



FOUNDED IN 1963

# AFCC NEWS

ASSOCIATION OF FAMILY AND CONCILIATION COURTS

Volume 28, Number 1

Winter 2009



## **46th Annual Conference AFCC Returns to New Orleans**

AFCC's 46th annual conference in New Orleans, Louisiana on May 27-30, 2009, *Children, Courts and Custody: Back to the Future or Full Steam Ahead?*, will examine how family law research, practices and processes have evolved over the years, paradigms have shifted, controversies have arisen and myths have been debunked. The program features 70 workshops, including three-hour advanced sessions, in addition to three plenary sessions.

The conference will be held at the Sheraton New Orleans on the edge of the French Quarter, providing easy access to great food, music and architecture. The 2007 and 2008 AFCC Annual Conferences sold out, so register early to ensure your place!

### **Three Conference Plenary Sessions**

Thursday morning begins with an exciting plenary session that will explore some of the myths and realities of research and conventional child custody wisdom. *Back to the Future or Full Steam Ahead? What Research Really Shows about Children and Divorce* will be presented by Paul Amato, Ph.D., Pennsylvania State University; Jennifer McIntosh, Ph.D., Family Transitions and La Trobe University, Australia; and moderator, Dianna Gould-Saltmann, J.D., Los Angeles, California.

Two plenary sessions will be presented on Friday morning: *The Child's Voice in Process: Which Way is Forward?* will examine whether children should have a voice in the court process and, if so, what is the most effective way for that child to be heard? The panel will be comprised of Hon. Peter Boshier, Principal Family Court Judge, Wellington, New Zealand; Daniel Goldberg, LL.B., Office of the Children's Lawyer, Toronto, Ontario; Mindy Mitnick, M.Ed., Edina, Minnesota; and moderator, Jana B. Singer, J.D., University of Maryland School of



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

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**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

The theme for AFCC's 46th Annual Conference is *Children, Courts and Custody: Back to the Future or Full Steam Ahead?* The conference takes place May 27-30, 2009 at the Sheraton New Orleans. For me, the most exciting thing about an AFCC conference is the sense of energy, innovation, creativity and optimism, as colleagues share new ideas, programs and practices that advance our collective efforts and promise a better future for children and families.

And yet, as I ponder our theme (because the beginning of a new year is always a good time for reflection), I am struck by developments in our field over the years that on one hand, have suggested that we have found "the

answer" and, on the other hand, have faded into the background or become obsolete in another decade or two.

For example, until the early part of this century, it was commonly believed that infants and toddlers should not be separated from their mothers and that overnights with their fathers would be harmful to the children. More recently, research suggests that infants and toddlers need contact with both parents to form a secure attachment to both, and that there is nothing magical about overnight contact. The issue is to avoid stressing the child with too lengthy a separation from an attachment figure.

Conventional wisdom about parenting plans has also changed. It has shifted from maternal preference to

shared parenting (or joint custody), to developmentally appropriate parenting plans to a current more nuanced view that focuses on conflict between parents, parenting capacity and the quality of the parent-child relationships.

Relocation has been another subject of considerable debate and discussion. Here, a focus on multiple variables including distance, economic resources, work schedule, parenting capacities, age of children, and quality of attachment currently informs our thinking about clear advantage and best interests. And our thinking about how and when to hear children's voices has changed as well. Until very recently, children's voices were communicated, if at all, by their parents to the Court, or in cases of evaluation, to the evaluator. Now there are more direct methods for chil-

dren's voices to be heard and for them to participate in mediation, consultation, parenting coordination and litigation.

Given the myriad issues AFCC members must address, we can hardly imagine the changes we will encounter with the growth of trends such as same sex marriage, an increasingly mobile society, social networking and non-traditional family structures. What impact will these trends have on how we look at attachment, parenting plans, and relocation? Will we be considering virtual overnights? Will the voice of the child be transmitted via an email or a posting on a judge's facebook page?

Keeping up with societal trends is a mark of a healthy organization. If we are to provide the best possible service to children and families, it is imperative that AFCC members continuously examine, reexamine, debate and discuss our most fundamental assumptions about the work that we do. And that is why, at our conference, we are looking back to the future and full steam ahead.

This type of exercise is by no means limited to the direct service work of AFCC members. Presently, the Association is working on a new strategic plan, as we wrap up our existing five-year plan. To help us reexamine our most fundamental operating assumptions, we convened a charette, a small think tank of professionals from technology, business, family law, dispute resolution management, academia and philanthropy to explore social trends and issues that will likely impact AFCC in the future. The perspective of individuals on the periphery or completely unrelated to the work of AFCC was invaluable in helping us explore our role, determine how we fit into the bigger picture and think about how we might continue to initiate conversations about and projects related to changing practices and challenging issues.

AFCC is known for taking on these difficult matters, collaborating with other organizations, and providing leadership to the family courts and professional practice. Our task ahead is to continue to do what we do well, to take on challenges that fit with our mission, and stay on top, ahead of—and in some instances to create—social, policy and practice changes.

One thing we can count on is that AFCC will not only adapt to new thinking and research, economic realities and societal trends, but we will continue to tackle the most difficult challenges head on. I hope that all AFCC members will continue to confront their most difficult challenges, ask the hard questions and reflect on our past work to improve our future service. We can do this together in New Orleans in May. I hope to see you there.



