



FOUNDED IN 1963



AFCC eNEWS

MONTHLY E-NEWSLETTER

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JUNE 2009

AFCC 47th Annual Conference in Denver

Traversing the Trail of Alienation: Rocky Relationships, Mountains of Emotion, Mile High Conflict is AFCC's next Annual Conference, June 2-5, 2010, at the Sheraton Denver. Save the date and watch for the Call for Presenters coming soon!

Get Wired with AFCC

Online Audio and Networking

Access AFCC members and conferences sessions without leaving your computer! In addition to audio of more than 30 conference sessions online dating back to 2004, AFCC has two group email lists to encourage networking, discussion and professional development.

The AFCC Court Services email group is open to anyone interested in issues pertaining to family court service agencies. Have a question about domestic violence screening tools, staffing patterns or program evaluation? Post it to the list and get feedback from dozens of experienced colleagues. The list is moderated by Grace Hawkins, Director of the Pima County Family Center of the Conciliation Court in Tucson, Arizona. You can post a question or join the list by contacting her at ghawkins@sc.pima.gov.

The Parenting Coordination (PC) Network is open to AFCC members who serve as parenting coordinators or are interested in this role. AFCC has taken the lead in the development of this growing professional field through its two Parenting Coordination Task Forces, the creation of *Guidelines for Parenting Coordination*, and through training opportunities around the U.S. and workshops on parenting coordination at its conferences. If you are an AFCC member and would like to join the PC Network, [click here](#).

If you are not an AFCC member and want to join the conversation, [click here](#) to become a member.

Parent educators can join a list established by Les Herold, AFCC member from San Bernardino, CA. The list provides a forum for divorce educators, whether already established or simply thinking about starting a program, to share resources, get leads on educational materials (e.g., films, curriculum), and take parts in dialog centered on subjects such as marketing, and enlisting the support of family law judges in referring parents to programs. Anyone interested in joining can email Les at lesherold@yahoo.com.



UPCOMING CONFERENCES

AFCC Regional Training Conference

Interventions for Family Conflict: Stacking the Odds in Favor of Children
November 5-7, 2009
Peppermill Resort
Reno, Nevada

AFCC 47th Annual Conference

Traversing the Trail of Alienation: Rocky Relationships, Mountains of Emotion, Mile High Conflict
June 2-5, 2010
Sheraton Denver
Denver, Colorado

AFCC Ninth Symposium on Child Custody Evaluations

October 28-30, 2010
Hyatt Regency Cambridge
Cambridge/Boston,
Massachusetts

Another way to stay connected – Join Facebook and Become a Fan of AFCC

Check out the new photos from the annual conference in New Orleans and the AFCC Work Day on the AFCC Facebook fan page! [Click here...](#)

Florida Passes a Parenting Coordination Statute

For those who have been following Florida's long journey toward PC legislation, Governor Charlie Crist signed bill CS/CS/CS SB 904 into law on June 16, 2009. Parenting Coordination is now a state statute to take effect in October of 2009.

[Click here to read the specific law...](#)

Discount for AFCC Members at APA

The APA Practice Organization and the APA Office of Continuing Education in Psychology are offering an all-day workshop, *Parenting Coordination: Practice, Research, and the Interface Between Psychology and Law*, offering Parenting Coordination training for lawyers, judges, psychologists and other mental health professionals on August 5, 2009, in Toronto, Ontario.

Speakers include many AFCC members, including Shirley Ann Higuchi, JD; Debra K. Carter, Ph.D.; Robin M. Deutsch, Ph.D.; Roberta Eisen, M.Ed., LPC; Barbara Jo Fidler, Ph.D.; Joan B. Kelly, Ph.D.; and Matthew J. Sullivan, Ph.D.

To register, please call (800) 374-2721, ext. 5991 and mention you are an AFCC member in order to receive the discounted "member" rate. (Note: AFCC members will receive the member rate when enrolling in the Parenting Coordination workshop only. AFCC members must enroll by phone in order to receive the member price and cannot receive the member price by enrolling online.)

[For more information, click here...](#)

ASK THE EXPERTS

Top Ten Ways to Protect Your Kids from the Fallout of a High Conflict Break-up

by Joan B. Kelly, Ph.D.

Joan B. Kelly is an author, therapist, mediator and parenting coordinator with four decades of experience working with high conflict parents who are separating. She offers her tips on how to protect the children from the fallout.

