ASSOCIATION OF FAMILY AND CONCILIATION COURTS





AFCC eNEWS

BI-MONTHLY E-NEWSLETTER VOL. 2 NO. 4 AUGUST 2007

Columbus Early Bird Registration and Hotel Deadline September 4

AFCC and NCJFCJ Regional Training Conference

Columbus conference registration and hotel rates will increase after September 4, 2007. Register now and take advantage of the lowest rates offered for the AFCC and NCJFCJ Regional Training Conference, *Applications for High Conflict Families*, *Domestic Violence and Alienation*, September 27-29, 2007 in Columbus, Ohio. The Hyatt Regency Columbus special room rate of \$131 will increase to \$159 after September 4, 2007, *if rooms are still available*. Conference participants can look forward to many networking opportunities, including a private reception hosted by the Supreme Court of Ohio on Friday evening. The program brochure, online registration, online hotel reservations and more can be found by clicking the link below.

More information...

Task Force on Focused Evaluations Survey

AFCC has appointed a Task Force that is charged with the task of defining a model of "focused" or "brief" evaluation and to write suggested guidelines for such work. An important component of the work of the Task Force is to gather information about similarities and differences in practices using brief or focused evaluation models in different locales and settings. The Task Force on Focused Evaluations would appreciate your assistance in completing this survey. The survey should take no more than 15 minutes to complete. Results will be presented at AFCC conferences and will help guide the work of the Task Force. Please click the link below to begin the survey. You may forward this link to others you feel may be interested.

Complete Task Force on Focused Evaluations Survey...

45th Annual Conference Call for Presenters

The Call for Presenters for AFCC's 45th Annual Conference, *Fitting the Forum to the Family: Emerging Challenges for Family Courts*, May 28-31, 2008 in Vancouver, BC, Canada is available online. If you are interested in participating as a presenter, please submit a proposal before October 5, 2007. The conference will take place at the Westin Bayshore resort, nestled on the coast and steps from downtown Vancouver. View Call for Presenters (PDF)...



AFCC and NCJFCJ Regional Training Conference

Applications for High Conflict Families, Domestic Violence and Alienation

September 27-29, 2007 Hyatt Regency Columbus Columbus, Ohio Register Now...

AFCC NEWS SPOTLIGHT

Introducing Parenting Coordination to Unified Family Court Cases

by Hon. Sandy Karlan and Linda Fieldstone, M.Ed., 11th Judicial Circuit, Miami-Dade County, Florida

Two parents were involved in a high conflict custody case, mediation was unsuccessful, they each went through multiple attorneys and the judge designated a parenting coordinator to concentrate on the non-legal child-related issues of the case. This typical

Passport Reminder for Vancouver

All U.S. citizens traveling to and from Canada are now required to have a valid passport. If you are considering attending the conference, please plan ahead as passports can take up to six months to be processed. Information on applying for or renewing passports can be found at the U.S. Department of State Web site by clicking the link below.

More information...

Parenting Coordination and Alienation Trainings at the University of Baltimore in December

Mark your calendars for two outstanding training programs in December at the University of Baltimore Student Business Center in Baltimore, Maryland. Joan B. Kelly, Ph.D., will present Parenting Coordination: Helping High Conflict Parents Resolve Disputes, December 3-4, 2007 and Leslie M. Drozd, Ph.D. will present The Battle Between Abuse and Alienation: Assessment, Diagnosis and Interventions, December 5-6, 2007. The training brochure, including registration and hotel information, will be available on the Training page of the AFCC Web site soon. More information...

AFCC Cosponsors NITA Program in Boston AFCC Members Receive 5% Registration Discount

The National Institute for Trial Advocacy (NITA) is hosting, *Modern Divorce Advocacy: In Parenting, Custody, and Business Valuation Disputes*, October 25-27, 2007 at Suffolk University Law School in Boston, MA. The training program is in collaboration with AFCC and Suffolk University Law School. Please click the link below for the program brochure. View program brochure (PDF)...

INTERNATIONAL NEWS

Drops from Down Under

by Hon. Graham Mullane, New South Wales, Australia

This issue of *Drops from Down Under* features recent changes for family dispute resolution practitioners introduced by the Shared Parenting Act. Additional topics include recommendations of the Victorian Law Reform Commission's final report on Assisted Reproductive Technologies and Adoption, and anti-discrimination laws with Australia's first gay couple to adopt a child.

Read more...

