WILL THE JUDICIAL SYSTEM BE ADEQUATE TO MEET FAMILY NEEDS IN THE 21st CENTURY?

An invitational symposium, sponsored by the National Council of Juvenile and Family Court Judges, the National Judicial College, the American Bar Association's National Legal Resource Center for Child Advocacy and Protection, and the National Center for State Courts, was convened in Reno, NV last year to study the needs and concerns of families in the 21st century. Approximately 200 individuals representing members of the judiciary, social services, academia and the bar met to discuss "Families in Court." Following two and one-half days of provocative discussion, the following statements were developed in the hope that they would spark a more positive response to the way state courts handle family matters.

- **Mission**: Policy-makers at the national, state, and local levels should research the impact of legislative policies related to children and families in the courts. The mission of the court should be redefined to recognize that child and family related proceedings are different from other legal proceedings. Representatives from a broad spectrum of professional and public interest groups should provide input into the redefinition process. Procedures should be developed which provide for protection and fairness to family members and victims, minimize the child's direct involvement, provide for an advocate for the child and support the interests of the child.

- **Information**: Courts need data for proper decisionmaking. An integrated and coordinated approach to information-gathering will aid in this effort. Courts should be informed of relevant and admissible information concerning other legal actions involving the same family and critically re-examine current confidentiality requirements. Improved information systems should be encouraged, including requiring attorneys and parties to disclose current and prior family-related judicial matters, implementing formal procedures for agencies to share information with each other and increasing use of automation to maximize information retrieval within court systems and with other in-state and out-of-state courts.

- **Resources**: Courts should be allocated sufficient resources to carry out their mission. Improved resource allocation includes identification of and coordination with existing resources such as home-based services and volunteer groups and improved intake and screening procedures to refer clients to appropriate services. Courts should require the provision of services mandated by federal and state law to ensure constitutional rights. Multiple non-judicial techniques for dispute resolution should be available for early resolution of disputes. Staff and space needs should be evaluated to assure high quality representation and services to children and families. Financial resources from federal, state and local governments should be sufficient to support the additional responsibilities imposed on courts.

- **Structure**: Meeting the needs of families with multiple issues requires the structuring of procedures within the court system. Courts of general jurisdiction that handle both civil and criminal matters will likely enhance the status of family matters and provide the necessary organizational and resource support. Improved coordination of cases can be implemented through strengthening of court administrator functions, case consolidation, integration of intake procedures for family-related cases and structuring physical facilities to respond to the needs of families and children. Judges who hear juvenile and family matters should have an interest and commitment to issues that affect these groups and should have sufficient preparation and education to allow them to carry out their duties. A national commission should be appointed to develop a model code of family justice which states can use to codify child and family proceedings.

- **Enforcement**: Courts must be responsible for follow-up on court orders. Court orders should be clear and enforceable to those who must carry them out. Courts should develop procedures to monitor compliance and to provide for the enforcement and modification of court orders and the regular review of children placed outside the home.

- **Bias**: Courts must be without bias as to race, gender, ethnicity, handicap, age and religion, both in fact and in the perception of the community. Bias in the court system should be addressed through hiring practices, continuing training, creation of state task forces on bias and the courts, local bias review committees and codes of judicial conduct.

- **Delay**: Prompt and effective case processing is an essential element of justice, especially in cases involving the safety, security and welfare of children and victims of family violence. The development, adoption and enforcement of time standards for every case type should aid in effective case processing. Information on compliance with these standards by courts, judges, court personnel and other support agencies should be gathered and used for evaluation. Courts should improve scheduling of cases to minimize inconvenience to the public. Judges and lawyers should be held accountable for excessive delay.

- **Role Definition**: Judges and other personnel must fully appreciate the importance of the responsibilities which are assigned to them. Each professional in the system should be familiar with other aspects of the system through intensive interdisciplinary training and educational leaves.

