

Association of Family and Conciliation Courts



NEWSLETTER

An international association of judges, counselors, mediators, and lawyers.

Volume 2, Number 2
September, 1983

Editor, Stanley N. Cohen, Ph.D.

FROM THE PRESIDENT

Our Association had its roots in a conference held in 1963 and existed for many years as a group dedicated primarily to holding an annual conference for those interested in court-connected family and divorce services. The members of the Board of Directors met at the annual conference and perhaps once at "mid-year" to plan the next annual conference.

The annual conference and mid-year meetings are now only one aspect of our Association's role as we have expanded our goals to meet new needs related to families and divorce. There is much work to be done between our conferences. It is increasingly important, therefore, that we have active committees with clear responsibilities.

A listing of the committees with their chairpersons and responsibilities follows. The committees do not currently serve as membership or interest groupings but as working committees of the Board of Directors. We would, however, like the membership to know more about the committees and their work so that you can offer your ideas and suggestions to help them meet their responsibilities.

The address and telephone number of each chairperson is included for this purpose. I have asked each committee to report to the membership in writing at our annual meeting, and also to keep you informed with selected summaries of committee activities, accomplishments and concerns that will be published in the Newsletter.

Academic Committee

Elizabaeth Koopman, Chair
University of Maryland
College Park, MD 20742
301/454-2034

The committee is to promote graduate academic programs focusing on conciliation counseling and family mediation. It will help define academic and training needs and standards in these areas as they relate to court-connected services. The committee is requested to prepare for distribution to the membership a survey of graduate programs and curriculum offerings on conciliation counseling and family mediation.

Awards Committee

Honorable Frank Orlando, Chair
17th Judicial Circuit Ct.
201 SE 6th St., Rm. 410
Ft. Lauderdale, FL 33301
305/765-5928

This committee is to recommend to the Board of Directors that awards be made to those persons, agencies, institutions, newspapers, and other media organizations which have made a significant contribution to the Association, its conferences, and its goals. The committee is also charged with establishing criteria for a Distinguished Service Award and such other awards and recognitions, and to nominate recipients thereof.

Budget and Audit Committee

Thomas A. Bishop, Chair
Mariner Square, Suite 240
New London, CT 06320
203/442-4416

This committee is to: prepare an annual budget prior to the May meeting; recommend any amendments to the budget necessitated by its audit; and report at the December meeting.

Chapter Committee

Anthony J. Salius, Chair
Family Division Superior Court
28 Grand St.
Hartford, CN 06106
203/566-8187

This committee is to encourage and assist the regional creation of chapters, receive and process chapter applications, and make recommendations to the Board of Directors concerning the chartering of such chapters.

Conference Committee

Jeanne Ames, Chair
Director, Family Court Service
San Francisco Superior Court
City Hall, Rm. 463
San Francisco, CA 95102
415/558-4186

This committee is to provide counsel to successive host committees in order to share the experience and ideas of former conference planning and provide balance and perspective to conference programs.

Custody Evaluation Committee

Charlotte Mayhew, Chair
8th Judicial District Court of Nevada
200 E. Carson, 2nd Floor
Las Vegas, NV 89101
702/386-4185

This new committee is charged with developing guidelines for custody evaluation, their interface with mediation proceedings, and their use in court. The committee should help educate the bar, the judiciary, and the public about custody and visitation evaluations and procedures by coordinating conference presentations and preparing an informational brochure to be considered for publication by the Association.

Executive Committee

Jay Folberg, Chair
Lewis & Clark Law School
10015 S.W. Terwilliger Blvd.
Portland, OR 97204
503/244-1181

This committee is mandated by the Association's By-Laws. The By-Laws set forth the committee's makeup and responsibilities as follows: "The Executive Committee shall consist of the officers of the Association and the immediate past president. It may act for the Board when necessary during the interim between meetings of the Board subject to the limitations imposed by law. Emergency actions may be taken by the committee by telephonic communication." This committee became more active last year under the leadership of John Van Duzer and will necessarily be active again this year because of interim decisions that will have to be considered regarding the operating of the secretariat, the budget, grants, and implementation of previously set long-range plans. These interim considerations and decisions will be communicated promptly to the entire Board and, where appropriate, to the membership.

Finance Committee (Fundraising)

Hugh McIssac, Chair
Conciliation Court, Rm. 241
111 North Hill St.
Los Angeles, CA 90012
213/974-5524

The committee will attempt to obtain funding for the general purposes of the Association and for special projects. These purposes and projects of the Association include, among others, publication and films, conferences, research, training and technical assistance, and international exchanges.