**Robin M. Deutsch**  
AFCC President  
Boston, Massachusetts

*... it is imperative that AFCC members continuously examine, reexamine, debate and discuss our most fundamental assumptions about the work that we do.*



## MEMBER PROFILE

# AFCC Member, Grace Hawkins, LCSW



**Grace Hawkins,  
LCSW**  
Tucson, Arizona

*Grace Hawkins is the Director of the Family Center of the Conciliation Court in Tucson, Arizona. She holds a Master of Social Work degree from Arizona State University and is a licensed clinical social worker in the state of Arizona. Grace has worked for the Conciliation Court since 1990 and became the Director in January 2005. Grace served on the board of directors of the AFCC Arizona Chapter from 2004-2009 and is an Advanced Practitioner Member of the Association for Conflict Resolution.*

### Tell us about your program.

The Pima County Family Center of the Conciliation Court was created by statute in 1963 and has a staff of 22 people. Our services include mandatory parent education, conciliation counseling, mandatory mediation, evaluation and parenting coordination. The original service, conciliation counseling, where one party can file a petition that court orders both spouses into at least one session of counseling is still in existence today. There were about 100 such petitions filed last year and in about 10% of those cases, the parties choose to remain together or pursue further counseling. The majority of the work conducted in our office is custody/parenting time mediation. It is mandatory to try mediation first in a contested custody case (with parties being able to opt out in cases of domestic violence). The mediation is confidential, and the only information sent to the court is whether or not the parties were able to reach an agreement. Our office also performs both comprehensive and brief custody evaluations, and we try to make them settlement based. We offer an in-house parenting coordination program for those who cannot afford a private PC. All of these services are free to the clients. We also provide mandatory parent education for a nominal fee and served 4,000 people last year.

### How did you become interested in the field of separation and divorce?

After graduate school, I started working as a mental health case manager in a program helping mentally ill mothers keep their children and then worked in elder foster care. A flyer for mediation training came across my desk and a few months after I completed the training, a mediator's position became available in Conciliation Court. That was 1990 and I have been there ever since. The person

who hired me, Linda Kerr, was a longtime AFCC supporter, the Court had a membership and the journal (*Family Court Review*) was available. I got involved with the AFCC Chapter in Arizona and have been involved since.

### What advice would you give to someone entering the field now?

Join AFCC for all of the good information they offer and all of the wonderful people who belong to the organization. Learn as much as you can and remember the difficulties that the clients you are dealing with are going through. Give people the benefit of the doubt. Be a good listener and be patient.

### What aspect of your work do you enjoy the most?

I enjoy the challenges of the work. I also enjoy training new staff and watching them fall in love with ADR. I like working with judges, attorneys and other mental health professionals. I sometimes miss doing mediation and enjoy it when I need to fill in for staff on occasion.

### What are the greatest challenges of your work?

In this economy, finances and budgets are always the biggest challenge for court programs.

### What is your proudest personal achievement?

My husband and I have two wonderful sons, Michael and Nick, a senior and sophomore in high school. They are both involved in a number of sports and I enjoy watching their sporting events. They are great kids.

### Tell us something about yourself that your AFCC colleagues may not know.

I was born and raised on a farm. I grew up in a small town of 8,000 people in Minnesota. I attended college there and didn't go to Arizona until graduate school. I thought I would be in Arizona for a very short time but met my husband Brian and have been here ever since. I also used to have a pretty mean jump shot.

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as you can  
and remember  
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through.*

# Recruiting Family Attorneys to Cooperative Practice: Simpler than We Have Thought

**Charlie Asher**

Freedom 22 Foundation  
South Bend, Indiana

*"Discourage litigation. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser—in fees, expenses, and waste of time. As a peacemaker, the lawyer has a superior opportunity of being a good man. There will still be business enough."*

—Abraham Lincoln

*"This healing function ought to be the primary role of the lawyer in the highest conception of our profession."*

—United States Chief Justice Warren Burger

While some family attorneys work diligently to reduce conflict, build cooperation, and model problem-solving for their clients and their families, that's hardly a universal standard for family attorneys. In fact, one fundamental criticism of the law's influence in American family cases is that attorneys practice with virtually no detectable standard of care. The law is as solicitous toward family attorneys who litigate promiscuously and destructively as it is toward those who steer their clients away from litigation and toward problem-solving resources like co-parenting education, counseling, and mediation.

But two Indiana jurisdictions have now taken a simple but potentially transformative step in guiding the advocacy of family attorneys. Wayne and Lake Counties now require that, absent danger or other circumstances making it unreasonable, attorneys must speak with each other before filing motions in family cases. If the attorneys are not able to resolve the matter at issue, their conversation must include two additional matters:

1. Confirmation that the parents are in compliance with all problem-solving measures required of them (commonly the work on [www.UpToParents.org](http://www.UpToParents.org) and attendance at a co-parenting class), and
2. Discussion of the attorneys' ideas on what problem-solving resources the parents should be referred to (additional classes, mediation, counseling, parenting coordination, or other processes) for help to reduce conflict and successfully make future decisions.

Any motion must include a "Cooperation Update" detailing the substance of the conversation, including the attorneys' recommendations about useful future problem-solving resources for the family. (The attorneys may offer joint or separate ideas about those resources.)

