Canadian Dignitaries to Celebrate AFCC’s 40th Anniversary at the Annual Conference in Ottawa

Minister of Justice and Attorney General Martin Cauchon and Supreme Court Justice Hon. Marie Deschamps head the lengthy list of dignitaries who will join AFCC in welcoming delegates to AFCC’s 40th Anniversary Conference, Change and Challenge: 40 Years of Evolution in Families, Courts and Communities May 28-31, 2003 at the Westin Ottawa.

Also participating will be Chief Justice Heather Smith, Superior Court of Justice; Chief Justice Brian Lennox of the Ontario Court of Justice; Minister Norman Sterling, Ontario Attorney General; Senator Landon Pearson; George Thomson, Executive Director of the National Judicial Institute; and Hon. Claire L’Heureux-Dubé, Retired Justice of the Supreme Court of Canada.

The conference will open with “Change and Challenge: 40 Years of Evolution in Families.” Hon. Arline Rotman (ret.) will moderate a discussion about the nature of today’s family and its impact on our future. Presenters include sociologists Paul Amato, Ph.D., Pennsylvania State University; Robert Glossop, Ph.D., The Vanier Institute of the Family; and David Pope-noe, Ph.D., National Marriage Project.

Thursday morning’s plenary, “From Adversaries to Collaborators: The Evolution of Family Law,” provides an opportunity to look at changes—moving from general practice to specialized services—and forecasts the future direction of family law practices. This session will feature Hon. Leonard Edwards, President, National Council of Juvenile and Family Court Judges; Philip Epstein, Q.C.; Julie Macfarlane, University of Windsor; Forrest Mosten, author, Unbundling Legal Services; and moderator George Thomson, Executive Director of Canada’s National Judicial Institute.

Domestic abuse and custody issues will be addressed at Friday’s plenary session. Peter G. Jaffe, Ph.D., co-author of Child Custody and Domestic Violence: A Call for Safety and Accountability will be joined by Joan B. Kelly, Ph.D., co-author of Surviving the Breakup; Jeffrey Wilson, author, Wilson on Children and the Law; Justice V. Jennifer McKinnon; and moderator Mary E. O’Connell, Associate Dean, Northeastern University Law School.

With more than 40 workshop choices addressing child custody and access, domestic violence prevention, parent-focused and child-focused mediation, family resiliency, ex-spouse coping strategies, financial professionals’ role in divorce, child abduction, absent parents, collaborative law and many other topics, you’ll expand your knowledge while networking with friends and colleagues.

New this year will be three-hour discussion forums on Friday afternoon. These in-depth sessions will allow ample opportunity for interaction between participants and presenters. Topics discussed will be mediation certification, parenting coordination, child protection and dependency mediation, collaborative family law, unrepresented litigants and Unified Family Courts.

You won’t want to miss the Silent Auction on Friday, with bids accepted from 5:00pm to 7:00pm, followed by AFCC’s 40th Anniversary Banquet. Silent Auction proceeds will benefit the AFCC Resource Development Fund.

Pre-conference Institutes

Plan your arrival in time to participate in one of the in-depth topics offered during the Pre-conference Institutes on Wednesday, May 28, from 9:00am to 5:00pm. The six Institute selections include:

- Working with High Conflict Families: Child Alienation and Parenting Coordination
- Representing Children
- Judicial Officers Institute: Cultural Competence in the Courtroom
- Advanced Family Mediation Skills
- Issues for Families with Gay, Lesbian, Bisexual or Transgender Members: What Family Court Professionals Need to Know
- At the Nexus of Domestic Violence and Child Maltreatment

For additional information, please see the conference program at www.afccnet.org. If you do not have a hard copy please contact AFCC at (608) 664-3750 or afcc@afccnet.org and request that one be sent to you.

Remember to make your hotel reservations early to assure your space at the group rate. Contact Westin central reservations at (800) 937-8416 or the Westin Ottawa directly at (613) 560-7000.
PRESIDENT’S MESSAGE

Jan Shaw
Orange, California

“A great pleasure in life is doing what people say you cannot do.” — Walter Bagehot, English journalist, 1826-1877.

I hope that this edition of the newsletter finds you well and enjoying the challenges the new year has brought to your doorstep. As for me, I am reminded, almost daily, that life steps in whether we are ready or not! My “day job” as jokingly refer to it, is as a Court Administrator in Orange County, California for the Superior Court. I am responsible for a seven-story court building, annex offices, more than 250 staff and family law, juvenile, probate and mental health operations. Oh yes, I forgot to mention that the job includes supporting 34 judicial officers located in two different court houses. Do I love my job? Absolutely. Seldom do we hear about the challenges of the court administrator, yet access to justice often depends on the effectiveness of those in administrative roles. In my quarter century working in a court setting, I have never been so worried about the courts ability to do business as is the case with our current state budget crises. Our governor and legislators tell us we are short about $20 billion. Many families and services are already being seriously effected by the cutbacks and we have only seen the tip of the iceberg. Locally we have had to trim an additional $10 million from this year’s budget and we are awaiting the third wave of cuts. In fiscal year 2003-2004 we are anticipating at least $20 million off the top. We have not been able to fill vacancies, except for courtroom positions, since last July. In order to fill courtroom vacancies we have had to create vacancies elsewhere. Only essential purchases are being made with major expenses, such as painting and carpeting, on the back burner even though throughout the facility we have duct tape covering holes and torn seams. All staff travel, unless reimbursed from a source outside the court, is prohibited. Even release time for paid training has become a significant issue because it has become nearly impossible to provide coverage in someone’s absence. Staff is on pins and needles with talk of furloughs and layoffs. Many have or are now taking voluntary furloughs. So what’s the good news? Managing in the current environment is challenging, fast paced and full of pressures and stressors, yet full of opportunities to find creative solutions, further collaborative decision making and consensus building while opening the doors wide for innovation and risk taking. It is no secret that bureaucracies, for the most part, find change threatening, unnecessary and evil. When confronted with increased workloads, our first response is “either give us more money or more staff.” In my opinion, no longer can courts, or other bureaucracies for that matter, operate with this kind of limiting solution finding. The more reasoned and sound approach is to respond with a close examination of the business processes to determine what can be streamlined or eliminated. Essential to the success of this model is close communication with our judicial leaders, community partners and local bar associations. I personally find bringing folks together to get things done exciting, fun and produces better outcomes. However, without my extensive experience in conflict resolution and facilitation, I suspect I would feel ill equipped to address the competing issues with all the parties present.