RESEARCH UPDATE

Adults Are Not Good at Determining When Children Lie Courtesy of J.M. Craig Press, Inc.

Unless children tell obvious lies, we are inclined to believe them. This may be especially true when the stakes are high, such as in cases of child sexual abuse allegations and other forms of abuse. Performing child custody evaluations requires interviewing a large number of people in addition to the parties and their children. A custody evaluator may be in the position of having to

scenario is replicated in jurisdictions across the United States and Canada with great success-the parents' collaboration improves and they begin to concentrate more on their children than their litigation process.

Read article...

MARK YOUR CALENDAR

AFCC 45th Annual Conference

May 28-31, 2008 Westin Bayshore Resort Vancouver, BC, Canada www.afccnet.org

AFCC Trainings

Parenting Coordination: Helping High Conflict Parents Resolve Disputes

Joan B. Kelly, Ph.D.
December 3-4, 2007
University of Baltimore
Student Business Center
Baltimore, Maryland
www.afccnet.org

The Battle Between Abuse and Alienation: Assessment, Diagnosis and Interventions

Leslie M. Drozd, Ph.D.
December 5-6, 2007
University of Baltimore
Student Business Center
Baltimore, Maryland
www.afccnet.org

AFCC Chapters

Texas Chapter Annual Conference

Child custody and Mental Health Professionals - Social Sciences on the Witness Stand

October 5-6, 2007 Doubletree Hotel Austin, Texas

www.texasafcc.org

Florida Chapter Annual Conference determine if a child is lying or not, and how well collaterals may be able to discern the truth of a child's report. This article addresses the question of just how good adults are at determining the veracity of children's reports.

Read more...

CASE LAW UPDATE

Florida Expands Rights of Unmarried Biological Fathers

by Barbara Glesner Fines, Ruby M. Hulen Professor of Law, University of Missouri-Kansas City

The Florida Supreme Court has held that an unmarried father's parental rights may not be terminated based solely on failure to register in the putative father registry. Rather, the adoption agency must serve the potential father with notice of the registry and his rights may be terminated only if he fails to comply with the requirements of that subsection within the thirty-day period. The court noted that registration alone is insufficient to prevent termination of parental rights of unmarried fathers. Heart of Adoptions v. J.A., Florida Supreme Court (July 12, 2007). View opinion (PDF)...

For more daily case law and other legal developments, visit the Family Law Prof Blog.

FEATURED ARTICLE

The Octave Of Primary Emotions

by Charles B. Parselle, courtesy of Mediate.com

Emotion is not something to be concerned about. Indeed, in this sense of the word, concern is itself an emotion; it is a low intensity expression of fear. Mediators are sometimes taught that emotion is preferably avoided in mediation, or at best to be 'handled' prior to getting to the job at hand; in this respect, mediation has come to mirror the legal system, which goes to considerable lengths to keep emotional expression out of court rooms and law offices. Many of the popular books on the subject barely discuss the emotions at all; instead, they focus on methods to 'deal with' emotions should they intrude.

NEWS FROM COLLABORATING ORGANIZATIONS

National Quality Improvement Center on Non-Resident Fathers and the Child Welfare System (QIC NRF)

Courtesy of ABA Center on Children and Family Law

The QIC NRF is a new collaborative project between the American Humane Association, the American Bar Association Center on Children and the Law, and National Fatherhood Initiative and is funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. The focus of this project is a result of the federal Child and Family Services Reviews and the federally funded "What About the Dads?" report, which indicated that there is little meaningful engagement occurring between the child welfare system and fathers. The QIC NRF promotes the importance of gaining more knowledge regarding the engagement of non-resident fathers and their children who are involved in the child welfare system.

Moving from Conflict to Harmony: A Medley of Opportunity November 2-3, 2007 Wyndham Hotel Orlando, Florida www.flafcc.org

New York Chapter Annual Conference

December 7, 2007 City Bar Association New York, New York www.afccny.org

Arizona Chapter Annual Conference

February 8-10, 2008 Hilton Sedona Hotel & Spa Sedona, Arizona www.azafcc.org

California Chapter Annual Conference

February 8-10, 2008 Sheraton Delfina Santa Monica, California www.afcc-ca.org

Massachusetts Chapter Annual Conference

April 11, 2008 Regis College Weston, Massachusetts www.afccnet.org

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EMAIL UPDATE

Subscribe, Unsubscribe or Update Your Email Address AFCC will never share, distribute or publicize your email address.

