

AFCC NEWSLETTER



VOLUME 21, NUMBER 2

An association of family, court and community professionals

SPRING 2002

Tucson, Ottawa and San Antonio Coming up on AFCC Travel Itinerary

Get out your date books, tour guides and frequent flier cards! AFCC members will be winging their way across North America for upcoming conferences, beginning with this fall's Fifth International Symposium on Child Custody Evaluations and Fifth International Congress on Parent Education and Access Programs in Tucson, Arizona, moving to Ottawa, Ontario for the 40th Annual Conference and then on to San Antonio, Texas for the 41st Annual Conference. The Conference Committee will be selecting a site for the 2003 Fall Regional Conference shortly.

These conference venues will provide AFCC members with an opportunity to visit wonderful cities in regions that have significant local AFCC representation. Arizona is home to AFCC's second longest standing chapter. Ontario boasts the largest number of AFCC members of any of Canada's provinces and is home to AFCC Vice President Justice George Czutrin and AFCC's first Canadian President, Justice John VanDuzer. Texas is the home of one of AFCC's newest provisional chapters.

Fifth Custody Evaluation Symposium and Congress on Parent Education and Access Programs

AFCC returns to the Westward Look Resort in Tucson, Arizona for the Fifth International Symposium on Child Custody Evaluations (November 7-9, 2002), and Fifth International Congress on Parent Education and Access Programs (November 10-12, 2002). If you are interested in presenting at either of these conferences, please see the Call for Presenters on page 5 of this newsletter.

The Westward Look was the site of the first Symposium on Child Custody Evaluations in 1994. The AFCC room rate is only \$114

per night, single or double. Check out the Westward Look at www.westwardlook.com, and reserve your room today by calling the Westward Look at (800) 722-2500.

40th Anniversary Conference in Ottawa, Ontario

AFCC will celebrate it's 40th birthday in Ottawa, Ontario, Canada's capital city. The conference will take place May 28-31, 2003 at the Westin Ottawa, just a short walk from Parliament Hill, the beautiful winding Rideau Canal and many museums and galleries. AFCC members in Ontario are already working on preparing what is certain to be an outstanding program.

Don't miss this great opportunity to explore Ottawa, one of the most beautiful cities in North America. The Westin Ottawa is offering AFCC guests a room rate of \$229 Canadian or approximately \$145 US. See you there!

San Antonio, Texas Set for 2004 Annual Conference

AFCC returns to San Antonio, Texas for the 41st Annual Conference, May 12-15, 2004 at the Adam's Mark Hotel. This stately hotel is located on San Antonio's famous Riverwalk which offers shops, dining and entertainment at the water's edge, all in the heart of downtown San Antonio! The hotel is within walking distance of The Alamo, the theatre and cultural district, Rivercenter Mall, Children's Museum and Market Square, an authentic Mexican marketplace.

AFCC has secured a room rate of \$149 per night, single or double, the lowest room rate on the Riverwalk. Save the dates now!

Family Court Review Update

Essay Contest Winners

The *Family Court Review*, AFCC's quarterly journal, congratulates Katherine W. Scrivner and Lisa Nakdai, this year's co-winners of the 2001 Law Student Essay Contest. Ms. Scrivner is a student at the University of Wisconsin Law School in Madison, WI. Her article, "Crossover Kids" examines the plight of abused and delinquent children in the American Legal System. Ms. Nakdai is a student at Hofstra University Law School. Her article, "It's 10:00 p.m., Do You Know Where Your Children Are?" looks at international child abduction issues.

Special Issues on Tap for 2002

This year the *Family Court Review* will feature two special issues. The July 2002 issue celebrates the twenty-fifth anniversary of the Family Court of Australia and is edited by Margaret Harrison, Senior Legal Advisor to Honorable Alastair Nicholson, Chief Justice, Family Court of Australia. The special issue will feature a lead article by Chief Justice Nicholson providing an overview of Australian Family Law and the Family Court.

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PRESIDENT'S MESSAGE



Denise Herman McColley
Napoleon, Ohio

As I prepare to write this, my last President's Message, I feel as I did years ago when called upon to write the annually assigned report of "What I Did on My Summer Vacation." In looking back over the year, there is much to report and several things stand out as being particularly important to AFCC.

Throughout this year, chapters have continued to grow and develop. When I came on the AFCC board in 1992, there were three chapters, California, Arizona and Kansas. Unfortunately, the Kansas chapter was not able to sustain itself; however, California and Arizona, being the "granddaddies" of AFCC chapters, are still going strong. I had the great pleasure of attending the Arizona chapter conference this year in Sedona and can report that the very hospitable chapter members put on a wonderful conference in true AFCC style.

Since I have been on the board and particularly in the last few years under the leadership of Past President Arline Rotman and AFCC Chapter Committee Chairpersons Jan Shaw and Fred Mitchell, chapters have been formed or are in formation in Massachusetts, Florida, Texas, New Jersey, New York, Missouri and Illinois. The Florida chapter held its first very successful conference last fall and the New Jersey chapter was awarded its charter during the Northeast Regional Conference in New York in March. Several years ago, there were questions about whether it made sense to continue to try to promote and form chapters. Today we can answer with a resounding "Yes!" Congratulations to all of you who have worked so hard at getting your local chapter up and running. Your work is very much appreciated.

Because of the September 11, 2001 tragedy, AFCC was unable to hold its

Northeast Regional Conference scheduled for September 13-15. However, those on the local planning committee worked very hard with the AFCC staff to reschedule and hold a one-day version of the conference in March 2002. Under the local leadership of Andrew Schepard and Elayne Greenberg, the conference was very successful with more than 300 attendees. The conference also spawned the now very active interdisciplinary group of professionals seeking to prepare the necessary paperwork to be approved as a Provisional AFCC New York Chapter.

Throughout the past year, former AFCC President Christine Coates has chaired a very productive Task Force focusing on Parenting Coordination and Special Masters. The Task Force has spent the first year working on surveying the various jurisdictions to determine what standards, laws and practices are in existence in this field. Task Force members will make a presentation of their findings at AFCC's 39th Annual Conference, June 5-8, 2002 on the Big Island of Hawaii. For those of you who are interested, please attend the AFCC Parenting Coordinator Task Force Update and Roundtable on Thursday, June 6, at 8:30am.