Imperative to our success in court operations is accelerating the speed at which our organizations make decisions, albeit easier said than done! The more some managers and supervisors are stretched, the more information they feel simply must have before reaching a decision or recommendation. Judicial leaders, senior court management and our stakeholders provide support by giving permission for us to fail, brush ourselves off and reload. Several years ago when implementing a controversial pilot project for the radically different handling of civil domestic violence restraining orders, I adopted the phrase “new program syndrome.” So many folks were nay-sayers; we were definitely under a microscope and a lot of folks were predicting we were doomed to fail. New program syndrome gave us permission from the very beginning to be wrong, to make mistakes, to change our minds and to conclude it may have been an idea whose time had not come, without all the finger pointing. While under attack or at the epicenter of some controversy, I found it a wonderfully effective intervention to remind folks about new program syndrome. A quiet period almost always followed my reminder and there were substantially fewer “told ya so’s.”

So take heart fellow administrators. We have many skills to bring to the table as mediators and evaluators that are unique to most courts. To quote John Baines, “the first step to finding a solution is optimism.” I am optimistic that at the end of this severe budget crisis courts can be more responsive, flexible and accessible to the users of our services and courtrooms. Because we are often isolated let’s make it a point to share our ideas and frustrations. I applaud AFCC member David Hodges for his energetic and ongoing efforts in getting questions and ideas out across the Internet from program supervisors and administrators. AFCC is the network to get and give support to one another!

If not already on your “to do list,” please add “sign up for AFCC’s 40th Anniversary Conference in Ottawa, Canada, May 28-31.” The program and conference activities won’t disappoint you and I look forward to seeing you there!
From the Executive Director

It is a pleasure to take this opportunity to communicate with AFCC members after spending the last eight months digging out from what seems like a never-ending stack of papers, telephone messages and e-mails. Since my appointment as executive director, I have gained a newfound appreciation for the work involved in managing this association and the accomplishments of those who preceded me in this position. Although our work is far from complete, I am happy to report that we have made excellent progress in our administrative transition. Our fall conferences were successful, our membership numbers continue to grow and the program for our 40th Anniversary Conference in Ottawa, May 28-31, 2003 is getting rave reviews. I hope to see you there for the celebration.

In the 14 years since I first became an AFCC member, I have come to appreciate the many attributes that make our Association special. These include the interdisciplinary nature of the organization, the opportunity for any member to network informally with the leading professionals in our field, the continuous flow of innovative ideas and the generosity with which these ideas are shared.

We are all driven by the AFCC’s mission of making our courts and services more effective for families and children. But there is something more to it than that. There is something that I can’t quite put my finger on or reduce to words, but I know it exists. It is about the collegiality, the professional connections and friendships that form at a conference. It is the relationships, the chapters that seem to spontaneously form (although we know how much hard work it takes) and the new opportunities that are created within the AFCC network. It is about a feeling so comfortable that two couples decided that they would spend their honeymoons at last year’s annual conference in Hawaii... and they were even seen attending conference sessions.

When I discuss the benefits of AFCC with prospective members and try to explain this phenomenon I often find myself saying that they are just going to have to join and experience a conference to fully understand. If you are a member of AFCC and have been to our conferences, you get it. If you have not, I hope you will join us in the near future. You won’t be disappointed.

While it isn’t always easy to explain exactly what makes our organization and conferences so special, it is clear that none of it would happen without the extraordinary commitment of many people. The energy and ideas generated by AFCC Board and committee members is extraordinary. The dedication and generosity of the conference presenters, who pay their own way to our conferences to contribute their expertise, is equally impressive. And the enthusiasm and excellence of the staff and Editorial Board of the Family Court Review is remarkable. Space does not permit me to name all of these people, but if you open a copy of the journal or your Ottawa conference program, you will get a good representation of those responsible for our success. (While the conference brochure is open, don’t forget to fill out the registration form and send it in!)

There are a few people, however, who I want to recognize individually because they are the backbone of AFCC. You speak with them on the telephone, they answer your e-mails, respond to rush orders, and when you have a special request for a referral or need an article from a back issue of the Review, they are there to help. Given this year’s administrative changes and the significant amount of contact between our staff and members, it may be helpful to introduce the people who come to work every day to make sure our members are served. In alphabetical order:

Dawn Holmes, Office Manager/Conference Registrar

Technically, Dawn’s job title is Office Manager and Conference Registrar, however, she is also responsible for AFCC’s in-house computer operations, website maintenance and database management. She is also actively involved with providing technical support and guidance to AFCC’s Membership Committee and AFCC’s Chapters.

In addition to the above duties, a typical day finds Dawn fielding dozens of telephone and e-mail requests for everything from a list of parent education classes in Idaho to

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Dawn Holmes

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Parenting Coordination: Implementation Issues

by BeaLisa Sydlik, J.D., Family Law Policy Analyst, Oregon Judicial Department, Member, AFCC Task Force on Parenting Coordinators, Salem, OR

The AFCC Parenting Coordination Task Force is finalizing its briefing paper, Parenting Coordination: Implementation Issues, in time for AFCC’s 40th Anniversary Conference, May 28-31, in Ottawa, Ontario where the paper will be made available as a part of the AFCC publication library. The Task Force, chaired by former AFCC President Christine A. Coates, was formed to address the need for information and guidance for the parenting coordinator (PC). Task Force members determined that the PC role was too new for a comprehensive set of standards, however the briefing paper was prepared to respond to the numerous requests for information about the PC. The requests were largely related to implementation of the PC role; i.e., what should a planning and development committee consider when looking to institute the PC model in their local courts?

The Task Force gathered information from courts, attorneys, service providers, and others across the country who are either already instituting some version of the PC model, or hoping to do so in the near future. A great variety of approaches to the model, based upon local needs, court culture, bar affiliation, and philosophical preferences for resolving parental conflict, were discovered to exist. The briefing paper is a useful tool for eyeballing what other jurisdictions have done, and provides guidelines for establishing PC services in one’s own court or community.

The briefing paper addresses 16 specific topics relevant to the PC model. This article provides a brief overview of the issues.

1. Statutory Authority: There is a general sense that, while the PC may provide services in their professional capacity, courts may not feel authorized to appoint a PC without specific legislation. As the PC role grows in acceptance and effectiveness, more states are exploring statutory frameworks, ranging from general to detailed, to provide this authority.