Wayne and Lake Counties adopted this consultation requirement as part of some broader ideas on developing comprehensively cooperative systems of family law, ones ranging from replacing unnecessarily divisive language in

captions and orders (for example, petitioner vs. respondent language) to wider use of [www.UpToParents.org](http://www.UpToParents.org) by parents and more continuing education for professionals. The "Professionals Corner" link of [www.UpToParents.org](http://www.UpToParents.org) includes a 14-point outline and model rule for a cooperative system of family law, as well as an assessment instrument jurisdictions can use to identify areas where they can improve the level of cooperation promoted by their family law systems.

The pre-motion consultation requirement itself, however, deserves broad study in all American and Canadian jurisdictions. The preliminary results have been exceptionally promising. Wayne County's rule had an earlier effective date (January 1, 2008), and it has provided a year of experience to draw on. Judge Greg Horn of the Wayne Superior Court reports three consequences of the rule:

1. The number of adversarial motions is substantially lower.
2. When motions are filed, the hearings are much more constructive and courteous (the attorneys' consultation and "Cooperation Updates" having steered both professionals' and parents' attention toward solution-building).
3. Within six months of the rule's adoption, all attorney opposition had disappeared; in fact, at the June 2008 Wayne County bench and bar meeting, every attorney expressed support for this new protocol.

The "Professionals Corner" link of [www.UpToParents.org](http://www.UpToParents.org) includes a telephone interview where Judge Horn amplifies on these findings.

Amy Noe, the Wayne County attorney who headed the committee drafting the rule that led to these developments, shares similarly encouraging observations. "Even the old warriors are now interesting to deal with. They will call about a problem that used to take us straightaway to court, and they'll often say something like, 'Well, this conversation is the touchy-feely part of my day—right before I file a motion on your client.' But you know, 30 seconds later, we're solving the problem together."

Wayne and Lake Counties have demonstrated that jurisdictions of all sizes can achieve these profoundly promising changes. The two counties are demographically quite distinct—one made up entirely of small towns and farms and the other seven to eight times the size with a heavy concentration of cities and Chicago bedroom communities. Yet they succeeded in restoring a good measure of attorneys' role as problem-solvers, first, by open and honest discussion of the actual effects on families from unnecessary litigation and, second, some simple creative steps to serve families better.

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## AFCC Returns to New Orleans

*Continued from page 1*

Law. The final plenary session, *The Evolving Family Court System: Progress at a Price?*, will look at the changing role of the court system in resolving family disputes. Presenters will include Mary E. O'Connell, J.D., Northeastern University School of Law; Arnold T. Shienvold, Ph.D., Harrisburg, Pennsylvania; Hon. R. James Williams, Supreme Court of Nova Scotia Family Division, Halifax, Nova Scotia; and moderator, Andrew Schepard, J.D., Hofstra Law School.

### Pre-Conference Institutes

Six challenging full-day institutes take place Wednesday, May 27, featuring the following topics:

- *Child Inclusive Mediation: Introduction to an Evidence-Based Approach*, with Jennifer McIntosh, Ph.D.
- *Differentiating Uses of Violence in Families: Toward Improving Family Court Custody Determinations*, with Hon. Susan Carbon, Loretta Frederick, J.D., Claire Crooks, Ph.D., Janet Johnston, Ph.D. and Ellen Pence, Ph.D.
- *Family Restructuring Therapy for High Conflict Families*, with Stephen Carter, Ph.D., R.Psych., Bonnie Haave, Ph.D., R.Psych., Shirley Vandersteen, Ph.D., R.Psych., and James Bateman, M.A., R.Psych.
- *Mediation Artistry: Reflecting on the Past, Looking to the Future*, with Christine A. Coates, M.Ed., J.D., Jim Melamed, J.D., Sharon Press, J.D. and Zena Zumeta, J.D.
- *Developing a Court-Based Parenting Coordination Program: Working with Special Populations*, with Hon. Anita Josey-Herring, Giselle A. Hass, Psy.D., Matthew Sullivan, Ph.D., Shirley Ann Higuchi, J.D. and Steven M. Harner, Psy.D.
- *Effective Use of Experts in Family Court: An Interdisciplinary Institute*, with Hon. R. John Harper, David Medoff, Ph.D. and Mary Ferriter, J.D., M.P.A.

### Networking Opportunities

Friday night features AFCC's 11th Annual Silent Auction, which will offer many interesting and unusual items including artwork, fine wines, jewelry, clothing, sports memorabilia and some one-of-a-kind items. Auction proceeds will help support AFCC's special projects and programs. If you would like to donate an item, please contact AFCC Program Coordinator Erin Sommerfeld at [esommerfeld@afccnet.org](mailto:esommerfeld@afccnet.org) or (608) 664-3750. The AFCC Annual Banquet will take place immediately following the auction.

Each morning you are invited to meet your colleagues in the lobby to have a cup of coffee, and each evening AFCC's signature Hospitality Suite will be open for informal networking and refreshments.

### Accommodations

The AFCC block of hotel rooms has sold out for the last two years, so please make your reservations at the Sheraton New Orleans early. Call the hotel at (888) 627-7033 or at (504) 525-2500 and be sure to ask for the AFCC special rate of \$165 per night for single or double accommodations.

### Registration

Online registration is now available and can be accessed on the AFCC Web site at [www.afccnet.org](http://www.afccnet.org). **Register by March 6, 2009** to receive the Early Bird Rate at the lowest conference prices.

AFCC recognizes the current economic difficulties and has instituted a price freeze for all members on conferences, trainings and publications at the 2008 level until at least 2010. AFCC is also offering more scholarships than ever (including need-based and international with a travel stipend).

