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# AFCC eNEWS

MONTHLY E-NEWSLETTER  
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## Price Freeze Extended for Members Until 2011

The AFCC Board of Directors has voted to extend the price freeze initiated in 2008 for members until at least January 2011. The price freeze will extend to registration fees for conferences, training programs and pre-conference institutes as well as publication prices and membership dues. The freeze does not apply to non-member prices, but AFCC will make every reasonable effort to keep costs down.

[Join AFCC now and take advantage of these savings...](#)

## RESEARCH UPDATE

### Adults Believe What Children Say. Should They?

*Courtesy of J.M. Craig Press, Inc.*

The research is clear that children report more accurately when simply asked wide-ranging and open-ended questions regarding what they remember about events. Many studies have been devoted to how much people believe children when the questions are suggestive in nature. This study takes us a step further by examining whether teaching participants about suggestive interviewing makes a difference in their assessment of the veracity of children's reports.

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## ASK THE EXPERTS

### Top Ten National Council of Juvenile and Family Court Judges (NCJFCJ) Resources

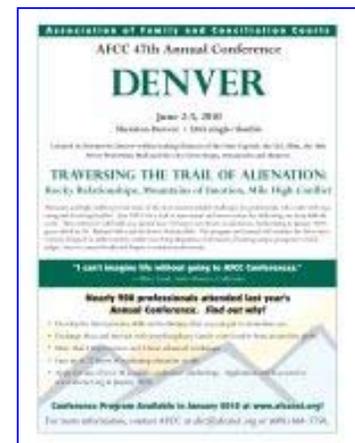
Since its founding in 1937 by a group of judges dedicated to improving the effectiveness of the nation's juvenile courts, the National Council of Juvenile and Family Court Judges (NCJFCJ) has pursued a mission to improve courts and systems practice and raise awareness of the core issues that touch the lives of many of our nation's children and families. NCJFCJ has a wealth of resources and has generously provided these top ten.

[Read more ...](#)

## FEATURED e-NEWSLETTER

Mediate.com recently published the 300th issue of *The Mediate.com Weekly*. *The Weekly* began 13 years ago under the guidance of founding editor John Helie. Over time, the newsletter became a bi-weekly and then weekly publication under the leadership of editors John Ford and Jim Melamed. AFCC members and others can subscribe at no charge or visit the Web version of

## UPCOMING CONFERENCES



### 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, MA

### AFCC 48th Annual Conference

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

### AFCC 49th Annual Conference

June 6-9, 2012

The Weekly at [www.mediate.com/Newsletter](http://www.mediate.com/Newsletter).

## Treasures on the AFCC Website

*Report from the Wingspread Conference on Domestic Violence and Family Courts* by Professors Nancy Ver Steegh and Claire Dalton can be found on the AFCC website in the Resource Center.

In February of 2007 the National Council of Juvenile and Family Court Judges and the Association of Family and Conciliation Courts brought together a working group of thirty-seven experienced practitioners and researchers to identify and explore conceptual and practical tensions that have hampered effective work with families on which domestic violence has been identified or alleged. Five central sets of issues were raised at the conference and are discussed in this report.

[Read the report...](#)

## December AFCC Training Programs in Baltimore

*Parenting Coordination: Helping High Conflict Parents Resolve Disputes* will be presented by Joan B. Kelly, Ph.D. on December 7-6, 2009.

*Advanced Issues in Child Custody: The Child's Perspective* will be presented by Mindy Mitnick, Ed.M., M.A. on December 9-10, 2009.

[More information...](#)

## Family Court Review Associate Editor Position

*Family Court Review (FCR)*, the quarterly academic and research journal of the Association of Family and Conciliation Courts, is seeking an Associate Editor.

[Read more...](#)

## DIVORCE IN THE NEWS

### Obesity as a Basis for Losing Custody

*Courtesy of the Family Law Professors Blog*

A recent case out of the U.K. has brought renewed attention to the issue of whether morbid obesity in children is a sign of abuse and neglect, such that the parents of those children should lose custody. The latest case to make headlines concerns a Scottish couple who lost custody of two of their six children on the basis of what was, their lawyer claims, a failure to reduce the kids' weight following warnings from Scottish social services.

[Read the Time story here...](#)

## Legal Recognition of LGBT Parents Shifts State-by-State

*Courtesy of Examiner.com*

A heterosexual couple who adopted three children together in the state of Illinois moved to Michigan several years later. As often happens, things ended and the couple went to court to determine custody of their children. To their surprise, the court determined that neither the man nor woman is considered the legal parent since Michigan has different adoption laws than Illinois, so the

Hyatt Regency  
Chicago, Illinois

## ASK THE EXPERTS

**Do you have a question that you would like answered by an AFCC expert?** Let us know and your question could be answered in the next *AFCC eNEWS*.

