

# AFCC NEWSLETTER



VOLUME 23, NUMBER 4

Association of Family and Conciliation Courts

FALL 2004

## AFCC Looks to Seattle for 42nd Annual Conference

The Seattle Sheraton will be the site for AFCC's 42nd Annual Conference, May 18-21, 2005. The conference theme is *Solving the Family Court Puzzle: Integrating Research, Policy and Practice* and AFCC has lined up an impressive list of presenters, programs and collaborating organizations.

### Featured Presenters

This year's conference will feature leaders in the field, including many faces new to the AFCC stage. Plenary presenters will include:

- Hon. Diana Bryant, Family Court, Chief Justice of the Family Court of Australia
- Hon. Peter Boshier, Principal Family Court Judge, Family Court of New Zealand
- Hon. Bobbe J. Bridge, Supreme Court of Washington
- Dr. Richard J. Gelles, Dean, University of Pennsylvania School of Social Work
- Dr. Kyle Pruett, Yale University School of Medicine
- Professor Andrea K. Schneider, co-author, *Dispute Resolution: Beyond the Adversarial Model*, Marquette Law School

Conference plenary sessions will include a judicial perspective on relocation as well as a focus on research and its implications for policy and practice. Among those joining the AFCC newcomers on plenary sessions will be Drs. Janet Johnston and Joan Kelly, Hon. W. Dennis Duggan, Hon. Linda Dessau, and R. John Harper.

### Collaborating Organizations

Next spring's conference will bring together representatives from a wide range of collaborating organizations, including the ABA Center for Children and the Law, ABA Section of Dispute Resolution, International Association of Collaborative Professionals, National Association of Counsel for Children, the National Council of Juvenile and Family Court Judges and the Family Law Section of the Washington State Bar Association.

The conference will continue the emphasis on research begun at the 2004 Annual Conference, with a track of research sessions presented in collaboration with the American Psychological Association and will provide a focus on family mediation with a track developed in collaboration with the Family Section of the Association for Conflict Resolution.

### Visit Seattle

Take the opportunity to spend some extra time and visit Seattle. The Sheraton is offering a terrific conference rate of \$159 (\$179 double) per night. The conference rate is available for three days before and after the conference for those interested in coming in early or staying after the conference to do some sightseeing. The hotel is located within walking distance to Pike Place Market, Seattle's famous monorail, museums, stores and fabulous restaurants. Be sure to check out Seattle's Convention and Visitors Bureau website at [www.seeseattle.org](http://www.seeseattle.org) for additional ideas, including cruises

from Seattle to the San Juan Islands, British Columbia and Alaska! Plan a day-trip to Victoria or an overnight in Vancouver. You can request a visitor information packet on the website or by calling (206) 461-5840.

### Hotel Reservations

The Sheraton Seattle Hotel & Towers is located in the center of downtown Seattle, adjacent to the Washington State Convention and Trade Center and 15 miles from the Seattle/Tacoma International Airport. The AFCC conference rate of \$159/single and \$179/double is available through April 25, 2005, on a first-come first-served basis. Make your reservations now, especially if you plan to arrive earlier or stay later, by calling hotel reservations direct at (206) 447-5555 or toll-free at (800) 325-3535.

## AFCC Conference Scholarships

AFCC's Resource Development Committee will provide a limited number of scholarships for AFCC's 42nd Annual Conference in Seattle. Scholarships will cover registration fees for the conference and one full-day pre-conference institute. Recipients are responsible for their own travel, lodging, meals and all other related expenses. In addition, two US \$1,000 travel stipends will be offered for participants from outside North America. Anyone may apply for a scholarship; however, preference will be given to AFCC members. Scholarship applications will be online after January 15, 2005 at [www.afccnet.org](http://www.afccnet.org) on the conference page.

### In this Issue

FCR Names Associate Editor . . . . .	page 3
Nashville Highlights . . . . .	page 4
Member Profile . . . . .	page 6
Chapter News . . . . .	page 8



**AFCC BOARD OF DIRECTORS**

**President**

Leslye Hunter, M.A.  
Metairie, LA

**President Elect**

Hon. Hugh Starnes  
Fort Myers, FL

**Vice President/Secretary**

Fredric Mitchell, Ph.D.  
Tucson, AZ

**Treasurer**

Mary Ferriter, J.D., M.P.A.  
Boston, MA

**Past President**

Hon. George Czutrín  
Hamilton, ON, Canada

Richard L. Altman, J.D., Napoleon, OH  
Wendy Bryans, L.L.B., Ottawa, ON,  
Canada

Hon. Linda Dessau, Melbourne, VC,  
Australia

Robin Deutsch, Ph.D., Boston, MA  
Cori Erickson, M.S., Sheridan, WY  
Hon. William Fee, Angola, IN

Linda Fieldstone, M.Ed., Miami, FL  
Hon. Ross Goodwin, Quebec City, QC,  
Canada

Stephen Grant, M.A., Wethersfield, CT  
William J. Howe III, J.D., Portland, OR  
C. Eileen Pruett, J.D., Columbus, OH  
Robert Smith, J.D., M.Div., Fort Collins, CO  
Philip M. Stahl, Ph.D., Danville, CA  
Janet Walker, Ph.D., Newcastle Upon  
Tyne, England

**Executive Director**

Peter Salem, M.A.  
Madison, Wisconsin

**AFCC NEWSLETTER**

Vol. 23. No. 4 Fall 2004

**Editor**

Candace Walker

**Contributing Editor**

Nola Risse-Connolly

Published by AFCC  
6515 Grand Teton Plaza, Suite 210  
Madison, WI 53719-1048  
Tel: (608) 664-3750  
Fax: (608) 664-3751  
E-mail: afcc@afccnet.org  
Web: www.afccnet.org

The AFCC Newsletter is a publication of the Association of Family and Conciliation Courts. The newsletter is published four times a year. Deadlines for news items and advertising are January 15, April 15, July 15, and October 15. Advertising copy must be camera ready and payment made in U.S. funds.

