



# AFCC eNEWS

MONTHLY E-NEWSLETTER  
VOL. 5 NO. 4  
APRIL 2010

## AFCC's 47th Annual Conference Goes Green

AFCC is making some "green" changes this year for the annual conference, June 2-5, 2010, at the Sheraton Denver Downtown. Eco-friendly conference tote bags are made from recycled materials and are flat-bottomed, which makes them perfect to re-use for grocery shopping. Conference attendees will receive handouts in an electronic format. Handouts will also be available to registrants online before and after the conference. Conference materials will be posted by May 14 and conference registrants will get an access code so they may print out the sessions they desire to bring with them. A charging station for laptops will be available at the conference. Materials for the conference that must be printed, such as the silent auction catalog and room assignment sheets, will be on paper with at least 30% recycled content. As you leave the conference, turn in your name badge at the AFCC desk for re-use.

[Read more...](#)

## Treasures on the AFCC Website

### Planning for Parenting Time: Arizona's Guide for Parents Living Apart

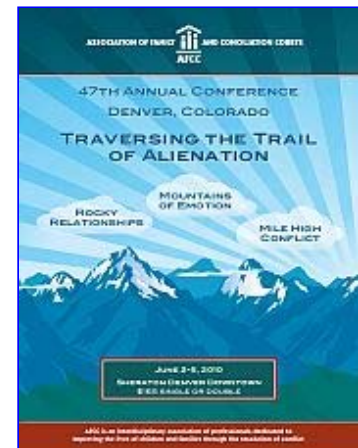
The Arizona Supreme Court, Administrative Office of the Courts, Courts Services Division has published a comprehensive guide for parents containing sample parenting plans for various age groups, and has addressed numerous special issues that impact parenting plans. The guide is intended to help parents reduce conflict and reach agreements more easily. The workgroup included many AFCC members: Faren Akins, Sidney Buckman, Edith Croxen, Nancy Gray-Eade, Grace Hawkins, Marlene Joy, Steven Larson, Kathy McCormick, Rhonda L. Repp, Philip M. Stahl, K.C. Stanford, Barrie Wagner and Theresa Barrett.

[Read the guide...](#)

### Ohio Chief Justice Thomas J. Moyer 1939-2010

Supreme Court of Ohio Chief Justice Moyer, the longest serving chief justice in the United States, died unexpectedly on April 2, 2010. He was a champion of ADR, advocating the use of mediation and the idea that mediation should be available to everyone, without cost. In 1998, he accepted the Irwin Cantor Innovative Program Award from AFCC in Washington, D.C. on behalf of the Ohio Supreme Court in recognition of the efforts he led to promote

## 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 Downtown  
Denver, Colorado

### Parenting Coordination: Helping High Conflict Parents Resolve Disputes

June 14-15, 2010  
Joan B. Kelly, Ph.D.  
Loyola University Chicago  
Philip H. Corboy Law Center  
Chicago, Illinois

[More information...](#)

### Advanced Issues in Parenting Coordination: Attachment, Personality Disorders, Alienation and Difficult Clients

mediation throughout the state. Chief Justice Moyer hosted a reception in 2007 at the Ohio Supreme Court Building for attendees of AFCC's Regional Training Conference in Columbus. He was innovative, creative and will be missed by those who knew him and his work.

[Read more...](#)

## ASK THE EXPERTS

### Top Ten Tips for Using an Unbundled Approach to Expand Your Services and Build Your Practice

*By Forrest (Woody) Mosten, J.D.*

If your family practice is currently so overwhelmed with clients that you are turning people away, then read no more. If, on the other hand, you are interested in further building your practice, the following tips may help you develop additional unbundled approaches that meet the needs of divorcing families. Rather than self-representing due to their desire to maintain control and reduce fees, many clients will pay for affordable innovative limited scope services.

[Read more...](#)

## Supervised Visitation Network

### Making Referrals for Supervised Visitation, an Important Survey for Judges and Attorneys

If you are a family court judge or an attorney representing clients in family law cases, you may have occasion to refer litigants for supervised visitation when parent-child contact presents a risk. Are you able to feel confident about the qualifications of the individual or program providing supervision? Although Supervised Visitation Network has written [standards for practice](#) and there are some state regulations, there is currently no process for enforcement and no credential that establishes provider qualifications. The Supervised Visitation Network is considering the following question: should there be some form of credential for providers of supervised visitation?