Read more...

Save the Date! Conflict Resolution Day

Courtesy of Association for Conflict Resolution

Conflict Resolution Day is an international celebration held annually on the third Thursday in October. The date for Conflict Resolution Day 2007 is October 18. Join in and promote conflict resolution in your community!

More information...

Words Work: Helping Kids Communicate Effectively

Courtesy of ABA Section of Dispute Resolution

Words Work was created by the American Bar Association Section of Dispute Resolution to teach youth leadership, relationship, and communication skills. With these skills, youth will have the tools to become leaders and productive citizens of the future. The premise of the program is that the communication skills associated with conflict resolution processes such as mediation and facilitation are necessary life skills, not simply skills to call upon when conflict emerges.

NEW! Featured Links and Media

AFCC receives many outstanding e-newsletters from around the world. This section provides you with links to articles, video and/or other interactive media that we find interesting.

NPR: Gay Marriage Laws Interactive Map

From link below, click on a state to learn about legislation or court cases on gay marriage that are on the books or in the works.

View Gay Marriage Laws Interactive Map...

The Annie E. Casey Foundation: KIDS COUNT Data Book

In July 2007, the Annie E. Casey Foundation released its 18th annual KIDS COUNT Data Book, a national and state-by-state effort to track the status of children in the U.S.

KIDS COUNT Data Book...

Children in single-parent families, by State... Children in single parent families by, Race...

Youth Today's Grants E-Blast

Youth Today sends a weekly email highlighting grants offered by organizations that support children and families. Grant topics include education, juvenile justice, parenting, substance abuse, youth development and more.

View grants (PDF)...

Good Morning America: Robin Roberts Covering Virtual Visitation

Click here to watch video...

ABOUT AFCC eNEWS

AFCC eNEWS is a bi-monthly e-newsletter published by the Association of Family and Conciliation Courts (AFCC). AFCC eNEWS provides professionals with time sensitive and up-to-date topics including case law updates, research innovations and international news.

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Editor:

David Vigliotta

AFCC welcomes your comments, questions or feedback. Please email the editor by clicking here.



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Professionals dedicated to improving the lives of children and families through the resolution of family conflict



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Funded by the JAMS Foundation, *Words Work* is a simple, practical, and user-friendly supplement to after school programs serving middle-schoolaged children. The *Words Work* curriculum teaches kids to use communication skills to prevent and manage conflict.

The *Words Work* curriculum consists of ten 45-minute sessions that focus on relationships, problem-solving, communication, and leadership skill-building. Two leading conflict resolution education organizations, the Conflict Resolution Unlimited Institute and the Help Increase the Peace Program, provided the lessons that are the foundation of the curriculum.

The *Words Work* program includes extensive references to existing peer mediation and similar conflict resolution programs so that communities and schools interested in using these skills in a peer mediation program or other process-based approach can easily access information about these approaches.

Four pilot sites are currently implementing the Words Work program:

The Rainier Boys and Girls Club of Seattle, Washington The YMCA of Metropolitan Washington D.C. The Girl Scouts of Central Maryland Safe Horizon of New York City

Initial reports from the pilot sites are very positive. Larry Mills, Chair of the ABA Section of Dispute Resolution, and former ABA President Karen Mathis met participants of the Rainier Boys and Girls Club of Seattle pilot site and reported that the kids and teachers were very excited about the project.

Within the next year, the Section of Dispute Resolution will distribute the *Words Work* curriculum to after school programs and encourage teachers, lawyers and dispute resolution professionals to develop local partnerships to provide the program in their own communities.

The *Words Work* program is part of a larger Section effort that encourages ABA members to incorporate conflict resolution options in their local community. Inspired by former Section Chair Robyn Mitchell, the *Words Work* project has been spearheaded by a team of leading academics, practitioners and trainers, including Dr. Tricia Jones, Dr. Tim Hedeen, Michael Palmer, Gail Nugent and Linda Toyo Obayashi.

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Adults Are Not Good at Determining When Children Lie

Courtesy of J.M. Craig Press, Inc.

Williams, K. and Dunne-Bryant, A. [2006]. Crossman, A. M. and Lewis, M. [2006]. Adults' Ability to Detect Children's Lying. <u>Behavioral Sciences and the Law, 24, 703-715.</u>

Unless children tell obvious lies, we are inclined to believe them. This may be especially true when the stakes are high, such as in cases of child sexual abuse allegations and other forms of abuse. Performing child custody evaluations requires interviewing a large number of people in addition to the parties and their children. A custody evaluation may be in the position of having to determine if a child is lying or not, and how well collaterals may be able to discern the truth of a child's report. This article addresses the question of just how good adults are at determining the veracity of children's reports.

