/stateofjudiciary/soj2007.pdf. More information on the Matrimonial Commission, including the commission's report to Chief Judge Kaye, can be found on the New York State Unified Court System's Web site at www.courts.state.ny.us/ip/matrimonial-commission/.

Children Beyond Dispute

continued from page 5

The data also point to the importance of the developmental and relationship context around care and contact arrangements. In keeping with other findings in this study, the data suggest that substantially shared care is an arrangement best determined by the capacity of parents to exercise maturity, to cooperate and to embrace the developmental needs of their children, and to provide each child with emotionally available parenting in a climate of low conflict.

In all, this research provides evidence to support the further development and application of Child Inclusive,

therapeutically oriented mediation. The method offered separated families a significant level of repair to the parental relationship, and to children's sense of their parents' availability, and produced developmentally sensitive agreements, with which parents and children remained more content, over the year since mediation.

It is important to note, however, that the findings of this study cannot be generalized to other models of Child Inclusive mediation, and careful guidelines around training and practice competency are necessary to ensure the ongoing fidelity of this intervention.

The entire 146-page report of *Children Beyond Dispute* can be accessed at www.ag.gov.au/.

AAML Minnesota Chapter Implementing Goals of the Family Law Education Reform Project

by Gary A. Debele, Esq.

The Minnesota Chapter of the American Academy of Matrimonial Lawyers, Minneapolis, Minnesota

AFCC and Hofstra University School of Law Center for Children, Families and the Law created the Family Law Education Reform Project (FLER) to systematically address the gap between the teaching and practice of family law. The Minnesota Chapter of the American Academy of Matrimonial Lawyers (AAML-MN) has created a Problem Solving Committee that is focusing its efforts on advancing a problem-solving approach to dealing with family law matters that are advocated by the FLER project.

The Problem Solving Committee intends to work toward implementing a problem-solving approach to family law not only among family law attorneys and judicial officers, but at the law schools in Minnesota, and ultimately, the community at large. The committee hopes to access online modules developed by the project that would assist in teaching law students and practitioners how to implement a problem-solving approach in their education and practice.

Thus far, the Problem Solving Committee has established contact with law schools in Minnesota to not only emphasize the existence of FLER, but to offer the assistance of AAML-MN members the help to develop programs that could further the goals of the FLER. Several creative programs are already being developed in conjunction with family law and ADR professors at two law schools in Minnesota, and AAML-MN members will be involved in those programs.

In addition to the work with the law schools and the annual continuing education seminar, the committee is also putting together some presentations for various community groups that will advocate a problem-solving approach to resolving family law issues in the broader community. The Problem Solving Committee looks forward to a constructive working relationship with AFCC on furthering the goals of the FLER.

AFCC members can access a special issue on the FLER project in the October 2006 *Family Court Review* by logging onto the Member Center on the AFCC Web site at www.afccnet.org and clicking "Family Court Review." The issue features the Final Report of the project, along with commentary, questions and analysis raised by prominent scholars and practitioners.

Upcoming AFCC Trainings and Conferences

AFCC Trainings

Parenting Coordination: Helping High Conflict Parents Resolve Disputes

Featuring: *Joan B. Kelly, Ph.D*

June 18-19, 2007

Loyola Law Center

Chicago, Illinois

www.afccnet.org

Advanced Issues for Family Mediators: Beyond the Forty-Hour Training

Featuring: *Christine A. Coates, M.Ed., J.D.*

June 20-21, 2007

Loyola Law Center

Chicago, Illinois

www.afccnet.org

AFCC Conferences

AFCC 44th Annual Conference

May 30-June 2, 2007

Capital Hilton

Washington, D.C.

www.afccnet.org

AFCC Regional Training Conference

September 27-29, 2007

Hyatt Regency

Columbus, Ohio

www.afccnet.org

AFCC 45th Annual Conference

May 28-31, 2008

Westin Bayshore Resort

Vancouver, BC, Canada

www.afccnet.org

AFCC Chapter Conferences

Texas AFCC Annual Chapter Conference

October 5-6, 2007

Doubletree Hotel

Austin, Texas

www.texasafcc.org

Florida AFCC Annual Chapter Conference

November 2-3, 2007

Wyndham Hotel

Orlando, Florida

www.flafcc.org

The Resolution Approach to Family Law – Improving the Practice of English (and Welsh) Family Lawyers

by Karen Mackay, Chief Executive, Resolution
Kent, England

In the early 1980s, family law in the U.K. was treated as a branch of civil litigation. Family cases were pursued with the aggression of a contract dispute with scant regard for the impact on family relationships. Family law, like many other branches of law, was not recognized as a specialist area.