[Read more...](#)

## Featured Blog: Family Law Professor's Blog

### Tennessee Bill on Equal Physical Custody Drawing Attention

A bill pending in the Tennessee legislature to mandate equal sharing of a child's time with each parent (with few exceptions) is sparking serious debate between women's advocacy groups and fathers' rights groups. On one side is an alliance of women's groups, some judges and the Tennessee Bar Association, who say the change would make divorces tougher to settle and give abusive ex-husbands leverage they shouldn't have. Spending half of the time with each parent would also impose impractical schedules on kids, they say. On the other side are fathers' rights groups who say kids get deprived of full relationships with both parents. Courts have too long ignored laws calling for custody decisions to be made in children's best interests, they say, and judges are overly influenced by notions about the mother-child bond.

[Read more...](#)

## Featured Website: National Clearinghouse for

June 16-17, 2010  
Arnold Shienvold, Ph.D.  
Loyola University Chicago  
Philip H. Corboy Law Center  
Chicago, Illinois

[More information...](#)

## AFCC Ninth Symposium on Child Custody Evaluations

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

The Call for Presenters is now available for the Ninth Symposium on Child Custody Evaluations. All proposals must be submitted using the online form and are due no later than May 14, 2010.

[Call for Presenters...](#)

[Submit a workshop proposal...](#)

## AFCC 48th Annual Conference

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

## AFCC Regional Training Conference

October 27-29, 2011  
Hyatt Regency Indianapolis  
Indianapolis, Indiana

## AFCC 49th Annual Conference

June 6-9, 2012  
Hyatt Regency Chicago  
Chicago, Illinois

## AFCC 50th Annual Conference

May 29-June 1, 2013  
J.W. Marriott Los Angeles at  
L.A. Live  
Los Angeles, California

## Massachusetts Chapter Annual Conference

April 30, 2010  
*The Compromised Parent:  
When Good Enough Isn't*  
Regis College  
Weston, Massachusetts

[More information...](#)

## Minnesota Chapter Annual

## Mediation Ethics

This searchable online database by the American Bar Association Section of Dispute Resolution provides information on hundreds of opinions on mediator ethics from 43 states. Each listing includes a brief summary of the opinion, citation information and, when available, a link to the full opinion online.

[Click here ...](#)

## Featured Video: Participatory Democracy is Motivation to Mediate

*By Bernie Mayer, courtesy of Mediate.com*

Bernie Mayer describes his motivation as a mediator which involves promoting participatory democracy, empowering people to control the outcomes of the crises in their own lives.

[See video...](#)

## AFCC Thanks Scholarship Fund Contributors

Thanks to the generosity of members, AFCC has been able to increase the number of scholarships awarded to our conferences each year. This year, additional travel stipends have been created, as well. If you would like to be part of this generous group of contributors who help make these scholarships possible by making a tax deductible contribution to the AFCC Scholarship Fund, [please click here](#).

[List of contributors...](#)

## Family Law in the News

### Family Law Centers a Growing Alternative to Attorneys

*By Vikki L. Conwell, Courtesy of AJC.com*

Irreconcilable differences led to the dissolution of Lara Kaufmann's marriage, but harmonious agreement yielded a swift and efficient resolution. The DeKalb County couple settled on custody of their two young children, child support and division of assets. They also decided against hiring attorneys, thus saving thousands of dollars in fees. "That's more money you'll have toward raising your kids," said Kaufmann, a marketing consultant who downloaded the forms and filed them for less than \$100. "If you can agree on the terms and fill in the blanks, you can get started without paying \$125 an hour for something you can discuss on your own." Kaufmann is one of a growing number of pro se litigants, people who use the courts without representation from an attorney.