International Committee

Lenore Levit
Divorce Conciliation Service
Daley Center, Rm.-1901
Chicago, IL 60602
312/443-7914

This committee recommends improved communication, programs and meetings in order to foster a growing international membership and a global perspective on court related conciliation and divorce services.

Mediation Committee

Ann Milne, Chair
314 E. Mifflin St.
Madison, WI 53704
608/251-0604

This committee is to continue its efforts to bring together organizations with an interest in divorce mediation for the purpose of establishing similar or compatible standards of practice for mediators. An inter-organizational task force or "summit meeting" will be necessary to focus decision-making authority on a common set of mediation standards. The committee's next task will be to formulate a policy for recommendation to the Board regarding standards of mediation practice required for court offered, contracted, or referred mediation. The committee is expected to

work with the Research, Training, and Technical Assistance Committee to provide help to courts seeking to establish a mediation service and to provide training for court-connected mediators.

Membership Committee

Honorable Betty Barteau, Co-Chair
Sup. Ct. #3
Room 406, City-County Bldg.
Indianapolis, IN 46201
317/633-3850

Patricia Wallace, Co-Chair
135 James St. S., Suite 1010
Hamilton, Ontario, CANADA L8P 2A6
416/526-9152

This committee is to develop a campaign for membership recruitment, with a concentrated effort on recruiting more judicial and courtconnected members.

Nominating Committee

Murray Bloom, Chair
Chamber Building
110 W. "C" St., Suite 1301
San Diego, CA 92101
619/236-2681

The responsibilities of this committee are to prepare a slate of nominees for election to the Board and as officers in conformity with the Association's By-Laws. This committee should note that our By-Laws specify that "Directors shall be elected by the membership for a term of three years and shall not hold office more than two consecutive terms." (Article III, Sec. 2) The Directors are elected by the membership; the officers are elected by the Board of Directors.

Presidents Committee

Honorable John E. Van Duzer, Chair
Unified Family Court
100 James St., S.
Hamilton, Ontario CANADA L8P 2Z3
416/525-1421

This committee is charged to marshal the leadership and past experience of the Association, to plan for the future, and recommend direction, policy, and programs for the future.

Publications and Films Committee

Mel Roman, Chair
Department of Psychiatry
Albert Einstein College of Medicine
Pelham Parkway, NY 10461
212/430-0620

Publications and films have become an important part of the Association's services and budget, and help fulfill our declared educational purposes. This is a new committee intended to plan an overall publications strategy, creation, funding, and distribution of Association publications and films. The committee will consider individual publication and film proposals and coordinate with the Budget and Finance Committees. This committee will provide policy consultation for the editor of the Conciliation Court's Review, which is our major publication and continuing commitment. The editor of the Review, with the assistance of an editorial board appointed by him, will retain authority for selecting articles for inclusion in the Review within the general policy set by the Board upon the recommendation of the Publications Committee.

Research, Training and Technical Assistance Committee

Jessica Pearson, Chair
Center for Policy Research
2273 Cherry St.
Denver, CO 80207
303/837-1555

This committee is responsible to: 1) seek and coordinate research grants in areas of interest to the members of the Association, including research relating to family functioning, family services, divorce procedure, support payments, and the effects of divorce; 2) establish training programs and

opportunities for court-connected counselors, mediators, and evaluators; and 3) provide assistance to courts and agencies wishing to establish or improve court-connected family services.

Special Committee to Develop a Manual for Establishment of Court-Connected Conciliation and Mediation Services

Larry Hyde, Jr.
Nova University Law Center
3100 S.W. Ninth Avenue
Ft. Lauderdale, FL 33315
305/522-2300

This special committee is to prepare for publication in 1983 a manual to assist in the establishment of court-connected family and divorce services.

ANNUAL 1983 CONFERENCE - TORONTO

A well deserved thank you to those who hosted the 21st annual conference in Toronto, Canada. Over 240 registrants were in attendance with 49 new members joining our organization. Work sessions were well attended and the substantive content of the presentations were evaluated very favorably.

AFCC 1983 WINTER MEETING - WILLIAMSBURG

The Association of Family and Conciliation Courts (AFCC), an international interdisciplinary association of judges, lawyers, counselors, evaluators, and mediators will sponsor a three day conference in Williamsburg, Virginia, December 1-3, 1983 at the Williamsburg Hospitality House. AFCC was established in 1963 and has 700 members from the United States, Canada, New Zealand, Australia, and Japan. In keeping with AFCC's purpose of minimizing family hostility before, during, and after divorce, the Williamsburg conference will promote

interchange and understanding among professionals from various disciplines by exploring their approaches to resolving family conflict.

The program will include a divorce montage portraying the roles of some of the intervenors involved with a family going through divorce. In addition to observing the montage, participants will discuss the role of their profession as it relates to and interacts with the roles of other professionals.