2. Appointment of the Parent Coordinator: A crucial issue is whether the PC’s services may be mandated over a party’s objection, or can only be utilized with both parties’ stipulated consent. Issues of unlawful delegation of judicial authority must be considered, and there is a broad spectrum of opinion on this issue. Some PC models provide that PC appointment may take place over a parent’s objection if particular findings are made.

3. Timing of the PC Intervention in Family Law Proceeding: The majority of PCs are appointed to monitor and enforce a parenting plan after it becomes part of a final judgment, and only rarely to assist in developing the initial parenting time plan.

4. Term of Appointment, Removal and Resignation: There are various considerations in appointing a PC for a specified term. A typical term is two years. Some courts have expedited the PC intervention, bringing the parties back to court for a status conference after a short period of time to see how issues have been resolved. PCs desire specific direction on when they may be authorized to resign from their role, and parties are concerned about under what circumstances they can request removal. What happens when fees are not paid is a common question.

5. Areas of PC Decision Making Authority: Determining the extent of PC decision-making often involves extensive discussions among stakeholders, including local attorneys, judges, and professional service providers. Courts want to avoid “unlawful delegations of judicial authority” and often do so by limiting PC decisions to day-to-day details as opposed to an encompassing custody or parenting time determination. Attorneys are interested in preserving their client’s due process rights, and often seek judicial review of PC decisions.

6. Confidentiality and Ex Parte Communications: The PC process as implemented to date is almost universally not confidential; i.e., the PC can be called as a witness to testify and to make recommendations to the court. The PC may also communicate with third parties to assess family dynamics and investigate allegations made by the parties. An important consideration is whether the PC may communicate with attorneys and judges ex parte.

7. Access to Non-Parties, Children and Privileged Information: Almost always, the PC meets with the children. The PC is usually authorized to contact and review records of schools, physicians, mental health providers, guardians ad litem, and custody evaluators. Parties are almost always requested to provide releases to permit this level of investigation.

8. Referral for Third-Party Services: Deciding whether the PC can refer by recommendation or order parents or children for adjunct services, such as psychological exams, drug testing, or supervised visitation, is a necessary consideration.

9. PC Proceedings: The PC is typically given wide latitude in how sessions with the family members are conducted. These are commonly described as “informal.”

10. PC Compensation: Typically, parties share the expense of the PC in proportions initially set by agreement or by the court and based upon income and ability to pay. The PC is often empowered to alter this percentage where one parent abuses the process or unreasonably consumes more of the PC’s time. Many PCs are authorized to request payment in advance since parents dissatisfied with the process often decide to unilaterally withhold payment. PC fee rates can range from $75 to $275.

11. PC Qualifications and Training: Most jurisdictions require the PC to possess a social science or mental health degree; others provide that paraprofessionals, such as court staff, can fulfill the function provided they receive adequate training. In some jurisdictions, attorneys serve as PCs. Determining areas of required PC expertise should be a topic of extensive consideration by the planning/implementing committee.

12. Immunity: Orders appointing PCs may provide that the PC acts as a quasi-judicial officer and has limited immunity. This does not necessarily prevent the filing of individual complaints with professional licensing boards, but does provide a measure of protection from civil lawsuits. Some jurisdictions may require professional liability insurance coverage.

13. Submission and Objection to PC Recommendations/Reports: Frequently, the PC is required to submit a written report to the court when the parties cannot otherwise agree. The report makes recommendations that become court orders unless a parent files objections within a specific number of days (usually 10-20), after which a contested hearing is held where the PC may be called informally or by subpoena to testify.

14. Judicial Review of PC Decisions: Courts typically have the final say in affirming the acts of the PC, unless the parties authorize the PC to arbitrate where they cannot agree, in which case the PC (sometimes called a “med-arbitrator” in this role) is authorized to render a final decision that cannot be overturned by the court except for abuse of discretion or acting beyond the scope of granted authority.

The final three sections of the briefing paper discuss “risk management” for PCs, domestic violence concerns in the context of parenting coordination, and acknowledges the need for further research to determine the effectiveness of parenting coordinators. The briefing paper is an important first step in developing guidelines and standards for this emerging field of practice. A future endeavor of the Task Force may involve developing a “bank” of forms, orders, and informational materials for courts, practitioners and PCs.
AFCC Thanks Parenting Coordinator Task Force Members

AFCC would like to thank the members of its Parenting Coordinator Task Force for their outstanding efforts over the past two years in preparing the briefing paper Parenting Coordination: Implementation Issues. Members of the task force include:

- Christine Coates, J.D., M.Ed., Chair
  Boulder, CO
- Philip Bushard, D.P.A.
  Reno, NV
- Robin Deutsch, Ph.D.
  Boston, MA
- Hon. William Jones
  Charlotte, NC
- Philip Stahl, Ph.D.
  Danville, CA
- Matthew Sullivan, Ph.D.
  Palo Alto, CA
- BeaLisa Sydlik, J.D.
  Salem, OR
- Robert Wistner, J.D.
  Dublin, OH

40th Anniversary Conference Features Parenting Coordinator Sessions

AFCC’s 40th Anniversary Conference, May 28-31, 2003 in Ottawa, Canada, will feature several educational opportunities for those interested in parenting coordination and other models for working with high conflict families.

Members of AFCC’s Parenting Coordinator Task Force, including Christine Coates, J.D., Robin Deutsch, Ph.D., and Matthew Sullivan, Ph.D. will present a special three-hour Parenting Coordination Forum. Those interested or experienced in parenting coordination are encouraged to come discuss AFCC’s briefing paper and other issues related to the process.

Joan B. Kelly, Ph.D., and Robin Deutsch, Ph.D., will offer a full-day pre-conference institute on Working with High Conflict Families: Child Alienation and Parenting Coordination.

Christine Coates, J.D., Betsy Duvall, M.S.W., and Matthew Sullivan, Ph.D. will present on dual role issues in their workshop, Parenting Coordination: The Challenges of Being Coach and Decision Makers.

For additional information about the conference program go to the AFCC website at www.afccnet.org or contact the office at:

Association of Family and Conciliation Courts
6515 Grand Teton Plaza, Suite 210
Madison, WI 53719-1048
Phone: (608) 664-3750
Fax: (608) 664-3751
Email: afcc@afccnet.org
Web: www.afccnet.org

AFCC Board of Directors Nominations

The Nominations Committee hereby provides notice to AFCC membership that the following members have been nominated to serve a three-year term on the Board of Directors beginning July 1, 2003.