[Read more...](#)

### Put Limits on Custody Complaints, Group Urges

*By Tom Blackwell, Courtesy of National Post.com*

Canadian law must be changed to make it far more difficult for disgruntled parents to file disciplinary charges against psychologists, psychiatrists and other health professionals who do assessments in child-custody cases, says a group of leading lawyers and therapists. The complaints submitted to professional bodies by the losing side in custody battles are turning experts off the important work, the group says in a discussion paper. The result is a "major social and legal problem," it says. The group urges changing the rules so disciplinary bodies can only consider complaints from such parents if they have been first approved by

## Conference

April 30, 2010

*High Conflict Divorce*  
Continuing Education &  
Conference Center  
St. Paul, Minnesota

[More information...](#)

## Ontario Chapter Annual Conference

October 14-15, 2010

*The Future of Family Law*  
University of Toronto  
Residences  
Toronto, Canada

[More information...](#)

## EARN AFCC DOLLARS

Each time a colleague joins AFCC as a first-time member and names you as the referral source on the membership application, you earn ten AFCC dollars to spend on conference registrations, membership renewals and publications. For more information, please contact AFCC at [afcc@afccnet.org](mailto:afcc@afccnet.org) or (608) 664-3750.

## JOIN AFCC

Are you a member?

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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.

[AFCC eNEWS archive...](#)

**Website Version:**

the judge in the case or by the other, winning parent, or have been screened to weed out frivolous grievances.

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### **AFCC Task Force on Court-Involved Therapists Deadline for Comments on Draft Guidelines Extended**

The AFCC Task Force on Court-Involved Therapists was given the task of defining guidelines for the professional practice of therapists working with court-involved families. A draft document is now available for comment and the deadline for comment has been extended to May 1, 2010. Instructions on how to submit comments are included in the draft.

[To view the draft, please click here...](#)

### **Membership Notice of AFCC Board Nominations**

The AFCC Nominating Committee will be nominating members to the Board of Directors at the Membership Meeting at the Annual Conference on June 5, 2010.

[Read nominees...](#)

If you are having trouble viewing this email correctly, please view the website version by [clicking here](#).

#### **Editor:**

Leslye Hunter  
[editor@afccnet.org](mailto:editor@afccnet.org)

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

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### **Making Referrals for Supervised Visitation, An Important Survey for Judges and Attorneys**

If you are a family court judge or if you are an attorney representing clients in family law cases, you may have occasion to refer litigants for supervised visitation when parent-child contact presents a risk. Are you able to feel confident about the qualifications of the individual or program providing supervision? Although Supervised Visitation Network has written [standards for practice](#) and there are some state regulations, there is currently no process for enforcement and no credential that establishes a provider's qualifications. The Supervised Visitation Network is considering the following question: should there be some form of credential for providers of supervised visitation?

Before launching on the long and difficult process of creating a credential, it is essential that SVN first learn about whether there is a real need for credentialing and what type of credential family law professionals who make referrals for supervised visitation might find useful. This survey is a first step.

Your participation would be immensely valuable and will hopefully make your work as a judge or attorney easier. If you are interested, please contact Rob Straus at [robstraus1@gmail.com](mailto:robstraus1@gmail.com). He will send you a link to a brief, confidential survey online. He is also available to answer any questions you might have about the survey or SVN's consideration of a supervised visitation credential.



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### **Ohio Chief Justice Thomas J. Moyer**

*submitted by Hon. Denise McColley, Napoleon, Ohio*

Ohio Chief Justice Thomas J. Moyer, the longest serving chief justice in the United States, died unexpectedly April 2, 2010. Chief Justice Moyer was elected chief justice of the Ohio Supreme Court in 1987 and was scheduled to retire at the end of 2010. He reached the age of 70, the age past which judges cannot be elected in Ohio. Chief Justice Moyer continued to hear cases until the day before he was admitted to the hospital for tests, and died the next day. His death stunned the Ohio legal community.

Moyer had a gentle demeanor and always searched for a way to resolve disputes amicably. When he became chief, the court was divided by ideological and personal conflict. Moyer, always a gentleman, helped restore decorum on the court. During his tenure, he focused on the professionalism of the bench and the bar. One never heard him draw attention to himself. However, his years as the chief justice were marked by major accomplishments.

Chief Justice Moyer led the Court and the state of Ohio to embrace alternative dispute resolution processes, particularly mediation. He advocated the use of mediation to resolve disputes at all court levels and, with funding from the Supreme Court, established mediation programs in many areas of the state. He championed the idea that mediation should be available to everyone, without cost.

