



**ASSOCIATION OF FAMILY
AND CONCILIATION COURTS**

Improving the lives of children and families
through the resolution of family conflict



March 2020
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A Message from the President and Executive Director

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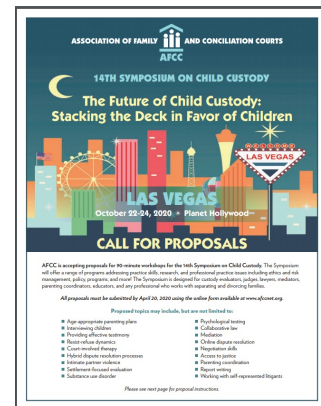
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Ask the Experts: 7 Tips for Family Law Practitioners in the Midst of the COVID-19 Pandemic

Kathleen McNamara, PhD, PLLC, and Lisa Hall, LMFT

With the rapidly spreading COVID-19 pandemic, legal professionals, family therapists, mediators, and parenting

14th Symposium on Child Custody



AFCC Chapter Conferences

Australian Chapter Annual Conference

July 16-18, 2020
Brisbane, Queensland

Florida Chapter Annual Conference

September 23-25, 2020
Orlando, Florida

Resource of the Month

Coronavirus Resources and Information

coordinators are assisting separated and divorced families who are navigating unprecedented circumstances and frightening uncertainties. Questions and significant dilemmas have rapidly emerged as statistics, information, and increasingly restrictive measures to contain the virus have evolved, sometimes by the hour, even as this article is being written. [Read more.](#)

AFCC has developed a curated collection of resources on its website, including articles by family law professionals on the COVID-19 outbreak, court closures, and more!

[Check it out!](#)

Seven Guidelines for Parents Who Are Divorced/Separated and Sharing Custody of Children During the COVID-19 Pandemic

Leaders from the American Academy of Matrimonial Lawyers (AAML) and AFCC

Last week, leaders of two prominent groups that deal with families in conflict, AAML and AFCC, released guidelines for coparenting in the midst of COVID-19.

1. BE HEALTHY.

Comply with all CDC and local and state guidelines and model good behavior for your children with intensive hand washing, wiping down surfaces and other objects that are frequently touched, and maintaining social distancing. This also means BE INFORMED. Stay in touch with the most reliable media sources and avoid the rumor mill on social media. [Read more.](#)

AFCC Partners with COPC and Nuffield Foundation for Training

by Teresa Williams, Board of Directors and Co-Chair, AFCC International Committee

In February 2020, AFCC was involved in co-hosting two events in Europe with the Col·legi Oficial de Psicologia de Catalunya (COPC). Both events focused on the challenges of working with families with complex dynamics, including parent-child contact problems (such as child resist/refuse dynamics) and persistent conflict. AFCC's President, Dr. Matt Sullivan, presented at both events. [Read more.](#)

Submit Your Proposal for the 14th Symposium on Child Custody!

AFCC is accepting proposals for 90-minute workshops for the [14th Symposium on Child Custody](#), October 22-24, 2020 at Planet Hollywood in Las Vegas. The Symposium will offer a range of programs addressing practice skills, research, and professional practice issues including ethics and risk management, policy, programs, and more!

The Symposium is designed for custody evaluators, judges, lawyers, mediators, parenting coordinators, educators, and any professional who works with separating and divorcing families.

All proposals must be submitted by **April 20, 2020** using the [online form](#).

[Learn more](#)

Notable Book Publication: *Theories of Change*

John Lande's new book, *Theories of Change for the Dispute Resolution Movement: Actionable Ideas to Revitalize Our Movement*, is now available online, free of charge. Lande collected 63 think pieces by 58 contributors, including sections on professional training and practice, the impact and use of technology, legal education, and more. [Read the book.](#)

AFCC Webinar Corner

How to Build a Problem Solving Family Court Within a Traditional Court from Scratch with No Money

Hon. Linda Fidnick

April 9, 2020 | 1:00-2:00pm Eastern Time US

Registration closes on Wednesday, April 8, 2020 at 9:00am Eastern Time.

