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## President's Message

Stacey Platt, JD

### A Year of Gratitude, Transition, and Welcome

Reflecting on my year as AFCC President, I see successes, challenges, and, of course, transitions. There has been a great deal of planning for the future, but in the meantime, AFCC hasn't skipped a beat. [Continue reading](#).



## AFCC 61st Annual Conference

**Coping with Transition: Individual, Family and Beyond**

Sheraton Boston Hotel, Boston, Massachusetts  
June 5-8, 2024



Join AFCC for our largest in-person conference since the pre-covid era. This conference will be the perfect opportunity to connect with old colleagues, forge new partnerships, and immerse yourself in the latest developments shaping the future of family law.

Registration rates increase on **May 13** so [register](#) soon!



**AFCC 61st Annual Conference**  
Boston, MA  
June 5-8, 2024

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[Register Now!](#)

## Pre-Conference Institutes

Join AFCC on June 5th, for one of our six pre-conference institutes:

### 1) Protecting Yourself and Your Practice in the Cyber World

- Reneau C. Kennedy, EdD
- Robert Kinscherff, PhD, JD

### 2) Advanced Challenges in Family Mediation

- Kelly Browe Olson, JD, LLM
- Robert E. Emery, PhD
- Susan E. Guthrie, JD
- Donald T. Saposnek, PhD

### 3) Should Children Participate in Family Law Processes? Consider the Brain

- Hon. Amy Lyn Blake
- Robin M. Deutsch, PhD, ABPP
- Robert Kinscherff, PhD, JD
- Stephanie Tabashneck, PsyD, JD

### 4) Trans Children and Youth in the Family Court System

- Allan E. Barsky, PhD, JD
- Lavanya Regunathan Fischer, LLM, LSE
- John McKendrick, KC
- Hon. Dianna J. Gould-Saltman (Ret.)
- Brandy Brown, DSW, LCSW

### 5) Child Sexual Abuse in Custody Cases

- Seth L. Goldstein, JD
- Mindy F. Mitnick, MEd, MA
- Commissioner JoAnne Brown (Ret.)

### 6) Judicial Officer's Institute: Strategies for Domestic Violence and Alienation Allegations in Parenting Disputes in Family Court

- Peter Jaffe, PhD
- Matthew J. Sullivan, PhD
- Barbara Jo Fidler, PhD
- Hon. Anne Hirsch (Ret)
- Katreena Scott, PhD

[See more details on this year's pre-conference institutes.](#)

## Plenary Session

Depolarizing by Example: AFCC Peace Talks on Parent-Child Contact Problems

This plenary focuses on an innovative peace talk strategy to break down polarization of issues related to parent-child contact problems (PCCP) by emphasizing collaborative dialogue. This transformative approach will be showcased among experts across the continuum of perspectives, who will examine the many factors to consider in assessing and intervening in PCCP.

### Presenters:

- William Bernet, MD

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### Silver Sponsors

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AFCC Conference Exhibit  
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### Conference Exhibitors

ABA Section of Dispute Resolution  
ACR  
NCJFCJ  
IACP  
Parenting Plan Builder  
PharmChem, Inc.  
Navajo Jewelry & Crafts  
USDTL  
BiasResistantCourts.org  
Pierce's Pledge  
National Responsible Fatherhood  
Clearinghouse  
Mimbleball, Inc.  
Divorced Girl Smiling  
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Prime Health & Wellness, LLC  
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MAGAL, Inc.  
ODR.com  
Introspective Comprehensive  
CoParenting: The Spilt  
Outreach Project  
Legal Ready Pty, LTD  
Family Court Review

## 16th Symposium on Child Custody

November 14-16, 2024  
Columbus, Ohio

## AFCC 62nd Annual Conference

May 28-31, 2025  
New Orleans, Louisiana

## AFCC Chapter Conferences

- April Harris-Britt, PhD
- Peter Jaffe, PhD
- Hon. Denise McColley (Ret.)
- Stacey E. Platt, JD

## Opening Keynote

In the spirit of this year's conference theme, Coping with Transitions, attendees will be invited into the personal and profound story of a transgender woman, detailing her journey of transition. Transgender activist, author, and speaker, **Tina Madison White** will share her inspiring personal and familial evolution and the barriers and successes along the way.