In February, the AFCC board met to commence its work on strategic planning and it will continue that process at its meeting in Hawaii. Following the February meeting, the board learned that long-time AFCC Executive Director Ann Milne would not be renewing her contract with AFCC following the end of her present term in June of 2003. It is difficult to imagine AFCC without Ann and her strong commitment to AFCC will be missed. Ann's announcement has presented new planning challenges for the board and, before AFCC will be able to move ahead with enactment of its strategic plan, it must first move through the transition necessary to change administrations. Having a new administration will present new challenges but also will present new and exciting opportunities for AFCC.

Finally, I must thank all of the AFCC members who have shown me great kindness and support throughout the last year. It is impossible to recognize every one of you, but your continued commitment to the accomplishment of AFCC's goals is greatly appreciated. I hope many of you will be able to join me in Hawaii for AFCC's 39th Annual Conference, *Looking over the Rim: New Horizons for Families, Courts and Communities*. It promises to be a wonderful conference in a fantastic location.

Aloha!



SPOTLIGHT SERIES

The Center for Children, Families and the Law of Hofstra University and the North Shore-Long Island Jewish Health System

by Andrew Schepard, J.D., Hofstra University Law School, Hempstead, NY

The Center for Children, Families and the Law is a joint venture of Hofstra University and the North Shore-Long Island Jewish Health System, a major health care provider in the New York City area. The Center's mission is to organize interdisciplinary education, research and public service programs for the benefit of children and families in court.

Hofstra Law School is the organizing force of the Center on the Hofstra campus. The Division of Child and Adolescent Psychiatry of North Shore University Hospital, a research and training center for child and adolescent psychiatry residents and child and adolescent psychology trainees, is the main participant in the Center's activities at North Shore-LIJ.

EDUCATION

The Center educates a small number of future lawyers and mental health professionals to become familiar with each other's professions, language and values and make a career commitment to working in the family court through coursework, clinical experience and related opportunities.

• Simulation Based Interdisciplinary Courses

The Center offers two courses in which law students are educated jointly with North Shore-LIJ's child psychiatry residents and child psychology trainees. The first course focuses on negotiation and mediation and the second focuses on the role of lawyers and mental health experts in child custody disputes. Each course meeting combines education in law, child and family development and professional skills such as interviewing, counseling, negotiation or preparation for the direct and cross examination of a mental health expert. The courses conclude with simulated mediation sessions conducted by working mediators or with child custody trials presided over by

actual judges. The students work on complex simulated cases based on files created by law and mental health faculty. Law and mental health students work together as teams under faculty supervision.

• Child Advocacy Clinic

The centerpiece for interdisciplinary education of future child advocates is the Center's Child Advocacy Clinic. There, law faculty and students work with North Shore-LIJ faculty and mental health trainees to represent children as law guardians in child protection cases. Mental health trainees and faculty serve as consultants to the law students in developing techniques for client interviews, reading case files and child and family case histories, preparing children to testify, developing service plans, etc.

• The Family Court Review

Hofstra law students, with consulting assistance from North Shore-LIJ mental health students and staff, publish AFCC's quarterly journal, the *Family Court Review*. Law student staff perform editorial functions and each student writes a research paper that may be published in the journal as a Student Note.

• The Child and Family Advocacy Fellowship Program

Hofstra has created a fellowship program for law students who are interested in a child and family advocacy career. After graduation, fellows are expected to use their specialized training to represent the legal interests of children and families. If a graduate does not meet this expectation, he or she has an obligation to reimburse the Law School for fellowship support so that these monies can be reinvested in future Fellows.

• Post-Doctoral Fellowship

North Shore University Hospital has created a forensic child psychology post-doctoral fellowship. It provides training in mental health needs and services for children and families with legal problems.

RESEARCH AND PUBLIC SERVICE

In addition to its educational component, the Center for Children, Families and the Law engages in a number of family court reform related activities.

• P.E.A.C.E. (Parent Education and Custody Effectiveness)

The Center's family court reform efforts began with the development of Parent Education and Custody Effectiveness (P.E.A.C.E.), a court-affiliated, interdisciplinary education program for divorcing and separating parents and children. Hofstra initially received a grant from the State Justice Institute to develop a model curriculum and create and evaluate pilot programs. The Center is currently working on developing educational programs for repetitive litigants and for children of divorce and separation.

• Model Standards of Practice for Family and Divorce Mediation

Center faculty and students worked with family law and family mediation groups and family violence experts in a multi-year project to develop the *Model Standards of Practice for Family and Divorce Mediation* in connection with the Symposium on Standards of Practice convened by AFCC.

• Model Family Court Projects

The Center also works with court systems in several states to develop programs to improve the quality of the experience for children and parents in court. The Center is currently working on a project to develop a screening protocol for high conflict custody litigants so that these families can be identified early on in the life of their repetitive litigation and appropriate mental health and dispute resolution services provided.

For further information about the Center for Children, Families and the Law, please contact:

Professor Andrew Schepard
Hofstra Law School
(516) 463-5890
Email: lawazs@hofstra.edu

Member News

Hon. William Fee, AFCC member from Angola, Indiana, will marry Amy Blue of Angola. Amy's and Bill's family will include Amy's son Landon, age 8, and daughter Jaelyn, age 5. The wedding will take place June 1, 2002. The happy couple will then honeymoon in true AFCC style at the Hilton Waikoloa Village on the Big Island of Hawaii.

Debra Kulak, AFCC member from Connecticut, was recently promoted to Program Manager of Family Services of the Connecticut Court Support Services Division. Debra Kulak can now be reached at 2275 Silas Deane Highway, Rocky Hill, CT, 06067. Email: debra.kulak@jud.state.ct.us; phone: (860) 529-1316; fax: (860) 721-9474.

Gregory Firestone, AFCC member from Tampa, Florida, has been named Vice-Chair of the Florida Supreme Court Committee on Alternative Dispute Resolution Rules. This committee is responsible for recommending rules governing alternative dispute resolution for adoption by the Florida Supreme Court. Greg is the Director of the University of South Florida Mediation Institute.

Helping Parents Distinguish Between Helpful and Harmful Criticism

Excerpted from Divorce Poison: Protecting the Parent-Child Bond From a Vindictive Ex by Richard A. Warshak, Ph.D. (Regan Books/Harper Collins, 2002).