A handful of lawyers had grown increasingly concerned about the confrontational conduct of family cases. In December 1982, those lawyers met to talk about better ways to conduct family cases and the Solicitors Family Law Association (SFLA) was born. The first task the newly formed association took on was drafting a Code of Practice for family lawyers. The Code emphasized encouraging a constructive, non-confrontational approach to resolving family disputes.

The Code was designed as a statement of good practice that family lawyers should follow. It set out, amongst other things, the need to encourage clients to put the interests of their children first, not to regard family disputes as a contest in which there are winners and losers and encouraged solicitors to keep finance and children matters separate.

The Code has been the foundation of Resolution (as SFLA was renamed in 2005) since its inception 24 years ago. At first a lobbying group of emerging specialist family lawyers, it is now an association of over 5,000 lawyers. In that time, the culture of family law in England and Wales has dramatically shifted from gladiatorial battle to a more managed process in which a more positive resolution of family breakdown is promoted.

Resolution has pioneered new approaches to family law in England and Wales (Scotland and Northern Ireland being separate jurisdictions in the U.K.). Members are required to abide by the Code of Practice, which can be viewed at www.resolution.org.uk. The Code has since become the industry standard for family lawyers. The Law Society incorporated the Code into their Family Law Protocol, effectively making it the good practice standard for all family lawyers.

To ensure the Code is a living document to which members adhere, Resolution offers training in working to the Code and enforces it through a complaints procedure over and above that which the Law Society operates, whereby complaints are accepted from anyone involved in the proceedings where they believe a Resolution member has breached the Code. Judges and others in the family justice system are being consulted about how to ensure compliance with the Code.

As well as trying to improve the skills and understanding of family lawyers to improve family dispute resolution through traditional methods, Resolution has also developed and embraced new ways of promoting constructive, non-adversarial solutions to family breakdown. Mediation was introduced in the U.K. for family law over twenty years

ago—largely provided by non-lawyers. Over ten years ago, Resolution started training and accrediting mediators and now has around 250 mediator members. Resolution members are actively encouraged to refer clients to mediation.

Resolution has also embraced the development of collaborative family practice. A number of Resolution members became familiar with collaborative practice through contacts in the U.S. and brought over Pauline Tesler to train the first English collaborative lawyers over two-and-a-half years ago. Enthusiasm for the collaborative model grew quickly and Resolution was approached to manage and develop collaborative training in England and Wales. Resolution has now trained over 900 collaborative family lawyers and has developed its own trainers and training courses. Resolution also developed a training and accreditation process for financial advisers who support the collaborative process and are exploring training and accreditation for family coaches and for other professionals who support the collaborative process. The first European conference on collaborative family law took place recently in Vienna, and England and Wales were the largest contingent at that conference.

Resolution is also exploring the use of other ADR methods for family disputes, including the development of

continued on page 13

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Wingspread Think Tank on Domestic Violence and Family Courts

continued from page 1

contradictory information.

Until this Think Tank, there had been no large-scale gathering of the disparate views of many relevant professions, and no attempt to resolve differences in ways that will improve system outcomes for families afflicted by these problems. AFCC and NCJFCJ invited participants specifically to consider the different uses of violence in interpersonal relationships and how to assess cases accurately; what interventions might prove effective in the various kinds of cases; and what outcomes, especially regarding custody and visitation decisions, are appropriate for each.