## Exhibit at or sponsor the conference!

We are almost out of exhibit space. If you are interested in showcasing your product or services to those that can benefit most from them then sign up soon!

For additional information, please see the [exhibitor prospectus](#) and contact Abby Rebholz at [arebholz@afccnet.org](mailto:arebholz@afccnet.org).

## Continuing Education Credit

This program is eligible for up to **20.5 hours** of continuing education. For more details, please visit the [Continuing Education Credits](#) tab on the conference portal.

## Reserve Your Hotel Room Today!

The Sheraton Boston Hotel, the conference hotel, and the Marriott Boston Copley Place are both offering AFCC conference attendees a special group rate of \$245/night for single and double occupancy rooms. Both of these hotels have limited availability so please check both if you are in need of a room. [More information.](#)

[Register Now!](#)

[AFCC New York Annual Symposium](#)  
May 3, 2024  
New York, NY

[AFCC Florida Annual Conference](#)  
September 11-13, 2024  
Save the Date

[AFCC Wisconsin Fall Educational Event](#)  
September 19, 2024  
Delafield, WI

[AFCC Maryland Annual Conference](#)  
October 23, 2024  
Save the date

[AFCC Ontario Annual Conference](#)  
October 25, 2024  
Toronto, ON

[AFCC Indiana Annual Conference](#)  
October 25, 2024  
Save the date

[AFCC Texas](#)  
January 23-25, 2025  
Cancún, Mexico

[AFCC Arizona Annual Conference](#)  
January 24-26, 2025  
Sedona, AZ

[AFCC California Annual Conference](#)  
February 7-9, 2025  
Costa Mesa, CA

## AFCC Scholarships

AFCC is delighted to announce that, thanks to the [generous contributions](#) to our Scholarship Fund, we have awarded 44 scholarships for our 61st Annual Conference. Each of these scholarships covers the registration costs for a promising professional who might not otherwise have been able to attend. AFCC also provided \$5,000 in stipends to partially support travel costs. We trust that the scholarship and stipend recipients will leverage the knowledge gained from the conference to enrich and benefit their communities.

If you'd like to help build the AFCC community then consider [contributing to the AFCC Scholarship Fund](#). Your generosity supports not only the scholarship recipients themselves but also the families, parents, children, and other professionals who benefit from their enhanced expertise and insights. Wouldn't it be nice for your next opposing counsel, custody evaluator, and/or judicial officer to have the knowledge and appreciation of the most recent research, practice, and approach of the family law system that you do?

## "Toxic", Traumatized, or Neurodivergent? Five Tips for Setting Appropriate Boundaries

# Without Writing Anyone Off

Dan Berstein, MHS

Emotional distress is inevitable for all of us, and especially when there are conflicts, court cases, and traumatic events. As family law practitioners, our own distress can cloud our judgment and we may feel negative gut feelings that lead us to pull away from people who seem unusual, extreme, and who are causing us distress. So, what is the best way to handle challenging behaviors that arise (emergencies, disruptions, and disconnects) in ways that are safe, effective, and accessible? And how can we also do our best to be fair? [Continue Reading.](#)

## Call for Proposals 16th Symposium on Child Custody

AFCC is accepting proposals for 90-minute workshops for our 16th Symposium on Child Custody. The deadline to submit a proposal is in a week - all proposals must be submitted by **May 3, 2024** to be considered.

Layers of complicated issues often confound the transitions experienced by families navigating separation and divorce. Some issues are relatively straightforward. Others are truly perplexing, as family court professionals endeavor to consider allegations, review supporting evidence, and untangle the “he said, she said.” Polarizing concerns have given rise to heated debate over presenting risks, and the potential for interventions that integrate safety and the preservation of parent-child relationships whenever possible.