Please visit AFCC's Web site ([www.afccnet.org](http://www.afccnet.org)) to see the entire conference brochure and to apply for a scholarship (or donate to the AFCC Scholarship Fund).

If you have any questions, contact AFCC at [afcc@afccnet.org](mailto:afcc@afccnet.org) or (608) 664-3750. Remember, the last two years' conferences sold out, so register today!

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 Family Mediation Council of Louisiana  
 International Academy of Collaborative Professionals  
 Louisiana Counseling Association  
 Loyola University New Orleans College of Law  
 National Association of Counsel for Children  
 National Council of Juvenile and Family Court Judges

# Top things to do in New Orleans

## Go on one of Bloody Mary's famous Ghost Tours

Bloody Mary specializes in many different types of ghost tours and paranormal related activities. She is a natural storyteller and a New Orleans native who is infinitely knowledgeable about the city's history. Tours are easy to book through her Web site.

She is the owner and only guide so you are assured to have a quality experience. Evening tours are perfect for conference attendees! <http://www.bloodymarystours.com/>



## Learn how to cook up New Orleans specialties at The New Orleans School of Cooking

The New Orleans Cooking School offers lunchtime (10am-12:30pm) cooking demonstrations which include ample samplings of traditional foods such as gumbo, jambalaya, shrimp Creole, and pralines; well as recipes, coffee, iced tea and beer. Hands-on classes and private demonstrations are also available.

<http://www.neworleansschoolofcooking.com/index.html>

## Have beignets at Café Du Monde

Get up early or stay out late, Café Du Monde is open 24hrs a day and is conveniently located at the edge of Jackson Square. The café has been a landmark since 1862. Treat yourself to a plate of beignets (fried French doughnuts topped with powdered sugar) and a Café Au Lait made with the café's traditional blend of coffee and chicory.

<http://www.cafedumonde.com/>



## Ride around one of the flattest cities in America on a comfy bicycle

A leisurely three-hour ride combined with guided tour through seven scenic neighborhoods allows you to explore the architecture and history of the city. Guides

have an extensive knowledge of the city and a passion for sharing it.

<http://www.confederacyofcruisers.com/Bicycle-Tours.php>

## Take the Hurricane Katrina Tour

The tour is an excellent introduction to the geography of the city. This informative tour will take you to the various neighborhoods deeply affected by hurricane Katrina. You will see the lasting devastation and the continuing effort to rebuild. The guides will explain the roles of nature and human error in how this tragedy occurred.

<http://www.graylineneworleans.com/>

## Stop by Lafitte's Blacksmith Shop to enjoy live piano and libations

This place will transport you back to how Bourbon Street might have been before electricity, cars and plastic cups. The building was built sometime before 1772 and could be the oldest building in the Mississippi delta. In the evenings the bar is almost entirely lit by candlelight. 941 Bourbon Street, (504) 522-9377.

## Go on a guided cemetery tour

No visit to New Orleans is complete without a tour of the city's historic cemeteries. These cemeteries are noted for their unique, above-ground tombs. The tombs serve as monuments to the eighteenth, nineteenth and early twentieth centuries, and they, like the cemeteries themselves, are a major part of the city's unique heritage. Tour proceeds go to restorations.

<http://www.saveourcemeteries.org/>

## Take the New Orleans Original Cocktail Tour

This 21+ tour will take you through the French Quarter's famous bars and restaurants for a behind the scenes peek. You will learn the stories behind some classic New Orleans drinks from Sazerac and Pimm's Cup to the Hurricane and Hand Grenade.

<http://www.graylineneworleans.com/cocktail.shtml>



## Ride the St. Charles Street Car

Enjoy a wonderful ride down the entire length of New Orleans' celebrated St. Charles Avenue, and through the neighborhoods of South Carrollton to Claiborne Avenue. Experience the sights and sounds of the historic St. Charles Streetcar; the streetcar delights passengers with breathtaking views of uptown New Orleans as it passes Tulane and Loyola Universities, Audubon Park and impressive mansions. <http://www.norta.com/StCharles/>

## Go shopping on Magazine Street

This six-mile-long stretch through the Garden District and Uptown features some of the best antique stores, art galleries, craft shops and classy boutiques to be found anywhere in the city. <http://www.magazinstreet.com/>

## Helpful Tourism Links

The city of New Orleans' Official Tourism Web Site:  
[www.neworleansonline.com](http://www.neworleansonline.com)

Download a French Quarter self-guided walking tour:  
[www.neworleanscvb.com/docs/walktour.pdf](http://www.neworleanscvb.com/docs/walktour.pdf)

Visitor's Guides, brochures and money-saving coupons:  
[www.neworleanscvb.com](http://www.neworleanscvb.com)



# Introducing the New Children's Lawyer

**By Manjusha Pawagi**

*Toronto, Ontario*

*Madam Justice Pawagi was recently appointed to the bench. Previously she was legal counsel at the Office of the Children's Lawyer, Toronto.*

When Debra Stephens was three years old she wanted to be a fashion model (after wowing the audience at a Sears show in Chicago) and at 12, a golf pro (she is still an avid golfer). But by the time she was in grade 8, she had it settled. She was going to be a lawyer.

"I've never held back in my opinions," she says, "and it appealed to me!" She had two uncles who were lawyers whom she respected as good people who did good things in the community and she had taken a pre-law course in junior high school, which she really enjoyed.