Advertising Rates:	AFCC members	Non-member
Full page (7 1/2" x 10")	\$425	\$600
Half page (7 1/2" x 4 7/8")	\$300	\$450
Quarter page (3 5/8" x 4 7/8")	\$150	\$250

# MESSAGE FROM THE PRESIDENT AND EXECUTIVE DIRECTOR



*Leslye Hunter  
AFCC President  
Metairie, Louisiana*



*Peter Salem  
AFCC Executive Director  
Madison, Wisconsin*

We are breaking the mold in this issue of the *AFCC Newsletter* and replacing the usual President's Message with a joint message from the President and Executive Director. This joint message reflects the partnership of the Board and staff and our work together in moving AFCC forward. We also want AFCC members to get used to seeing new things, because there will be a great deal of them in the coming years.

In the past five years AFCC has experienced change in virtually every area, ranging from governance to administration, including bylaw revisions, accounting practices, office space and staff. We have benefited and grown as a result, however most of the changes have focused on the internal workings of the association. Now that the infrastructure is almost in place, we are moving to changes that are more tangible for AFCC members.

The first, and most obvious, will be AFCC's new look. This fall we completed an identity branding process, the result of which is reflected in the logo you see. It will appear on future publications, the AFCC web site, membership brochures and other materials beginning in January 2005. We hope you like it.

A second change will be the much-anticipated debut of Blackwell Publishing as the new publisher of the *Family Court Review (FCR)*. As of January 2005, AFCC members will have online access to the journal through the member section of the AFCC web site. Some time next year we anticipate the posting of previous *FCR* issues dating back to the very first issue of what was then called the *California Conciliation Quarterly*.

AFCC members will also be eligible for an increasing number of discounts in the near

future. In addition to conference and training program discounts, AFCC members will receive discounts on advertising and exhibiting, publications and videotapes. In addition, beginning in January 2005, AFCC members are eligible to receive discounts on books published by Blackwell Publishing and on electronic subscriptions to J.M. Craig Press products (see notice on page 10).

These changes are intended to add value to your AFCC membership, and to fulfill the association's goal of disseminating more and better information to enhance the professional excellence of our members. They are, we hope, the tip of the iceberg. In October, the AFCC Board of Directors approved a strategic plan that was developed through a great deal of careful thought, hard work and vision by our Board, members and staff. It provides specific direction for the association for the next four years. It challenges us to improve our justice systems, our professional practice, to

lead and innovate and to create opportunities for the development and dissemination of new ideas.

What does this mean for AFCC members? We want to assure you that we will not be providing any less than what you have been getting from AFCC all along. Our annual conference, publications and training programs will continue with some enhancements. Our administrative staff will still be available to answer your questions or provide referrals and we are looking to add new resources and additional functionality to our web site.

But we want to do more than simply improve our operations, programs and mem-



ber services. We want to raise the level of AFCC's contribution to the communities and families we serve. We want to initiate opportunities for AFCC as an organization to take the lead in addressing the most critical issues and the toughest questions faced by our members. As you can imagine, with a membership that includes at least a dozen disciplines, this is no small task.

We have already begun the process with no less than four special projects that are currently underway. AFCC task forces are developing much needed model standards of practice for parenting coordination and custody evaluation. The AFCC Court Services Task Force is collecting information on exemplary practices as well as conducting a survey of family court service agencies to analyze how they are coping with the challenges of reduced budgets, more complex cases and burgeoning caseloads. AFCC's Family Law Education Reform Project is convening family law faculty and professionals to reform the way family law is taught to our next generation of lawyers. In addition to these special projects, the April 2005 edi-

tion of *Family Court Review* will be a symposium issue featuring a series of articles on the ultimate issue in custody evaluations. We intend to continue to address the challenging questions through future projects, think tanks and special issues of the journal.

The process of identifying the questions and issues, and generating and disseminating ideas is important. However, it means little unless the work that we do helps our members. It is our goal that AFCC members receive the best and most up-to-date information, so you will be able to find the various reports, program profiles and survey results posted on the AFCC web site or published in the *Family Court Review*. Updates on projects will be shared through the *AFCC Newsletter* and draft documents will be posted for comment on the web site.

By becoming a member of AFCC you have made a commitment to professional excellence. In turn, our commitment is to provide the opportunities and information for you to improve your work, and, by extension, the lives of children and families in your community.

## Family Court Review Selects Associate Editor



Janet R. Johnston, Ph.D.

AFCC is pleased to announce that Professor Janet R. Johnston has been selected as Associate Editor of *Family Court Review*, the quarterly journal of AFCC. Dr. Johnston is a long-time AFCC member and frequent contributor to conferences and *FCR*. She is a professor in the Department of Justice Studies, San Jose State University, and was formerly consulting associate professor at Stanford University. She is also executive director of Protecting Children from Conflict, an affiliate of the Judith Wallerstein Center for the Family in Transition in California, where she was previously the research director.

For more than two decades, Dr. Johnston has specialized in counseling, mediation and research with high-conflict, litigating divorcing couples and their children, with special attention to domestic violence, child abduction and alienated children. How to develop multi-disciplinary partnerships with the court and a continuum of services within the community for divorcing families is also one of her special interests. She has published four books and more than 50 professional papers, presented at hundreds of scientific and professional meetings for mental health professionals, attorneys, judges, and court administrators throughout the USA, Canada, Australia and Europe. Her first book, co-authored with Linda Campbell, Ph.D., was *Impasses of Divorce* (1988). Two of her more recent books about children of highly conflicted and violent families are co-authored with Vivienne Roseby, Ph.D. – *In the Name of the Child* (1997) and *A Group Treatment Manual for School-age Children* (1997). Another book of therapeutic stories for children called *Through the Eyes of Children* (1997) is co-authored with Breunig, Garrity and Baris.

Dr. Johnston is the recipient of several prestigious honors: the John Haynes Distinguished Mediator Award from the Academy of Family Mediators (2000), and the Stanley Cohen Distinguished Research Award (2000) and Distinguished Service Award (1996) from AFCC.