All parents sometimes behave in irrational ways that are confusing and troubling to their children. If we say nothing about this irrational behavior, we give our children no help in understanding it. We leave them on their own to cope. And when our children lack an accurate understanding of their parent's troubling behavior, they may blame themselves for it.

Contrary to the "do nothing" approach, I believe it *may be appropriate*, at times, for one parent to acknowledge the other parent's shortcomings and help the children make sense of the behavior and place it in proper perspective. Note the key phrase "may be appropriate." Whether or not it is depends on a very careful and sensitive assessment of the situation. If we are not careful, we may cause as much damage as the parent we are criticizing. The need to respond effectively to denigration is never a license for unbridled retaliation.

First and foremost we must maintain a steadfast commitment to shield our children from unnecessary stress and destructive communications. Some parents never make this commitment. Others lose it somewhere in the tangle of the disappointment and anger of a failed marriage. They allow their impulse to indulge personal wrath to take priority over concern for their children. So, for example, they run down their ex in front of the children with total disregard for the children's need to maintain a positive image of that parent. They may try to justify their destructive behavior by hiding behind superficial rationalizations. Some common excuses: "I'm just telling him the truth about his mother," or "She needs to know what her father is really like."

Even parents with good intentions are often unsure about when to criticize and when to remain silent. Separated and divorced spouses struggle with heavy doses of anger, fear, uncertainty and hurt, along with the very human temptation to express such feelings in destructive and irrational ways. Resisting this temptation is a genuine challenge. Occasionally parents succumb.

Most children can withstand their parents' isolated mistakes and lapses of good judgment. Repeated mistakes, though, can be damaging, especially when they become a familiar pattern of behavior. The following test gives parents a tool to judge whether their criticisms are likely to help or hurt their children.

When faced with the impulse to present a parent or grandparent in a negative light, do some serious soul-searching. The following five questions will help you cut through self-deception, expose irrational motives which could be fueling your behavior and focus attention on your children's genuine welfare. Of course it is best to review the questions before exposing your children to criticisms of their loved ones. The more you do so, the more you will avoid destructive communications. But, lapses in judgment are inevitable. Every breakup has such moments. This test can serve as a reminder to be careful about what you say. When you do slip up, reviewing these questions can help strengthen your resolve to do better in the future. If you believe that you are the target of bad-mouthing, these questions will help you clarify what is wrong with your ex's behavior.

The test sets a high standard by which parents can evaluate their past and future behavior. The closer parents come to meeting the standard, the more they will shield their children from the harmful effects of their acrimony.

1. What is my real reason for revealing this information to the children?

You may think of more than one reason. But if any one of these does not concern their best interests, think again about whether the children will truly benefit from what you plan to say. If you decide to tell them, you will need to make sure that you do so in a manner that does not serve motives other than their best interest.

2. Are my children being harmed by the behavior I am about to criticize? Or, are they being harmed by not having the information I am about to reveal?

You may have a legitimate grievance about your ex-spouse, but there is no reason to share this with the children if they are not hurt by the behavior in question. For example, a man wanted to tell his children, who were raised Catholic, that their mother had an abortion years earlier. He insisted that they had a right to know the truth. But when asked how his children were harmed by withholding this information, he drew a blank.

3. How will it help the children to hear what I am about to tell them?

Even if the children are being harmed by the other parent's behavior, before discussing it with them you should be convinced that your revelations will actually benefit the children. A woman believed that her ex-husband had been stingy in the divorce settlement. She knew that more money would enable her to provide better for her children. But she decided not to complain to the children about their father because she could not think of how it would help them to hear her opinion that their father was a cheapskate. There was nothing the children could do about the situation. Her revelations would only succeed in placing the children in the middle of an adult conflict and perhaps diminish their respect for their father.

4. Do the possible benefits of revealing this to the children outweigh the possible risks?

In many situations there is reason to believe that the revelations might benefit the children, but at the same time might create problems for them. An honest discussion of the other parent's flaws might help the children have more realistic expectations. But it might also poke holes in their idealization of the parent before they are emotionally prepared to give this up. Or it might lead to greater conflict in the parent-child relationship. If, after weighing the benefits and risks, you decide to share your criticisms with the children, you will want to do so in a manner that maximizes the benefits while minimizing the harm. The next question will help you accomplish this goal.

5. If I were still happily married to my spouse, and I wanted to protect our children's relationship with him or her, how would I handle the situation?

This question helps raise your consciousness so that the content and style of your communications with your children avoids the influence of irrational motives. It challenges you to think of the most constructive course to take. If, when happily married, you would not want your children to have the information you are about to give, why do you think they need to know it now? And if, when happily married, you would find a way to discuss it that minimized harm to their relationship with the other parent, an approach that did not undermine their general respect and regard for that parent, that same discretion is called for after divorce.

Remember, it is easy to fool ourselves into thinking that bad-mouthing is justified. Because of the potential damage to our children, we should be convinced that what we say, and how we say it, meets the test of the five questions.

What if we are unsure about whether to include a particular observation or opinion in our conversations with the children? Here is a simple rule to follow: *When in doubt, leave it out.*

Richard A. Warshak, Ph.D. is a clinical, research and consulting psychologist and clinical professor of psychology at the University of Texas Southwestern Medical Center at Dallas, and author of The Custody Revolution, Divorce Poison: Protecting the Parent-Child Bond From a Vindictive Ex, and the WICAA-2, a child assessment inventory. He has published extensively in the area of divorce and custody and consults with attorneys, mental health professionals, and families. E-mail: richard@warshak.com Website: www.warshak.com.

CALL FOR PRESENTERS



Association of Family and Conciliation Courts

Fifth International Symposium on Child Custody Evaluations November 7-9, 2002

AFCC's Fifth International Symposium on Child Custody Evaluations will include a wide range of pre-conference institutes, workshops and plenary sessions addressing practice skills, professional issues and advanced applications. The Symposium is designed for custody evaluators, judges, lawyers, mediators and anyone who works with separated and divorcing families.

Preliminary topics include:

Assessing allegations of child abuse

Alienated children

Brief evaluations

Ethical issues

To settle or not to settle?