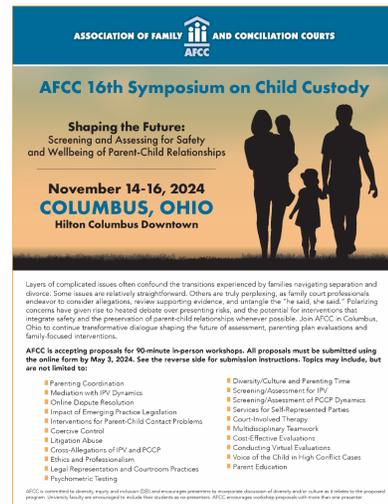
**16th Symposium on Child Custody**  
**Shaping the Future: Screening and Assessing for Safety and Wellbeing of Parent-Child Relationships**  
November 14-16, 2024  
Columbus, Ohio

**Proposals can draw on a topic related to the conference theme or from a topic below:**

- Parenting Coordination
- Mediation with IPV Dynamics
- Online Dispute Resolution
- Impact of Emerging Practice Legislation
- Interventions for Parent-Child Contact Problem
- Coercive Control
- Litigation Abuse
- Cross-Allegations of IPV and PCCP
- Ethics and Professionalism
- Legal Representation and Courtroom Practices
- Psychometric Testing
- Diversity/Culture and Parenting Time
- Screening/Assessment for IPV
- Screening/Assessment of PCCP Dynamics.
- Services for Self-Represented Parties
- Court-Involved Therapy
- Multidisciplinary Teamwork
- Cost-Effective Evaluations
- Conducting Virtual Evaluations
- Voice of the Child in High Conflict Cases
- Parent Education

For more information, please see the [Call for Proposals](#). All proposals must be submitted using the [online form](#).

## Webinar Corner



ASSOCIATION OF FAMILY AND CONCILIATION COURTS  
AFCC

**AFCC 16th Symposium on Child Custody**

**Shaping the Future:**  
Screening and Assessing for Safety  
and Wellbeing of Parent-Child Relationships

**November 14-16, 2024**  
**COLUMBUS, OHIO**  
Hilton Columbus Downtown

Layers of complicated issues often confound the transitions experienced by families navigating separation and divorce. Some issues are relatively straightforward. Others are truly perplexing, as family court professionals endeavor to consider allegations, review supporting evidence, and untangle the “he said, she said.” Polarizing concerns have given rise to heated debate over presenting risks, and the potential for interventions that integrate safety and the preservation of parent-child relationships whenever possible. Join AFCC in Columbus, Ohio to continue transformational dialogue shaping the future of assessment, parenting plan evaluations and family-focused interventions.

**AFCC is accepting proposals for 90-minute in-person workshops. All proposals must be submitted using the online form by May 3, 2024. See the reverse side for submission instructions. Topics may include, but are not limited to:**

• Parenting Coordination	• Diversity/Culture and Parenting Time
• Mediation with IPV Dynamics	• Screening/Assessment for IPV
• Online Dispute Resolution	• Screening/Assessment of PCCP Dynamics
• Impact of Emerging Practice Legislation	• Services for Self-Represented Parties
• Interventions for Parent-Child Contact Problems	• Court-Involved Therapy
• Coercive Control	• Multidisciplinary Teamwork
• Litigation Abuse	• Cost-Effective Evaluations
• Cross-Allegations of IPV and PCCP	• Conducting Virtual Evaluations
• Ethics and Professionalism	• Voice of the Child in High Conflict Cases
• Legal Representation and Courtroom Practices	• Parent Education
• Psychometric Testing	

AFCC is committed to diversity, equity and inclusion (DEI) and encourages proposals to incorporate discussion of diversity, culture, or related to the program. Diversity, equity and inclusion (DEI) topics are encouraged to include five sub-topics at the presenter's discretion. AFCC reserves the right to modify the program.

# Grappling with No: Children Declining Treatment in the Age of Consent

Barbara Jo Fidler, PhD, CPsych & Stacey Platt, JD

May 8, 2024

1:00pm – 2:00pm Eastern Time (US/Canada)

**Registration will close on May 7, 2024, at 9:00am Eastern Time US/Canada .**

The voice of the child is typically accepted as paramount until the child throws a wrench and says “no!” The thorny legal framework for children’s consent to mental health and medical interventions will be discussed. From the perspectives of a child and family therapist and a child advocate, this webinar will focus on conundrums and practical considerations for responding to child unwillingness to participate, be it actual or perceived.



**Barbara Jo Fidler, PhD**, provides mediation, arbitration, parenting coordination, case consultation to child protection agencies and other professionals, and expert court testimony. Her practice also includes child, individual, marital, and family therapy and reunification interventions with families experiencing parental alienation and other parent-child contact problems.