Participants heard a summary of the research literature and spent significant time working in small multidisciplinary groups. As a result, several working groups emerged that intend to continue their work beyond Wingspread:

- A terminology group will work toward identifying and resolving differences in use of language among the various professional groups to help fashion a common understanding of the terms of art that practitioners use.
- A screening group will assess various screening instruments and attendant processes for their subtlety, cultural intelligence and sensitivity to dangerousness in the cases to which they are applied.
- A cultural group will work on heightening the cultural sensibility of professionals working with families suffering interpersonal violence
- An education group will focus on improved legal and other continuing education on these issues.
- An outcomes group will attempt to distinguish appropriate custody and visitation results from these various cases.

While there was significant consensus around important issues and, in fact, the participants concluded the meeting by fashioning an encouragingly comprehensive statement of concurrence, the Wingspread meeting was a first step in a long-term and collaborative effort to be facilitated by AFCC and NCJFCJ. All participants committed to continue working together, with the ultimate goal that each family suffering intimate violence will receive the safest and most effective interventions and be able to achieve custody and visitation outcomes that best protect family members and meet the needs of children.

Wingspread Think Tank on Domestic Violence and Family Courts Participants

Planning Committee:

Hon. Karen Adam, Tucson, AZ
Hon. Susan B. Carbon, Plymouth, NH
Billie Lee Dunford-Jackson, J.D., Reno, NV
Mary Ferriter, J.D., Boston, MA
Loretta Frederick, J.D., Winona, MN
Janet R. Johnston, Ph.D., San Jose, CA
Hon. William G. Jones (ret.), Charlotte, NC
Peter Salem, M.A., Madison, WI
Hon. Hugh Starnes, Fort Myers, FL

Facilitators:

Bernard Mayer, Ph.D., Kingsville, ON, Canada
Lonnie Weiss, Philadelphia, PA

Reporters:

Clare Dalton, J.D., Boston, MA
Nancy Ver Steegh, MSW, J.D., St. Paul, MN

Participants:

Hon. Carl Ashley, Milwaukee, WI
Daniel Bloom, J.D., Atlanta, GA
Hon. George Czutrin, Hamilton, ON, Canada
Firoza Chic Dabby-Chinoy, San Francisco, CA
Robin Deutsch, Ph.D., Boston, MA
Richard Ducote, J.D., Pittsburg, PA
Desmond Ellis, Ph.D., Toronto, ON, Canada
Hon. William Fee, Angola, IN
Richard Gelles, Ph.D., Philadelphia, PA
Susan Hanks, Ph.D., Oakland, CA
Hon. Scott Jordan (ret.), Reno, NV
Joan B. Kelly, Ph.D., Corta Madera, CA
Kristin Koeffler, M.S., Janesville, WI
Lorraine Martin, MSW, Toronto, ON, Canada
Nadine Neufville, J.D., Washington, D.C.
Jeremy Nevilles-Sorrell, Duluth, MN
Kelly Browe Olson, J.D., LL.M., Little Rock, AR
Hon Victor Reyes, Pueblo, CO
Hon. Arline Rotman (ret.), Norwich, VT
Robin Runge, J.D., Washington, D.C.
Andrew Schepard, J.D., Hempstead, NY
Maureen Sheeran, Reno, NV
Sujata Warriar, Ph.D., Bloomfield, NJ
Hon. Frances Wong, Honolulu, HI

Arizona Superior Court Announces Night and Saturday Hours

Lights in Superior Court will burn into the evening, as Family Court and Juvenile Court proceedings at the Judicial Branch of Arizona in Maricopa County in Phoenix, Arizona move to Night Court. There will also be Saturday Court under an innovative plan of scheduling court hearings at non-traditional times to better serve court customers.

The first night session rolled out in January and the first Saturday court session began in February. Family Court hearings for Night and Saturday Court will be primarily scheduled only at the request of litigants, unless the court needs to schedule additional matters to better utilize court resources. Juvenile Court is setting hearings without a request from individuals who are parties in the case.

AFCC member and Presiding Family Court Judge Norman Davis said, "The purpose of moving proceedings into the evening and on weekends, is to provide people who work, attend school and have other demands during the day with a timely and more convenient alternative to resolve their pending cases, without adding undue financial and emotional stress to the parents and children from

daytime conflicts."