Working with high conflict families

Domestic abuse

Multi-disciplinary perspectives on custody evaluations

Expert testimony and cross-examination

Westward Look Resort • Tucson, Arizona

\$114 single or double

Fifth International Congress on Parent Education and Access Programs November 10-12, 2002

The Fifth International Congress on Parent Education and Access Programs will expand beyond parent education programs to include the growing number of innovative programs designed to facilitate parent-child access. This program is ideal for parent educators, access program staff and administrators, judges, court administrators, mediators, mental health professionals, researchers and family law practitioners.

Preliminary topics include:

Programs for high conflict families

Access enforcement

Innovative access initiatives

Legal information for unrepresented parents

Using the Internet

Standards of practice

Addressing family violence

Teaching skills

AFCC is accepting proposals for 90-minute workshop sessions including, but not limited to, the preliminary topics for both programs listed above. If you are interested in presenting a workshop, please send a brief one paragraph abstract, a one page outline, three learning objectives for your workshop and a resume and complete contact information for all proposed presenters to: AFCC, 6515 Grand Teton Plaza, Suite 210, Madison, WI 53719-1048; fax (608) 664-3751; email afcc@afccnet.org (Word or Wordperfect only, please). Please identify the person who will be coordinating your workshop. AFCC offers a reduced registration fee for conference presenters. We are unable to reimburse travel and related expenses. Deadline for proposals is July 19, 2002.

Great Things to Do at the Hilton Waikoloa Village

Participants in AFCC's 39th Annual Conference will have a lot of activities to keep them busy. More than 50 conference sessions, the AFCC Awards Luncheon and Annual Banquet, committee meetings, the hospitality suite and networking will fill each day from sunrise to sunset. In the unlikely event that participants have an interest in pursuing non-conference related activities, here are just a few possibilities available without even leaving the property. The *AFCC Newsletter* is unable to endorse skipping conference activities to pursue other endeavors, however, here are just a few suggestions for spouses, children and guests who are in attendance. Please note that some activities require advance reservations. If no specific number is listed by the event, call the hotel at (808) 886-1234.

DOLPHIN QUEST

Dolphin Quest, an interactive program with dolphins, is an experience of a lifetime. Guided by marine mammal experts, guests are lead through a rare opportunity to come face to face with one of our ocean's most amazing and intelligent creatures. Participants learn about the dolphins' fascinating abilities and gain a personal appreciation for the importance of preserving the world's oceans and its inhabitants for future generations. Turn dreams into reality. Experience the magic of meeting a dolphin through a variety of programs for the whole family.

• Adult Encounter (30 minute program)

Have you ever dreamed of touching a dolphin? Now is your chance to mingle with the dolphins at the hotel's natural lagoon during an in-water encounter.

• Animal Training Adventure

Come and learn dolphin-training methods that you can use with your very own pet! Go behind the scenes for 2-1/2-hours with expert Dolphin Quest trainers as they teach the skills and techniques that can be used with a variety of animals, including dolphins. As part of the commitment to global stewardship, a portion of **Dolphin Quest** fees are donated to the **Pacific Marine Life Foundation** to support vital marine education, research and conservation.

For more information on the programs and reservations: Email: dqhawaii@dolphinquest.org, phone: (808) 886-2875 or fax: 808-886-7030.

SNORKEL, PADDLEBOAT, BOOGIE BOARD & MORE

Red Sail Sports, the official ocean activity company at Hilton Waikoloa Village, provides snorkel, paddleboat and boogie board rentals at the 4-acre lagoon, as well as towels and sunscreen at the three fresh-water pools. Regularly scheduled sail and dive cruises depart from Anaeho'omalu Bay, a brief shuttle ride from the resort. Make plans now to go overboard on your Hawaiian escape. Red Sail Sports' list of island adventures is complete with information you need to schedule a sail, reserve a dive or plan a peaceful retreat in a private lagoon.

Services offered through Red Sail Sports include:

- Daily ocean kayak trip from the main Hilton lagoon down the coast.
- Daily snorkel sail.
- Daily sunset sail.
- Daily scuba dive trip.
- Scuba PADI and NAUI certification.
- Paniolo Cycle Adventure with lunch and Bicycle rentals.

For more information, check out their web site at www.redsail.com or call either their toll-free info line at 1-877-RED-SAIL or their direct line to Hawaii at (808) 886-2876.

GOLF

There are two championship golf courses at Waikoloa. Both are designed by the leading names in golf today and will challenge your skills while providing breathtaking scenery.

The scenic splendor of the Kohala Coast borders the spectacular Waikoloa Beach Course, designed by Robert Trent Jones, Jr. and the majesty of Hawaii's extinct volcanoes is a dramatic backdrop for the famed Waikoloa Kings' Course, a Tom Weiskopf/Jay Morrish design. Set among the lava fields and adjacent to the ocean, the Waikoloa courses offer fabulous golf for all skill levels, and are among the very best in Hawaii.

The Waikoloa Beach Course's signature 12th hole has a larger than average water hazard. This dogleg par 5 is more than just a challenge for golfers; it doubles as a perfect vantage point for whale watching during winter months. Keep your eye on the ball!

The 30,000 square foot Seaside Putting Course was designed by renowned golf architect Robin Nelson of Nelson and Haworth. Challenging putting greens are interspersed with sand traps and water features. Building on the award-winning landscape design in place at Hilton Waikoloa Village, the course has been planted with species indigenous to Hawaii's Big Island. Signage along the course offers an informative, self-guided botanical tour of some of these many interesting plants found on the island. The beautiful pond on the course includes unique rock features and small waterfalls as well as flourishing rainbow colored lilies and brightly colored Koi (carp).

KOHALA SPA

For those looking for a total workout, or maybe just total relaxation, the Kohala Spa, a 25,000 square foot facility designed to promote health and well-being, is the answer. Located in the Lagoon Tower, the Kohala Spa has the very latest in high-tech workout equipment. This relaxing yet invigorating environment offers services ranging from seaweed body masques and aromatherapy to Tai Chi classes and Lomi Lomi Hawaiian style massage.

The Kohala Spa is the place to rejuvenate the spirit and the soul. Sooth away the day's activities and revitalize the spirit for another active day in paradise. Complete self-renewal is offered at Kohala Spa including fitness, spa treatments, nutrition, beauty counseling and health and spiritual growth.