A full report of the symposium's recommendations can be obtained from the National Council of Juvenile and Family Court Judges, University of Nevada, P.O. Box 8970, Reno, NV 89507 (702) 784-6012.

**Future and the Courts Conference**

The State Justice Institute and the American Judicature Society have invited 300 judges, court personnel, lawyers, academicians, legislators and others to convene in San Antonio, TX May 18-22, 1990 to formulate a vision of the American judicial system over the next 30 years and beyond. The mission of the conference will be to help State courts better provide effective, fair and responsive justice to all Americans in a future filled with expected, but undefined change. Delegates will be asked to establish goals for the long-term needs of state courts and to identify an agenda for planning, action and research to achieve these goals. A complete report of the conference will be provided in the next Newsletter.
YORK CONFERENCE HIGHLIGHTS

The Standing Committee for Interdisciplinary Cooperation in Family Proceedings and AFCC will be co-hosting an international conference in York, England June 11-13, 1990. Topics will include a discussion of The Children Act 1989, the Scottish Children's Hearing System, Family Courts in Europe and Australia, representation for children, including children in mediation, remarriage and stepfamilies, finance, property and child support issues and child abuse. A conference program and registration information can be obtained by contacting AFCC's office in the US (608) 251-4001 or Mrs. J. Rankin, Family and Community Dispute Research Centre, King George VI Building, the University, Newcastle upon Tyne, England NE1 7RU.

The ancient city of York was founded by the Romans in AD 71. Later the Vikings came and settled to make York (Jorvik) an important trading centre for the North of England. The Normans ended the Viking rule and rebuilt the city making York a center of government and religion. The city attained further prominence under the Plantagenet Kings when many of the guilds, such as the Merchant Adventurers, were founded. The dawn of Tudor Age saw the completion of the Minster, Europe's largest Gothic cathedral. The Royal York Hotel is a recently restored grand Victoria hotel. Queen Victoria regularly stopped at the Royal York on her journeys from London to Balmoral. The hotel is minutes from the walls of the ancient city and the city centre.

It's not too late to join AFCC members who will be meeting in York and attending the conference. AFCC's charter group excursion from Boston has been cancelled. Comparable airfare rates are available commercially. If you would like further information regarding AFCC member participation and travel plans contact Leonore Levit, (312) 332-0545 or (708) 256-1323.

NEWS FROM AROUND THE GLOBE

Australian Group
Hosts Conference

The Australian Association for Families in Conflict held a seminar on "Conflict Management in the Family and the Community" in Melbourne March 26, 1990. AFCC members who made presentations included Hon. H. (Ted) Andrews, Chief Judge Provincial Courts (Family Division), Ontario and AFCC Board members Judith Ryan and Isolina Ricci. Bernie Mayer, Chris Moore and Louise Smart conducted a five day mediation training program for forty participants and ten coaches. AFCC Board member Helen Zavad is Executive Director of the Association.

Texas Holds Mediation and Domestic Violence Forum

The Texas Association of Family Mediators convened a one day forum in Dallas on Mediation and Domestic Violence. A panel of judges, attorneys and mediators, moderated by AFCC member Lynelle Yingling, explored the topic of whether mediation should ever be used in cases involving domestic abuse. Forum participants viewed the companion videos "Domestic Violence: The Crime That Tears Families Apart" and "Mediation: The Crucial Factor". These videos are available for purchase thru AFCC. Forum evaluations indicated that participants gained a greater sensitivity to the need for ways to screen for domestic abuse and modifying mediation procedures in these cases.

Lubbock Dispute Center
Mediates Court Referrals

The Dispute Resolution Center (DRC) of the South Plains Association of Governments began administering the Family Court Mediation program on September 1, 1989 at the request of the nine Lubbock county judges that handle family disputes. Over 200 cases have been referred to the program. DRC staff attended AFCC's regional conference in Dallas and AFCC Board members, Russell Schoeneman and Clarence Cramer, recently spent two days in Lubbock consulting with DRC staff.