**Stacey Platt, JD** is a clinical professor of law and the associate director of the Civitas ChildLaw Clinic at Loyola University Chicago School of Law. She has extensive experience representing parents and children in abuse and neglect and domestic relations proceedings. In addition to teaching child advocacy and trial practice, Stacey teaches litigation skills for the ABA Commission on Domestic and Sexual Violence. She served as reporter for the AFCC task force on the use of research in family law and is currently the vice president of AFCC.



## Registration

Members: \$15

Non-Members: \$50

## Certificate of Attendance

Members: \$15

Non-members: \$20

[Register Now!](#)

## Another Upcoming Webinar!

### The Hats We Wear as Court Experts: Roles, Conflicts, and Helpfulness

*Jeffrey P. Wittmann, PhD*

June 18, 2024

# Family Court Review

The Journal of the Association of Family and Conciliation Courts

Volume 62 Number 2

April 2024

*Leading dialogue in family court research, policy, and practice for more than half a century.*

The April 2024 issue of the *Family Court Review* (FCR), AFCC's academic and research journal, was published earlier this month. See below for the table of contents with corresponding abstracts. AFCC members can read the complete articles by clicking on [Family Court Review](#) on AFCC's homepage.

## ***Family Court Review***

Volume 62, Issue 2

### **Editorial Note**

**April 2024**

Barbara A. Babb

### **Here's to You, Peter Salem**

Barbara A. Babb, Robert Emery, Janet Johnston, Marsha Kline Pruett, and Andrew Schepard

### **Family Court Review: A Love Letter, and a Little Bit of History**

Peter Salem

### **Special Feature: International Judicial Symposium on Family Court Reform International Judicial Symposium on Family Court Reform: Final report**

Barbara A. Babb and Amy G. Applegate

### **International Family Justice as Collaborative Justice**

Sundaresh Menon

### **Delaware County, Ohio, Domestic Relations Court Programs Designed to Reduce Family Conflict and Reach Agreements**

Randall D. Fuller and Amy Armstrong

### **Revolutionising Family Courts: Catalysts for Reform and the Transformative Role of Technology**

Thomas Altobelli, Erin McKenna, and Isabel Suh

### **Articles**

#### **A Structured Rubric for Evaluating the Many Systemic Variables That Can Contribute to Parent-Child Contact Problems (PCCP)**

Benjamin D. Garber

#### **An Evaluation of Remote Child Custody Mediation in San Mateo County, California**

Daisy Ni

#### **The Children's Justice Clinic: Ensuring High-Quality Legal Representation for Children through Clinical Legal Education**

Katherine P. Hazen, Michelle Paxton, Abigail L. Herzfeld, and Eve M. Brank

### **Student Notes**

#### **Why's It Gotta Be So Complicated: New York's Regulation of Compensated Traditional Surrogacy Agreements Creates a Constitutional Violation**

Michelle J. Katz

#### **The Birth of Femtech Lays Fertile Grounds for Pregnancy Discrimination in the Workplace**

Filza Siddiqui

#### **Whether You've Tied the Knot Shouldn't Matter: Anyone, Regardless of Marital Status, Should Be Permitted to Adopt in New York If It Is in the Child's Best Interest**

Melissa Struck

[Read the Full Issue](#)

# AFCC Member News



**Barbara Babb**, AFCC member from Massachusetts and editor of AFCC's *Family Court Review*, has been selected for Cornell Law School's 2024 inaugural Barry Strom Clinic Teaching Public Service Award. She was recognized for her outstanding contributions during her career which include founding and directing the University of Baltimore School of Law's **Sayra and Neil Meyerhoff Center for Families, Children and the Courts**, and she also helped establish the law school's **Bronfein Family Law Clinic**. Congratulations, Barbara!



**Stephen Carter**, AFCC member from Alberta, Canada has been selected to receive AFCC's Alberta Chapter's Distinguished Member Award. This award recognizes experienced Alberta members for their significant and substantial contributions to the resolution of family conflict. The award is bestowed sparingly, and facilitates the intergenerational transmission of knowledge and insights amongst the AFCC Alberta Chapter community. Congratulations, Stephen!