- Cori Erickson, M.S., Sheridan, Wyoming
- Hon. William Fee, Angola, Indiana
- Larry Sun Fong, Ph.D., Calgary, Alberta, Canada
- Robert M. Smith, J.D., Fort Collins, Colorado
- Hon. Hugh Starnes, Fort Myers, Florida
- Janet Walker, Ph.D., Newcastle Upon Tyne, England

The Nominations Committee includes AFCC Past President, Denise McColley, Chair, Phil Bushard, Christine Coates, Hon. Emile Kruzick and Eileen Pruett.
The Integrated Family Court in Maricopa County, Arizona

By Judge Mark W. Armstrong, Presiding Family Court Judge, Maricopa County Superior Court, Phoenix, AZ

S

Ould we have an integrated family court that deals with all of a family’s related legal issues? This is not a simple question and reasonable people may differ in their answer. People may even disagree, again reasonably so, about what an integrated family court is and what it might accomplish. I can only tell you what I believe it is.

To me, the most easily distinguishable feature of an integrated family court is the concentration of all justiciable family conflicts and problems in one court department. Today, many families have related financial and emotional problems that repeatedly present themselves under different guises in different courts. A couple contesting custody in a dissolution action may also be involved in a child abuse or neglect proceeding. A child of the couple may come to the attention of juvenile authorities because of behavior related to the parents’ conflict. The same family appearing in two or more courts creates difficulties of logistics and coordination, as well as emotional trauma and unnecessary expense. No one judge or team is responsible for disposition of the family’s legal issues. Numerous court appearances may be required, and new judges may have to become familiar with the family’s background. Social service personnel associated with the different courts may perform duplicative functions, such as multiple interviews of children.

An integrated family court may have advantages over the current system. Again, it would concentrate family-related decision-making in a single department. It would include judges trained in the full range of family-related legal issues. It may reduce duplicative court services and provide better communication and information sharing among various courts and agencies that deal with children and domestic violence. It may provide the court with more information upon which to make family-related decisions. It may reduce conflicts in judicial philosophy and jurisdiction. It may make the family court assignment more attractive to judges because of the greater variety involved and the enhanced ability to manage the case for the whole family. It may be more economical for the family and the court. Most importantly, it may provide better service to families and children. That is why we in Maricopa County, Arizona, decided to embark on a pilot project.

Background

The notion of an integrated family court, of course, is not a new one. The concept was first proposed in this country in 1899, the same year that a specialized Juvenile Court was first created in Denver and Chicago. The first documentary evidence of a family court’s creation is in some 1912 New Jersey legislation that authorized the Juvenile Court to hear domestic matters. The first actual family court consolidation of juvenile and domestic relations courts occurred in 1914 in Hamilton County (Cincinnati), Ohio. The first Hamilton County Family Court judge, Charles W. Hoffman, said in 1918 that “[b]y reason of the organization of the family courts, we believe that the administration of the juvenile court will become more effective and significant and better understood, not only by those connected with the juvenile court but by the public generally. There is no need for publicity on this point...It is clear...that the principle of the juvenile court is the foundation upon which the family court must be constructed.”

The purpose of the family court was further defined by the Standard Family Court Act, a model act proposed in 1959, as follows:

“...to protect and safeguard family life in general, and family units in particular, by affording to family members all possible help in resolving their justiciable problems and conflicts arising from their inter-personal relationships, in a single court with one specially-qualified staff, under one leadership, with a common philosophy and purpose, working as a unit, with one set of family records all in one place, under the direction of one or more specially-qualified judges.”

Since then, family courts have evolved in numerous forms and without a universally accepted definition. Among the first states to develop family courts after the act were Rhode Island in 1961, New York in 1962, and Hawaii in 1965. Comprehensive jurisdiction family courts have been recommended by the National Council of Juvenile and Family Court Judges (1993), the American Bar Association (1993), and the Association of Family and Conciliation Courts (1995). One of the reasons for the family court movement is that nationally, family law cases, excluding juvenile cases, account for 35-40 percent of all case filings, and the percentage is growing. Yet inexplicably, family courts nationally remain among the most neglected areas of the court system.

At least 24 states currently have significant efforts underway to improve the way courts address family cases. As of 1999, at least 11 states had statewide family courts; 16 states had family courts in certain areas of the state; and eight states had planned or pilot family courts. Judicial terms for these family courts range from nine months to lifetime; some are staffed by one judge, while others have one team-one family approach in which the team is headed by the judge but provides a multi-disciplinary approach to family management and services; (this approach promotes stability and predictability); (4) using specialized judges; (5) employing a case management system capable of containing the family’s entire court records in an easily accessible database; and (6) using interdisciplinary approaches such as therapeutic justice.

The Early Arizona Experience

On October 22, 1997, former Chief Justice Thomas A. Zlaket created the statewide Committee to Study Family Issues in the Superior Court. The committee was asked to study the manner in which Arizona and other states handle family-related cases, to consider the prospect of a unified or integrated family court, and to make recommendations to the Arizona Judicial Council (AJC), the Arizona Supreme Court’s primary policy-making body, on ways to improve the system. The committee submitted its final report to the AJC in December 1998. The AJC did not adopt the report and asked the committee to report back with more specific recommendations. In September 1999, after nearly two years of meetings, the committee recommended to the AJC that the committee disband while endorsing the family court projects in Maricopa and Yavapai Counties.

On March 26, 1999, former Maricopa County Presiding Judge Robert D. Myers asked Judges Daughton, Portley, Schneider and myself to design an integrated family court in Maricopa County. The four of us met on May 10, 1999, agreed to the elements of an integrated family court (similar to the six elements described above), and created the Maricopa County Integrated Family Court Design Task Force. The Task Force met for two years, and in 2001, current Maricopa County Presiding Judge Colin Campbell entered an administrative order setting up an Integrated Family Court Pilot Project.