A multi-disciplinary team-based problem-solving approach to resolving family conflict should be available as an option for all families experiencing divorce and separation within the traditional court system. In this webinar, Judge Fidnick will describe how this was accomplished in her court four years ago, how various obstacles to this departure from the traditional paradigm were handled, and she will report on the data gathered thus far. In addition, as part of the webinar package, viewers will be given copies of all forms, brochures, manuals, and other materials generated for the Family Resolution Specialty Court for use in their jurisdictions.



Registration

Members: \$15

Non-Members: \$50

Certificate of Attendance

Members: \$15

Non-Members: \$20

Attendees may purchase a certificate of attendance along with their registration. No refunds or credits will be issued if you are unable to attend the webinar.

Webinars will be archived as a member benefit, for personal use only. These can be found in the Member Center on our website. If you are not currently a member, join when you register to save \$10 off your first annual membership as well as webinar registration at the member price.

[Register today!](#)

Stay tuned for May's webinar:

[Mediation and IPV: What the Research Tells Us](#)

Amy Holtzworth-Munroe, PhD, and Amy Applegate, JD

May 6, 2020 | 1:00-2:00pm Eastern Time US

Registration opens April 8, 2020

AFCC Judicial Webinars

Family court judicial officers are frequently faced with issues that require proficiency in substantive issues that are typically associated with the mental health profession. To help bridge this gap, the Association of Family and Conciliation Courts has produced [a series of webinars](#) presented by interdisciplinary teams of judicial and mental health professionals and designed specifically for judicial officers. These webinars are provided free of charge.

This month's featured judicial webinar:

Children in the Court

Hon. Denise McColley and Mindy Mitnick, EdM, MA

Chapter News

Judge Mark A. Juhas is the new president of the California chapter of AFCC. Judge Juhas sits in a general family law assignment on the Los Angeles Superior Court and has done so since November 2002. He is the current Chair of the California Commission on Access to Justice. Further, he is a member of several committees for the Los Angeles Superior Court including immediate past chair of the Access and Fairness committee. For the Judicial Council he is currently on the California Center for Judicial Education and Research (CJER) Governing Committee and the Co-chair of the Family and Juvenile Advisory Committee; he was a member of the Elkins Family Law Task Force, Elkins Family Law Implementation Task Force, and Self- Represented Litigant Task Force. He recently received a lifetime achievement award from the Family Law Section of the State Bar and a Distinguished Service Award from the Judicial Council.



Nolanda Kirby is the new president of the Maryland chapter of AFCC. In her current position as a family law coordinator, she works with families that are separating or divorcing, and have child custody and visitation disputes; domestic violence; and/or child protection services issues and has trained professionals and laymen throughout Maryland on various topics. She earned a bachelor's degree in Psychology (College of Notre Dame in Maryland, 1992) and a master's degree in Criminal Justice (University of Baltimore, 1999). Nolanda is a clinically certified forensic counselor, mediator, and parenting coordinator. Nolanda presented at the International AFCC Conference in Toronto in 2019 on the voice of the child in court proceedings. Nolanda's organizational memberships include AFCC since 2006 and the National Association of Forensic Counselors since 2012. She serves as an ex officio member of CASA of Cecil County.



Member News

Hon. Emile R. Kruzick, AFCC member in Toronto, Ontario, Canada, was recently appointed by the Lieutenant Governor (in Council) of Ontario to serve on the Ontario Review Board. Established under the Criminal Code, the Ontario Review Board makes or reviews dispositions concerning any accused persons in respect of whom a verdict of not criminally responsible by reason of mental disorder or unfit to stand trial is rendered. The Board, comprised of legal and mental health professionals together with lay individuals sits throughout the year and hears proceedings in various parts of the Province of Ontario. Judge Kruzick maintains a mediation and arbitration practice with Amicus Chambers in Toronto.



Do you have a notable achievement to share? Email [Gina Wentling](#) with your story and a professional head shot (JPEG or PNG preferred), if you have one, to be featured in next month's Member News!

Where in the World is AFCC?

Where do you wear your AFCC hat(s)? Share it with your AFCC colleagues! Post your picture in an AFCC hat on social media using [#AFCCChats](#) [#whereintheworldisAFCC](#). Email your photo to afcc@afccnet.org with a subject line “AFCC hats.”



President Matthew Sullivan and Executive Director Peter Salem at La Sagrada Familia in Barcelona, Spain.