Virginia Mediation Network
Holds Conference

A full range of mediation topics, including the use of mediation techniques in custody evaluations and mediating in cases of spousal abuse, were presented at the fifth annual conference of the Virginia Mediation Network. A number of AFCC members were featured presenters including Anthony Salus, Robert Tompkins, Frank Laney, Claire Miller, Linda Girdner, Patrick Phear and Diana Preice. Michael Taylor, AFCC member and Director of the 11th Judicial District Family Court Service, is President of the Network.

AFCC Goes to Stockholm in 1991

The National Board of Health and Welfare in Sweden has invited AFCC to hold a meeting in Stockholm following our annual meeting in Pittsburgh in 1991. Socialstyrelsen, the National Board of Health and Welfare, is the government advisory body and supervisory authority responsible for social services, health and medical care in Sweden. It has been estimated that common law relationships equal the number of marriages in Sweden and that the dissolution of these relationships is similar to the number of divorces. Swedish law provides that divorcing couples retain joint custody of their children. Unmarried parents can also agree to joint custody. Further information regarding tour plans can be obtained from tour leader, AFCC Vice President Bob Tompkins, 28 Grand Street, Hartford, CT., 06106 (203) 566-7973.

The AFCC Newsletter is published four times a year in January, April, July and October. News items should be sent by the 15th of the month preceding publication to Newsletter Editor, Ann L. Milne, 329 W. Wilson St. Madison, WI 53703, (608) 251-4001.
CALL FOR PAPERS

The tenth anniversary convention of the National Congress for Men, Inc. will be held in Houston, Texas, September 9–16, 1990. Papers are now being accepted on the following topics: the needs of children of divorce, child custody matters, research on families of divorce, legislative considerations and enforcement of court orders. The National Congress for Men was created in Houston in 1981 when 100 fathers and mothers from 23 states came together for the first convention. The goals of NCM are to strengthen post-divorce bonding between parents and children of divorce and to reduce gender discrimination in our society. Nearly 2,000 members now belong to NCM. For further information or to submit a proposal, contact Ken Lewis, Ph.D., NCM Convention Director, Glenside, PA 19038 (215) 620-2100.

LEGISLATION

Georgia—Classes for divorcing couples on the effects of divorce on children and how to divorce without hurting the children will become mandatory under a bill which cleared the Georgia Senate in February. The proposal would require the state’s Superior Court judges to send divorcing couples to classes modeled on a Cobb county program run by local therapists and funded by participants. The Cobb county program is offered in two evening sessions or one day-long session. The program includes lectures, videos and advice on how parents can effectively communicate with their children.

Minnesota—Legislation to provide for mediation of custody and visitation disputes has been approved by the House and Senate Finance committees. The pending legislation also provides for mediation in paternity actions involving custody and visitation disputes.

Virginia—The Virginia Legislature has approved the establishment of a pilot family court project. A minimum of four jurisdictions will be selected to hear randomly selected divorce, annulment and affirmation of marriage cases filed in the circuit courts. The project will run through December 1991 with a judicial report provided to the Governor and General Assembly by December 1992. The pilot project is in response to public hearings held around the state. Testimony indicated that all matters relating to family should be tried in one trial court by a judge with family law expertise; ancillary services need to be available for all family members; courts need to be accessible to all parties and courts must be able to try and dispose of all family law cases in a timely manner.

AFCC Members

Long Range Planning Committee to Meet in Winnipeg

Planning for AFCC’s future direction will be the topic of a day-long session on Tuesday, May 29, 1990 in Winnipeg. Chaired by past-president Hugh McIsaac, director of the Los Angeles Family Court Service, committee members will explore AFCC’s mission and future plans. The meeting will be facilitated by Bernard Mayer and Mary Margaret Golten, CDR & Associates, Denver.