Maricopa County Pilot Project

The pilot project ran from March 19, 2001, through June 28, 2002, at the Southeast Judicial District complex in Mesa. The two primary purposes of the pilot were to explore ways of better coordinating family-related cases and services, and to use judges trained in both family and juvenile law. The Southeast site was chosen since the Family (domestic relations) and Juvenile Court facilities are in close proximity. The pilot involved two Family Court judicial
The Integrated Family Court continued from page 6

officers and two Juvenile Court judicial officers. The court hired two Case Coordinators to assist the judges with case management. When a new Family or Juvenile Court case was filed, the petitioner was required to complete a cover sheet to assist the court in deciding whether the case should be included in the pilot project. Only cases that had both Family and Juvenile Court issues were considered for the pilot. If there were overlapping issues, the participating judges decided whether to include the case in the pilot, and if so, to what extent. The one team (including judge)—one family principle was an important element of the pilot project. All family-related matters could be consolidated in one division at the discretion of the participating judges. With one exception, the consolidation would be in either Family or Juvenile Court. The task force decided that delinquency and incorrigibility cases should remain at the Juvenile Court facility where probation and detention reside. The Juvenile Court judge had discretion, however, to consolidate all family-related matters if deemed appropriate.

At the end of the pilot project, an analysis was conducted by Greacen Associates, LLC, using 14 outcome measures, including the following: (1) reduction of time to disposition, defined as follows by case type: Dissolution—Decree of Dissolution; Paternity—Judgment of Paternity; Delinquency—Disposition; Dependency—Finding of dependency as to both parents; Termination of Parental Rights—Final judgment; (2) reduction in subsequent contested filings or proceedings; (3) reduction in the number of judicial officers involved with the "family;" (4) increase in implementation of ADR components in cases; and (5) overall litigant and staff satisfaction with the new process. Greacen Associates, LLC, issued a Draft Report on November 25, 2002, and is currently

From the Executive Director continued from page 3

assistance setting up a member password on AFCC’s website.

Dawn begin working with AFCC in May 1999, less than a month before our annual conference. She was forced to step in right in the middle of the conference registration process and learn to run the meeting registration software and everything else about AFCC in time for the conference.

Prior to working with AFCC, Dawn spent ten years as computer technician with the Internal Revenue Service. She is a single mother of Ashley, age 12, and Michael, age 6. Dawn is an active leader and volunteer with the local Girl Scouts and she coaches Ashley’s and Michael’s soccer teams. She helped initiate and volunteers in several community groups including a youth reading program, a children and divorce support group and a parents support group.

Dawn attended the University of Wisconsin on an academic scholarship and played soccer. She plans to finish her degree in education. She is the middle of three children. Her older bother Brian is married and has two children. Her younger sister, Linn was diagnosed in 1999 with ALS. Dawn said, “From Linn I’ve learned to live each day to its fullest and to try not to sweat the small stuff. I’ve learned not to take people or things for granted and, most of all, to be a fighter.”

Nola Risse-Connolly, Program Assistant

Nola has been married to her husband, John, for nine years. Their daughter, Bronwen, will turn four in April. The family enjoys camping, canoeing and other outdoor activities and spending time with family. Nola is also a fanatic rubber stamper and scrapbooker, and she enjoys sewing.

For Nola, being a mother has been the most challenging and rewarding job she has ever known. "Bronwen was born ten weeks prematurely, and has had five surgeries and 19 weeks of body casts for congenital hip dysplasia," Nola said. "Bronwen has infantile scoliosis, for which she wears a back brace 23 hours a day. From these experiences, I have grown and changed more than I ever thought possible. It has truly been an amazing — and difficult — journey, one that has left me utterly in awe at the strength of the human spirit, will to live, and desire to thrive. I’m glad to be a part of AFCC, and I hope that I, in my own small way, can help better the lives of children all over the world by helping AFCC achieve its goals, just as I am helping my daughter achieve hers.”

Candace Walker, Program Director

Candi Walker joined AFCC in January as Program Director to oversee the development and management of conferences and training programs. For the past 17 years, she has planned and managed conferences, exhibits, educational meetings and seminars for two non-profit membership organizations, and an environmental and energy-savings related non-profit organization.

Candi is a Certified Meeting Professional (CMP) and one of only 254 meeting professionals worldwide to have earned a Certification in Meeting Management (CMM) designation. She is an active member of Meeting Planners International (MPI), and served as co-chair of education at the state level, and roundtable facilitator for hotel contracts and negotiations at national conferences.

Born and raised near Indianapolis, Indiana, Candi and her family lived in El Paso, Texas before making Madison, Wisconsin her home in 1978. She is the mother of three grown daughters and has four grandsons. As a mother with school-age children, Candi worked part-time, including two and a half years as the Middleton Chamber of Commerce Executive Director/Secretary. Community volunteer work includes six years as a Middleton Good Neighbor Festival Trustee and parade leader/coordinator, past-president and member of the Middleton Optimist Wives Club, Girl Scout and Brownie leader and Meals on Wheels volunteer.

Candi has given up downhill and cross-country skiing (except when the temperatures are above freezing) but enjoys vacations, especially to Hawaii. She is a golf and sailing enthusiast and especially enjoys visiting her grandchildren. “I mostly enjoy being with people who share the passion of whatever excites them,” Candi said, “that puts a sparkle in their eyes and zip in their actions. My favorite quote is taped inside my daily planner: ‘Measure wealth not by the things you have, but by the things you have for which you would not take money.’”

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AFCC COMMITTEE CHAIR PROFILE

Hon. Hugh Starnes, Chapter Council Co-chair

Hon. Hugh Starnes is the co-chair of the AFCC Chapter Council with Dr. Fred Mitchell. With a representative of each of the state chapters, the Chapter Council serves as a vehicle to assist new chapters and to facilitate the exchange of ideas between chapters. Judge Starnes truly enjoys working with AFCC chapters and developing ideas for strengthening the mediation process at the state level.

The Chapter Council communicates through quarterly conference calls and meetings at every AFCC conference. In recent years it has developed the Chapter Tool Kit, which provides guidance for setting up a chapter and the Conference Tool Kit, which offers ideas on how to plan and organize chapter conferences. The Chapter Council nominates and selects a member to represent the council for a one-year term on the AFCC Board of Directors.

**Childhood:** I was born in Fort Myers, Florida and raised in a small town. My dad had a cattle ranch where we did all the work. I spent a lot of time outdoors and loved working on the ranch. I rounded up the cattle on horseback much like the old west days. I was also active in the Boy Scouts.

**Education:** I attended Fort Myers High School and earned my bachelor’s degree in political science and law degree from the University of Florida.