### AFCC ADVISORY COUNCIL

**Joel Bankes, MS**  
Normal, IL

**Hon. Betty Barteau**  
Russia

**Phil Bushard, D.P.A.**  
Reno, NV

**Kathleen Clark, Ph.D.**  
Galion, OH

**Christie Coates, M.Ed., JD**  
Boulder, CO

**Hon. Melvin E. Cohn**  
San Carlos, CA

**Hon. Sean Dunphy**  
Boston, MA

**Hon. Leonard Edwards**  
San Jose, CA

**Gregory Firestone, Ph.D.**  
Tampa, FL

**Jay Folberg, LLB**  
San Francisco, CA

**Jonathan Gould, Ph.D.**  
Charlotte, NC

**Elayne E. Greenberg, MS, JD**  
Great Neck, NY

**Janet Johnston, Ph.D.**  
San Jose, CA

**Joan Kelly, Ph.D.**  
Corte Madera, CA

**Hon. Emile Kruzick**  
Orangeville, ON

**Hon. Claire L'Heureux-Dubé**  
Quebec, QC

**Gerald Lecovin, LLB**  
Vancouver, BC

**Margaret Little, Ph.D.**  
Los Angeles, CA

**Denise Herman McColley**  
Napoleon, OH

**Donald Moir, LLB**  
Vancouver, BC

**Diane Nunn**  
San Francisco, CA

**Hon. Frank Orlando**  
Fort Lauderdale, FL

**Jessica Pearson, Ph.D.**  
Denver, CO

**Hon. Arline Rotman (ret.)**  
Norwich, VT

**Andrew Schepard, JD**  
Hempstead, NY

**Jan A. Shaw, MPA**  
Orange, CA

**Arnold Shienvold, Ph.D.**  
Harrisburg, PA

**Suzie S. Thorn, JD**  
San Francisco, CA

**Robert Tompkins, M.A.**  
Derby, CT

**M. James Toner**  
Reno, NV

**Hon. John VanDuzer**  
Toronto, ON

**Hon. Betty Vitousek (ret.)**  
Honolulu, HI

**Carolyn Wah, JD**  
Patterson, NY

**Hon. R. James Williams**  
Halifax, NS

# Nashville Custody Symposium Highlights “The Ultimate Question”

by Hon. Hugh Starnes, AFCC President  
Elect, Fort Myers, FL

Nearly 300 participants jammed the ballroom at AFCC's *Sixth International Symposium on Child Custody Evaluations* to witness a lively and spirited debate on the “ultimate question” in child custody evaluations: Should evaluators make recommendations on parenting plans to the Court? During three dramatic plenary sessions, presenters attempted to resolve the question through mediation, judicial settlement negotiation and trial.

AFCC members Jeffrey Wittmann, Ph.D. and Timothy Tippins, Esq., presented the view that:

“When the clinical process that occurs during custody evaluations is assessed with respect to the empirical data that is available to the forensic clinician at different levels of analysis, it becomes evident that (a) clinicians have a wealth of objectively verified information to assist finders-of-fact and (b) there are concurrent, profound limitations in our research base that suggest that making explicit

recommendations should now be viewed as professionally questionable, if not unethical. In addition, important evidentiary and jurisprudence concerns also support the position that clinicians should carefully circumscribe what they are willing to utter in forensic reports and entirely avoid specific recommendations that go to the heart of the ultimate issue.”

The reference to evidentiary concerns is based upon the U.S. Supreme Court's opinion in *Daubert v. Dow Chemical* dealing with admissibility of expert testimony. In *Daubert*, the Court stated that the expert testimony must be based upon scientific data, as opposed to personal opinion.

The opposing view was presented by Philip Stahl, Ph.D. and Lorraine Martin, M.S.W., who expressed their beliefs that the experience within the mental health field furnishes adequate information for assisting the Judge in determining parenting disputes by making a recommendation as to which parenting plan will best suit the particular family. Dr. Stahl and Ms. Martin were represented by Randy Fuerst, Esq., as legal counsel.

The first plenary featured a mediation session conducted by Arnold Shenvold, Ph.D., as mediator. Because the parties, even with the help of their attorneys, were unable to come to an agreement on this hotly debated issue, the second session involved a judicial settlement conference. Even after probing examination by the Judge, the parties could still not agree, and the final session was a trial, in which the evaluators were questioned extensively by each attorney.

In the end, AFCC members were treated to a memorable exchange of thoughtful ideas, differing perspectives and a discussion of issues that impact the work of everyone involved in child custody disputes. AFCC believes that this is a seminal issue that deserves on-going scholarly attention and informed discussion within the field. Toward that end, this topic will be explored more fully in the April 2005 issue of the *Family Court Review*, a special symposium issue featuring a lead article by Jeffrey Wittmann and Timothy Tippins, with responses from leading experts in the field of child custody.

The ultimate question is now: “How will you decide?”

## Parent Educators Network in Nashville

Professionals from around the country joined AFCC in Nashville for the *Sixth International Congress on Parent Education and Access Programs*. The networking buzz was in the air, aided by the Parent Education Resource and Networking Center. Participants shared information about their programs and discussed their passion—parent education.

The Congress began Sunday morning with the opening session, *Parenting After Separation and Divorce: Emerging Issues for Educators*. The session featured Christine Coates, J.D., co-author of *Learning From Divorce*, and Philip Stahl, Ph.D., author of *Parenting After Divorce*. The two dynamic presenters discussed new research, innovations in the field, and information about what should be incorporated into programs for separating and divorcing parents.

Networking was the focus of Sunday's luncheon at tables designated for discussion on parent education issues. Many participants enjoyed speaking with others who have similar interests, while others appreciated learning more about new ideas. Additional networking opportunities, such as the opening night reception, the Taste of Nashville, and AFCC's hospitality suite, were also highlights of the Congress for many participants.

This year's Congress featured a core group of faculty members who formulated the program from the ground up and presented seven of the eight workshop sessions. Faculty included Cori Erickson, Wyoming Children's Advocacy Network, Sheridan, Wyoming; Risa Garon, National Family Resiliency Center, Columbia, Maryland; P. Leslie Herold, Solutions for Families, San Bernardino, California; Jean McBride, Center for Divorce and Remarriage, Fort Collins, Colorado; Chet Muklewicz, Kids First, Dunmore, Pennsylvania; and Robert Smith, Fort Collins, Colorado. Workshops were designed to meet the needs of both beginning and advanced practitioners: setting up programs, advanced parent education issues, the marketing of programs, tailoring programs for local consumption, training, adult learning, and programs for children. Denise Brandon and Mary Rose Zingale joined the group of presenters, discussing Tennessee's Parenting Plan Process. The closing session ended the Congress on a light-hearted note, where presenters and participants alike discussed, “The Good, The Bad and The Ugly” of parent education, giving participants a laugh along with the opportunity to learn from others' mistakes.