AFCC Members Run for AFM Board

Clarence Cramer, Lynn Jacob, Arnold Swartz and Crevon Tarrance are candidates for a position on the Board of Directors of the Academy of Family Mediators. AFM will be holding its seventh annual conference in Danvers, MA July 22-26, 1990. The conference will include pre-conference institutes and an international forum on mediation. Registration information can be obtained from AFM, P.O. Box 10501 Eugene, OR (503) 345-1209.

Abstracts for 1991 AFCC Conference

Abstracts are being requested for a Poster Session to be held during AFCC’s May 1991 conference in Pittsburgh. The poster session will allow conference attendees to learn about current research and to discuss research results and implications directly with the authors. To present a poster session, send an abstract of 100–200 words describing your research to Helene Borke, Ph.D., 6637 Aylesboro Ave., Pittsburgh, PA 15217.

Job Announcement

The Pinal County Conciliation Court, (Florence, AZ) has an opening for a conciliation counselor. Duties include individual and conjoint counseling, court-ordered family studies and mediation of child custody and visitation disputes. Applicants should have a Master’s degree in the behavioral sciences and post-graduate counseling experience. Salary is $386–964 biweekly. Submit resume and a county application to Personnel Department, Pinal County, P.O. Box 827, Florence, AZ 85232. For further information call Clarence Cramer, Director, (602) 868-5801, Ext 680.
Tax Intercept and Child Support Enforcement

Child support collection efforts get an annual tax-time boost according to a recent announcement by HSS Secretary Louis W. Sullivan, M.D. The names of 2.6 million parents who owe child support have been submitted to the IRS so that any federal income tax refunds will go toward unpaid child support obligations. Parents who owe $500 or more of child support, or whose children receive AFDC and who owe at least $150 of child support, may have their tax refund garnished. "Parents who ignore their child support responsibilities undermine the well-being of their children," Secretary Sullivan reports. Costing taxpayers only $4.54 per case, the tax offset system is a cost-effective way to collect some of this money. An average tax intercept is $554 for non-AFDC cases and $562 for AFDC cases. Payment of the amount due or entering an agreement with the local child support collection agency to make periodic payments can remove a delinquent payor’s name from the list.

A Divorce Guide for Military Spouses

This 28 page manual presents a summary of benefits available to ex-spouses of military members or retirees under the Uniformed Services Former Spouses Protection Act. Benefits described include pensions, annuities, survivor's benefits, medical, commissary and exchange privileges. The Guide also provides tips to help divorcing military spouses prepare for court. For further information on this 1990 publication call or write: EX-POSE, P.O. Box 11191, Alexandria, VA 22312; telephone (703) 255-2917 or (703) 941-5644.

Judicial Salary Survey


Calendar of Events

June 5–8, 1990—Kansas City
Sept. 6–9, 1990—San Francisco
Oct. 4–7, 1990—Washington, DC
Mediation Training—John Lemmon
Contact: Lemmon Mediation Institute
5248 Boyd Ave.
Oakland, CA 94618
(415) 547-8089

May 17–18, 1990—Kansas City
June 7–8, 1990—Norfolk
Affairs Training Program
Contact: Divorce & Marital Stress Clinic, Inc.
1925 N. Lynn Street, Suite 700
Arlington, VA 22209
(703) 529-3900

June 11–13, 1990—York, England
Standing Committee for Interdisciplinary Cooperation in Family Proceedings
Contact: Mrs. J. Rankin
Family and Community Dispute Research Centre
King George VI Building
The University
Newcastle upon Tyne NE1 7RU
091 222 6000 Ext. 7644
FAX: 091 281 1182

June 22, 1990—Middlebury, VT
August 18–21, 1990—Chicago
Mediation Training—Carl Schneider and Zena Zumerla
Contact: Darlene Knick
1875 Dempster St., Suite 365
Park Ridge, IL 60068
(708) 969-6023