The authors questioned whether adults could determine if children were lying, and if some adults were better at detecting it than others. Fifty-eight children with an average age of four years old, sat in a chair, facing a mirror, and were told they were being videotaped. One of the experimenters told them that she was bringing a toy into the room and would place it behind them so they could not see it. The children, individually, were left alone while the experimenter exited the room after leaving the toy, and the children were told not to peek. She returned shortly thereafter and asked the children if they had peeked. Thirteen children did not peek and said they did not. The remainder peeked and lied about it. Sixty- four adult participants viewed all fifty-eight of the videotapes where the child was asked if s/he peeked; they were asked whether the child was telling the truth or lying.

On the average, raters correctly detected children who lied 42% of the time. They correctly detected children who told the truth 36% of the time; the remainder were undecided. On the other hand, when children told the truth, they were judged to be lying approximately half the time. Overall, raters who were parents did not correctly detect truth telling vs. lying beyond a chance level. Half of the child professionals were able to do so beyond a chance level. Only two of the participants were accurate at or above 60%.

The authors concluded that, "Perhaps the most troubling finding was the raters' false alarm rate. That is, adults tended to perceive lies where children were being honest" [p. 713].

Critical Analysis

This is a well designed study in which children actually lied it represents an emerging area of research. Second, the authors selected raters with varying degrees of skill and experience with children. In terms of disadvantages, the study is rather limited because the children lied about a single event and were only asked one question about it. As a result, we do not know if the raters' ability would have improved had the children been required to report a more complex series of events or were asked more

questions.

Recommendations

The most important message from this study is that we are vulnerable to believing that we know when children are lying or telling the truth when in fact we may not. Child custody evaluators should not take children's reports at face value or discount them out of hand.

The same problem may arise when interviewing collaterals, such as care givers and teachers, who are not necessarily any better than we at detecting falsehoods from the truth. Therefore child custody evaluators should be cautious about relying on the alleged "expert" reports from collateral sources.

For this as well as other valuable research visit J.M. Craig Press online at www.jmcraig.com or call (877) 960-1474. AFCC members receive a 25% discount on all J.M. Craig Products.

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MEMBER CENTER

AFCC NEWS Spotlight

This article was article was originally published in the Spring 2007 issue of AFCC's quarterly print newsletter, the AFCC NEWS. AFCC members can access this issue along with the archives dating back to the Fall of 2001 in PDF format by logging onto the Member Center of the AFCC Web site.

Introducing Parenting Coordination to Unified Family Court Cases

by Hon. Sandy Karlan and Linda Fieldstone, M.Ed., 11th Judicial Circuit, Miami-Dade County, Florida

Two parents were involved in a high conflict custody case, mediation was unsuccessful, they each went through multiple attorneys and the judge designated a parenting coordinator to concentrate on the non-legal child-related issues of the case. This typical scenario is replicated in jurisdictions across the United States and Canada with great success—the parents' collaboration improves and they begin to concentrate more on their children than their litigation process.

According to the AFCC Guidelines for Parenting Coordination, the "overall objective of parenting coordination is to assist high conflict parents to implement their parenting plan, to ensure compliance with the details of the plan, to resolve conflicts regarding their children and the parenting plan in a timely manner, and to protect and sustain safe, healthy and meaningful parent/child relationships." (The Guidelines can be found on the AFCC Web site at www.afccnet.org/resources and clicking "Standards of Practice.") Parenting coordinators (PCs) provide education regarding child-related issues, facilitate referrals when indicated, offer recommendations, and with prior approval of the parties and/or the court, make decisions within the scope of the court order.

Consider this second scenario. A family entered the court system due to a reported domestic violence attack by a mother against a father in the presence of their three-year-old child. The father filed a Domestic Violence Injunction and a Petition for Dissolution of Marriage. In both cases the father was granted custody through ex parte temporary orders and a guardian ad litem (GAL) was appointed. The mother was charged by the state with assault and battery in the Criminal Division, the Department of Children and Family (DCF) filed a dependency petition against the mother, and the Juvenile Court judge gave custody of the minor child to the maternal grandmother and appointed a second GAL. All of these cases were filed within 48 hours of one another. The result was multiple judges, conflicting orders, confused parties and a victimized child.