## Thanks!

AFCC wishes to thank Symposium sponsors and exhibitors for their support:

Children's Rights Council, Hawaii  
Christine Coates, JD, Dispute Resolution Training  
Complete Equity Markets, Inc.  
Dr. Philip M. Stahl, ParentingAfterDivorce.com  
Family Law Software, Inc.  
J.M.Craig Press, Inc.  
LifeBridge

National Council of Juvenile and Family Court Judges  
Our Family Wizard Co-Parenting Website  
Skill-Based Co-Parenting, Solutions for Families  
UpToParents.org  
Zena Zumeta and Mediation Training & Consultation Institute

AFCC would like to thank everyone who made Nashville a success, including conference chairs and committee: Fred Mitchell, Denise McColley, Leslye Hunter, Bob Smith, Phil Stahl, and Hon. Marietta Shipley, local chair.

## Court Services Task Force Update

**A** FCC's Court Services Task Force is working on two major initiatives to help identify the challenges faced by court service agencies, review innovative initiatives in service delivery and to make a report and recommendations on the future direction of family court service agencies. The Task Force, chaired by Professor Barbara Babb, is working on two projects: an exemplary practices project and a survey of court service agencies.

### Exemplary Programs Abound

The Exemplary Practices Subcommittee, chaired by David Hodges, has received more than 80 nominations in response to its call for exemplary practices. The subcommittee is hard at work reviewing family law and related programs that are creative, innovative, effective, and accountable, in the family law area.

At the conclusion of the selection process, profiles of those programs selected as exemplary will be made available to AFCC members and compiled in a publication that will highlight some of the programs.

AFCC thanks those who submitted nominations and is especially grateful for the hard work of Exemplary Practices Subcommittee members David Hodges, Phil Bushard, George Ferrick, Risa Sherriff and Pamela Ortiz.

### Survey on Challenges

The Subcommittee on Challenges, chaired by Stephen Grant, has developed a survey of court services and court-related agencies to examine the challenges faced by family court service agencies and how they are responding. The survey will provide a snapshot of critical areas including budgeting, staffing, case management and service delivery options.

More than 400 surveys were mailed to AFCC members during the month of November. Following data analysis, the subcommittee will issue a report with the highlighting key results. Watch the *AFCC Newsletter* for future updates.

AFCC thanks subcommittee members Stephen Grant, Judith Moran, Robert Smith, Hon. Leonard Edward and Steve Baron for their work on this project. Also, special thanks to research advisor Charlene Depner and Sara Cobb, intern for the Connecticut Court Support Services Division, for their work on this project.

## AFCC Former Presidents Prevail on Election Day

**T**wo former AFCC Presidents proved that the AFCC Presidency is a stepping stone to bigger and better opportunities with resounding election day victories on Tuesday, November 2, 2004.

**Denise McColley**, of Napoleon, Ohio, was elected the first Domestic Relations Judge of Henry County, Ohio, winning more than 68 percent of the vote. In another impressive win, **Hugh Mclsaac** was elected Mayor of Manzanita, Oregon with more than 60 percent of the vote.

AFCC congratulates Mayor Mclsaac and Judge McColley on their accomplishments and wishes them success in their new positions.

## AFCC Board of Directors News

**J**an Shaw, AFCC member and former president of the Board of Directors (2002-2003) from Orange, California, has resigned from the AFCC Board of Directors, effective November 2004. Robin Deutsch, Ph.D., psychologist and Co-Director of the Children and the Law Program at the Massachusetts General Hospital and an Assistant Professor at Harvard Medical School, has been appointed to serve the remainder of the year. AFCC thanks Jan Shaw for her many years of dedicated service.

## AFCC Board of Directors Nominations

**T**he AFCC Nominating Committee is seeking the names of members interested in serving on the AFCC Board of Directors. Individuals must be AFCC members and have an interest and knowledge of AFCC and its work.

Nominations must be received by January 15, 2005 in order to be considered by the committee prior to election at the AFCC Annual Conference, May 18-21, 2005 in Seattle, Washington.

If you or another member you know is interested in serving on the AFCC Board of Directors, please send a letter of interest, including your name, contact information and resume. Please note any service or experience with AFCC. All expressions of interest will be kept on file for future years.

Please send letters of interest to:

George Czutrin  
Chair, Nominating Committee  
c/o AFCC  
6515 Grand Teton Plaza, Suite 210  
Madison, WI 53719-1048  
Fax: (608) 664-3750  
Email: afcc@afccnet.org

## Condolences

**D**r. Beth Kuhn Clark, AFCC member from Ann Arbor, Michigan, died at home surrounded by her family, on October 29, 2004, following a lengthy illness. Through her work and her publications she earned a national reputation as an authority and teacher, particularly in regard to high conflict divorce and child custody disputes. She was active in professional affairs, and was called to serve in a number of elected and appointed positions in the state and nationally. She is survived by her husband, Charles Clark, her son Peter, 22, and daughter Laura, 19. In lieu of flowers, friends are invited to make a donation in Beth's name to the American Cancer Society or to a charity of their choice.



## MEMBER PROFILE

### Hon. Diana Bryant, Chief Justice Family Court of Australia



Hon. Diana Bryant

by Hon. Linda Dessau,  
Melbourne, VC, Australia

Hon. Diana Bryant was appointed a Judge of the Family Court of Australia and the third Chief Justice of the Court in July 2004. Her appointment was welcomed. With her considerable legal and administrative skills, her personal attributes, and her experience in family law, she is well equipped for this challenging position.

Chief Justice Bryant graduated from the University of Melbourne and practiced law as a solicitor until she became a barrister (a trial attorney). She received the honor of being appointed a Queen's Counsel in 1997. She obtained a Master of Laws from Monash University in 1999 and was appointed the inaugural Chief Federal Magistrate in 2000.