Program development, skill building and information dissemination will be addressed through a series of workshops including: Organization of a Court-Connected Service; Interviewing Skills; Communication Skills; the Role and Rights of Children in the Decision-making Process; the Bases of Decision-making: Can they be Harmonized Among the Professionals; Responsibilities to the Family: Who Determines Best Interests; and Family and Finances.

For further information on this conference - "Windows on Rights -- Mirrors on Roles: Resolution of Family Conflicts" contact AFCC, c/o National Center for State Courts, 300 Newport Avenue, Williamsburg, VA 23185, 804/253-2000.

AFCC CHAPTER DEVELOPMENT

The Chapter and Regionalization Committee submitted its final report concerning chapter development to the Board of Directors at the annual meeting in Toronto. The Board of Directors adopted the guidelines for chapter development which will be provided to all groups expressing interest in organizing local chapters.

An affiliate organization representing the State of California was granted a charter by the Board of Directors at the December, 1982 Winter Conference

in San Diego, becoming the first chapter of AFCC. The California Chapter has steadily expanded both its membership and activities since that time, achieving statewide recognition in the development and improvement of court-connected services to families.

During the past year a local organization from Arizona filed an application to form a chapter. Affiliate status was granted at the 1983 conference in Toronto. The Arizona organization has made significant progress toward meeting charter requirements and President Jay Folberg will conduct a site visit in October of this year. The Arizona affiliate hopes to complete all requirements for the submission of an application for charter as a chapter to the Board of Directors at the 1984 annual meeting.

Other groups currently expressing interest in the development of chapter organizations are local organizations in the Northwestern, Northeastern, Middle Atlantic United States and Western and Eastern Canada.

Persons interested in information about AFCC chapters should contact Anthony Salius, 28 Grand Street, Hartford, Connecticut 06106 (203/566-8187).

ABA SECTION OF FAMILY LAW ESTABLISHED MEDIATION STANDARDS

The establishment of strict legal and ethical guidelines for persons undertaking to "mediate" divorce disputes was called for by the Family Law Section of the American Bar Association during its 1983 annual meeting held in Atlanta, Georgia.

The Executive Council of the Family Law Section culminated its year-long task force study into mediation by adopting specific recommendations for mediators.

Mediation for divorces was "recognized" as a supplemental "method within the legal system" by the family lawyers, provided that the mediation is performed under strict ethical and legal guidelines. The Council then adopted in principal an initial set of guidelines. The task force, approved by Section Chairman Sam Schoonmaker of Stanford, CT and directed by Leonard Loeb, Milwaukee, WI, was authorized to continue its efforts and for next year prepare a handbook and other suggested methods of protecting the public interest in this field. The exact text of the resolution is as follows:

The ABA Section of Family Law recognized mediation as a supplemental method within the legal system to assist in the resolution of Domestic Relations disputes; and strongly recommends that, where the process of mediation is mandated or permitted, strict ethical and legal standards be required.

The standards approved in principal by the ABA were based upon the standards originally prepared by Tom Bishop with the assistance of Lois Gold, Ann Milne, Jay Folberg, and other members of the AFCC Mediation Committee. Our committee will continue to cooperate with the ABA and other professional organizations in developing and promulgating standards for mediation.

FROM THE NOMINATING COMMITTEE

We offer our sincere thanks to those Board members who have served us well and are leaving the Board. The following members, who will continue to be available, should be thanked for their past contributions:

Justice R. Pethig, New Zealand
Dan Brown, Ph.D., Tucson, AR
Sheila Kessler, Ph.D., CA
Judge Billy Mills, CA
Judge Dominic Salfi, FL
Judge Paul Kokubun, HI

Judge Jerome Slad, IL

Judge Charles Fleck, Jr., IL

Our immediate past President, Judge John E. Van Duzer will continue on the Board with the other past presidents of AFCC.

Our congratulations to our newest Board members:

Judge Anthony Ryan, New Zealand

Russ Shoeneman, Phoenix, AR

Judge Richard H. Jorzak, IL

Dr. Mel Roman, NY

Judge Isabel Horton Grant, CA

Judge Carol Huddart, Canada

Bob Hinds, Denver, CO

Pat Phear, MA

Bernice Gluckstern, CO

Lois Gold, Denver, CO

Murray Bloom, Chairman
San Diego, CA

FROM THE EDITOR

I am pleased with the responses we have received regarding the value of the Newsletter to the AFCC membership. In order to provide a wide range of information to our readers, it is important that we receive items of interest from the membership. I urge that you send us information that can be shared with our colleagues via the Newsletter. I also would appreciate hearing from any member that would like to serve as a "reporter" for the Newsletter. This procedure is used by organizations such as ours, and is most helpful in disseminating relevant information.