This case was then transferred to the Unified Family Court Division, where one judge heard all non-criminal matters. At the initial case management conference, the parties agreed on an orderly procedure for all pending matters, including the coordination of discovery. The parties agreed to one GAL and to keep the child placed with the maternal grandmother. All earlier conflicting orders were modified to be consistent, including child support orders.

While this case was streamlined once it moved to the Unified Family Court, the management and monitoring of the case still proved challenging. Even

with one judge, there were still multiple other players who did not coordinate or communicate unless they were actually before the court. Now assume that there was a second child with a different father. Both children were caught in the middle of this dispute, their own relationship interrupted by incompatible time-sharing schedules and parents who have no informed or healthy way to interact with one another. Who will help these parents develop functioning relationships when all individual and independent services and classes have been completed and the legal proceedings have terminated? Traditionally, PCs have not been designated to cases with dependency components involved. However, in Unified cases, parties often feel like they are drowning in myriad evaluations, appointments and court hearings. If PCs have proven their usefulness in high conflict divorce, separation and post-dissolution cases, couldn't they also help resolve the complex cases handled in Unified Court? Indeed, the 11th Judicial Court of Florida has found this to be the case, as PCs have assisted these families to transition beyond the court system and reduced post-judgment filings.

For instance, the mother in our example was mandated to attend anger management classes, extended parenting classes and individual therapy. The father was ordered to drug treatment, batterer's intervention and individual therapy. The parenting coordinator provided the link between the parties' education, coached them through their mediation process to provide consistent and coordinated parental access for both children, and gave both fathers and mother a way to practice their co-parenting skills. Once the PC was assigned to the case, the family's situation improved. The two children of the mother, each with a different father, began to spend consistent time together again as a parenting plan was established that made sense for both children and took into account the needs of all three parents; their vacation times were more easily executed; and their counseling programs were coordinated. The parents and the maternal grandmother shared the cost of a psycho-educational session with a psychologist and learned the effects of their continuing conflict on their children. In addition, the PC provided the court with more accurate, timely information regarding the entire family system. Whether two parents, three, or even four, a PC can help them prioritize the children's needs as they learn to work together, or, at least not in opposition to one another.

There may be greater challenges when considering parenting coordination for complex litigation cases. First, the opportunity and desire to combine roles may present itself more often in Unified cases, especially when services may not be provided expeditiously by other departments or agencies, or when situations may need immediate investigation. Still, it is crucial that the role of the PC be defined appropriately at all times and not cross the line to investigator, therapist, evaluator, visitation supervisor or legal advisor. PCs must continuously remind the parties and others, including the judiciary, of the limitations inherent in their specific role in order to avoid any conflict of interest and remain effective in the case.

Second, the parenting coordination process is not covered by insurance and the cost of community providers may be exorbitant, even when sliding scale fees are applied. The issue of payment is further complicated in cases with one mother and multiple fathers. Should this mother be required to pay twice as much as each father? The use of in-house intervention addresses this issue in the 11th Judicial Circuit for now and is being reconsidered as the designation of parenting coordination for these cases rises

The crossover cases in Unified Family Courts provide a thoughtful opportunity to capitalize on the success of PCs in cases involving children from multiple family units. It seems imprudent to restrict parenting coordination to the two-parent family, when the need for coordination is even more necessary in complicated cases with multiple issues and multiple parents. The 11th Judicial Circuit of Florida has found that a PC can be extremely useful to Unified Family Court cases, especially when the judge is knowledgeable of the parenting coordination process and the PC adheres to the role appropriately.



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National Quality Improvement Center on Non-Resident Fathers and the Child Welfare System (QIC NRF)

Courtesy of ABA Center on Children and Family Law

The QIC NRF is a new collaborative project between the American Humane Association, the American Bar Association Center on Children and the Law, and National Fatherhood Initiative and funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau.

The focus of this project is a result of the federal Child and Family Services Reviews and the federally funded "What About the Dads?" report, which indicated that there is little meaningful engagement occurring between the child welfare system and fathers. The QIC NRF promotes the importance of gaining more knowledge regarding the engagement of non-resident fathers and their children who are involved in the child welfare system.