Born and raised in Toronto (besides a brief stint living in the United States), Debra focused early on family law, taking the Family Law Intensive Programme at Osgoode Hall Law School. She has always been sensitive to family issues and as the proverbial middle child she says she did all she could to "calm the waters." As a child, she says, "I didn't create problems, I tried to resolve them."

She was in private practice for 27 years, most recently at Schnurr Kirsh Stephens. And as an agent for the Office of the Children's Lawyer she's worked on estates files involving assets worth over \$100 million. It was her work with the Property Rights lawyers at the Office that in part lead her to apply for the position of The Children's Lawyer. She says she had so much respect for them as individuals

and as lawyers. She says the perception of government lawyers as ones who just couldn't cut it in the private sector couldn't be more wrong. She sees them as essentially doing *pro bono* work, foregoing Bay Street salaries because "they have a passion for what they do."

It's a passion she shares. "It drives me insane when I see the injustice that can happen and it makes me want to act." She says, "I can't watch someone hurt a child and not do anything." She worries that in the present economic climate there will be increasing pressures on families and greater issues for children. "It's time to look at children harder," she says, "not less so."

She herself is the proud mother of two grown children. And she describes her husband, who is also a lawyer, as a wonderful father who's devoted to children. In fact, she says his devotion to his nephews is what attracted her to him when they met in law school. She's already thinking of future grandchildren and saving such things for them as her own well-worn childhood copies of *Dancing in the Moon* and *Jemima Puddleduck*.

One of her introductions to her future staff was at the office picnic in August. She met many of the in-house lawyers and clinical investigators and won over their children in a rousing game of "Deb Says." She officially began her role as The Children's Lawyer for the province of Ontario on October 6, 2008. It's too soon for her to articulate her view of the Office, but all the staff and the nearly 600 panel members across the province are waiting with great anticipation to hear what Deb says.

## Cooperation

*Continued from page 5*

In addition to all the advantages of keeping families away from unnecessary litigation, two precedents in the law can aid other jurisdictions to engage the same kind of open and honest discussion. The first is the requirement in almost all American jurisdictions that discovery disputes be the subject of a personal consultation between counsel before they are submitted to court. (Some estimates are that this simple requirement has reduced discovery litigation in all civil cases to a fraction of what it was before that requirement.) Certainly, if insurance companies and business disputants deserve protection against unnecessary court battles over discovery spats, parents and children deserve protection against motions filed only because attorneys failed to speak about the family matter supposedly in dispute.

The second precedent is the entire system of professional responsibility that the law (quite properly) imposes

on other professions. To choose one example, physicians are required to make a diagnosis that determines the necessity of surgery before surgery is undertaken. They're required to adhere to a standard of care that emphasizes avoidance of unnecessary harm, use the least invasive and risky interventions, and obtain informed consent for any treatment option. Given the predictable harm that comes from involving families in litigation, the law should be proud to establish its own standard of care that obligates attorneys to work (and, yes, speak) as problem-solvers before motions are filed.

And one final consideration should promote attorney interest in changes like the pre-motion consultation requirement championed by these two forward-thinking Indiana counties. It will be changes like these that convince the public, which in recent times has rejected legal representation in unprecedented numbers, that it can once again count on attorneys in times of family crisis to help them reduce conflict, build cooperation, and protect the best interests of all members of the family.



## Free AFCC Membership Winner

Larry Kahn, Q.C. of Richmond, BC, Canada won a free AFCC membership by providing AFCC with his email address. All AFCC members with an email address in the AFCC membership database were included in the drawing.

Does AFCC have your email address? Make sure that AFCC has your email address so you receive AFCC's monthly e-newsletter, *AFCC eNEWS*, which features articles on new programs, services, updates on current literature, international news and more.



AFCC also sends announcements via email on occasion about time-sensitive issues such as early bird registration dates and hotel rooms selling out. Login to the AFCC Member Center at [www.afccnet.org](http://www.afccnet.org) and click "Update Your Email" to make sure we have your most current email or to provide a new email address. Or you can send an email to [afcc@afccnet.org](mailto:afcc@afccnet.org) and we can set you up.

*AFCC will never distribute or publicize your email address beyond listing it in the AFCC Membership Directory, available only to AFCC members.*

## Welcome New AFCC Chapter Presidents

AFCC welcomes and congratulates David McPhee, President of the Arizona Chapter, Lee Schreiber, President of the Florida Chapter and Louise Lee, President of the Texas Chapter.

AFCC Chapters provide an outstanding opportunity for members to network on the local level. If you would like to join an AFCC Chapter or get more information, please view [www.afccnet.org/membership](http://www.afccnet.org/membership) and click the "AFCC Chapters" link.

## Earn AFCC Dollars

Every new member who joins AFCC using your name as a referral source earns you TEN AFCC DOLLARS. AFCC members can use these dollars to spend on membership renewals and conference registrations. Each time a colleague joins AFCC for the first time, your membership file will be noted and at the beginning of the calendar year you will receive a certificate from AFCC. The more colleagues you introduce to AFCC, the more AFCC DOLLARS you earn! For more information, please contact AFCC at [afcc@afccnet.org](mailto:afcc@afccnet.org) or call (608) 664-3750.

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## ACR Collaborative and Cooperative Law Work Group

The Association for Conflict Resolution has convened a work group to produce a written guide to assist persons encountering divorce and divorce professionals. Initially the scope of the groups' work was limited to Collaborative and Cooperative Law models; it has since been expanded to a broader range of models and protocols in order to be of greater relevance. Sheldon E. Finman, AFCC member from Ft. Myers, Florida is serving as the AFCC representative on this work group.