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## ABOUT AFCC eNEWS

*AFCC eNEWS* is a monthly e-newsletter published by the Association of Family and Conciliation Courts (AFCC). *AFCC eNEWS* provides professionals with time sensitive and up-to-date topics including practice tips, research innovations and international news. Readers are welcome to forward this e-newsletter to interested colleagues.

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AFCC welcomes your comments, questions or feedback. Please email the editor by [clicking here](#).

## EMAIL UPDATE

court refused to even hear the case.

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## **Cheating Husband Ordered to Pay \$100,000 to Spurned Mistress**

*Courtesy of Telegraph.co.uk*

An Australian man who had an affair with a woman for 20 years while he was married has been ordered to pay the mistress more than \$100,000 (£55,000) under the country's new laws that give rights to people in de facto relationships.

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### Adults Believe What Children Say. Should They?

*Courtesy of J.M. Craig Press, Inc.*

*Laimon, R. L. and Poole, D. A. [2008]. Adults Usually Believe Young Children: The Influence of Eliciting Questions and Suggestibility Presentations on Perceptions of Children's Disclosures. Law and Human Behavior, 32, 489 – 501.*

The research is clear that children report more accurately when simply asked wide-ranging and open-ended questions regarding what they remember about events [See Digests: 5, 3 & 5; 6, 4; 7, 9; 8, 2; and 9, 4.] Many studies have been devoted to how much people believe children when the questions are suggestive in nature. This study takes us a step further by examining whether teaching participants about suggestive interviewing makes a difference in their assessment of the veracity of children's reports.

First, the authors reestablished that children were more accurate when answering open-ended, non-leading questions and less accurate when answering yes/no questions. Then 108 college students watched three interviews of 4- to 8-year-old children and rated the children regarding their truth telling. The participants then received an educational program regarding how forensic interviews should be conducted. Some participants then saw a video of children reporting fictitious events. Having received all this information, the authors investigated whether the more knowledgeable participants were more able to identify the types of questions that were asked. Finally, a second group of 108 participants saw a video of an expert "testifying" about the same information the other participants received in the educational program.

The authors found:

- Adults do not recall the type of question that was asked, even after they had been trained to recognize them.
- The participants believed what the children said regardless of how much information the children provided and whether the information was correct or not.
- Even though the participants were educated about forensic interview questioning using two different media, their ability to identify suggestive/leading questions and their potentially erroneous consequences was not improved.

From these data, the authors make a number of conclusions. First, the content of the children's report was more important for the participants than the type of question that elicited the information. Second, training programs for investigators should include concrete examples of suggestive/leading questions and how they may elicit inaccurate reports. Third, "Results from the current studies are consistent with the finding that standard expert testimony [i.e., testimony that describes conclusions from research] often fails to direct people's attention to relevant case features. A more effective approach, concrete testimony, explicitly maps research results on to case evidence" [p. 499].

## **Critical Analysis**

This study had both experimental and control groups. Second, the results are strong for two reasons. The authors used different methods and found the same results, and because the authors knew which children were telling the truth, they were able to accurately assess the participants' evaluation of the children's reports. In terms of limitations, the children had not been victimized. This was a laboratory or analogue study of eyewitness testimony. As such, we cannot know for a certainty how these findings would apply in actual criminal investigations.

## **Recommendations**

A major finding of this study is that jurors are likely to believe children's testimony in a very high proportion of cases. This holds true when forensic interviews are done poorly, and even when jurors are trained to evaluate the quality of the interview. Such findings are extremely disturbing as the potential for biased decision making is very high. The authors tell us that one solution may involve more specific training of investigators by using concrete examples. Theoretically, doing so would help investigators be more alert to these issues and conduct more scientifically-based investigations. We can only hope that they are right.

What can expert testimony do to educate jurors? The authors suggest that they can do very little since juror bias in favor of children's testimony is so high. On the other hand, if providing investigators with more specific examples will help them, we can only hope that it would help jurors as well.

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

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### ***Family Court Review* Associate Editor Position**

*Family Court Review (FCR)*, the quarterly academic and research journal of the Association of Family and Conciliation Courts (AFCC), is seeking an Associate Editor. *FCR*, an interdisciplinary journal, is published at Hofstra University Law School and is operated by a student editorial staff, working under the supervision of the Editor.