That brief curriculum vitae tells only part of the story. What it does not impart is the respect Chief Justice Bryant commanded as a partner and family law specialist in Perth (in Western Australia) in the major national law firm, Phillips Fox. Or, that when she returned to her hometown of Melbourne (in Victoria) she quickly established a successful practice in bankruptcy, human rights, and equal opportunity matters, as well as family law, and that she often argued cases at appellate level, including in the High Court of Australia.

In 2000 the Federal Magistrates' Court was established to deal with less complex matters arising in the Federal sphere, in

both the Federal Court of Australia and the Family Court of Australia, predominantly in family law, bankruptcy, and migration. Chief Justice Bryant was given the difficult task of establishing and leading the new court. It was an undertaking made more difficult due to some divided opinions about its establishment, and some uncertainties as to where it would fit with existing courts. Chief Justice Bryant met the task well, establishing a flourishing court and using her considerable skills in diplomacy to work with the other courts, government, and outside agencies. In addition, she showed her capacity for hard work, leading from the front by sitting in court, as well as handling a heavy workload of administration.

Upon being sworn in to her new role, Chief Justice Bryant acknowledged the inherent difficulties in family law decisions and that it is impossible to expect that all the litigants will be happy with the Court's decisions. But she added: "If at the end of my tenure I could improve the understanding of the Court and have the respect of the public for the Court, that would be something I would be very proud of." She is also keen to continue to build bridges between the Family Court and her previous court, to ensure that family law clients can enter the court system as seamlessly as possible.

The new Chief Justice is committed to practices to ensure the most efficient and cost effective means of resolving cases, with the needs of children as the priority. In this respect she is enthusiastically continuing the work commenced by the former Chief Justice, Alistair Nicholson, with the trial of less adversarial proceedings in children's cases. Importantly for AFCC, the Family Court of Australia's new Chief Justice has a strong commitment to a multidisciplinary approach to family law, and the need to be outward looking, to learn from and to share with other jurisdictions experiencing some of the exquisite and unique dilemmas of family law.

In introducing the new Chief Justice to AFCC, it is important to note that she also has a full life outside her work. She and her husband share a passion for skiing, bird watching, and travel.

*Chief Justice Bryant will be a featured presenter at AFCC's 42nd Annual Conference, May 18-21, 2005, in Seattle.*

## AFCC Members Write On



**Susan P. Baker**, AFCC member and founding president of the Texas AFCC Chapter, recently wrote *Heart of Divorce: Advice from a Judge*, a handbook to assist people in making important life changes. For many years, Judge Baker observed that there were people who did not wish to engage the other party in battle but could not find a resource to assist them in concluding their relationship in a peaceable manner. Her book covers everything from assisting the party in making the decision to separate, to how to take care of oneself during the transition, to how to have a nondestructive life after divorce.

**Robert E. Emery, Ph.D.**, AFCC member and Professor of Psychology and Director of the Center for Children, Families and the Law at the University of Virginia, has authored *The Truth about Children and Divorce, Dealing with the Emotions So You and Your Children Can Thrive*, published by the Penguin Group. The book offers groundbreaking research and advice to help parents manage the potentially toxic feelings of their divorce and to deal more effectively with necessary daily tasks, from talking to children and creating a workable parenting schedule to dealing with legal issues.

AFCC members **Kelly Browe Olson** and **Andrew Shepard** have written chapters in a new book from the American Bar Association Section of Dispute Resolution. The book, *The ADR Handbook for Judges*, was co-edited by AFCC member **Susan M. Yates**. Made possible by a grant from the JAMS Foundation, the book includes twelve different chapters focusing on the use of alternative dispute resolution in a particular type of case or a certain setting. Each chapter addresses the information a judge or court will need to develop or improve the court's program.

## Member News?

AFCC members are interested in knowing what their colleagues are up to and the *AFCC Newsletter* wants to help. If you have written a book, earned a promotion, accepted a new job, earned an honor or other distinction, or have some other exciting news to share, please let us know. Email Candace Walker, AFCC Program Director and Newsletter Editor at [cwalker@afcc-net.org](mailto:cwalker@afcc-net.org), or send your notice to AFCC, 6515 Grand Teton Plaza, Suite 210, Madison, WI 53719-1048.

## Hon. Peter Boshier Principal Family Court Judge of New Zealand



## Hon. Madam Justice Rosalie Abella Appointed to Supreme Court of Canada



*Hon. Peter Boshier*

In March 2004, AFCC member Hon. Peter Boshier was appointed as the new Principal Family Court Judge of New Zealand, a position previously held by former AFCC Board member Judge Patrick Mahony. Judge Boshier was born and educated in Gisborne and then graduated with the law degree of LLB (Hons) from Victoria University of Wellington. He was a litigation lawyer in Wellington before being appointed to the Auckland District Court Bench specializing in Family Court in 1988. In 1997 Judge Boshier was also appointed as a Youth Court Judge. He has worked extensively in the area of child

offenders and wants to see meaningful interventions taking place with this high-risk group of children. In March 2000, along with others, he set up the Tamaki Pathways Trust. A program for youth at risk in Auckland, the Trust currently has a three-year contract with the Ministry of Justice and handles 40 at-risk youth annually.

In 2002, Judge Boshier was seconded as a Judicial Fellow to the Pacific Judicial Education Programme based in Suva, Fiji and in December 2003, returned to sitting duties in the Auckland Family Court. Judge Boshier's term as Principal Family Court Judge is for eight years.

*Judge Boshier will be a featured presenter at AFCC's 42nd Annual Conference, May 18-21, 2005, in Seattle.*



*Hon. Rosalie Abella*

The Hon. Madam Justice Rosalie Abella was appointed to the Supreme Court of Canada on August 30, 2004. Justice Abella, a former AFCC conference presenter, has extensive experience as a family lawyer and judge. She has been active in Canadian judicial education, organizing the first judicial seminar in which all levels of the judiciary participated, the first judicial seminar in which persons outside the legal profession were invited to participate, the first national education program for administrative tribunals, and the first national conference for Canada's female judges.