## Correction

The article entitled "Breaking Barriers: An Innovative Program for Alienated and Estranged Children" in the Fall 2008 AFCC NEWS was authored by Robin Deutsch, Ph.D., Matthew Sullivan, Ph.D. and Peggie Ward, Ph.D. The program has been renamed Overcoming Barriers.

# Resource Development Fund Update

AFCC's Resource Development Committee would like to thank AFCC members for their generous donations that will make the following possible:

- Forty scholarship recipients will attend AFCC conferences this year;
- Six professionals (including three international colleagues) will receive a scholarship including a \$1,000 travel stipend; and

- AFCC will continue to influence the practice of family law and dispute resolution through special projects and task forces.

There is still time to contribute! AFCC needs your help to continue and expand these important projects. If you have not yet contributed to this year's fund, please consider making a donation today. You can mail your donation payable to AFCC or donate online at [www.afccnet.org](http://www.afccnet.org).

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# AFCC Member News

**Annette Burns**, AFCC member from Phoenix, Arizona was the recipient of the top award for service at the 2009 Annual Conference of the Arizona Chapter of AFCC. The award recognizes those who have provided exceptional service to the organization and contributed to the advancement of family law in the State of Arizona. She has been involved in cutting edge policy decisions in Arizona directed toward improving the practice of family law. Ms. Burns is past-president and current board member of both the Arizona Chapter of AFCC and the parent organization of AFCC.

**Nancy Cameron**, AFCC member from Vancouver, BC is the President of the International Academy of Collaborative Professionals. She is a mediator and collaborative family law practitioner who, prior to law school, spent ten years in early childhood education, including teaching child development and psychology. She is one of the founders of the Collaborative Divorce Association of Vancouver and author of *Collaborative Practice: Deepening the Dialogue*.

**Clarence Cramer**, AFCC member from Gilbert, Arizona has retired as the Director of the Family Services of the Conciliation Court, Pinal County, Arizona after 29 years of service. He is a former Association for Conflict Resolution Board member, a former AFCC Board member and a former President of the AFCC Arizona Chapter, the Arizona Coalition on Dispute Resolution and the Mediation Association of Southern Arizona.

**Diana R. Hegyi**, AFCC member from Chandler, Arizona, has been chosen as the new Director of the Family Services of the Conciliation Court, Pinal County, Arizona. Diana previously worked in a variety of supervisory capacities at Maricopa County, and is a long-time AFCC supporter.

**Linda Fieldstone**, AFCC member from Miami, Florida has received Outstanding Employee of the Year Award from the Miami-Dade Circuit Court. She is the Supervisor of Family Court Services of the 11th Judicial Circuit and a Florida Supreme Court Certified Family Mediator, working with high-conflict families within the Miami-Dade County Domestic Relations Divisions as a parenting coordinator. She served on the AFCC Task Force to develop Guidelines for Parenting Coordination and is co-chair of the AFCC Publications Committee. Ms. Fieldstone is Past President of the Florida Chapter and serves as Secretary on the Board of Directors of AFCC.

**Pamela C. Ortiz**, AFCC member from Annapolis, Maryland has been appointed as the Executive Director of the newly created Maryland Access to Justice Commission. She left her position as Executive Director, Family Administration of the Administrative Office of the Courts after almost ten years to accept this appointment.

**Richard A. Warshak**, AFCC Member from Dallas, Texas has received the Distinguished Alumni Award of the University of Texas Southwestern Medical Center at Dallas Clinical Psychology Program. He is one of only three graduates to receive this award in the program's 30-year history.

*Do you have news you would like to share? Please send information to Leslye Hunter, editor, AFCC NEWS, at [editor@afccnet.org](mailto:editor@afccnet.org).*

## AFCC Members Write On

**William Eddy**, AFCC member from Scottsdale, Arizona has written a new book: *It's All Your Fault: 12 Tips for Managing People Who Blame Others for Everything*. Published by Janis Publications, it is organized around five Do's and seven Don'ts of behaviors used to deal with high conflict people. It is written for the general public, so may be helpful for some of your clients.

**Barbara Jo Fidler, Nicholas Bala, Rachel Birnbaum and Katherine Kavassalis**, AFCC members from Ontario, have written a new book: *Challenging Issues in Child Custody Disputes: A Guide for Legal and Mental Health Professionals*. Published by Carswell, it delves into some special issues in child custody including relocation, domestic violence, sexual abuse allegations and alienation.

**Kathryn Kuehnle**, AFCC member from Tampa, Florida and co-author Mary Connell have edited *The Evaluation of Child Sexual Abuse Allegation: A Comprehensive Guide to Assessment and Testimony*. Published by John Wiley & Sons, Inc., the book contains contributions from an international array of professionals, many of them AFCC members. It provides a research-based approach to evaluating and reporting allegations of child sexual abuse for the legal system.

**Sarah H. Ramsey**, AFCC member from Syracuse, New York, and co-author Douglas E. Abrams have written the third edition of their book: *Children and the Law in a Nutshell*. Part of the *Nutshell* Series published by West Group Publishing, this book explores the status, rights and obligations of children throughout the wide range of American law.