Twelve programs will be available for Family Court litigants including: decree on demand; support modification; support enforcement; parenting time enforcement; hearings on orders of assignment; hearings on pending orders of protection (new and after-hour emergency orders of protection will continue to be issued as in the past); parenting conferences; mediation; early resolution conferences; Self-Service Center; and educational seminars.

Juvenile Court proceedings will be set for guardianship decisions, emancipation injunctions and private adoptions. There will be no delinquency, dependency or severance matters heard during the extended hour calendars. However, the court is reviewing the possibility of delinquency proceedings beginning sometime after July 1, 2007. There will be no walk-in services provided during extended hours.

Judges who have volunteered for Saturday Family Court duty include AFCC members Hon. Eddward Ballinger and Hon. John Rea.

In Memoriam

Inger Sagatun-Edwards, wife of longtime AFCC member Hon. Leonard Edwards (ret.), passed away in April 2007 due to fast-moving pancreatic cancer diagnosed less than three months ago.

For nearly four decades, as professor and researcher and college dean, she had used her San Jose campus as a hatchery for ideas to make the world a better place. It was through her recent efforts as dean to connect the university with community agencies dealing with social welfare and domestic violence that Inger may be best remembered. In 2004-2005, she was awarded the President's Scholar Award at San Jose State—one of the highest scholastic commendations.

Inger is survived by Len; her son, Erik; daughter-in-law, Susan; grandson, William; two sisters, Astrid and Solveig in Norway; and brother Knut in Norway.

AFCC Trainings in Chicago

AFCC is offering two training programs for professionals that work with high-conflict families in June at the Loyola Law Center in Chicago, Illinois.

Joan B. Kelly, Ph.D., will present *Parenting Coordination: Helping High Conflict Parents Resolve Disputes*, June 18-19, 2007 and Christine A. Coates, M.Ed., J.D., will present *Advanced Issues for Family Mediators: Beyond the Forty-Hour Training*, June 20-21, 2007.

Each training program is eligible for 12 CE hours for psychologists and both trainings are pending approval by the Illinois MCLE Board for 12 CLE credits. AFCC members receive a \$65 discount per training.

A block of rooms has been secured at the Seneca Hotel & Suites (www.senecahotel.com), just a block from Michigan Avenue in Chicago's Magnificent Mile district. The hotel is less than a five minute walk from the Loyola Law Center. For reservations, call (800) 800-6261 and ask for the special rate of \$179 for a Deluxe Suite with King bed or \$199 for a Deluxe Suite with 2 Queen beds per night. Please secure your hotel reservations today, as the hotel may sell out.

Please view the program brochure for more information at www.afccnet.org/training or contact AFCC at afcc@afcc-net.org or (608) 664-3750.

Does AFCC Have Your Email?



Top Ten Reasons to Send us your Email Address

AFCC eNEWS: AFCC's bi-monthly e-newsletter features the most up-to-date interdisciplinary topics on new research, case law updates, international news and more.

Immediate Information: AFCC sends email announcements to members on time-sensitive material, such as hotel rooms selling out soon and early bird registration.

Family Court Review E-Alerts: Opportunity to sign up to receive an email when the latest issue of *Family Court Review* publishes electronically. Issues generally publish online at least two weeks before they are published in print.

Online Member Directory: An interdisciplinary and international rolodex of more than 3,000 colleagues is available at your fingertips. Make sure your email address is listed so your friends and colleagues can easily get in touch with you.

AFCC Parenting Coordination Network: Group email networking list for AFCC members to connect with each other, ask questions, share techniques and referrals and learn more about parenting coordination.

Free AFCC Membership: Each year a drawing is held among all members with emails in our membership database. If AFCC has your email address, you are eligible for a free AFCC membership.

The Wave of the Future: Help AFCC use electronic communication to become a more efficient and effective organization.