[Read more...](#)

FEATURED ARTICLE

A View of Mediation in the Future

by James Melamed, courtesy of Mediate.com

I do my best to stay on top of the phenomenon and evolution of mediation. How is mediation growing and changing in the US and world? If one looks toward the future with an open mind, it is mind-blowing to consider where mediation may be going.

[Read more...](#)

RESEARCH UPDATE

AFCC 48th Annual Conference

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

AFCC Innovations Series Books



Innovations in Interventions with High Conflict Families

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Innovations in Family Law Practice

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Disagreements in Childrearing Practices Studied

Courtesy of J.M. Craig Press, Inc.

A key question, when considering best interest determinations, is the extent to which parents support their children's appropriate developmental needs and agree with each other about them. This study examines parenting style and how similarities or differences affect children.

[Read more...](#)

INTERNATIONAL NEWS

Drops from Down Under

by Hon. Graham Mullane (ret.)

The debate continues to rage in Australia as to the effect and merits of 2006 amendments to the Family Law Act intended to increase the involvement of separated fathers with their children.

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New Online Parenting Education Program

Two parenting education resources are now available at www.improvedparenting.com from Mediate.com:

"Four Keys to Successful Parenting" is a one-hour concise parenting education program; and "Improving Parent-Child Relationships" is a ten-hour complete parenting education curriculum.

In both, you see real parents and their children working with parenting expert, Carol Lynn Morse, Ph.D., to gain a new perspective on parent-child interactions and learn new skills. The purpose is to create an affordable and scalable resource for courts, agencies and professionals.

AFCC will be highlighting online divorce education programs. If you have an online program you'd like to share, please send the information to editor@afccnet.org.

INTERNET NEWS

Judge Reprimanded Over Use of Facebook

Courtesy of WXII12.com

Judge B. Carlton Terry Jr. received a public reprimand from the Judicial Standards Commission for communicating with a lawyer from a trial he was presiding over.

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Disagreements in Childrearing Practices Studied

Courtesy of J.M. Craig Press, Inc.

Barnett, M. A., Deng, M., Mill-Koonce, W. R., Willoughby, M., and Cox, M. [2008]. Interdependence of Parenting of Mothers and Fathers of Infants. Journal of Family Psychology, 22, 561-573.

A key question, when considering best interest determinations, is the extent to which parents support their children's appropriate developmental needs and agree with each other about them. This study examines parenting style and how similarities or differences affect children.

The authors observed ten minutes of free play with a child and each of his/her parents separately; on average, the children were 7 months old. Both parents completed a questionnaire regarding their childrearing attitudes. Ninety-seven families were studied; 42% were African-American. On average, the parents had three years of college. The free play was evaluated in terms of negative vs. sensitive parenting.

The authors found that:

- Mothers demonstrated significantly higher levels of sensitive parenting than fathers.
- Higher levels of sensitive parenting were found when both parents agreed with this parenting style, and these parents also agreed that they had a better marital relationship.
- When one parent exhibited negative parenting, the chances increased that the other parent would as well.
- Fathers were more likely to show negative parenting toward their sons and not their daughters, while mothers' style did not differ based on sex of the child.
- The African-American parents generally exhibited higher levels of negative parenting when compared to the Caucasian parents.

Critical Analysis

This is the first study we have seen that examines parenting at such a detailed level. Also, the number of participants is more than adequate, and African-Americans were well represented. In terms of limitations, the observation was only ten minutes, which limits the generalizability of the findings. Second, this study is cross-sectional. That is, there was no follow up to determine if the parents were still behaving in the same way they were when originally observed. Third, we do not know why the authors chose to evaluate such young children, and we wonder if the differences would have been greater had the children been older and more active.

Recommendations

CCEs and PCs should consider the results of this study seriously. Those parents who agreed with each other and supported their children prior to divorce may be most likely to continue doing so after divorce, and their children are more likely to do well. When parents disagreed with each other, parenting quality deteriorated. Even if one parent were sensitive in his/her childrearing, s/he was more likely to become more negative as a result of the other parent's behavior. In other words, it appears as if one parent's negative behavior is prone to affect the other. What we do not know is whether or not this phenomenon continues post-divorce. Would a negative parent still bring down the other parent even when they no longer live together? Or would that parent change his/her behavior because s/he was no longer married. Because this can be a dynamic process during the pendency of divorce, we recommend that CCEs and PCs inquire as to the degree to which parents agreed/disagreed about childrearing when their children were first born. If the parents were sensitive and agreed from the outset, we need worry less about the outcomes for their children. On the other hand, if a CCE or PC observes gate-keeping on the part of one of the parents, s/he should consider examining the parenting styles of both, since those differences may have prompted the gate-keeping behavior. Collateral sources for making such determinations may be invaluable.