**Nancy Ver Steegh**, AFCC member from St. Paul, Minnesota, and co-author Robert E. Oliphant have written a second edition of their book: *Work of the Family Lawyer*. Published by Wolters Kluwer Law & Business, it is a student-friendly casebook that is ideal for both classroom and clinical settings. It offers succinct coverage in an accessible format that encourages the development of skills used in practice.

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



# AFCC Chapter News

## Minnesota

The AFCC Minnesota provisional Chapter will be having their first annual meeting and educational event on April 24, 2009 at the St. Paul Campus of the University of Minnesota. The all-day program will feature speaker Leslie Drozd, Ph.D. discussing her article entitled "Is it Abuse, Alienation, and/or Estrangement? A Decision Tree." The event will also include the new Chapter's first elections for board and officer positions, approval of bylaws, and other business necessary to move towards becoming a fully chartered AFCC state chapter.

## Ontario

The AFCC Ontario provisional Chapter will be having their first annual conference on April 3, 2009 in Toronto, Ontario. The conference, *Improving the Lives of Children and Families in Conflict*, will include speakers Dr. Jean Clinton, Justice George Czutrin, Justice Harvey Brownstone, Professor Nicholas Bala, Bernie Mayer, Jeffrey Wilson and Lorraine Martin. At their meeting, they will be electing a Board of Directors and approving the bylaws. Following the conference, they will have an evening reception. If you would like to attend, please contact Matthew Hodgson at [afccontarioreg@gmail.com](mailto:afccontarioreg@gmail.com).

## Texas

The AFCC Texas Chapter held its 8th Annual Statewide Conference, October 3-4, 2008, (just 3 weeks post Hurricane Ike!) and marked a major development for the Chapter. The conference was held at and in conjunction with South Texas College of Law in Houston for the first time. The conference on domestic violence featured renowned keynote speaker, Bruce D. Perry, M.D., Ph.D., Senior Fellow, Child Trauma Academy, and was complemented by 33 legal, mental health, judicial, ADR and government professionals from all over North America. Sixteen sessions on domestic violence were presented for almost 100 attendees.

The AFCC Texas Chapter would like to express its appreciation for the members of the Board of Directors whose terms are expiring at the end of 2008. A huge debt of gratitude is owed to Aaron Robb, Gilda Bowen, and the Honorable Frank Rynd, for their hard work, dedication and selfless service to the Chapter.

## AFCC Chapters Feature Wingspread Family Courts and Domestic Violence Project

AFCC Chapters in Texas, Arizona and California have followed up on the parent organization 2008 Annual Conference in Vancouver with a focus on domestic violence and differentiation and plenary sessions featuring contributors to the Wingspread Family Court and Domestic Violence Project sponsored by AFCC and the National Council of Juvenile and Family Court Judges (NCJFCJ).

- At its October 2008 conference, the AFCC Texas Chapter featured a presentation on differentiation and domestic violence by Professor Nancy Ver Steegh, Wingspread Co-reporter and AFCC Board member.
- The AFCC Arizona Chapter highlighted collaboration with the conference theme of *Are You Listening?* in Sedona, Arizona, January 30-February 1, 2009. The Wingspread collaboration was presented by Billie Lee Dunford-Jackson, former Co-director of the Family Violence Department of NCJFCJ; Peter Salem, AFCC Executive Director; Nancy Ver Steegh; Hon. Karen Adam, NCJFCJ Board member and former AFCC-AZ President. They were joined on the panel by Allie Bones, Executive Director of the Arizona Coalition Against Domestic Violence, and Professor Connie Beck, University of Arizona.
- Janet Johnston, Ph.D. and Peter Jaffe, Ph.D., presented together at the AFCC California Chapter, February 6-8, 2009 in San Francisco. Drs. Johnston and Jaffe presented together in Vancouver on their *Family Court Review* article, "Custody Disputes Involving Allegations of Domestic Violence: Toward a Differentiated Approach to Parenting Plans." The article was also co-authored with Dr. Claire Crooks and Professor Nicholas Bala.

"We are delighted that AFCC Chapters are advancing the conversation about differentiation and including Wingspread participants in their programming," said Robin Deutsch, AFCC President. "This effort will advance a very important conversation that should be happening nationally and AFCC Chapters are an ideal mechanism."

## Family Court Review Special Issue: Substance Abuse and Family Courts

AFCC and Hofstra University School of Law will publish a special issue of the *Family Court Review* in April 2009 devoted to examining issues regarding substance abuse and family courts. Professor Barbara Babb, Director of the University of Baltimore School of Law Center for Families, Children and the Courts (CFCC), and CFCC Senior Fellows Gloria Danziger and Judith Moran are the guest editors of the forthcoming issue. The issue will include articles on discrimination against individuals who are in recovery from drug dependency, the cycle of addiction in families, the science of addiction, improvements to the juvenile justice system's handling of adolescent substance abuse, and judicial satisfaction among drug treatment court judges, among others. See the table of contents for this issue in the column to the right.

## Family Law Writing Competition

AFCC and Hofstra University School of Law are sponsoring the Family Law Writing Competition. The competition is run in cooperation with the editorial staff of *Family Court Review*. The subject of entries may be within any area of family law.

Topics that focus on interdisciplinary or international issues are especially encouraged. Articles should concentrate on a current legal issue and must have a strong foundation in legal research. Submissions must be received by March 16, 2009. First prize includes \$500, consideration for publication of the article in *Family Court Review* and either a one-year complimentary AFCC student membership or a complimentary registration to AFCC's 46th Annual Conference, May 27-30, 2009 in New Orleans, Louisiana. For further information, please contact the Writing Competition Manager at lawfcr@hofstra.edu.