For more information go to the Kohala Spa Website at www.kohalaspa.com.

YOU'LL NEED TO EAT!

All-Day, Eat-in or Take-out at these fine establishments: **Donatoni's** (Italian Cuisine), **Hang Ten** (Snack Bar), **Imari** (Japanese Cuisine), **Kamuela Provision Company** (Pacific Fusion: Steak & Seafood), **Kirin** (Chinese Cuisine), **Kohala Spa Café** (Organic Foods), **Legends of the Pacific** (Luau with Dinner and Show), **Orchid Cafe** (Breakfast & Lunch) and **Palm Terrace** (International Buffets).

SHOP 'TIL YOU DROP

An abundance of fine shopping awaits at Hilton Waikoloa Village with selections ranging from fine art to the latest fashions to simple sundries. The Kohala Spa shops feature custom coco-mango bath and skin products.

AND STILL MORE

Call Hilton Waikoloa Village's Tours and Information desk to sign up for their complimentary: Facility Tour, Garden and Wildlife Tour, Fish Frenzy (feeding), Parrot Talk, Scuba Discovery at the Kona Pool, Stargazing Astronomy Program, and Sunday Worship.

Great Things to Do

Continued from page 6

- Tours and Information can also arrange classes for flower lei and Ti leaf lei making, coconut weaving and hula. Complimentary tours of Waikoloa Resort's petroglyph fields are offered each Saturday morning.
- Freely stroll along flagstone-lined paths and admire Hilton Waikoloa Village's multi-million dollar art and artifact collection maintained by its own museum curator. Purchase an art guide

at one of the sundry shops and spend an afternoon discovering the Polynesian, Asian and European features of the three main sections of our mile-long museum walkway.

- In the center of the museum walkway you will find one of the largest feather lei collections in Hawaii. Also, visit the newly updated resort exhibit featuring a history of the incredible construction and growth of the Hilton Waikoloa Village; you will see how desolate lava fields were transformed into the verdant jungles and streams that make up this property.

AFCC Chapter Update

Arizona Chapter Holds Annual Retreat

by Sid Buckman, AFCC Arizona Chapter

Members of the Arizona AFCC Chapter Board of Directors held a successful retreat on April 19-20, 2002 in Sedona, AZ. After meeting on Friday afternoon and enjoying an evening cookout, the Board met the following day to plan the Arizona Chapter 2003 Annual Conference. The planning meeting was very productive as participants outlined the conference program and activities. The conference will take place February 7-9, 2003 at the Hilton Sedona Resort.

The Arizona chapter is also pleased to announce that its newsletters are now posted on the chapter web site at www.azafcc.org. The latest newsletter was printed in April and is devoted to legislative issues.

Bylaws Approved by Massachusetts Chapter

by Linda Cavallero, AFCC Massachusetts Chapter

The AFCC Massachusetts Chapter is pleased to report that it has passed new bylaws. The bylaws provide for an annual meeting in the fall which will enable the Massachusetts chapter to kick off the year with a well developed schedule of educational events, including round table discussions in different counties and the spring annual conference. Members will also be given the schedule of board meetings for the year and invited to participate.

The Massachusetts Chapter held its annual conference on May 3, 2003 at Northeastern University. The featured speaker was Vivienne Roseby, Ph.D., co-author of the widely acclaimed book, *In the Name of the Child*. More than 120 people attended the conference, which was hosted by Northeastern University Law School. Special thanks to AFCC members Mary Ferriter and Mary O'Connell for their hard work in making the conference a success.

Florida AFCC Chapter Develops Interest Groups

by Linda Fieldstone, AFCC Florida Chapter

The Florida Chapter has developed Interest Groups in areas including psychological evaluations, mediation/ADR, collaborative law and parent coordinating. Members of the Chapter have been invited to discuss issues pertaining to the state in each subject and dialogue is progressing. If you would like more information regarding these groups, please contact Hon. Hugh Starnes at Hstarnes@ca.cjis20.org.

Georgia Continues March Toward AFCC Chapter Status

by Susan Boyan

AFCC members in Georgia continue to work on developing a chapter, holding several organizational meetings with more than thirty professionals in attendance in addition to ongoing

steering committee meetings. Efforts to increase membership numbers are underway so that Georgia can obtain provisional status. A mini-conference has been scheduled during the month of August featuring an interdisciplinary panel discussion on custody evaluations. For further information on the August event, including final determination of dates and location, and to becoming involved in AFCC in Georgia, please contact:

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Missouri Organizers Hold Mini-Conference

by Andrea Clark, Organizing Committee for Missouri AFCC

The Organizing Committee for Missouri AFCC is pleased to report that more than sixty professionals from throughout Missouri attended a one-day mini-conference on "Working with High Conflict Families of Divorce," presented by former AFCC President Christie Coates, on Friday, April 26, 2002 in St. Louis, Missouri. The seminar was co-sponsored by the Organizing Committee for Missouri AFCC and M.A.R.C.H. (Mediation Achieving Results for Children).

The Missouri Organizing Committee for AFCC has also created an e-newsletter to serve as a forum for Missouri professionals who want to share information with others in the state working with families experiencing child custody disputes. The e-newsletter includes information on parent education programs, therapeutic programs for families and children, court services, legal approaches and more. The e-newsletter builds on the high level of interest in forming an AFCC Missouri Chapter.

Newly Chartered New Jersey Chapter Sets Brisk Pace

by Ron Silikovitz, President and Phil Sobel, President-Elect, AFCC New Jersey Chapter

On May 14, 2002 psychologists Dr. Sharon Ryan Montgomery and Dr. Marcy Pasternak delivered a presentation for the Bergen County Family Inns of Court to acquaint family law attorneys with assessment options where custody is at issue. They discussed the traditional evaluation model, brief evaluations and therapeutic mediation. Panelists included Hon. Ellen Koblit, Presiding Judge of Bergen County Family Court and Philip N. Sobel, Esq.

On June 1, Philip Sobel will be presenting at a Custody Basics Seminar at the Institute for Continuing Legal Education. He will discuss options available to attorneys and therapists to deal with real and faux custody issues prior to court involvement, focusing on collaborative approaches.