Justice Abella is the only woman to receive the Distinguished Alumnus Award from the University of Toronto Faculty of Law. She was awarded the 2003 International Justice Prize of the Peter Grube Foundation and the 2004 Walter S. Tarnopolsky Award for Human Rights by the Canadian Bar Association and the International Commission of Jurists, and was selected as the 2004-2005 Robert Anderson Fellow at Yale Law School.

## Hon. Leonard Edwards Receives Rehnquist Award for Judicial Excellence



*Hon. Leonard Edwards*

The William H. Rehnquist Award for Judicial Excellence was presented to AFCC member Hon. Leonard Edwards on November 18, 2004 at the United States Supreme Court in Washington, D.C. The award is presented annually by the National Center for State Courts (NCSC) to a state court judge who exemplifies the highest level of judicial excellence, integrity, fairness, and professional ethics.

Santa Clara Superior Court Presiding Judge Richard Turrone, who nominated Edwards for the award, called him "an extraordinary judge and an innovative thinker, who has

had a broad impact on the judiciary, primarily in juvenile and family courts, domestic violence prevention and intervention, judicial leadership, court coordination, and children in courts."

The NCSC noted that the juvenile dependency court in Santa Clara County was designated a national model by the National Council of Juvenile and Family Court Judges under Edwards' leadership. Edwards "is one of the most effective and progressive trial judges in America, especially in the area of juvenile and family courts," said center President Mary Campbell McQueen. "Judge Edwards stands out, not only for his numerous achievements, but also for his leadership style, which has positively influenced courts in California, the nation, and the world," she added.

Judge Edwards also established his county's drug court, one of the first in the country, in 1999. The NCSC also cited his efforts, in conjunction with Rotary International, to provide permanent homes for street children in Latin America. Judge Edwards has won numerous state and local awards for his judicial and community work, and is the author of numerous articles on family law and juvenile justice issues.

Judge Edwards was the recipient of AFCC's Distinguished Service Award in 2003 and an AFCC Special Commendation for contributions to dependency mediation in 1999. AFCC congratulates Judge Edwards on this important recognition.

# AFCC Chapter Update

## Arizona

Arizona AFCC will present another outstanding annual conference February 4-6, 2005 at the Hilton Sedona Resort & Spa, Sedona, Arizona. Once again, Arizona AFCC has put together a stellar lineup of presenters and topics that will actually distract attendees from the beautiful red rocks of the Sedona/ Oak Creek area.

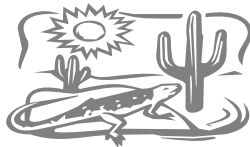
Marsha Kline Pruett, Ph.D., is the Friday night plenary speaker on Intervention with Young Children and Overnight Research. Her presentation will include a description of the controversies regarding young children and overnight access, with presentation of original data from a court-based intervention and evaluation project on optimal features of parenting plans for young boys and girls.

For the Saturday morning plenary session, Nancy Olesen, Ph.D., will discuss differing attachment styles of adults and children. Her presentation includes a comparison of attachment issues which arise in a "standard" dissolution with those arising in cases involving child abuse, domestic violence, estrangement and/or alienation.

The closing plenary on Sunday will feature University of Arizona assistant professors Connie Beck, Ph.D. and Dave Sbarra, Ph.D. Their topic is Research Findings: Long-Term Effects of Custody Mediation, and Mediation and Domestic Violence. This plenary discussion will focus on a 12-year follow-up study of families randomly assigned to either mediate or litigate child custody disputes. The study presents results related to family functioning and overall adult adjustment to divorce. The session will further cover a three-year study detailing domestic violence behaviors found in a sample of families mandated to attend mediation for custody and visitation.

Twelve outstanding workshops will be presented on Saturday and Sunday, with topics including Alternative Approaches to Custody Decision-Making (Hon. Nancy A. Flatters, Provincial Court of Alberta, Family and Youth Court); Substance Abuse and Parenting Plans; Preparing the Client for the Custody Evaluation, Use and Misuse of Special Masters and Family Court Advisors; Gay and Transgender Issues; Mediating Beyond Parenting Time; Getting Past Impasses in Dispute Resolution; Arizona's New Rules of Family Court Procedure; Juvenile Court Jury Trials; and Ethics for the Legal and Mental Health Professions.

The Sedona conference begins with the Friday night plenary session on February 4, followed by the always-popular cocktail party, and ends with the closing plenary on Sunday at noon. Other conference favorites, including the Saturday night banquet at Cucina Rustica, the Saturday luncheon, and Arizona AFCC's famous hospitality suite, will all be featured and will allow for plenty of social interaction. For further information, see the Arizona AFCC Chapter website at [www.azafcc.org](http://www.azafcc.org) or contact the president of the Arizona Chapter, Hon. Mark Armstrong, at [maarmstr@superior.court.mari.copa.gov](mailto:maarmstr@superior.court.mari.copa.gov).



## California

The AFCC California Chapter hosts its annual conference at the beautiful Lodge at Sonoma, February 11-13, 2005. The conference theme will be *California's Best: Expertise, Experience and Excellence*.

William Austin, Ph.D., will present two separate sessions on domestic violence and on relocation cases. Joan Kelly, Ph.D., will present a research update. Sharon Ellison will talk on taking the war out of our words. An expert panel will present the latest legal and psychological issues in alternative conception. Several presentations will meet the California requirements for Domestic Violence updates for custody evaluators, so attendees can complete all four required hours if they wish.

Other topics include second opinions, the ethics of preparing clients for evaluation, special needs children, elder abuse, board complaints, and many more. Continuing education credit for attorneys, psychologists and Marriage and Family Therapists will be provided. The hotel and spa are located in the wine country of Northern California. More information and sign-up is at [www.afcc-cal.org](http://www.afcc-cal.org).