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If you think we have your email address but you are not receiving emails from us, it may be because you use spam filters to protect your inbox. If this is the case, please take a moment and add AFCC's email address (afcc@afccnet.org) to your email address book or spam software whitelist. This will help ensure that you receive the *AFCC eNEWS* and important messages from AFCC.

AFCC members Write On

Emily Douglas, AFCC member from Bridgewater, Massachusetts, has authored *Mending Broken Families: Social Policies for Divorced Families—How Effective Are They?* Published by Rowman & Littlefield, the book traces the history of divorce law, mediation, divorce education, parenting plans, and custody laws in the United States.

Michael Green, AFCC member from Newton, NSW, Australia, has co-authored *Shared Parenting: Raising your Children Cooperatively after Separation* published by Finch Publishing. The book offers sample parenting plans for various types of separated families.

Isolina Ricci, AFCC member from Tiburon, California, is pleased to announce that Simon & Schuster has translated *Mom's House, Dad's House* in Thai. This updated classic is in its 45th printing and has informed and inspired parents and families for nearly three decades.

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.

AFCC Member News

Hon. Marietta M. Shipley (ret.), AFCC member from Nashville, Tennessee, recently opened the Mediation Group of Tennessee, LLC. The group is devoted exclusively to mediation, arbitration and consultation services. More information can be found at www.themediationgroup Tenn.com.

Sample ADR Rules Online

One of the most important tasks a court must undertake in the creation of an ADR program is to write rules for it that are clear, unambiguous and thorough. To help courts with this process, the Center for Analysis of Alternative Dispute Resolution Systems (CAADRS), with the support of a JAMS Foundation grant, has identified good rules governing ADR programs in the courts. The rules come from state and federal courts for programs for civil, family, child dependency, probate, bankruptcy, and appellate cases. They cover mediation, arbitration, early neutral evaluation, summary jury trials, and other processes. The rules are to be used as samples only and can be accessed on the CAADRS Web site at www.caadrs.org/SampleRules&-Forms/SampleRules.htm.

AFCC Chapter News

California

The AFCC California Chapter hosted a successful Annual Conference, February 9-11, 2007, at the Mark Hopkins Hotel in San Francisco. More than 275 attendees participated in the conference and presenters traveled from as far as the east coast and Canada. Plenary session and workshop topics included equal time-share presumptions, considering children's voices in family law, father's involvement in parenting, other perspectives on domestic violence and more. The California Chapter will host its next Annual Conference in Santa Monica at the Sheraton Hotel, February 8-10, 2008.

Florida

The AFCC Florida Chapter, under the leadership of Hon. Raymond McNeal (ret.), is actively working on its Annual Conference, *Moving from Conflict to Harmony: A Medley of Opportunity*, November 2-3, 2007 in Orlando, Florida. The keynote speaker will be Andrew Thomas, who will address the power of forgiveness. Since 1979, Mr. Thomas has held the position of Executive Director of the Center for Dispute Settlement in New York. Over the past twenty years, he has participated in a number of mediations as well as trained hundreds of others to be mediators. He has served on many task forces, committees and training sessions to assist others in the field of dispute resolution, thus advancing its use in New York as well as across the country.

The Florida Chapter continues to sponsor the Florida Organizational Collaborative Initiative (FOCI). FOCI is a group of state agencies and organizations that seek to educate ourselves on common concerns and projects in an effort to be better informed and organized about issues concerning families. The group meets quarterly in Tampa, Florida. The chapter is also continuing the development of a multidisciplinary group on proposed ethical guidelines for parenting coordination. Linda Fieldstone, Debra Carter and Alice Blackwell-White will present the first draft at the AFCC 44th Annual Conference in Washington, D.C.

Massachusetts

The AFCC Massachusetts Chapter would like to thank Linda Fidnick for her dedicated and motivating 18 months of service as President. The chapter welcomes Kathleen Townsend as President, Alexander D. Jones as President Elect, Ruth Whitney as Secretary and Lesley Goldsmith continues as Treasurer. Board members Ruth Whitney, Joanna Rohrbaugh and Carol Lynn May have been unanimously elected to another term.