At future NJ-AFCC Executive Committee meetings, beginning with the June 23, 2002 meeting, one hour will be devoted to a round table discussion for all chapter members. The topic for June will be

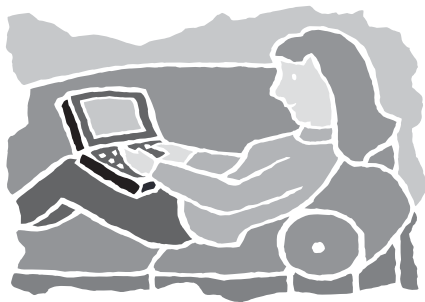
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Top Tips for Long-Distance Parenting

by Pamela Payne, author, *Building a Bridge: A Divorced Parent's Guide to Long-Distance Loving* and Jim Buie, www.longdistancefamilies.com

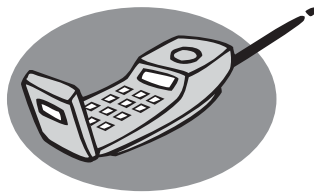
In today's mobile society, an increasing number of separated and divorced parents find themselves living a long distance from their children. While this creates many challenges, being a long-distance parent does not have to mean long gone. Parents can make long-distance parenting a reality and remain active in their children's lives using determination, optimism and creativity. As parents with years of long-distance parenting experience, we would like to offer our top tips for maintaining a meaningful parent-child relationship from a distance.

- For information on state-of-the-art long-distance parenting check out www.longdistancefamilies.com, the leading web site for long-distance parents. It is full of ideas on how parents can communicate daily by email, online "buddies" using chat or voice-enabled messenger, digital cameras, web cameras, cell phones and occasionally the old-fashioned telephone.



- While not every parent has the resources, those who can afford it should invest some of it in a relationship with their children. Technology no longer costs a small fortune. For an initial investment of less than \$1,000 for computer hardware and software, plus monthly Internet and cell phone fees, parents can communicate with their children in other locations.
- Eliminate annoying busy signals with high speed Internet service. Cable or DSL provide fast effective service and generally cost less than \$50 per month. High speed Internet provides a permanent connection to the Internet and audibly notifies parents or children when an incoming message arrives.
- Web cams allow parents and children to have face to face conversations. They can be purchased for less than \$100. A decent digital camera can be purchased for about \$300 and enables parents and children to exchange still photos.

- The cost of cell phone use continues to drop so parents and children can talk any time from anywhere. In most regions parents can get unlimited night and weekend minutes for less than \$30 per month.



The latest technology enables parents to engage in electronic bonding, provide discipline from a distance, help with homework, hold online family reunions, send pictures, sound and video and play games like checkers online with children. However for those who are less cyber-savvy or may not be able to make the financial investment, there are lower tech and less costly options.

- Sending care packages does more than provide treats or trinkets. Care packages include tangible evidence of a parent's love. Parents can be on the lookout for low-cost gifts that are useful or fun or will further connect you to your child, such as funky school supplies, books, magazines or CDs. While we are not physically together, there should be no doubt in the minds or hearts of our children that we are with them in spirit.
- Methods for staying in touch that might be considered old-fashioned in today's technology driven world are still effective means of connecting. Cards and letters communicate our love, relate information and enable our children to see our handwriting. While that might not sound like much, handwriting is a very personal human aspect and connects us with one another in a unique fashion.
- A telephone call may not be the next best thing to being there, but it does allow us to exchange voice messages. It's often the inflections in our voices that tell a more powerful story than our words. As parents we know when we hear genuine delight or a bummed-out tone. Set a schedule for telephoning that will accommodate the routines at both homes and commit to honoring those arrangements.
- Planning ahead for time together needs to be a top priority. Setting aside a few dollars here and there might be necessary to accommodate airline ticket expenses to fly the kids to your home. There may be more costs accumulated when you visit the children in their town, but by budgeting for these occasions we can share periodic weekends and holidays with the children.

- Develop a relationship with the children's school. Most schools solicit parental involvement, so contact your child's principal, teacher, counselor or coach and do some brainstorming on how you can participate and contribute. If the school has a web site or newsletter use these tools to stay current on activities and updates.



- Another vital aspect of parenting, though many times overlooked, is the development of our own lives. "Getting your act together" is a constructive action to take. It is a burden for children to feel responsible for their parent's happiness. A decision to live rather than exist allows each person to be freed from this hardship. Consider the dreams you have for your life—attending college or learning a new language. List your goals, select one and outline a plan for pursuing that endeavor. Every effort we make toward self-improvement is an important goal. We teach our children volumes of valuable information when we set, and live, the example.
- Last, but certainly not least, work for genuine communication and cooperation with the other parent. This might require working through old hurts or grudges, but letting go of this pain will heal your life and empower your relationship with your children.

Creating and maintaining a healthy long-distance relationship with your child is possible, whether through web cams, email, hand-written letters or photographs sent through the mail. Even the most advanced technology is no substitute for actually being together, but with good intentions, honesty, patience and perseverance long-distance parents can construct and maintain healthy and loving relationships with their children.

Pamela Payne is a long-distance mother of two children and the author of Building a Bridge: A Divorced Parent's Guide to Long-Distance Loving. The book is available at www.buildingabridge.com. Jim Buie is the long-distance father of one and the creator of the website, www.longdistancefamilies.com, a resource that offers networking and support. The authors will be presenters at AFCC's 39th Annual Conference, June 5-8, 2002, on the Big Island of Hawaii.

Hon. Nancy Ann Holman, Former AFCC President

Former AFCC President Hon. Nancy Ann Holman of Seattle, Washington, passed away in her Seattle home in April at the age of 66 following a lengthy illness. In 1970 Judge Holman, at age 34, became the first woman member of the Washington Defense Lawyers and the first woman to sit on a Superior Court in the state of Washington.

Born in Adams, Massachusetts, Judge Holman graduated magna cum laude from Wheaton College in Norton, Massachusetts and earned her law degree from Boston College law school, graduating in

the top 5% of her class.

After working in corporate law, Judge Holman distinguished herself as a family court judge. She chaired the Juvenile, Family Law and Mental Illness Committee in the King County Superior Court.

Judge Holman was a long-time active member of AFCC. She served as president in 1981. She is survived by her husband, McDonald Sullivan, three children, three step children and nine grandchildren. AFCC offers condolences to the family.