## Massachusetts

The Massachusetts AFCC Chapter announces its 2004-2005 Officers and Board of Directors:

**President:** Carol Lynn May, J.D., Framingham, MA

**President Elect:** Linda S. Fidnick, J.D., Amherst, MA

**Treasurer:** Kathleen A. Townsend, J.D., Springfield, MA

**Secretary:** The Honorable Gail Perlman, Northampton, MA

**Past President:** Linda Cavallero, Ph.D., Worcester, MA

Joanna Bunker Rohrbaugh, Ph.D., Cambridge, MA

Beth Crawford, J.D., Northampton, MA

Robin Deutsch, Ph.D., Boston, MA

The Honorable Edward Donnelly, Jr., Cambridge, MA

The Honorable Margaret Fearey, Cambridge, MA

Alexander Jones, Esq., J.D., MSW, Boston, MA

The Honorable Jan Lewis Najemy, Worcester, MA

Gary Todd, Esq., Boston, MA

Ruth Whitney, L.I.C.S.W., Arlington, MA

Robert Zibbell, Ph.D., Framingham, MA



## AFCC THANKS

AFCC thanks the University of Wisconsin-Madison Division of Continuing Studies for co-sponsoring AFCC's September 2004 training programs. Special thanks to AFCC members **Jonathan Gould, Ph.D.** and **Robin Deutsch, Ph.D.** for conducting these training programs.



# Planning for Shared Parenting: A Guide for Parents Living Apart



This new publication, developed by the Massachusetts Chapter of AFCC, combines recent research about the developmental needs of children and the impact of divorce on their lives with the practical needs of parents and children living apart. Concisely written and filled with practical information, this colorful 23-page booklet is designed to be of use to parents, judges, lawyers, mediators, and parent educators in designing a child-focused parenting plan. The booklet is perfect for professionals to share with clients, and an ideal way to provide parents with concrete information to review at home.

*Planning for Shared Parenting* describes the basic needs of children of divorce, discusses how to design a parenting plan, including specific ideas about what to consider while doing so, and examines the different needs children have as they move from one developmental stage to the next. The booklet is a guide for setting up an initial parenting plan, and is also a reference for parents as children mature or family situations change.

A helpful tool for professionals working with parents undergoing separation and divorce, *Planning for Shared Parenting* is also affordable at only \$3.00 each. AFCC members can take advantage of a membership discount of 10%. Check the "AFCC member" box below to receive your discount, subject to verification. For more information, contact AFCC at (608) 664-3750. This form can be mailed to AFCC at 6515 Grand Teton Plaza, Suite 210, Madison, WI 53713, or sent via fax to (608) 664-3751.



**Quantity**

\_\_\_\_\_ *Planning for Shared Parenting: A Guide for Parents Living Apart* (\$3.00 each; AFCC members save 10%)  
 \_\_\_\_\_ Shipping & Handling (see box at right)  
 \_\_\_\_\_ **Total** (remit in US funds)

AFCC member

Visa     MasterCard    Card No. \_\_\_\_\_ Exp. Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Signature \_\_\_\_\_

Please bill me. My Purchase Order number is \_\_\_\_\_

Name/Organization \_\_\_\_\_

Street Address (no P.O. Box please) \_\_\_\_\_

City \_\_\_\_\_ State/Province \_\_\_\_\_ Zip/Postal Code \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_ E-mail \_\_\_\_\_

**Shipping & Handling — U.S. only**

*(S&H for orders outside the United States will be billed separately)*

\$ 0.00 – 12.50 .....	\$4.00
12.51 – 50.00 .....	7.00
50.01 – 100.00 .....	10.00
Over \$100 .....	7.00 per each add'l \$100.00

## AFCC Member Discount on Psychology Digest and Briefs



AFCC members will be eligible for a 25 percent discount on two J.M. Craig Press electronic publications beginning in January 2005.

*Psychology in Family Law Digest* is published bi-monthly. The Digest brings the latest and most significant articles from top-flight social science research to the bench, bar and forensic consultants. Articles are selected from more than sixty peer-reviewed journals. Each issue contains six digests that review a recent research article, critically evaluate it and discuss its relevance to issues in family law. Digests are written in non-technical language by mental health professionals with extensive experience in forensic consultation. All digests contain complete citations for easy access to the full text.

*Family Law Psychology Briefs* is a quarterly journal of social science research related to family law matters. Each issue addresses a topic of importance to the family law community and is written in non-technical language by recognized scholars. Every issue reviews the existing literature, provides a critical analysis of the research and discusses its relevance to family law matters. All issues are fully referenced for ready retrieval of the complete texts.

Subscribers also have available to them a full searchable database of all previously published material. By the end of 2004, it will contain 200 Digests and Briefs exclusively devoted to family law matters.

For additional information, sample Digests and subscription details go to: [www.jmcraig.com](http://www.jmcraig.com).

## Family Law Education Reform Project Hosts Law Faculty

AFCC and Hofstra University Law School hosted nearly thirty law professors and AFCC leadership for a one-day think tank to explore how to bridge the gap between the teaching and practice of family law. The meeting, which took place on November 6, provided the opportunity for participants to discuss the barriers and opportunities for reform, and to begin to identify key components of curricular reform.

Participants emphasized the need to expose a greater number of law students to family law by including examples in first year courses such as contracts and property. In addition, there was a clear consensus on the need for an interdisciplinary approach and a greater emphasis on alternative dispute resolution, social and behavioral sciences, as well as clinical experience.

The meeting was the second in a series with law faculty and interdisciplinary professionals. The next meeting, scheduled for early March, will bring together leaders of professional organizations. The first product of the project will be a report on the state of family law teaching and recommendations for reform. AFCC members will have an opportunity to provide feedback on the draft report through the AFCC web site and at the 42nd Annual Conference in Seattle, May 18-21, 2005. The project will also conduct an on-line survey of professionals to examine the characteristics of an effective family lawyer and, ultimately, develop a curriculum and teaching modules for family law.



## MEDIATING DIVORCE AGREEMENT

A FACILITATIVE & EMPOWERING APPROACH

with James C. Melamed, Esq.



Jim Melamed

### 15 Hours of Mediation Instruction on 5 DVDs including Online Training Manual & Forms

Join Jim Melamed, CEO of Mediate.com and Former Executive Director of the Academy of Family Mediators, for 15 hours of stimulating divorce mediation instruction. This DVD course is distilled from a 40-hour "live" course and emphasizes a facilitative and maximizing approach to divorce mediation.