The chapter's Annual Conference, *The Tangled Web: Use and Abuse of the Internet in Family Law Cases*, April 6, 2007 at Regis College in Weston, Massachusetts, explored the world of electronic communication and the

internet as they affect professionals, clients, children and the courts. The presenters provided participants with web tools, information on working with cyber data and alerted us to the knotty evidentiary issues arising from the introduction of computer based information in court.

The Massachusetts Chapter recently launched a listserv and will continue hosting Roundtables throughout Massachusetts this spring.

Missouri

The AFCC Missouri Chapter's Annual Conference, March 8-9, 2007 at the Crowne Plaza Airport Hotel in St. Louis, Missouri, was a success with more than 100 participants. Joan B. Kelly, Ph.D. was the featured presenter and focused on the topic, *Alienated and Estranged Children in Divorce*. Retiring Family Court Commissioner and founding member of the AFCC Missouri Chapter Winston Davis was honored during the conference for his service to the chapter as well as to the larger court and legal community in Greene County, Missouri. The Missouri Chapter Board of Directors thanks everyone who helped make this event a success.

The chapter will host its next Lunch and Learn series *Parenting Plan Recommendations: Are We Biased?*, May 16, 2007 from 12:00pm-1:30pm in St. Louis. Panelists include Jeff Medler, J.D. and Tish Fontana, LPC, who will evaluate our own biases about what arrangements are best for children and families in parenting plan decisions. The program will include an on-the-spot survey of all attendees.

Texas

The AFCC Texas Chapter has renovated its Web site and now offers a service referral directory available to the public. The online directory maintains a list of chapter members who provide services for children or families involved in family law matters. Services listed include child custody evaluations, co-parenting education, collaborative law, financial planning, mediation, parenting coordination, supervised visitation, therapy and more. The list is intended to serve as a point of contact for families interested in locating services as well as a networking tool for professionals. The chapter does not endorse any specific provider or model and the list is provided for informational purposes only. The service referral directory can be accessed at www.texasafcc.org/pro_services.html.

The Texas Chapter will host its Annual Conference, *Child Custody and Mental Health Professionals – Social Sciences on the Witness Stand*, October 5-6, 2007 at the Doubletree Hotel in Austin, Texas. The chapter is pleased to welcome renowned authors Jonathan Gould, Ph.D. and Timothy Tippins, Esq. as keynote speakers. For the latest information on the conference, please view www.texasafcc.org.

Resolution

continued from page 8

arbitration, early neutral evaluation and directive mediation.

As well as offering training and accreditation in new and related ways of helping clients going through family breakdown, Resolution has devoted resources to developing training for family lawyers to encourage family solicitors to develop other skills they need to assist their clients. Listening skills, understanding child development, learning about addictive behavior, negotiation skills and understanding the impact of family breakdown on children are only a few of the courses recently offered.

Family law is increasingly an interdisciplinary field of practice, relying on, not just law skills, but also counseling, financial expertise, child psychology, the dynamics of human relationships, recognizing and dealing with domestic abuse and, in some fields of family law, medical expertise. Increasingly, solicitors are working with other disciplines to mitigate the effects of family breakdown and need to understand the role that other disciplines can offer and when to involve them. Lawyers themselves also need to widen their skill range to be able to offer a more rounded, human and holistic approach to their clients. Resolution aims to arm lawyers with those skills and to work with other family justice professionals to promote interdisciplinary working and learning.

Another important arm of Resolution's work is to lobby for the reform of family law. Resolution has been campaigning for no fault divorce for over ten years and promoted the use of pre-marital agreements (not currently enforceable in the U.K.). Policies have been developed for the better resolution of parenting time disputes and Resolution is actively engaged in discussions with the Government about promoting early interventions to resolve disputes before they become entrenched.

Resolution renamed itself in 2005 because the name Solicitors Family Law Association had the ring of a trade union or trade association and did not reflect the commitment of the Association to a better way of resolving family disputes. The name Resolution seemed to sum up our members' values.