For this as well as other valuable research visit J.M. Craig Press online at www.jmcraig.com or call (877) 960-1474. AFCC members receive a 25% discount on all J.M. Craig Products.

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Drops from Down Under

By Hon. Graham Mullane (ret.), LL.M., MJS, Newcastle, NSW, Australia

The Shared Parenting Debate

The debate continues to rage in Australia as to the effect and merits of 2006 amendments to the Family Law Act intended to increase the involvement of separated fathers with their children. The "shared parenting" amendments establish a presumption that children's interests are best served by "equal shared parental responsibility" and provide that if there is already, or a court is about to order, equal shared parental responsibility, a court deciding living arrangements for the child must consider making an order for the child to spend equal time with each parent or "substantial and significant time" with each.

Both the men's and women's lobbies have applauded some decisions of the courts and attacked others. There are very few occasions when both lobbies were pleased with the same decision.

The criticisms from the men's lobbies are generally about not giving fathers more time with their children. Their complaints are often expressed in terms of injustice to the father. But the Family Law Act provides that the interests of the child are the paramount consideration and does not mention parents' interests or parents' rights in the list of 14 matters courts are required to take into account when deciding children's cases.

The criticisms from the women's lobby are mostly about ordering children to spend time with their fathers when it is unsafe because of the risk of violence and/or other abuse. Since early this year, there has been a national campaign to highlight the dangers children face under some court decisions in the family law jurisdiction. It has included numerous academics, some of whom have conducted relevant research, generally with small samples.

There are criticisms of the amendments misleading parents into thinking equal time arrangements are good for even babies and very small children, when in fact the equal time arrangement the parents impose on the child may either prevent the child from developing any secure attachment or destroy an attachment (or attachments) already established. Research by Linda Sweet and Charmain Power of Flinders University found that some children under 12 months are being subjected to equal shared care, even though they are being breastfed. The arrangement may subject the child frequently to hours of car travel between the parents, sometimes even daily.

Another criticism from the women's lobby has been that shared parenting is being ordered where the parents have poor communications and serious conflict. They assert this to be contrary to children's interest, as to have such an arrangement increases the children's exposure to the adult conflict.

There has been research about interim proceedings where there are allegations of a risk of abuse by the father. It shows that since the amendments, courts are more likely to make interim orders for the child to

spend unsupervised time with the father. The incidence of such interim orders among cases where the final outcome is "no contact" has increased. However, the research also shows no significant change in the incidence of "no contact" outcomes in the final hearings.

The Court's statistics show that the incidence of outcomes giving fathers residence of children has declined from 19% in 1999-2000 to 17% after 2006. But the number of outcomes of equal time has increased from 6% to 15%. Fathers have been given at least equal time in 32% of the final outcomes. The outcomes include orders made by consent. Some commentators express concern that the amendments have given the public and litigants the wrong impression that equal shared care is the norm, leading fathers to seek such an outcome and mothers to consent to it because they believe it is the likely result of a defended hearing. Court statistics and research show that equal shared care is the least durable parenting arrangement for separated couples and most such arrangements fail within 18 months.

Research results released in June concerned a sample of relocation decisions by the Family Court comprising 20 cases before the amendments and 30 cases after. The results showed that relocation applications by custodial parents (mostly mothers) seeking to move with the children are less likely to succeed since the amendments. Whereas 75% of the applications before the amendments succeeded, only 50 % of the applications after the amendments succeeded. However, one would be concerned at the small size of the samples.

In June there was also media reporting of allegedly bad outcomes from numerous cases where custodial mothers were unsuccessful in relocation cases. One of those decisions concerned a couple who moved with their 5 year old daughter from Sydney to a remote mining town in Queensland so the father could take up well-paid employment. Six months later when the father ended the marriage, the mother, the child's primary carer, returned to Sydney with the child. Her reasons included the fact that with such high rents in the mining town she could afford only caravan accommodation for herself and the daughter. The Family Court ordered the mother to return to the mining town, as otherwise the daughter could not maintain a close relationship with her father.

In May, there were rallies across the nation by professionals and separated mothers highlighting many cases where children have been subjected to arrangements that have involved death, abuse or other damage to the child. There has been considerable media reporting of cases where the new legislation has allegedly failed children, particularly cases where a parent has killed a child or children.