#### Topics Covered

- Current Themes in the Field
- Keys to Conflict Resolution
- Dispute Resolution Process Options
- Negotiation Approaches and Negotiation Power
- Being a Mediator
- Getting Started
- Mediator Strategy
- Managing Emotional & Relational Issues
- Communication Skills
- Mediating Parenting Issues
- Mediating Child Support
- Mediating Spousal Support
- Mediating Property & Debt
- Tax and Drafting Issues
- Mediation Ethics
- Developing a Successful Mediation Practice

#### About Jim Melamed

Jim Melamed has been offering divorce mediation services since 1983. Jim was Executive Director of the national Academy of Family Mediators from 1987 to 1993. Jim co-founded Mediate.com in 1996 and continues as Mediate.com CEO. Jim teaches Mediation at the University of Oregon and Pepperdine University Schools of Law.

Introductory Price: \$100 off to 12/31/2004

\$295 DVD Video Set - \$195 CD Audio Set

Complete information at [www.mediate.com/DivorceAgreement](http://www.mediate.com/DivorceAgreement)



Client  
Facing  
Divorce?  
You need...



Actual customer comments...

“Wowed!” “Essential.”

“Very, very helpful.”

“Stupendous.” “Fantastic.”

“Very reasonably priced.”

[www.FamilyLawSoftware.com](http://www.FamilyLawSoftware.com)

1-877-477-5488

## My Mom and Dad Are Getting a Divorce!

This new pamphlet, available from AFCC, helps young children understand about their parents' divorce. It contains text and pictures and was adapted from the book, *My Mom and Dad Are Getting a Divorce* by Florence Bienenfeld, Ph.D., M.F.T. The pamphlet and book were developed specifically for young children, ages 4 to 12.

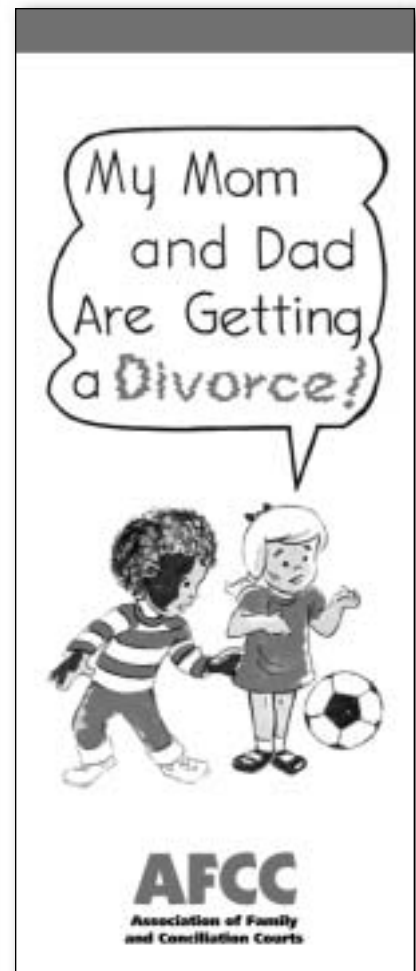
This beautifully animated pamphlet shows the sadness and confusion experienced by a little girl who learns her parents don't want to live together. The girl's distress is relieved when friends tell her their parents are divorced but they still have plenty of love and security with both parents. The pamphlet offers Guidelines for Parents that are structured around *cooperation*. Here are some of the suggestions:

- Set a workable parenting plan to provide children time with both parents.
- Keep ongoing contact with the children so they don't feel rejected or abandoned.
- Rarely cancel plans with children or reschedule at the last minute.
- Have the children ready on time for the other parent.
- Call the other parent when it is necessary to be late.

The guidelines also include what *not* to do. Some of the examples are:

- Not using the children to get information about the other parent.
- Not using the children to carry angry messages back and forth.
- Not using the children to deliver child support payments.
- Not arguing in front of the children.
- Not speaking derogatorily about the other parent.

AFCC offers eleven new and newly revised pamphlets to help parents and children experiencing issues related to separation and divorce. Discounts are available for orders of more than 1,000 pamphlets. For a complete list of pamphlets and pricing, or to order, go to the AFCC website at [www.afccnet.org](http://www.afccnet.org) or contact the office at (608) 664-3750 or [afcc3@afccnet.org](mailto:afcc3@afccnet.org).



## SAVE THE DATES!



### AFCC 42nd Annual Conference

May 18-21, 2005

*Solving the Family Court Puzzle:  
Integrating Research, Policy and Practice*  
Sheraton Seattle Hotel & Towers  
Seattle, Washington

### AFCC 43rd Annual Conference

May 31-June 3, 2006

Sheraton New Orleans  
New Orleans, Louisiana

### AFCC 44th Annual Conference

May 30-June 2, 2007

Capital Hilton  
Washington, D.C.

# AFCC 2004-2005 Training Programs

AFCC announces dates for 2004-2005 trainings in partnership with University of Baltimore School of Law's Center for Families, Children and the Courts; Loyola University Chicago School of Law's Child and Family Law Center; and Loyola University New Orleans School of Law. Brochures will be posted at [www.afccnet.org](http://www.afccnet.org) at least 60 days in advance of each training.

## **Child Custody Disputes: Beyond the Basics**

Presenter: *Robin Deutsch, Ph.D.*  
December 6-7, 2004  
University of Baltimore  
Baltimore, Maryland

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

Presenter: *Joan B. Kelly, Ph.D.*  
January 11-12, 2005  
University of Baltimore  
Baltimore, Maryland

## **Parenting Coordination: Working with High Conflict Families**

Presenter: *Christine A. Coates, M.Ed., J.D.*  
February 22-23, 2005  
Loyola University New Orleans  
New Orleans, Louisiana

## **Special Issues in Child Custody**

Presenter: *Leslie Drozd, Ph.D.*  
February 24-25, 2005  
Loyola University New Orleans  
New Orleans, Louisiana

## **Advanced Topics in Child Custody Evaluations**

Presenter: *Jonathan Gould, Ph.D.*  
June 13-14, 2005  
Loyola School of Law  
Chicago, Illinois

## **Resiliency and Risk for Children of Separation and Divorce: Current Research and Implications for Practice**

Presenter: *Joan B. Kelly, Ph.D.*  
June 15-16, 2005  
Loyola School of Law  
Chicago, Illinois

*For information, contact AFCC at (608) 664-3750 or go to [www.afccnet.org](http://www.afccnet.org)*