The purpose of this project is to determine, through a research design, the impact of non-resident father involvement on child welfare outcomes. Child welfare outcomes include child safety, permanence, and well-being. Included in this design is the examination of the relationship between children, non-resident fathers, and/or paternal relatives. In the fall of 2007, the QIC NRF will be issuing a Request for Applications (RFA) to which child welfare agencies and its collaborators (such as courts, community-based fatherhood, legal and other relevant programs) may apply.

For more information about the QIC NRF, its research findings and RFA, please visit: www.abanet.org/child/fathers or www.fatherhoodgic.org.

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Drops from Down Under

by Hon. Graham Mullane, New South Wales, Australia

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Compulsory Family Dispute Resolution

Since July 1, 2007, a person cannot bring new parenting proceedings under the Family Law Act unless he or she provides a certificate of a registered family dispute practitioner of having attended a family dispute resolution session. Lawyers and other family dispute practitioners can register under the legislation if they can prove qualifications, training, experience and suitability. There are limited exceptions under the requirement, including where there is family violence or child abuse.

Co-operative Parenting: Help for Parents in Regional Australia

On July 1, 2007, the Federal Government commenced a "Post Separation Co-operative Parenting" education program for 14 regional communities, including Internet and telephone counseling services.

Assisted Reproductive Technologies and Adoption

In June 2007, the Victorian Law Reform Commission released its final report on Assisted Reproductive Technologies and Adoption. It includes the following recommendations:

- The Infertility Treatment Act of 1995 should set out principles to guide the administration of the Act. People seeking to undergo assisted reproductive treatment procedures must not be discriminated against on the basis of their sexual orientation, marital status, race or religion.
- Continuing the ban on people choosing a child's sex when using in vitro fertilization (IVF). The only circumstances in which it should be possible for embryos of a particular sex to be selected is when it is necessary to avoid passing on a genetic condition to a child.
- People who arrange surrogacy should be recognized as the child's
 parents as long as the surrogate mother agrees and the court
 agrees it is in the best interests of the child. When a court decides
 that the parents should be recognized, they should be able to put
 their names on the child's birth certificate.
- The law should recognize a birth mother's female partner (non-birth mother) as a parent of the child.
- Same-sex couples should be allowed to apply to adopt children.

The Victorian Government is yet to announce which recommendations will be adopted in the legislation.

13th Biennial Australian National Family Law Conference

The 13th Biennial National Family Law Conference will take place April 6-11, 2008 in Adelaide, South Australia. Details can be obtained from Maureen Schull, Director, Family Law Sections, Law Council of Australia, at mail@familylawsection.org.au.

Interstate Conceptions

The present Australian Assisted Reproductive Technology (ART) laws are State laws under which there is a diversity of approaches. In Victoria, for example, a surrogate mother can only qualify to use the technology if she is clinically infertile. Thus, some Victorian women are traveling to other States where they can access ART.

Lesbian couples are using the ART services in other States. When a baby is born, the surrogate mother is, for purposes of registration of the birth, shown as the mother of the child, even if the egg is not hers.

A Federal politician and his wife, who live in Victoria, went to Sydney last year to have a baby through a surrogacy arrangement. Now they have commenced proceedings in the Family Court seeking legal recognition of the baby as their child.

In Queensland, surrogacy arrangements are not only illegal, it is a criminal offence to be a party to such an agreement. It is the only State where it is a criminal offence. The Federal Attorney-General has called on the States to adopt a uniform national policy, but no agreement has been reached. It appears unlikely that any agreement will be reached.

Anti-Discrimination Law and Adoption

In June 2007, two men in Western Australia became the first gay couple to adopt a child in Australia. They have been on the adoption waiting list for a baby for about three years. The baby boy's mother was involved in the selection process. The decision involves application of the State Anti-Discrimination laws to the adoption process. The State Government and gay rights activists have called it a landmark legal precedent.

Conservative groups have described it as another sign of the traditional family being under threat from political correctness. Family and church groups say children's rights have been trampled on. The Prime Minister, John Howard, said that limiting adopting couples to heterosexual couples is a benchmark that should be maintained and families with a mom and a dad give children the best opportunity in life.

A representative of the Australian Family Association described gay parents as "a burden that should not be imposed on a child." The Attorney-General for Western Australia said the only criteria that mattered when adopting was the best interests of the child.

A representative of Gay & Lesbian Equality (WA) said: "What is harmful to these children is the environment created by these religious conservatives." A conservative member of the Western Australian Parliament said the Government is pandering to minority groups.