**Favorite teacher who greatly influenced me:** Maude Betterton, my English teacher. She introduced us to the book *Word Power Made Easy*, which used fascinating accounts of the derivations of words to lead into a group of sophisticated words that greatly broadened my vocabulary. This stood me in good stead for the rest of my life.

**Family:** My wife, Judy, owns a woman’s clothing store. Luckily, I met her in college after my life as a shy, immature cowboy. I have two daughters and a son: Cindy, a pharmaceuticals representative; Sally, a social worker; and Charlie, management consultant.

**Work Resume:** I practiced law in a fairly large law firm in Fort Myers, Florida doing general civil litigation and real property work for 13 years. I became a Circuit Judge in 1978 and have continued in that position since. I like people and, because of that, I ended up as a family law judge.

**What led to present career:** I preferred the idea of the intellectual honesty and freedom of making my own decisions as opposed to having to be an advocate for a demanding client and trying to figure out how the judge would rule and what would be most persuasive to her or him.

**Proudest personal achievement:** Marrying Judy and getting three kids raised and through college and into decent careers and successful lives.

**Personal career goals:** To improve the way family law is practiced, so that the families we encounter are helped through the worst period of their lives without undue harm. It’s such a simple concept, but steering the battleship around is a monumental task. The battleship in our jurisdiction is headed in the right direction but there is still a journey ahead. It is a challenge to be on some state committees trying to help promote change.

**Personal life goals:** Being on the Board of Directors of AFCC and our Florida Chapter is sort of the culmination of my professional goal of improving the way we practice family law. In a stressful world there is a constant need to make the relationship of the family the most important priority. I want the relationship with my wife and children to never be invaded by the pressures of a job or misfortune.

**Favorite book:** *Undaunted Courage* by Steven Ambrose. It is about the Lewis and Clark expedition. It brought alive the drama of crossing the continent in 1803 and the fresh and unspoiled world of the undiscovered Far West. I would have loved to have been there.

**Favorite Word:** “Yes,” particularly when said by the right person.

**Least Favorite Word:** “Can’t.”

**What career would you love to do if not the one you are in:** Management consultant.

**What career would you least like to have:** Medical doctor. A urologist once shook his head and told me what a terrible job I had. You figure that one out!

**Top five changes you would make in family law:**
1. There must be a local, active, interdisciplinary advisory committee for every family law court, charged with promoting the improvements of the system;
2. Each jurisdiction would have a domestic violence court, in which there is a limited number of judges who handle all civil injunctions and criminal misdemeanors in an integrated manner for continuity and expertise;
3. There should be a regular combined social and educational function for all the local family law professionals;
4. A case management system would be in place for every family law judge. One way to do this is to have an experienced attorney case manager conduct a conference within the first 45 days after filing, to promote communication and planning between the attorneys for a non-adversarial method of managing the case.
5. All attorneys would have an initial conference with their client in which the benefits of cooperation are explained, the harm to children by parental conflict is explained, and the full cost of adversarial litigation is calculated. Only then can clients make informed, intelligent decisions about how their case should be conducted.

**Favorite AFCC memory:** Being at the first AFCC conference I attended (a regional conference in Ft. Lauderdale in 1986) and experiencing first-hand the exciting, cutting-edge ideas presented.

**What one thing would you most like AFCC to accomplish:** Establishing a method of sponsoring or establishing local units of AFCC at the local court level. These are the type of groups that can have the greatest impact on improving the way the family law court system and professional practices are conducted. The local level is where the action is!
AFCC to Roll Out New and Revised Brochures in Ottawa

Doneldon Dennis, Co-chair, AFCC Publications Committee, Minneapolis, MN

What offers a bold, contemporary look, updated content, prices unchanged for years and another great reason to attend AFCC’s 40th Anniversary Conference? It’s the AFCC’s popular brochures, which the Publications Committee will introduce in Ottawa, at the 40th Anniversary Conference, May 28-31, 2003.

This is the first revision of AFCC’s brochures, some of which are nearly 20 years old. While the pamphlets still had good content, many no longer reflected current trends or terminology in family law and dispute resolution and their appearance was inconsistent with AFCC’s design. The revisions are being presented as a group, their introduction coinciding with the release of two all-new brochures.

The AFCC Publications Committee took on this task over a period of two years and was assisted by numerous reviewers, readers and proof readers. Among the contributors to this effort were Robin Deutsch, Risa Garon, Michele MacFarlane, Leslye Hunter, Denise McCollie, Ann Milne, Fred Mitchell, Eileen Pruett, Hon. Arline Rotman, Peter Salem, Russ Schoenemann, Jan Shaw, Phil Stahl, Candace Walker and former intern Tracey Mayer.

New Publications

AFCC’s pamphlet collection will offer two new additions this spring:

• My Mom and Dad Are Getting a Divorce was developed by former member Florence Bienfenfeld for children ages 4-12. This beautifully animated brochure shows the sadness and confusion experienced by a little girl who learns her parents are parting. 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 brochure offers parents concrete, practical ways to improve their cooperation.

• When Parents Relocate: Moving Away and Long-distance Parenting was written by AFCC members Larry Fong, Elyane Greenberg and Doneldon Dennis. This brochure discusses the reasons parents move and shows how those moves stress families. It offers pointers for keeping the focus on children and suggests ways parents can maintain relationships with children who are far away.

The Updates

• In 1982, Florence Bienfenfeld and Alayne Gayman Kardener wrote the first of AFCC’s current pamphlet collection, Twenty Questions Divorcing Parents Ask About Their Children. The large amount of information in the original publication led to two new brochures: Frequently Asked Questions Separating and Divorcing Parents Ask About Their Children and Frequently Asked Questions Separating and Divorcing Parents Ask About Legal Matters. These guides work together, one focused on child matters, the other on legal issues. Both recognize jurisdictional variations and urge parents to consult legal or social services in their home area for further information.

• In 1984 former executive director Ann Milne chaired the committee that developed a popular brochure on joint custody. The term has evolved, though, and we now often refer to shared parenting rather than joint custody, so the brochure’s revisions are reflected in the new title, A Guide to Joint Custody and Shared Parenting.

• AFCC’s Guide for Step parents was originally developed in 1986. This brochure discusses the demanding role step parents face, and offers tips on how to cope with the challenges.