There is a petition circulating nationally seeking to have the Family Law Act amended to resemble the New Zealand approach so that where any violence is proved the onus is on the perpetrator to prove the child will be safe with him/her before a court can make any order for the child to spend any time with that person.

In June, Professor Patrick Parkinson, one of the architects of the shared parenting amendments as then chair of the Family Law Council (a statutory body that advises the Government on such issues) was reported in The Australian newspaper as conceding that the amendments are deeply flawed and must be amended or revoked and replaced by something new. The current chair of the Council, Professor John Wade, was reported as agreeing with that view.

The Australian Institute of Family Studies is to research the effect of the 2006 Amendments and report by December. The Attorney General has also instructed his own department to review the 2006 amendments and report to him by the end of the year.



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Top Ten Ways to Protect Your Kids from the Fallout of a High Conflict Break-up

By Joan B. Kelly, Ph.D.

1. Talk to your children about your separation

Studies show that only 5 percent of parents actually sit down, explain to their children when a marriage is breaking up, and encourage the kids to ask questions. Nearly one quarter of parents say nothing, leaving their children in total confusion. Talk to your kids. Tell them, in very simple terms, what it all means to them and their lives. When parents do not explain what's happening to their children, the kids feel anxious, upset and lonely and find it much harder to cope with the separation.

2. Be discreet

Recognize that your children love you both, and think of how to reorganize things in a way that respects their relationship with both parents. Don't leave adversarial papers, filings and affidavits out on your kitchen counter for children to read. Don't talk to your best friend, your mother or your lawyer on the phone about legal matters or your ex when the kids are in the next room. They may hear you. Sometimes kids creep up to the door to listen. Even though they're disturbed by conflict and meanness between their parents, kids are inevitably curious - and ill-equipped to understand these adult matters.

3. Act like grown-ups: keep your conflict away from the kids

People with personality disorders have chronic internal distress and/or ongoing impairment of social functioning in many settings. They are characterized by an inability to reflect on their own behavior and an inability to adapt their behavior to changing circumstances. This is part of who they are. There are at least ten different types of personality disorders.

4. Dad, stay in the picture

Long-term studies show that the more involved fathers are after separation and divorce, the better. Develop a child-centered parenting plan that allows a continuing and meaningful relationship with both parents. Where a good father-child relationship exists, kids grow into adolescence and young adulthood as well-adjusted as married-family children. High levels of appropriate father involvement are linked to better academic functioning in kids as well as better adjustment overall. That's true at every age level and particularly in adolescents. Fathers, be more than a "fun" dad. Help with homework and projects, use appropriate discipline, and be emotionally available to talk about problems.

5. Mom, deal with anger appropriately

In their anger and pain, mothers may actively try to keep Dad out of the children's lives - even when they are good fathers whom the children love. When you're hurting, it's easy to think you never want to see the ex again, and to convince yourself that's also best for the kids. But children's needs during separation are very different from their parents. Research reports children consistently saying, "Tell my dad I want to see him more. I want to see him for longer periods of time. Tell my mom to let me see my dad."

6. Be a good parent

You can be forgiven for momentarily "losing it" in anger or grief, but not for long. Going through a separation is not a vacation from parenting - providing appropriate discipline, monitoring your children, maintaining your expectations about school, being emotionally available. Competent parenting has emerged as one of the most important protective factors in terms of children's positive adjustment to separation.

7. Manage your own mental health

If feelings of depression, anxiety, or anger continue to overwhelm you, seek help. Even a few sessions of therapy can be enormously useful. Remember, your own mental health has an impact on your children.

8. Keep the people your children care about in their lives

Keep the people your children care about in their lives. Encourage your children to stay connected to your ex's family and important friends. If possible, use the same babysitters or child-care. This stable network strengthens a child's feeling that they are not alone in this world, but have a deep and powerful support system – an important factor in becoming a psychologically healthy adult.

9. Be thoughtful about your future love life

Ask yourself: must your children meet everyone you date? Take time, a lot of time, before you remarry or cohabit again. Young children in particular form attachments to your potential life partners and, if new relationships break up, loss after loss may lead to depression and lack of trust in children. And don't expect your older kids to instantly love someone you've chosen – this person will have to earn their respect and affection.

10. Pay your child support

Even if you're angry or access to your children is withheld, pay child support regularly. Children whose parents separate or divorce face much more economic instability than their married counterparts, even when support is paid. Don't make the situation worse. In this as in all things, let your message to the kids be that you care so much about them that you will keep them separate, and safe, from any conflict. They will appreciate it as they get older.

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