Our next Newsletter will be published in January after the AFCC meeting in Williamsburg, VA. Please send any items you feel should be published to:

Stanley Cohen, Ph.D.

c/o Dept. of Psychiatry, OHSU

3181 Sam Jackson Park Rd.

Portland, Oregon 97201

503/225-8145

RESEARCH AND TRAINING

A research proposal, CHILD SUPPORT AND CUSTODY, has been awarded to AFCC by the Office of Child Support Enforcement, Social Security Administration, Baltimore MD. The Project Director is Jessica Pearson, Ph.D. She and Nancy Thoenis were primarily responsible for preparing the grant application.

The State of Michigan has contracted with AFCC to provide a training workshop. The workshop will provide training in order that current court-connected counselors in the Michigan court system be trained to mediate custody and visitation disputes. Michigan recently passed a bill requiring the training of its court-connected staff in mediating custody and visitation disputes.

AFCC PUBLICATIONS

The following video tapes and written materials may be obtained by contacting AFCC Executive Director, Stanley Cohen, Ph.D. c/o Department of Psychiatry, OHSU, 3181 SW Sam Jackson Park Rd., Portland, Oregon 97201.

Video Tapes

"Custody Resolution Counseling"

Designed for training counselors in mediation techniques for family disputes concerning child custody and visitation. 3/4" video tape cassette, 45 minutes, \$40/5 days rental and purchase price of \$150.

"A Family Affair"

Designed to inform judges and other professionals of the legal remedies and implications regarding domestic abuse. "A Family Affair" is AFCC's production, under a \$100,000 LEAA grant. It was the Gold Medal winner in its category in the fall New York

International Film and Television Festival. It also was a winner in the Motion Pictures Seminar of the Northwest. Available in 16 mm film or 3/4" video tape cassette through VISUCOM Productions, Inc. 1047 Whippe Avenue, Red Wood City, CA 94063. Rental - \$60/3 days.

Publications

"Divorce Mediation-Theory and Practice"

The reading materials for AFCC's December, 1981 Conference in Fort Lauderdale comprise some 250 pages, soft bound. This is an excellent collection of new articles about mediation. Cost - \$12/each (Orders of 10 or more - \$10/each)

"Joint Custody - A Handbook for Judges, Lawyers and Counselors"

This handbook provides a comprehensive exploration of the advantages and disadvantages of joint custody, sample agreements and some initial research findings. With this information, professionals can begin to build a resource book that will assist in the best possible planning for parents and children experiencing divorce. Cost - \$12/each (Orders of 10 or more - \$10/each)

"Guidelines for Establishing A Court-Connected Counseling Service"

A manual written for courts and individuals with helpful information dealing with establishing a court-connected counseling service. Cost - \$2/each.

"My Mom and Dad are Getting a Divorce"

Written by an AFCC member and conciliation court counselor in Los Angeles, this colorfully illustrated book appeals to children whose parents are going through divorce and assists parents in understanding their children's feelings. Available for \$3.95

plus \$1.25 postage and handling from Changing Times Education Service, Division of EMC Publishing, 180 E. 6th St., St. Paul, MN 55101, (800)328-1452.

"Parents are Forever"

Internationally acclaimed pamphlet used by Conciliation Court staff, family courts, lawyers, counselors and mediators to assist families in the divorce process. Pamphlet addresses custody and visitation issues and assists parents in using the divorce experience as an opportunity for growth. Cost - \$.20/each.

"An Important Message to Step Parents"

This pamphlet provides guidelines that will assist the blended family in working together. Cost - \$.20/each.

"Joint Custody: A New Way of Being Related"

This brochure provides guidelines for parents considering joint custody of their children and suggestions for what to include in a joint custody agreement. Cost - \$.20/each.

"Twenty Questions Divorcing Parents ask About Their Children"

This brochure answers 20 of the most commonly asked questions about how to help children adjust to divorce, such as "How can parents prepare children for divorce?" and "What kinds of things are especially damaging to children?" Cost \$.20/each.

CONGRATULATIONS!

Circuit Judge Frank A. Orlando, Fort Lauderdale, was recognized for his contribution to human relations in Florida by the FTP-NEA Human Relations Committee. He received an award at the group's 1983 Human Relations in Education Awards banquet on April 29 at the Bayfront Concourse Hotel in St. Petersburg.

Judge Orlando is being honored for his work in child advocacy, as a former teacher, legislative counsel and assistant attorney general. He assisted in development of Florida's Child Abuse Report Law, recommending immunity to teachers who report cases of child abuse. Since becoming a judge in 1968, he has continued to provide services to abused children and counseling or recommendations for prosecution for child abusers.

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