Moyer also was a leader in providing substance abuse treatment to nonviolent offenders. He promoted the development of family courts with a comprehensive approach to resolving criminal and civil issues confronting families. He had recently been at the forefront of efforts to improve the method of selecting judges in Ohio. At the time of his death, he was serving on the Board of Justice at Stake, a national organization that supports fair and impartial courts. In 2009, he was appointed to the Advisory Committee of the O'Connor Judicial Selection Initiative.

Chief Justice Moyer worked with lawyers and judges internationally on the development of independent judiciaries. After Ukraine gained its independence, he led efforts to introduce the importance of the rule of law and continued to welcome delegations from Ukraine on a regular basis. He also worked with judicial leaders in China, Korea, Argentina and Chile.

Chief Justice Moyer was a leader on the national level as well. At the time of his death, Chief Justice Moyer served as vice-chair of the Advanced Science and Technology Adjudication Resource Center (ASTAR), a national consortium to prepare judges for managing the resolution of disputes that present complex science issues. He was president of the Conference of Chief Justices in 1995-96 and, at the time of his death was chair of its Task Force on Politics and Judicial Selection.

Moyer was recognized as a tremendous leader in Ohio and throughout the United States. In 1987, he was named one of forty outstanding alumni of The Ohio State University and in 1989, he received the American Judicature Society Herbert Harley Award for improving the administration of justice in Ohio. In 2003, Chief Justice Moyer received the James F. Henry Award for exemplary ADR leadership in the state judiciary from the

CPR Institute for Dispute Resolution. In addition, the National Client Protection Organization recognized Moyer with its 2008 Isaac Hecht Law Client Protection Award for demonstrated excellence in the field of law-client protection.

On May 28, 1998, Chief Justice Moyer accepted the Irwin Cantor Innovative Program Award from AFCC in Washington, DC, during AFCC's 35th Annual Conference. Chief Justice Moyer accepted the award on behalf of the Supreme Court of Ohio in recognition of the efforts he led to promote mediation throughout the state, specifically through the Twelve Court Mediation Institutionalization Project. At that time, Chief Justice Moyer spoke eloquently about his commitment to mediation and its use in the family court setting.

Chief Justice Moyer hosted a reception on September 28, 2007, at the Ohio Supreme Court Building for attendees of AFCC's Regional Training Conference in Columbus. Moyer was extremely proud of the building, which had undergone a \$101.6 million restoration under his guidance. Those in attendance enjoyed tours of the beautifully restored building, wonderful food and great congeniality.

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The Sheraton Denver Downtown also has some nice "green" features. The hotel features "Make a Green Choice" where guests can opt out of daily linen and towel replacement and be rewarded for the green effort with a \$5.00 voucher or 500 Starwood points for each opt-out day. Recycling containers are provided in guest rooms and throughout the hotel. Paperless check-out is available, guestroom amenities such as shampoo are in plastic bottles with recycled content, and water glasses are available in guest rooms instead of disposable cups. Discarded guest linens are used for cleaning cloths and the hotel uses Ecolab non-phosphate chemicals in laundry, housekeeping and engineering. The hotel also composts food wastes and donates extra food to local charities.

Want to do more? Visit <http://www.wikihow.com/Buy-a-Carbon-Offset> to learn about purchasing carbon credits to help offset your conference travel carbon emissions. Your credit purchase goes to fund projects for carbon reduction – like solar or wind energy.





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### Membership Notice of AFCC Board Nominations

At the AFCC membership meeting on June 5, 2010, the following individuals will be nominated to the Board of Directors for a three-year term beginning July 1, 2010 and concluding June 30, 2013:

Annette Burns, Phoenix, AZ  
Robin Deutsch, Boston, MA  
Dianna Gould-Saltman, Los Angeles, CA  
Hon. Graham Mullane, Newcastle, Australia  
Marsha Kline Pruett, Northampton, MA  
Mindy Mitnick, Edina, MN

The Board of Directors Executive Committee is elected by the Board of Directors. For information purposes, the following individuals have been nominated for positions on the Executive Committee:

President: Robert M. Smith, Windsor, CO  
President Elect: Linda Fieldstone, Miami, FL  
Vice President: Arnold T. Shienvold, Harrisburg, PA  
Secretary: Nancy Ver Steegh, St. Paul, MN  
Treasurer: Richard Altman, Napoleon, OH



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### ASK THE EXPERTS

#### **Top Ten Tips for Using an Unbundled Approach to Expand Your Services and Build Your Practice**

*By Forrest (Woody) Mosten, J.D.*

If your family practice is currently so overwhelmed with clients that you are turning people away, then read no more. If, on the other hand, you are interested in further building your practice, the following tips may help you develop additional unbundled approaches that meet the needs of divorcing families. Rather than self-representing due to their desire to maintain control and reduce fees, many clients will pay for affordable innovative limited scope services.