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, case law and research updates, international news, and the latest initiatives in family law and conflict resolution. The *AFCC eNEWS* is free and you do not need to be a member of AFCC to subscribe. [Subscribe here.](#)

AFCC members are free to share eNEWS content.

EDITOR:

[Leslye Hunter](#)

ASSOCIATE EDITOR:

[Gina Wentling](#)





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A Message from the President and Executive Director

Matt Sullivan, AFCC President and Peter Salem, AFCC Executive Director

It seems as though it has been weeks since March 16, when we wrote to AFCC members that the 57th Annual Conference in New Orleans would not take place. Since then, the AFCC staff has continued operations from multiple locations, AFCC leadership has been on email nonstop, and we have been responding to inquiries, preparing contingencies, and plotting the future, as much as possible.

What we have learned in the last week is how enormously supportive, gracious, and understanding AFCC members are. We cannot count the number of emails, phone calls, and texts we have received, many including offers to help. It is clear that you have our backs and AFCC's future in mind as we face COVID-19's unique challenges, and we are incredibly grateful to all of you for both.

Even as things change on a daily basis, we have developed a set of initiatives to adapt to these changes, and we want to share with you everything that the AFCC team has done and that which lies ahead.

- The staff is busy facilitating communication, managing membership issues, processing New Orleans refunds (thank you for your patience!), and gearing up the online presence and resources.
- AFCC partnered with the American Academy of Matrimonial Lawyers with input from the National Council of Juvenile and Family Court Judges to develop [Seven Guidelines for Parents Who Are Divorced/Separated and Sharing Custody of Children During the COVID-19 Pandemic](#), which has gone viral (no pun intended).
- AFCC developed [a web page for Coronavirus information and resources](#).
- We have posted a [Shelter-in-Place web page](#) to provide professionals with educational activities.
- We presented a scheduled webinar, and special thanks to Larry Braunstein for filling in at the last minute for Annette Burns.
- We have planned a series of online facilitated sessions, in partnership with We have posted a Shelter-in-Place web page to provide professionals with educational activities

OurFamilyWizard.com and Soberlink, to discuss new challenges and questions AFCC member are confronting in their practices.

- We are planning a series of webinars on the New Orleans conference theme, that will take place during May and June. We are excited that several authors from the soon to be released April 2020 Special Issue of *Family Court Review*, **Parent-Child Contact Problems: Concepts, Controversies & Conundrums**, have agreed to present webinars that will expand on their articles.
- We are renegotiating with the Marriott in New Orleans and planning to return in May 2025.
- Meanwhile, the Conference Committee is making plans for the Las Vegas conference next fall. We are being optimistic, so if you have some time on your hands, think about [submitting a proposal](#).

It turns out you can get a lot accomplished without clients, meetings, and outside of the normal routine and as we shift our engagement almost exclusively to internet-based contact. Even the US Congress appears to be acting in a bipartisan manner... at least somewhat.

We understand that we may be a long way from business as usual, but our goal is to continue to be a resource, to connect AFCC members to one another, and to make sure that you get your *Family Court Review*, webinars, *AFCC eNEWS*, conferences (eventually), and whatever else you need.

Finally, a very special shout out to the AFCC staff, who, as always, are stepping up to the plate: Leslye Hunter, Associate Director; Dawn Holmes, Director of Operations; Kelly Bienfang, Operations Administrator; Gina Wentling, Communications Coordinator; and, Patrick Sommer, Program Assistant. Feel free to contact the office if you need assistance, and please know how lucky AFCC members are to have such a dedicated and responsive team.

Take care of yourselves; things will likely get worse before they get better.



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7 Tips for Family Law Practitioners in the Midst of the COVID-19 Pandemic

Kathleen McNamara, PhD and Lisa Hall, LMFT

With the rapidly spreading COVID-19 pandemic, legal professionals, family therapists, mediators, and parenting coordinators are assisting separated and divorced families who are navigating unprecedented circumstances and frightening uncertainties. Questions and significant dilemmas have rapidly emerged as statistics, information, and increasingly restrictive measures to contain the virus have evolved, sometimes by the hour, even as this article is being written.