**Theo Liebmann**, AFCC member from New York was among the winners of the **2024 Mark Hardin Award for Child Welfare Legal Scholarship and Systems Change** by the American Bar Association Center on Children and the Law. Recipients of the Mark Hardin Award are acknowledged for their dedication, innovation, and impact in improving outcomes for families and children involved in the legal system. Congratulations, Theo!



**Forrest (Woody) Mosten**, AFCC member from California, was **honored** by Mediators Beyond Borders International (MBBI) for his lifelong commitment to peacemaking. As a founding member of MBBI, Woody has devoted his career to advancing mediation and peacemaking both in the United States and globally championing innovative and collaborative approaches to resolving conflict.

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## Membership Notice of AFCC Board Nominations

At the AFCC membership meeting on Saturday, June 8, 2024, the following individuals will be nominated to serve on the AFCC Board of Directors for a three-year term beginning July 1, 2024 and concluding June 30, 2027: Tom Altobelli, Dolores Bomrad, Alexander Jones, Daniel Pickar, Michael Saini, and Terence Singh. The AFCC Executive Committee is elected by the board of directors. For informational purposes, the following individuals have been nominated for positions on the executive committee: President Elect: Dolores Bomrad; Vice President: Tom Altobelli; Secretary: Kathleen McNamara; Treasurer: Lawrence Jay Braunstein. Michael Saini and Stacey Platt automatically become President and Past-President.

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### AFCC eNEWS

The *AFCC eNEWS* is the monthly e-newsletter of the Association of Family and Conciliation Courts. The *eNEWS* provides up-to-date information for professionals including practice tips, international news, and the latest initiatives in family law and conflict resolution. The *AFCC eNEWS* is provided at no charge to you; anyone can [subscribe](#).

*AFCC members are free to share eNEWS content.*

#### EDITOR:

[Ann Ordway, JD, PhD](#)

ASSOCIATE EDITOR:  
Patrick Sommer

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**President's Message**  
**Stacey Platt, JD**

**April 2024**  
**Vol. 19 No. 4**



**A Year of Gratitude, Transition, and Welcome**

Reflecting on my year as AFCC President, I see successes, challenges, and, of course, transitions. There has been a great deal of planning for the future, but in the meantime, AFCC hasn't skipped a beat.

We launched the AFCC Peace Talks last summer, hoping to initiate respectful and informal discussion among a small group of people with different perspectives about parent child contact problems.

We focused on and celebrated shared views, acknowledged where we could not agree even after deep discussion, and identified research that might move the needle on differing perspectives. We made enough progress to agree to present a plenary session at the AFCC Annual Conference in June. The Peace Talks work is hard. It takes patience and a willingness to honestly consider points you have previously rejected. There is a long way to go, and more people need to be involved. For now, I am grateful to the brilliant experts who have started off the Peace Talks: Bill Bernet, April Harris-Britt, Peter Jaffe, Judge Denise McColley, and Peter Salem.

In November, we held our first-ever post-Covid Fall Virtual Conference. The theme was *Addiction, Family Violence, and Mental Illness: Assessing and Managing Challenges to Contemporary Coparenting*. With more than 500 people in attendance and a host of new presenters, the conference helped AFCC expand access to programming and enhance membership engagement. We anticipate continuing virtual conferences, alternating each fall with the *Symposium on Child Custody*.

In addition to supporting a newly formatted conference, the AFCC staff managed "the usual," including carrying out dozens of online webinars and training programs, applying for hundreds

of hours of CEs, CEUs, and CLEs, producing the monthly *AFCC eNEWS* -- a truly substantive e-newsletter, and managing a membership association of nearly 6,000 members.

For those who do not know, AFCC does not have a large crew of administrators to support all of this work. The office in Madison is run by a small and mighty team, led by Dawn Holmes, Director of Operations, Kelly Bienfang, Operations Administrator, Patrick Sommer, Communications Coordinator, Abby Rebholz, Program Associate, and Tanya Froh, Administrative Assistant. Meanwhile, Ann Ordway, AFCC Program Director, who works from Arizona, has her finger on the pulse of AFCC's chapters and continuing education programs. I am grateful for what the AFCC staff accomplishes.