#### **1. Let clients know that you unbundle**

Tell clients in the first meeting or even on your website that you are available and enjoy helping them on a limited scope basis: you will meet for short sessions (30 minutes), by telephone or Skype rather in person; or can help them for just one issue (summer vacation) or task (ghostwriting letters to their parenting partner).

#### **2. Before a client signs up for full service, offer a comparison with an unbundled approach**

Information is the essence of client informed consent. Compare and contrast a full service approach with limited services by discussing the benefits and risks of an unbundled approach using following variables: clients' ability or willingness to handle part of the work themselves, the difference in stress, cost differential, and the ability of the client to later convert to a full service approach after starting on a discrete task basis.

#### **3. Offer stand-alone orientation services**

Unbundle your role as a client educator from that of a service provider. Develop services that can inform divorcing parents individually or together about the legal or parenting issues and available process options in your community—then refer the clients to others rather than providing the services yourself

#### **4. Turn your office into a divorce family classroom**

By creating a client library with DVD's and computerized information, handouts, and access to community resources, you can empower client's informed decision-making by giving them information to help themselves or keep their costs down within a full service context.

#### **5. Be a shadow coach**

Clients appreciate having you prepare them for negotiations with the other party at Starbucks or a court mediation session and having you available on-call if they need your ideas, advice, or support during the session itself. Your involvement can remain confidential so that the client can get your help without provoking or frightening the other party.

#### **6. Attend sessions as a consultant**

As a professional trained and supportive of mediation and collaborative law, you can attend sessions as a client resource rather than an advocate.

#### **7. Limit your services to be a conflict manager**

Some matters are not yet agreement-ready and clients may need help to

gather information, handle immediate issues, or locate/engage other experts. Be available for these pre-settlement tasks and be open to the client utilizing another mediator or representative to actually negotiate the deal when the time is ripe.

**8. Endorse confidential mini-evaluations (CME)**

Put as many barriers as possible between the family and the courthouse—and still get necessary expertise and recommendations to resolve impasse. Offer CME's within the mediation and collaborative processes and recommend the use of CME's with other neutrals when you already have another professional role.

**9. Suggest and offer second opinions**

Oncologists often insist that their patients obtain a second opinion before commencing or continuing treatment. So should we. Make such unbundled second opinion recommendations a standard part of your practice and consider offering second opinions yourself.

**10. Be an unbundled preventive conflict wellness provider**

After successfully resolving a family conflict, conduct an unbundled future conflict prevention consultation to discuss methods to resolve future disputes, regular parenting meetings, and options to monitor and avoid future family conflict. Helping clients maintain family conflict wellness may be the most important contribution that we make to the divorcing families we serve.

Forrest (Woody) Mosten has been a family peacemaker in Los Angeles since 1979 and is recognized as the "Father of Unbundling." He is the author of *Unbundling Legal Services* (ABA, 2000) and *Collaborative Divorce Handbook* (Wiley, 2009), *Mediation Career Guide* (Wiley, 2001), and *Complete Guide to Mediation* (1997). Woody can be reached at [www.MostenMediation.com](http://www.MostenMediation.com).

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**AFCC's Resource Development Committee thanks the following AFCC members for their generous donations to the Scholarship Fund during this year's Annual Appeal**  
*Donations as of April 12, 2010*

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Janet Johnston  
 Past & present AFCC Kansas members in honor of Judge Herbert Walton

**Diamond** (\$1,000-\$4,999)

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 Hon. Emile Kruzick  
 Peter Salem  
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 Phil & Ruth Stahl  
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 Matthew Sullivan  
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 Maxa Berid  
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 Kathy Brandt  
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 Linda Cavallero  
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Bart Ferraro  
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Jane Fong  
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