Condolences

AFCC offers condolences to Executive Director Ann Milne on the recent loss of her mother, Erna Milne and her aunt Adelaide Wilke, to Board Member Eileen Pruett on the loss of her mother, Charlesette Pruett, and to Board Member Robert Barrasso on the death of his father, Hugh Barrasso.

The AFCC Kids Count Club gratefully acknowledges those who made memorial contributions in their honor.

Kristy Bradish
Doneldon Dennis
Karen Dorn
Denise McColley
Ann Milne
C. Eileen Pruett
Arline Rotman
Peter Salem
Cheryl Stinski

Kids Count Club Memorial Gifts

Many AFCC members have made contributions the Kids Count Club in memory of a loved one. If you would like to make such a contribution, please forward your donation to AFCC Kids Count Club, 6515 Grand Teton Plaza, Suite 210, Madison, WI 53719-1048. The Kids Count Club will send a card acknowledging your gift to the family of those being honored.



ACR Supports the UMA

The Association for Conflict Resolution (ACR) conditionally approved the Uniform Mediation Act (UMA) at its board of Directors meeting in April 2002.

The purpose of the UMA is to support the growth and development of conflict resolution by promoting uniformity of mediation across the states. The Act directly affects the work of mediators who practice in a variety of venues, many of whom are ACR members.

UMA legislation was originally promulgated by the National Conference of Commissioners on Uniform State Laws (NCCUSL) in 2001. ACR, through its NCCUSL Official Observers, Gregory Firestone and Dennis Sharp, participated in the NCCUSL UMA drafting meetings and asserted the importance of addressing ACR's 11 UMA Principles. After NCCUSL adopted the UMA in August 2001, ACR reviewed the final version, based on ACR's 11 UMA Principles. At this time, ACR supports the UMA with conditions related to confidentiality, impartiality and child protection mediation privilege. ACR Board members and volunteer leaders believe that these recommended modifications enhance the utility of the UMA, while maintaining its uniformity across the states.

To read the ACR UMA Resolution, go to <http://www.acresolution.org/research.nsf/key/UMAResolution>.

For more information concerning ACR's position on and recommended amendments to the UMA, please see the summary of ACR's UMA Principles, at <http://www.acresolution.org/research.nsf/key/UMAprinciples>, or contact ACR's Official UMA Observers, Dennis Sharp, Esq. (dsharp@jamadr.com) and Gregory Firestone, Ph.D. (firestoneg@aol.com). To read the final text of the UMA, go to <http://www.nccusl.org/nccusl/default.asp>.

ACR Endorses Model Standards of Practice for Mediators

The Association for Conflict Resolution Board of Directors has joined AFCC, the American Bar Association House of Delegates, the ABA Sections of Family Law and Dispute Resolution and numerous state and local mediation organizations in adopting the Model Standards of Practice for Family and Divorce Mediation.

"The Family Section Advisory Council of ACR believes that the Model Standards

are a great improvement over the previous standards and that they represent our members' values and will serve ACR well," said Paula J. Trout, Chair of the ACR Family Section.

The Model Standards resulted from a three-year collaborative project convened by AFCC, the ABA Family Law Section and the National Council of Dispute Resolution Organizations (NCDRO) which included the

Academy of Family Mediators (AFM), the ABA Sections of Dispute Resolution and Family Law, AFCC, Conflict Resolution Network (CREnet), the National Association for Community Mediation, National Conference on Peacemaking and Conflict Resolution (NCPCR) and the Society of Professionals in Dispute Resolution (SPIDR). AFM, CREnet and SPIDR have since merged to become the Association for Conflict Resolution.

Representing Children in High Conflict Families: An Interdisciplinary Perspective

by Willson A. McTavish, Q.C., LSM, Toronto, ON, Leslye L. Hunter, MA, LPC, New Orleans, LA and Hon. Hugh E. Starnes, Fort Meyers, FL

The manner in which children in high conflict families are represented in the legal and social service systems has been the subject of much discussion. The Family Law Section of the American Bar Association sponsored a symposium in 2000 which addressed these concerns.

Among the observations offered at that conference were the following:

- Affidavit wars between the parties should be discouraged.
- The specialized roles of judges, mental health and legal professionals and should be clarified.
- Judges benefit from information, opinions and recommendations on behalf of the child from both a legal and mental health professional.
- Many jurisdictions do not have adequate public resources to provide timely representation, advocacy, education, training and monitoring of the delivery of legal and mental health professional services on behalf of children. As a result, an undue financial burden is placed on many families when they are forced to rely solely on services provided by the private sector.
- Why is the child's legal representative unable to advocate as a *guardian ad litem* in some jurisdictions but not in others. How should the "best interests" of the child be advocated in court when they are at odds with the child's wishes, e.g. unsupervised access to a physically abusive parent?

AFCC's 38th Annual Conference in Chicago in May 2001 addressed some of these issues. Workshop participants attending "Representing Children in High Conflict Families: An Interdisciplinary Perspective" were asked to complete a questionnaire about the delivery of services by professionals representing children in high conflict families. The judges, lawyers, mental health professionals and volunteers who attended the workshop were asked practical questions about procedures for representing children, the availability of resources, accountability issues and models for assuring the best interests of the children in the process. Responses from thirty jurisdictions were received, analyzed and the data is reported on below.

Judging from personal communications and the wide variety of responses obtained, it is unlikely that the professionals and volunteers in the various jurisdictions are aware of the design of the various models being delivered in other jurisdictions. Attendees at the workshop agreed that the services offered to families are based upon the needs and legal interests of the children; but the way in which the children's best interests are assessed and addressed varied from jurisdiction to jurisdiction.