Resolution continues to spread the message of a constructive approach to family disputes and has witnessed the effect of that message on the way in which family cases are conducted in England and Wales. However, the association is convinced it can still improve – on the skills and understanding of family lawyers, on the operation of the courts, in developing a range of alternative ways of solving family disputes and in promoting a message that a constructive approach to family breakdown is better in the long run for everyone involved. Increasingly, the goal is to work with colleagues in other jurisdictions to promote and develop that message worldwide.

For further information, contact Resolution Chief Executive Karen Mackay, at karen.mackay@resolution.org.uk or view www.resolution.org.uk.

Virtual Visitation Update


New technology is becoming a legal option for divorced parents to stay in contact with their children in custody cases. Virtual visitation is the use of electronic communication such as email, instant messaging and web conferencing, which in some states can be used as an alternative visitation option.

In 2006, Wisconsin became the second state after Utah to pass virtual visitation laws. Under the laws, judges evaluate whether the communication is in the child's best interest and whether the necessary equipment is available. As of February 2007, there are seven states considering similar legislation, which include Illinois, Ohio, Michigan, Missouri, New Jersey, South Carolina and Texas.

Virtual visitation can be used for local or long distance situations. Some fear that virtual visitation could actually reduce the amount of face-to-face time those parents spend with their kids. However, proponents argue that the laws require that such communications be used to supplement, not replace, regular in-person visits.

A PDF of the Utah legislation can be accessed at www.le.state.ut.us/~2004/bills/hbillenr/hb0082.pdf and the Wisconsin legislation at www.legis.state.wi.us/2005/-data/acts/ and by clicking "WisAct 174." More information on virtual visitation, including the latest states that are considering virtual visitation laws can be found at www.internetvisitation.org.

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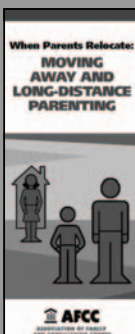
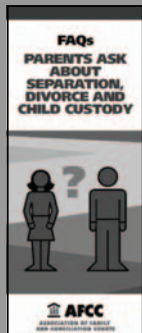


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AFCC Thanks Contributors

AFCC's Resource Development Committee would like to thank AFCC members for their generous donations in response to this year's Annual Appeal. Nearly \$20,000 has been raised so far to support AFCC's Scholarship and Mini-Grant Programs. If you have not yet contributed to this year's fund, you can mail your donation payable to AFCC or donate online at www.afccnet.org/about/committees.asp and click "Resource Development Committee."

Special thanks to Diamond Contributors Doneldon Dennis, Mary Ferriter, Arline & Barry Rotman, Peter Salem, Arnie Shienvold and the Suzie S. Thorn Family Foundation, and to the AFCC Chapters for their continued support and generosity.

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President's Message

continued from page 3

Orleans, and the University of South Florida.

AFCC conferences also benefit tremendously from our collaborative relationships. Collaborating organizations send representatives, make presentations and encourage their members to attend, further enriching the offerings available to AFCC members. On a regular basis we have enjoyed the participation of the American Bar Association Section of Dispute Resolution, Association for Conflict Resolution (both the parent organization and Family Section), American Psychological Association, International Academy of Collaborative Professionals, National Association of Council for Children and NCJFCJ, among others. Additionally, every year local organizations pitch in and participate, and this year is no different, with no less than six collaborating organizations from Washington, D.C., Maryland and Virginia.

There are certainly more collaborative relationships, but you get the idea. Our relationships provide AFCC and its members with access to resources and opportunities that

an organization of our size would otherwise struggle to reach. We are incredibly fortunate that we have been able to forge these relationships and our colleagues in the other organizations seem to have the same view. Importantly, as an organization that preaches the benefits of working together, resolving conflict and finding ways to work through differences, AFCC is proudly able to walk the talk.

This past year as President has been an indescribable experience and I want to thank you for the opportunity. I am in awe of those who have held the office before me and I have a newfound admiration for their commitment of time and talent. On July 1, AFCC's new President will be Hon. William Fee of Angola, Indiana (who prefers to be called Bill). With more than 20 years on the bench and in his third decade as an AFCC member, I cannot think of a better choice to lead AFCC over the next year.

Hope to see you in Washington, D.C.!

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