To help families avoid becoming infected and spreading the virus, while striving to adhere to court ordered parenting plans—that were written for a context much different from the current one—we offer the following 7 tips:

1. **Provide accurate health and safety information.** Perhaps the single most important way to assist families and children is to ensure that they have access to accurate information about how the virus spreads and effective health and safety protocols. Refer parents to reliable public health websites, information sources, and local resources. Educate parents who are confused, misinformed, or dismissive of the seriousness of the virus. Urge parents to follow recommended guidelines and local restrictions to ensure their own, their children's, and others' safety. Armed with this information, most parents will navigate this difficult time without a great deal of conflict and may even cooperate in ways they never have before.
2. **Help families apply recommended or required safety protocols.** Discuss with parents how to specifically apply public health information to their particular family situation. Help translate general advice, such as “social distancing,” into behaviorally specific actions, such as no play dates, dining out, social gatherings, or unnecessary travel until restrictions are reduced or have ended. Remind parents that what one parent does or doesn't do in their household can endanger the members of the other household, as well as those outside of the household. That said, help parents accept that the safety measures in their home may not be identical to the practices in the other home, and that does not necessarily mean that the other home is not safe; circumstances in the two homes may be different, and therefore safety measures may be different. Encourage parents to help their children understand and accept

these differences, and help parents come up with creative solutions to emerging issues. Help parents plan for childcare, should one of them or their children become ill with the virus.

3. **Foster good parenting.** Remind parents of the importance of maintaining high-quality parenting. Warmth and patience may run low as pressures mount, but children especially need their parents' emotional understanding and support in difficult and frightening times. Remind parents to monitor and regulate their own emotional states and avoid over-exposing their children to their fears and anxieties. Many children and teens are dealing with losses and disappointments related to cancellations of important events which may feel monumental to them. Limitations on social interaction and changes in routines may also be challenging for children. They also may experience fear of the virus and uncertainty about the future. Check in with them about what they are hearing and feeling, and provide age-appropriate, accurate information. Validate their feelings, while helping them put their losses in perspective, and help them employ coping skills to foster resiliency. Urge parents to limit their children's exposure to news coverage of the pandemic and to develop some structure for daily life, including routine for schooling, exercise, chores, play time, safe socializing, outdoor time, and screen time.
4. **Stick to the parenting plan, if possible.** Help parents adhere to their parenting plans. Remind them that court orders stand unless they mutually agree to changes. If parenting plan adjustments are necessary, such as video contact in lieu of in-person time, assist parents in reaching mutual agreements and put those agreements in writing. If a parent's parenting time is paused, specify for how long and the ways in which the children will keep in touch with that parent, such as calls, texts, video, online games, reading over video, and so forth. If a parent has safety concerns about the children spending time in the other home, it may help to specify safety measures that will be practiced in each home. If that is not workable, help the parent who has the safety concerns to accept that the other parent is responsible for the children's safety during their parenting time. If a parent's safety concerns are serious enough, they may seek an emergency order and/or contact child protection agencies if there is reasonable suspicion of child abuse/neglect. Remind both parents that their decisions and actions during this time may be judged later by a judicial officer or child custody evaluator.
5. **In the event of parental conflict, consider ADR.** Attorneys are often the first responders when conflicts arise between coparents and may be able to resolve the issues quickly and reach stipulations. If more intervention is needed, encourage parents to consider alternative dispute resolution processes. Many courts are not available, except for emergencies. Mediators, family therapists, parenting coordinators, and out-of-court decision-makers can assist with resolving parental conflicts.
6. **Encourage parents to take care of themselves.** Talk to parents about the importance of maintaining not only their physical health, but their mental health. Things may get worse before they get better. Refer parents to mental health professionals or other support people who can help them learn skills and strategies to take care of themselves and model resiliency for their children. They may even include their children in the healthy practices they learn. This is critically important for parents who may be prone to anxiety, depression or other mental health conditions. There are also innovative resources available online.

7. **Empathize with distressed parents and be a leader.** Many divorced and separated parents are in extremely tough family situations and need support, empathy, and leadership from the professionals with whom they work. They may be in a non-cooperative, strained coparent relationship that creates tremendous anxiety about their ability to protect their own health and that of their family members, and minimizes their sense of self-determination. Listen, have patience, and empathize with the fears and risks this pandemic brings for them. Assist parents in reaching resolutions that are consistent with public health recommendations to protect the health of all family members. Do it sooner than later. Send the message that during a pandemic there are things we all must do, sacrifices we all must make, for our own and others' safety. The adjustments are temporary.