Summary of Survey Responses

1. Fifty percent of the thirty jurisdictions represented in the sample have unified family courts; the remaining 50% do not.
2. Legal Aid is available for family law cases in twenty-five (83%) of the thirty jurisdictions.
3. Financial legal aid eligibility criteria exist for those persons who earn less than \$20,000 US or who qualify under the 125% Federal Poverty Guidelines. The Public Guardian of Cook County, Illinois and the Children's Lawyer for Ontario do not charge a fee.
4. In two of the thirty jurisdictions surveyed, judges *do not* have the authority to appoint someone to represent the children.
5. In the thirty jurisdictions surveyed, the following persons are appointed to assist or represent the children:

Type of appointment	Number of jurisdictions in which appointment is made (n=30)	Percentage of respondents
Lay person/volunteer	6	20%
Mental health professional	4	13%
Lawyer	19	63%
Guardian ad litem	14	47%
Best Interest Guardian ad litem	11	37%
Law Guardian	2	7%
Attorney/Champion	3	10%
Attorney/Advocate	6	20%

6. Representatives and advocates for children are paid by parents (unless they qualify for court funding) or through state or county subsidized programs, i.e., a sliding fee scale for volunteer lay *guardian ad litem*, parenting coordinator, mental health professionals or lawyers. Fees for the non-volunteer representative of the child varies, ranging from \$25.00 US per hour in court to \$150 US per hour. One jurisdiction applies a ten-hour maximum.

7. Judges monitor the performance of the child representative in 16 jurisdictions (53%). Administrators monitor performance in eight jurisdictions (26%) and monitoring does not take place in six jurisdictions (20%).

8. Powers and duties of the child representative include:

Powers and duties of child representatives	Number of jurisdictions (n=30)	Percentage of respondents
Interviews the child, family members, teachers, doctors and other collateral sources.	28	93%
Prepares affidavits and court documents	22	73%
Prepares report for court	24	80%
Provides argument in court	24	80%
Provides evidence in court	26	87%
Must qualify as an "expert" in court before giving evidence	6	20%
Can appeal a court order/judgement	18	60%
Has a confidential relationship with the child	21	70%
Under obligation to report "abuse/negligence" to state agency	16	53%

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Family Court Review Update

Continued from page 1

The October 2002 issue of the *Review* will be a special issue on family law reform, with guest editor Professor Barbara A. Babb, director of the University of Baltimore School of Law Center for Families, Children and the Courts. This issue will include articles on 'Ohana Conferencing, the role of law schools on family court reform and the challenging issues in foster care and family courts.

Student Editors Selected for 2002-2003

The *Family Court Review* student editorial staff for the 2002-2003 academic year has been selected. All editors are students at Hofstra University Law School and work under the direction of *Family Court Review* Editor Andrew Schepard.

Managing Editor

Thomas Foley

Managing Editors of Articles

Teresa Campano

Betsey Walter

Articles Editors

Larry Musnik

Jared Rosenblatt

Karen Taverna

Notes & Comments Editors

Jamie Rowsell

Galit Moskowitz

Book Review Editors

Kevin Thurman

Renee Jamal

Essay Contest Editor

Scott Ginsberg

Electronic Resource & Web Page Editor

Matt Melnick

High Conflict Families

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Conclusion

The survey confirms the wide variety of views and approaches to the representation of children in high conflict custody cases. Factors influencing various perspectives may include professional training, experi-

ence and the standards of the community in which one practices. The opinions and advocacy of professionals are only as good as the resources available to help the family and children. Collaboration between professionals is essential in order to provide children the best representation and advocacy necessary to assure their best interests and secure adequate resources in our communities to provide these interdisciplinary child advocacy services.

AFCC Chapter Update

Continued from page 11

"State of the Art Alternatives to Standard Evaluations in Custody Assessment."

In September the NJ-AFCC is planning a presentation at Rutgers Law School, focusing on attorney Curt Romanowski's "Progressive Divorce" alternative to "Collaborative Divorce." This is the Chapter's first collaboration with a New Jersey law school.

On November 16, NJ-AFCC will be cosponsoring a two-day program entitled "Psychologists and Lawyers Working Together: Best Interests vs. Best Practice."

NJ-AFCC is also developing an e-mail format for all chapter members to discuss topics, ideas and proposals of mutual interest related to these kinds of issues.

that there was tremendous energy and momentum behind this idea. The dedicated steering committee consists of Steve Abel, Esq., Lauren Behrman, Ph.D., Glenn Dornfeld, Esq., Hon. Evelyn Frazee, Elayne Greenberg, Esq., Elaine Kirsch, Esq., Hon. Joseph Lauria, Paul Meller, Ph.D., Teresa Ombres, Esq., Hon. Jacqueline Silbermann, Sydell Sloan, MA., Hon. Elaine Stack, and Rodney Wells, MA.

A launch event has been scheduled for Tuesday, May 21 2002, beginning with a cocktail reception, at the offices of Orrick, Herrington and Sutcliffe LLP from 6:00-8:00pm. The featured speaker will be Hon. Evelyn Frazee. Justice Frazee will be speaking about the Parent Education Task Force report. Andrew Schepard and Andrew Phalen of Australia will also be speaking. There will be an opportunity for our committees to meet and organize after the cocktail reception.

The New York Committee plans to submit a letter of intent to the AFCC Board of Directors following the launch event, and hopes to be granted provisional chapter status. In anticipation, the first event as a provisional chapter is scheduled for November 2002. The full day conference will be built around the theme "New Innovations for Families and Children."

New York Launch Underway

by Lauren Behrman, New York Steering Committee

The New York Chapter of AFCC is moving at the speed of light. From the first organizational meeting following the New York Regional Conference it was clear



Upcoming Events

AFCC 39th Annual Conference

June 5-8, 2002
Hilton Waikoloa Village
The Big Island of Hawaii
www.afccnet.org

National Conflict Resolution Conference

Conflict Resolution Network Canada and
Family Mediation Canada
June 12-14, 2002
Charlottetown, Prince Edward Island, Canada
www.crnetwork.ca or www.fmc.ca

Second Annual International Conference Association for Conflict Resolution

August 21-24, 2002
Town and Country Resort and Convention Center
San Diego, California
www.acresolution.org

AFCC Florida Chapter Conference

October 25-26, 2002
Tampa Airport Marriott
Tampa, FL
www.flafcc.org or email: fieldston@aol.com

Fifth International Symposium on Child Custody Evaluations

November 7-9, 2002
Westward Look Resort
Tucson, AZ
www.afccnet.org

Fifth International Congress on Parent Education and Access Programs

November 10-12, 2002
Westward Look Resort
Tucson, AZ
www.afccnet.org

AFCC 40th Annual Conference

May 28-31, 2003
Westin Ottawa
Ottawa, ON, Canada
www.afccnet.org

AFCC 41st Annual Conference

May 12-15, 2004
Adam's Mark Hotel
San Antonio, TX