Another transition that took place in the last year is the shift of *Family Court Review (FCR)* from hard copy to digital-only publication. The transition went off without a hitch, and I want to thank our *FCR* team, editors Barbara Babb, Marsha Kline Pruett, and Amy Brown, along with the Hofstra Law School student editorial team and the *FCR* Editorial Board, for their continued production of the world's #1 ranked family and juvenile law journal.

This litany of thanks would not be complete without an acknowledgment of the many volunteers -- from committee chairs and member-authors, to presenters, to conference helpers -- and, of course, the AFCC Board of Directors. It has become clear to me this year that this organization could not function without our member volunteers.

And even more thanks are in order. Bryan Altman's appointment as AFCC Executive Director is now widely known. Leading to this week's announcement was well over a year of planning, interviewing, and finalizing. Much of the work was done by volunteers who care deeply about this organization, its leadership, and its direction. To the search committee, chaired by Mindy Mitnick and including Andrea Jones, Kate McNamara, Arnie Shienvold, Matt Sullivan, and Joey Orduna-Hastings, and the negotiation team, headed by Carlton Stansbury and including Dolores Bomrad, Kate McNamara, Mindy Mitnick, and Michael Saini, as well as the entire AFCC Board of Directors, who provided the goals and direction, asked the hard questions, and voted unanimously in favor of Bryan's hiring, we thank you endlessly for your service and devotion to AFCC.

As he says, Bryan is "committed to building on the solid foundation and impressive legacy Peter Salem has established, ensuring that AFCC continues to make a meaningful impact on the lives of those we serve." I know you will want to congratulate Bryan, and perhaps bend his ear, in Boston this June at our 61<sup>st</sup> Annual Conference, *Coping with Transition: Individual, Family, and Beyond*. The program is outstanding, and more than 800 people have registered -- our strongest numbers since COVID. Boston will be brilliant, as we continue to tackle the tough issues, welcome our new executive director, and send off Peter Salem, our beloved leader, with love and gratitude for a job incredibly and indelibly well done.



**"Toxic", Traumatized, or Neurodivergent?**

**April 2024**

**Five Tips for Setting Appropriate Boundaries Without  
Writing Anyone Off**

**Vol. 19 No. 4**

*Dan Berstein, MHS*

Emotional distress is inevitable for all of us, and especially when there are conflicts, court cases, and traumatic events. As family law practitioners, our own distress can cloud our judgment and we may feel negative gut feelings that lead us to pull away from people who seem unusual, extreme, and who are causing us distress. So, what is the best way to handle challenging behaviors that arise (emergencies, disruptions, and disconnects) in ways that are safe, effective, and accessible? And how can we also do our best to be fair?

These five general tips will help you set boundaries when you face challenging behaviors without writing people off, regardless of your specific role in family law proceedings. You can also attend a free event on Demystifying Distress via the registration link at the end of this article:

### **1. Remind yourself of your role**

As natural as it can feel to see someone in distress and think they need extra help, guidance, or structure because it seems like they cannot take care of themselves - it can also be paternalistic, and it is often inappropriate. Before assessing someone's mental health situation and developing tailored interventions, remind yourself what your role is. Often, especially in the role of mediator, for example, our job is to provide impartial, empowering services to everyone - not step in and fix their problems. We also often have responsibilities, under the Americans with Disabilities Act (ADA), to never provide disparate treatment to people based on our belief a person is disabled in some way (even if our guess is wrong). That means we want everyone to have the chance to ask for extra accessibility options, but otherwise we want to be treating them the same. To learn more about preventing this kind of inadvertent discrimination, visit <https://bit.ly/ABADiscrimination> for a Dispute Resolution Magazine article on the topic.

## **2. Avoid dehumanizing people with labels like "toxic," "difficult," or "high conflict"**

You can never really know someone's backstory. Someone who seems like a so-called "toxic" person to reject may be traumatized themselves, or may be living with a psychiatric disability - or maybe this is just a bad moment for them and it doesn't define who they always are. And even mental health professionals can disagree on a diagnosis, or whether a particular person qualifies for it. Sometimes the technical diagnoses themselves end up changing names and meanings as the research evolves. It is therefore always important to separate people from labels. To learn more about avoiding harmful labeling, visit [www.mhsafe.org/toxic](http://www.mhsafe.org/toxic) for some resources from the Mental Health Safe Project.