The Associate Editor will be responsible to and work closely with the Editor. He or she will work with the Editorial Board and student staff of *FCR* to promote the interdisciplinary mission of *FCR* and AFCC. Duties of the Associate Editor include:

- Soliciting and developing articles with a particular emphasis on empirical research in the social and behavioral sciences;
- Advising the Editor of trends in social and behavioral sciences and empirical research that should be reflected in *FCR*;
- Consulting with Guest Editors of special issues;
- Assisting in making *FCR*'s research articles understandable and relevant to all professions that make up the interdisciplinary readership of *FCR*;
- Aiding the Editorial Board, the Editor and the student staff during the process of reviewing social and behavioral science and empirically based articles submitted to *FCR* for suitability for publication, especially when reviewers of articles are in disagreement;
- Recruiting authors for *FCR* articles;
- Advising the *FCR* student staff in the research and writing of their student notes;
- Suggesting appropriate books and reviewers for *FCR* book reviews;
- Attending meetings of and suggesting new members for the *FCR* Editorial Board;
- Participating in planning meetings with AFCC and Publisher of *FCR*.

For a complete job description or to apply, please contact: Betty J. Black at [Betty.J.Black@hofstra.edu](mailto:Betty.J.Black@hofstra.edu). Applications must be received by February 1, 2010.

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### ASK THE EXPERTS

#### The Top Ten Resources of the National Council of Juvenile and Family Court Judges

**1. The NCJFCJ website** at [www.ncjfcj.org](http://www.ncjfcj.org) offers a multitude of resources for judges and other professionals for improving practice in the fields of juvenile delinquency, child abuse and neglect, domestic violence and family law. For more information on any of the resources listed here, please email [staff@ncjfcj.org](mailto:staff@ncjfcj.org).

**2. Integrating Problem-Solving Court Practices Into the Child Support Docket:** By presenting practical examples of how judges can improve practice in child support cases by utilizing a problem-solving approach, this tool shows how problem-solving principles can help build a culture of compliance in which parents will support their children voluntarily and reliably.

**3. A Practice Guide: Making Child Support Orders Realistic and Enforceable:** This tool covers retroactive support orders and offers guidelines for determining income, along with worksheets and checklists.

**4. Website of the National Center for Juvenile Justice,** the research department of the NCJFCJ. A "one stop shopping" place for the latest statistics and data on juvenile crime and victimization, statutes analysis, and applied research practices with probation and providers. Visit [www.ncjj.org](http://www.ncjj.org) or link from [www.ncjfcj.org](http://www.ncjfcj.org).

**5. State Profiles Website:** This website provides the most comprehensive information currently available on the juvenile justice systems and laws in each of the 51 U.S. jurisdictions and is adding new content in 2010 relating to each jurisdiction's implementation of strategies under the four core requirements of the JJDP.

**6. A Judicial Guide to Child Safety in Custody Cases:** Because custody cases involving abuse have intermingled issues of safety and access, judges require effective and accessible information and tools to aid their decision-making. The Judicial Guide contains 14 bench cards which provide an easy-to-use checklist system for judges at critical decision-making points throughout the case, as well as a supplemental guide which provides additional information about in- and out-of-court behaviors, best interest of the child, and order issuance and enforcement.

**7. Reasonable Efforts Checklist:** Domestic violence in dependency cases often goes unrecognized and unaddressed. This checklist includes easy reference bench cards for judges to consult during removal, adjudication, disposition, review, permanency, and termination hearings involving domestic violence. It is designed to aid judges in making reasonable efforts findings that are required by federal law in dependency cases involving domestic violence.

**8. Navigating Custody and Visitation Evaluations in Cases with Domestic Violence: A Judge's Guide:** This publication is intended to serve as a practical guide for judges on how to interpret and act on professional child custody evaluations when domestic violence is involved in family law cases. The Guide includes four bench cards and

supplementary material that are intended to guide a judge chronologically through the custody evaluation process.

**9. The Adoption and Permanency Guidelines:** Improving Court Practice in Child Abuse & Neglect Cases: Presents best practice recommendations for use in dependency cases involving abused and neglected children who cannot be reunified with their families. They serve as an adjunct to the NCJFCJ publication [Resource Guidelines](#). The [Adoption Guidelines](#) assist juvenile and family courts in assessing and implementing improvements in the handling of child abuse and neglect cases through the termination of parental rights and adoption process.

**10. Building a Better Collaboration:** This publication outlines the key elements and strategies that support effective and sustainable systems change, and uses the experiences of Project Sites to illustrate ways in which these theoretical concepts can be implemented in the real world of child welfare reform.

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