• In 1987, AFCC released two of its biggest sellers, Is Mediation for Us? written by Ann Milne and Parents Are Forever, written by staff at the Los Angeles County Conciliation Court. These brochures have both been updated with some additional information and language.

• A Relationship that Lasts Forever was written by Phil Bushard and William Hodges in 1991 to provide parents with effective methods of co-parenting. The revision of this brochure features a new, more contemporary title Making Your Parenting Plan Work, along with revised language.

• Preparing for Your Custody Evaluation was written in 1992 by Dorothy Howard and Phil Bushard. A few new tips and some new language has been added to help tell parents what to expect in a custody evaluation. It explains “best interests” and it reminds parents they can stop the process if they reach agreement.

• Understanding Your Child’s Needs: Information for Never-married Parents, written in 1998 by Phil Bushard and Doneldon Dennis escaped revision, as reviewers deemed the content current. This pamphlet has information for the nearly one-third of all parents who are unmarried, and a comprehensive list of resources. Information for Never-married Parents is available in Spanish.

AFCC’s new collection of brochures answer just about any question that clients have about issues related to separation and divorce. They are brief, easy to understand and are an economical way of passing important information on to family members.

AFCC Member News

Florence Bienfenfeld, former AFCC member from Pacific Palisades, California, is the author of two books published by First Books. The books are: Child Custody Mediation: Techniques for Mediators, Judges, Attorneys, Counselors and Parents and My Mom and Dad Are Getting a Divorce: A Healing Book About Divorce for Children 4-12, with Guidelines for Parents.

Jay Folberg, former AFCC President and Executive Director, was awarded the Bernard E. Witkin Award, which honors persons who are not current members of the judiciary for their outstanding contributions to the California Courts. Professor Folberg was honored for his leadership in the field of alternative dispute resolution (ADR) and for his contributions over the past decade to the ADR accomplishments of the Judicial Council and the Administrative Office of the Courts.

Alison Taylor, AFCC member from Oregon, is the author of the new book The Handbook of Family Dispute Resolution: Mediation Theory and Practice, published by Jossey Bass. Ms. Taylor has also been named Executive Director for the Oregon Family Institute (www.oregonfamilyinstitute.org).

Robert Tompkins, former AFCC President from Connecticut, has announced that he will retire from the Court Support Services Division June 1, 2003. He is looking forward to working in private practice, spending some time on the golf course and being a doting grandfather.

Justice John VanDuzer (ret.), former AFCC President from Hamilton, Ontario, will be awarded an Honorary Doctor of Law degree by McMaster University in Hamilton. Justice VanDuzer is being recognized for his leadership and contributions to family law within Canada and internationally.
Arizona

AFCC’s Arizona Chapter held its annual conference February 7-9, 2003 in beautiful Sedona, Arizona. Guests included AFCC President Jan Shaw, and Past President Denise McColley, former president Phil Bushard and AFCC Executive Director Peter Salem.

Dr. Mavis Hetherington, who was to be the keynote speaker, was unable to attend due to a family emergency. Conference presenter Dr. Andrew Benjamin generously stepped in to handle the opening address on Friday evening. Dr. Benjamin was joined by Hon. Mark Armstrong and Hon. Nanette Warner to present the Saturday morning plenary.

Additional conference highlights included the always beautiful surroundings of Sedona; an Arizona snowfall (which melted by noon); an outstanding hospitality suite and silent auction staffed by AFCC-AZ Chapter board members; luncheon speaker, humorist and attorney Robert Howard; and numerous outstanding workshops and pre-conference institutes.

The 2004 Arizona Chapter conference will again be held at the Hilton Sedona. Watch the AFCC Newsletter and website for further information.

California

The Lodge at Sonoma will be the venue for AFCC-Cal’s 2004 Chapter Conference. The conference will take place over the weekend of February 5, 2004. Inspirational speaker and comedian Michael Pritchard will be a featured presenter. The conference steering committee of Jane Shatz, Sherrie Kibler and Susan Ratzkin are busy organizing the program and welcome proposals by prospective presenters of workshops and plenaries. The full conference planning committee will meet in June to finalize the program and conference activities.

Sonoma is wine country, which makes it a particular desirable destination. For more information about AFCC-Cal, visit the website at www.afcc-cal.org or address email to afcc-cal@aol.com.

Florida

AFCC’s Florida Chapter is pleased to announce a Florida Parenting Coordination Training and Legislative Forum to take place on August 15-16, 2003 at the Rosen Plaza Hotel in Orlando. The program will be sponsored in collaboration with the Florida Supreme Court ADR Rules Committee, the Family Law Section of the State Bar of Florida and the Office of the State Courts Administrator.

AFCC members who have not yet joined the Florida chapter for one of its outstanding conferences should take this opportunity to attend the Forum. Hotel rates are only $89. For additional information contact Linda Fieldstone at Lfieldstone@jud11.flcourts.org or (305) 349-5589.

Missouri

AFCC’s Missouri Provisional Chapter held a lunch and learn session on March 12, 2003 in St. Louis. The topic was Parenting Plans for Young Children: Unintended Consequences in High Conflict Families. Featured presenters were Rosalyn Schultz, Ph.D., and Margaret Rissman, Ph.D.

Missouri members are looking forward to working with AFCC on planning the Fall Regional Conference, November 13-15, 2003 at the Sheraton City Center Hotel in St. Louis. See page 5 for more details about the conference site.

Texas

Save the dates! AFCC’s Texas Chapter will hold this year’s annual conference on October 24, 2003. Pat Ross, Texas Chapter Secretary, is overseeing site selection and is busily scouring the Dallas area for a top-notch venue. Hon. Debra Lehrman, Texas Chapter President Elect and Chair of the Program Committee, is developing an outstanding program and hopes to feature AFCC favorite Joan Kelly, Ph.D. Watch for additional information and details in the AFCC Newsletter or check the conference page of the AFCC website at www.afccnet.org.

The Integrated Family Court

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preparing its final report. In its draft report, Greacen Associates, LLC, recommended that the Integrated Family Court concept be expanded court-wide, that a presiding Integrated Family Court judge be appointed to oversee the court, and that at least two specialist Integrated Family Court judges be assigned at both Juvenile Court locations in Maricopa County.