## **3. Create impartial, safe plans for challenging behaviors**

Since we are focused on our professional role, and we are avoiding guessing someone's backstory or labeling them, we need to have an effective way for responding to challenging behaviors without stigmatizing people. It helps to develop impartial plans that respond consistently to observed, specific challenging behaviors. For example, perhaps have a standard guideline to preventatively check-in and supportively de-escalate whenever any party raises their voice instead of waiting until you feel personally bothered by it or until it escalates into a more severe problem. If you are assessing party capacity, you can remember that this is often a biased process and you can strive to use consistent, behavior-focused criteria for evaluating a party's observed behavior as part of a universal process instead of making tailored assumptions based on their potential conditions: you can check behaviors like understanding, reasoning, appreciation, and expression of a choice instead of reacting to personal gut feelings and known or suspected clinical diagnoses. You can find resources for creating these challenging behavior plans and for shifting toward impartial, non-stigmatizing capacity assessments at [www.biasresistantcourts.org](http://www.biasresistantcourts.org) (this is a project funded by the AAA-ICDR Foundation and developed by the CUNY Dispute Resolution Center and MH Mediate). This site includes many other helpful one-page tools as well.

## **4. Aspire to be fair**

Some guidance suggests that when someone seems to have a disabling mental health problem that you should always remember the problem is **them**, not you. As stigmatizing as that idea is to those people with potential mental health conditions, it is also a very limiting view of how we think of ourselves as practitioners. As professionals, we must remember that our core values like supporting party self-determination and empowerment, or being impartial and resistant to bias - these are ongoing aspirations. They are impossible to fully achieve, and there is no finish line where suddenly we are perfect. We should therefore always be ready to receive feedback, admit mistakes, learn, and grow into better practitioners on our lifelong journeys to live up to these values.

## **5. Acknowledge your feelings, unconscious biases, and need for self-care**

We are human beings, not machines. All of us are on a universal spectrum of mental health needs. We all have good days and bad ones. We all make mistakes, and we all are doing the best we can despite unconscious biases and systemic inequities that define our respective

world views and shape our lives. When we improvise or act on gut feelings, we are probably biased. As great as our plans are, they are never perfect, and neither are we. It is important to always remember our own humanity and fallibility, our susceptibility to vicarious traumas, and our needs. By recognizing our limitations and our feelings as part of how we show up professionally, instead of something separate, we can be sure to manage our own distress better so it is less likely to affect how we treat people in our work.

### **Putting Together These Five Tips**

Every time there is a challenging situation I begin by reminding myself of my role, I try to avoid writing anyone off with dehumanizing labels, I check in to my impartial plans for challenging behaviors so I can do my best to follow them, I remain open to feedback because I know I can always learn new ways to be fairer, and I do a self-inventory of how I am feeling so I can manage my emotions at the same time I am also doing my best to respond to the challenges in a professional manner. The more I practice these five steps, they become a habit so they take very little time to implement on a regular basis. These tips help me shift my perspective so I am more focused on setting fair, empowering, and accessible boundaries rather than writing anyone off. I hope they can help you as well. Please feel free to write me at [dan@mhmediate.com](mailto:dan@mhmediate.com) with questions, comments, or feedback.

### **Free Event on Demystifying Distress**

Mediate.com, ACR, CPR, and NAFCM are co-sponsoring a free event called “Demystifying Distress” on May 14<sup>th</sup> from 12PM to 4PM ET. We will be covering a lot of these themes, and you can register at <https://mediate.com/demystifying-distress/>

### **ABOUT DAN BERSTEIN**

Dan Berstein, MHS is a mediator living with bipolar disorder and the founder of MH Mediate, a company that uses conflict resolution best practices to promote empowering mental health communication and prevent mental illness discrimination. His book, *Mental Health and Conflicts*, was published by the American Bar Association in 2022 and he launched [BiasResistantCourts.org](http://BiasResistantCourts.org), a free trauma-informed and bias-resistant resource platform for court-connected professionals, in 2023 in collaboration with the CUNY Dispute Resolution Center and with funding from the AAA-ICDR Foundation.