September 27–29, 1990—Kansas City
AFCC Northcentral Conference and Mid-year Board Meeting
Contact: Carol Roeder-Esler
10755 Oakmont
Overland Park, KS 66210
(913) 831-2550

October 21-24, 1990—Halifax, NS
AFCC Northeast Regional Conference and Family Mediation Canada
Contact: Hon. R. James Williams
Family Court
P.O. Box 12543
Dartmouth, NS Canada B2Y 3B9
or Paul Young
(519) 836-7750

January 10–12, 1991—Boulder, CO
AFCC Southcentral Regional Conference
Contact: Bernece Glucksman
1050 S. Monroe #16
Denver, CO 80224
(303) 730-7227

May 15–18, 1991—Pittsburgh, PA
AFCC Annual Meeting
Contact: Hon. Lawrence Kaplan
Family Division
604 City-County Bldg.
Pittsburgh, PA 15219
(412) 355-7127

September 4–7, 1991
AFCC Southwest Regional and Midyear Board Meeting
Contact: Debra Miller
Court Clinic
415 Tijeras, Northwest
Room G-03
Albuquerque, NM 87103
(505) 841-7409

March, 1992
Interdisciplinary Approaches to Divorce
Contact: Israel Association for Marital and Family Therapy
P.O.B. 3419
Bat Yam, Israel 59133
May, 1992
AFCC Annual Conference—San Diego
Contact: Murray Bloom
1501 6th Ave.
San Diego, CA 92101
(619) 557-2125
**PAMPHLETS**

**Parents Are Forever:** Internationally acclaimed pamphlet used by family courts, lawyers, counselors and mediators to help families in the divorce process. Pamphlet addresses custody and visitation issues and helps parents use the divorce experience as an opportunity for growth.

**Guide For Stepparents:** Little has been written to help the numbers of parents who remarry after a divorce. The guidelines offered in this pamphlet can help resolve some of the questions and concerns of the blended family.

**Joint Custody: A New Way of Being Related:** This pamphlet provides helpful guidelines for parents considering joint custody of their children and suggestions for what to include in a joint custody agreement.

**Twenty Questions Divorcing Parents Ask About Their Children:** This pamphlet answers 20 of the most commonly asked questions about how to help children adjust to divorce.

**Is Mediation For Us?** Presented in a clear and concise manner, this pamphlet describes the mediation process and how it can be helpful to families in resolving divorce-related conflicts.

**Child Support:** Child support is often a source of hostility between parents. This pamphlet provides gender-neutral answers to some of the most commonly asked questions about child support.

**FILMS/VIDEO TAPES**

**You're Still MUM And DAD (New Zealand):** Developed by the Family Courts Association of New Zealand, this film depicts children's views about divorce and provides advice for parents on how to better relate to each other and to the children. Color, 30 minutes.

**You're Still Mom and Dad:** A sensitive portrayal of the issues of joint custody. Designed for parents, professionals and others who wish to understand and implement this post-divorce parenting plan. Color, 38 minutes.

**Domestic Violence: The Crime That Tears Families Apart and Mediation: The Crucial Factor:** Produced by the Judicial Council Administrative Office of the Court of California, this two-segment video provides information for mediators and others on domestic violence and mediation.

**Putting The Pieces Together:** Developed by the Clackamas County Family Court Service, this video depicts the mediation of several disputes between a divorcing couple. Color, 50 minutes.

**A Family Affair:** Designed to inform judges and other professionals about the legal remedies and implications of spousal abuse. This film has received several prestigious awards for its portrayal of this sensitive family problem. Available in 16 mm or video cassette from VISUCom Productions, Inc., 1255 Veterans Blvd., Redwood, CA 94063. Rental—$60/3 days; Purchase—$450.

**PUBLICATIONS**

**Sexual Abuse Allegations:** Results of a two year study conducted by Dr. Jessica Pearson on the nature and validity of sex abuse allegations in families going through divorce.