This year's writing competition winner is Elizabeth McDonald, who attends Washington University in St. Louis Law School. Her note is titled "Sperm Donor or Thwarted Father? How Written Agreement Statutes are Changing the Way Courts Resolve Legal Parentage Issues in Assisted Reproduction Cases" and will be published in the April 2009 issue of *FCR*.



### **Family Court Review Vol. 47, No. 2, April 2009**

#### **Editorial Notes**

Andrew Schepard

#### **Special Issue:**

#### **Substance Abuse in the Family Court**

#### **Special Guest Editors' Editorial Notes**

Barbara Babb, Gloria Danziger and Judith Moran

#### **Problem-solving Court Judges and Judicial Satisfaction**

Deborah Chase & Hon. Peggy Fulton Hora

#### **Adolescent Drug Users: The Justice System Is Missing an Important Opportunity**

Caroline Cooper

#### **When It Happens in a Family: Aiding Parents of Substance Abusing Adolescents**

Howard Davidson

#### **From Addiction to Abstinence: Maximizing the Chances of Success**

Barry Stimmel

#### **The Road from Addiction Recovery to Productivity: Ending Discrimination Against People with Alcohol and Drug Problems**

Roberta Leis and David Rosenbloom

#### **Child Custody Evaluations: Social Science and Public Policy**

#### **Child Custody Evaluations: The Need for Systems-Level Outcome Assessments**

Robert F. Kelly And Sarah H. Ramsey

#### **Mandated Custody Evaluations and the Limits of Judicial Power**

Mary E. O'Connell

#### **Student Notes**

#### **Intimate Partner Violence in the Military: Securing Our Country, Starting with the Home**

Simeon Stamm

#### **Sperm Donor or Thwarted Father? How Written Agreement Statutes are Changing the Way Courts Resolve Legal Parentage Issues in Assisted Reproduction Cases**

Elizabeth McDonald, Washington University in St. Louis Law School, winner of the 2007 Family Law Writing Competition

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**Association of Family and Conciliation Courts****CALL FOR PRESENTERS****AFCC Regional Training Conference****Interventions for Family Conflict:  
Stacking the Odds in Favor of Children***Reno, Nevada***Peppermill Resort Spa Casino  
November 5-7, 2009  
\$99 single or double**

Proposals are being accepted for three-hour training workshops on interventions for family conflict. The conference will have individual tracks for judges, mediators, legal professionals, custody evaluators and parenting coordinators. Please indicate the track for which your proposal is intended.

Workshop proposals should combine a focus on skill-development and underlying research and theory that can be incorporated into practice.

If you are interested in presenting a workshop, go to [www.afccnet.org](http://www.afccnet.org) and submit the following information online: (1) an abstract of 300 words or less describing your proposed workshop; (2) a brief outline of your proposed workshop; (3) indicate the track for which your workshop is intended; (4) three learning objectives that will be addressed by your proposed workshop; (5) name, address, telephone and fax numbers, and email addresses for all proposed presenters; (6) the name of the presenter who will be coordinating your workshop; and (7) name, telephone number and email address of two professional references. After submitting the information for your proposed workshop, email resumes for all proposed presenters to [afcc3@afccnet.org](mailto:afcc3@afccnet.org). Maximum of four presenters per workshop.

Please note that the **deadline for proposals is June 5, 2009**. AFCC is unable to guarantee consideration of incomplete proposals or those submitted after the deadline. AFCC offers a reduced registration fee for conference presenters and is unable to reimburse travel and related expenses. To submit a proposal, go to [www.afccnet.org](http://www.afccnet.org) and fill out the online proposal submission form.

AFCC, 6525 Grand Teton Plaza, Madison, WI, 53719; Phone: (608) 664-3750; Email: [afcc3@afccnet.org](mailto:afcc3@afccnet.org);  
Web: [www.afccnet.org](http://www.afccnet.org)



## Upcoming AFCC Conferences and Trainings

### AFCC Conferences

#### AFCC 46th Annual Conference

May 27-30, 2009  
Sheraton New Orleans  
New Orleans, Louisiana

#### AFCC Regional Training Conference

November 5-7, 2009  
Peppermill Resort Spa Casino  
Reno, Nevada

#### AFCC 47th Annual Conference

June 2-5, 2010  
Sheraton Denver  
Denver, Colorado

#### AFCC 48th Annual Conference

June 1-4, 2011  
Hilton Orlando Bonnet Creek Resort  
Orlando, Florida

### AFCC Training Programs

#### Advanced Issues in Child Custody

*Nancy Williams Olesen, Ph.D.*  
June 22-23, 2009  
Chicago, Illinois

#### Parenting Coordination: Advanced Practice and Skills

*Joan B. Kelly, Ph.D.*  
June 24-25, 2009  
Chicago, Illinois

### AFCC Chapter Conferences

#### Missouri Chapter Annual Spring Conference

March 12-13, 2009  
Sheraton-St. Louis Downtown  
St. Louis, Missouri

#### Massachusetts Chapter Annual Conference

April 3, 2009  
Regis College  
Weston, Massachusetts

#### Ontario Chapter Annual Conference

April 3, 2009  
130 West Event Center  
Toronto, Ontario, Canada

#### Minnesota Chapter Annual Conference

April 24, 2009  
St. Paul Campus  
University of Minnesota  
St. Paul, Minnesota

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