Over the Horizon—Future of the Integrated Family Court in Arizona

Even as the pilot project in Maricopa County was winding down, an Arizona legislative committee, the Domestic Relations Committee, was considering ways to implement a statewide Integrated Family Court. On August 22, 2002, SB 1088, as signed by Governor Jane Hull, became effective and provided that the Domestic Relations Committee shall prepare and submit a statewide plan for an Integrated Family Court on or before December 31, 2002. The Domestic Relations Committee created an Integrated Family Court workgroup under the leadership of Family Law attorney Ellen Seaborne. Using much of the work done in Maricopa County, as well as research into national programs, the workgroup worked long and hard before arriving at a plan, An Integrated Family Court for Arizona (Plan), that was subsequently adopted by the committee as a whole. The Plan was presented to the AJC on December 12, 2002, and became the basis for an Arizona Supreme Court administrative order dated February 25, 2003, that creates three new pilot projects in Coconino, Pinal and Maricopa Counties.

In Maricopa County, we will be following the recommendations of our consultant as well as those in the statewide Plan as closely as possible. We intend to place two specialist Integrated Family Court judges at or near each of our Juvenile Court facilities beginning in June 2003, at our Mesa Juvenile Court facility, and between December 2003 and February 2004, at our Durango Juvenile Court facility to coincide with the opening of a new Juvenile Court at that location. Challenging but exciting times lie ahead.
A FCC’s Resource Development Committee would like to thank AFCC members for their generous donations in response to this year’s Annual Appeal. Special thanks to Ann Milne, Hon. John and Joan VanDuzer, Hon. Arline Rotman and the Suzie S. Thorn Family Foundation for their exceedingly generous contributions.

Contributions to the Resource Development Fund help provide conference scholarship and financial support of small nonprofit programs that serve children and families.

Key Club ($5,000+)
- Ann Milne
- The Harbinger Foundation and Hon. John and Joan VanDuzer

Diamond ($1,000-$4,999)
- Hon. Arline Rotman (ret.)
- Suzie S. Thorn Family Foundation

Platinum ($500-$999)
- Doneldon Dennis
- Leslie Ellen Shear

Gold ($250-499)
- Hon. George Czutrin
- Leslye Hunter
- Denise McColley and Family
- Frederic Mitchell

Silver ($100-$249)
- Ruthanne Allen
- Lynn Baker
- Christine Burt
- Phil Bushard
- Han DeRemer
- Hon. Linda Dessau
- Barbara Fidler
- Steven Friedlander
- Scott Geyer
- Michael Gottlieb and Jeffrey Siegel
- Janet Johnston
- Deanna Look Loy
- R. John Harper
- Valerie Houghton
- Bill Howe
- Paul Meller
- Linda Rio
- Jack Rouinck
- Peter Salem
- Andrew Schepard

Jan Shaw
- Arnold Sheinvold
- Hon. Hugh Starnes
- Mary Ann Stokes

Bronze ($50-$99)
- Christine Campisi
- Karen Fenchel
- Lisa Johnson
- Steven Larson
- Roxanne Permesly
- Susan Raja
- Edward Silverman
- Phil and Ruth Stahl
- Maureen Vernin

Contributors
- Aza Howard Butler
- Robin Deutsch
- Beth Johnson
- Terry Johnston
- Lisa Garon
- Janeen Massaros
- Joan Pavik
- Marsh Kline Pruett
- Lila Schwartz
- Brian Seltzer
- R. Malia Taum

Kids Count Club Update

The AFCC Resource Development Committee is pleased to announce that its Fifth Annual Silent Auction will be held on Friday, May 30, in conjunction with AFCC’s 40th Anniversary Conference, May 28-31, 2003. The conference and auction will take place at the Westin Ottawa in the heart of downtown Ottawa.

In the last five years, the silent auction has become the signature fund raising event for the AFCC Resource Development Fund. The Fund provides conference scholarships for AFCC members and financial support to local non-profit programs serving children and youth.

Participants will have the opportunity to bid on a wide range of exciting items, including autographed sports memorabilia, fine wines, hotel vacation packages, professional materials, original artwork and more.

Early contributions for this year’s auction include:
- A patch quilt from kindergartners at Belleville, WI Schools
- Four Ottawa Passports, good for free admission to Ottawa attractions including white water rafting, Cordon Bleu Cooking Demonstration, museums and more, courtesy of Ottawa Tourism and valued at more than $500
- An Ohio State University National Championship Package, from AFCC Past President and OSU alum Denise McColley

If you would like to make a contribution to the AFCC Silent Auction, please contact AFCC Executive Director Peter Salem at (608) 664-3750 or psalem@afccnet.org.

Auction Features Special Grand Prize Drawing

All registrants at AFCC’s 40th Anniversary Conference will have their name entered into a special drawing to take place at the Fifth Annual Silent Auction. The winner will receive a special gift from AFCC. You must be present to win, so make your plans now to attend AFCC’s 40th Annual Conference and Silent Auction.

Fifth Annual Silent Auction

- Exquisite glass artwork from Michele MacFarlane
- Fine wines from the wine cellars of Doneldon Dennis and Steve Grant
- Four nights at the Sheraton City Center in St. Louis for AFCC’s Regional Conference, November 13-15, 2003
- A patch quilt from kindergartners at Belleville, WI Schools
- Four Ottawa Passports, good for free admission to Ottawa attractions including white water rafting, Cordon Bleu Cooking Demonstration, museums and more, courtesy of Ottawa Tourism and valued at more than $500
- An Ohio State University National Championship Package, from AFCC Past President and OSU alum Denise McColley

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Association of Family and Conciliation Courts

40TH ANNIVERSARY CONFERENCE

Change and Challenge:
40 Years of Evolution in Families, Courts and Communities

Save the Dates! May 28-31, 2003
Westin Ottawa • Ottawa, Ontario

Other Upcoming AFCC Conferences

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<td>AFCC 40th Anniversary Conference</td>
<td>May 28-31, 2003</td>
<td>Westin Ottawa, Ottawa, Canada</td>
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<td>AFCC Fall Regional Conference</td>
<td>November 13-15, 2003</td>
<td>Sheraton City Center, St. Louis, Missouri</td>
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<td>AFCC 41st Annual Conference</td>
<td>May 12-15, 2004</td>
<td>Adam’s Mark Hotel, San Antonio, Texas</td>
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<td>AFCC’s Sixth International Symposium on Child Custody Evaluations</td>
<td>Fall 2004</td>
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<td>AFCC 42nd Annual Conference</td>
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