**Guidelines For Court-Connected Child Custody Evaluations:** This 25 page booklet is a procedural guide that can be used by evaluators charged with the responsibility of preparing custody evaluations for domestic relations courts.

**Guidelines For Establishing A Court-Connected Counseling Service:** A 40 page manual which provides helpful information about how to establish a court-connected counseling, evaluation and mediation service.

**Model Standards of Practice for Family & Divorce Mediation:** The Model Standards are the product of three national symposia (1982-84), convened by AFCC, on standards of practice for family and divorce mediators.

**AIDS And Family Law:** This 12-page paper presents current information from the Center for Disease Control regarding the transmission of AIDS. This paper was approved as an AFCC policy statement on AIDS and family law issues.

**Divorce Mediation—Theory and Practice:** Co-edited by Jay Folberg and Ann Milne and published by Guilford Publications, this volume brings together a wide range of noted practitioners and researchers in one comprehensive and interdisciplinary work.

**Marriage, Divorce, and Children’s Adjustment:** Written by Robert Emery, Ph.D., this 160 page book offers research and analysis of the family divorce process and the accompanying therapeutic and legal interventions.

**My Mom And Dad Are Getting A Divorce:** Written by Florence Bienvenu, an AFCC member and former conciliation court counselor, this colorfully illustrated book appeals to children whose parents are going through divorce and helps parents to understand their children's feelings. Available for $3.95 plus $1.25 postage and handling from Changing Times Services, Division of EMC Publishing, 300 York Ave., St. Paul, MN 55101.

*New Offerings*
### Pamphlets

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Full page $350
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Sixth page $ 75

Board of Directors Nominations
Do you or do you know someone who would like to be on AFCC’s Board of Directors? The Nominations Committee will be preparing a slate of nominees and would like to hear from you. Board members will be elected at the membership meeting in Winnepeg. Please send your nominations and a resume to Hon. Betty Barreau, Superior Court #3, Room 406, City-County Bldg. Indianapolis, IN 46204 (317) 236-4223.

Rebecca Greenlee Joins Newsletter Staff
Rebecca Greenlee, Director of the Rock County Mediation and Family Court Services, Janesville, WI, has agreed to co-edit AFCC’s Newsletter. Becky has a Masters’ Degree in Social Work and a Law Degree from the University of Wisconsin. Previous to being appointed Director of Mediation and Family Court Services, Becky was Clinical Instructor for the Legal Assistance Program to Institutionalized Persons Program. Becky has been a member of AFCC for the past year and has attended AFCC’s regional and annual meetings.
WINNIPEG CONFERENCE SCHEDULE

Monday, May 28, 1990
Executive Committee—5pm
Long Range Planning Committee
Reception—5pm

Tuesday, May 29, 1990
Long Range Planning—9am—5pm
Regional Coordinators—4–6pm
Executive Committee—5pm

Wednesday, May 30, 1990
Conference Planning—9am–Noon
Publications—9am
Custody Evaluation—10am
Mediation—10am
Presidents—10am
Chapter—11am
Board of Directors—1–5pm
Registration—3:30–9:30pm
Conference Opening—7pm
Reception—7:45–10pm

Thursday, May 31, 1990
Conference Sessions—9am–4pm
AFCC Annual Meeting & Luncheon—Noon–1:30pm
Winnipeg Restaurant Night—5:30pm
Pastries & Irish Coffee—9:30pm

Friday, June 1, 1990
Editorial Board—7:30am
Family Violence—7:30am
Conference Sessions—9am–3:30pm
Judges Luncheon—Noon–1:30pm
Court Administrators Luncheon—Noon–1:30pm
Conference Luncheon—Noon–1:30pm
International—3:30pm
Private Practice—3:30pm
Banquet—6:00pm

Saturday, June 2, 1990
Board Meeting—7–9am
Conference Sessions—9–Noon

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