Kate McNamara, PhD is a psychologist in private practice in Fort Collins, Colorado. She received her master's in counseling from Ohio State and doctorate in counseling psychology from Penn State. She was a tenured associate professor of psychology at Colorado State University before devoting herself to full-time practice. She specializes in working with high conflict families. Dr. McNamara is a past president of the Colorado Chapter of AFCC and remains involved in program planning and chapter development. She also serves on the AFCC Resource Development committee, Chapters committee, and Continuing Education for Psychologists committee. She is a past chair and current member of the Colorado Psychological Association Ethics Committee.



Lisa Hall is a Licensed Marriage & Family Therapist in Boulder, Colorado, and has been practicing for almost 25 years. She is currently in private practice and works with children, adults and families with various issues, however, her life work has been advocating for children. She has been working with divorced families, assisting co-parents and their children, for the bulk of her career. She has specialized training in working with high-conflict divorce. Lisa is married with two teenage sons.





FOR IMMEDIATE RELEASE.

Patricia Bernstein

713.838.8400

pbernstein@bernsteinandassoc.com

**SEVEN GUIDELINES FOR PARENTS WHO ARE
DIVORCED/SEPARATED AND SHARING CUSTODY OF CHILDREN
DURING THE COVID19 PANDEMIC**

From the leaders of groups that deal with families in crisis:

Susan Myres, President of American Academy of Matrimonial Lawyers (AAML)
Dr. Matt Sullivan, President of Association of Family and Conciliation Courts (AFCC)
Annette Burns, AAML and Former President of AFCC
Yasmine Mehmet, AAML
Kim Bonuomo, AAML
Nancy Kellman, AAML
Dr. Leslie Drozd, AFCC
Dr. Robin Deutsch, AFCC
Jill Peña, Executive Director of AAML
Peter Salem, Executive Director of AFCC

1. BE HEALTHY.

Comply with all CDC and local and state guidelines and model good behavior for your children with intensive hand washing, wiping down surfaces and other objects that are frequently touched, and maintaining social distancing. This also means BE INFORMED. Stay in touch with the most reliable media sources and avoid the rumor mill on social media.

2. BE MINDFUL.

Be honest about the seriousness of the pandemic, but maintain a calm attitude and convey to your children your belief that everything will return to normal in time. Avoid making careless comments in front of the children and exposing them to endless media coverage intended for adults. Don't leave the news on 24/7, for instance. But, at the same time, encourage your children to ask questions and express their concerns and answer them truthfully at a level that is age-appropriate.

3. **BE COMPLIANT** with court orders and custody agreements.

As much as possible, try to avoid reinventing the wheel despite the unusual circumstances. The custody agreement or court order exists to prevent endless haggling over the details of timesharing. In some jurisdictions there are even standing orders mandating that, if schools are closed, custody agreements should remain in force as though school were still in session.

4. **BE CREATIVE.**

At the same time, it would be foolish to expect that nothing will change when people are being advised not to fly and vacation attractions such as amusement parks, museums and entertainment venues are closing all over the US and the world. In addition, some parents will have to work extra hours to help deal with the crisis and other parents may be out of work or working reduced hours for a time. Plans will inevitably have to change. Encourage closeness with the parent who is not going to see the child through shared books, movies, and games, and communication through FaceTime or Skype.

5. **BE TRANSPARENT.**

Provide honest information to your co-parent about any suspected or confirmed exposure to the virus, and try to agree on what steps each of you will take to protect the child from exposure. Certainly both parents should be informed at once if the child is exhibiting any possible symptoms of the virus.

6. **BE GENEROUS.**

Try to provide makeup time to the parent who missed out, if at all possible. Family law judges expect reasonable accommodations when they can be made and will take seriously concerns raised in later filings about parents who are inflexible in highly unusual circumstances.

7. **BE UNDERSTANDING.**

There is no doubt that the pandemic will pose an economic hardship and lead to lost earnings for many, many parents, both those who are paying child support and those who are receiving child support. The parent who is paying should try to provide something, even if it can't be the full amount. The parent who is receiving payments should try to be accommodating under these challenging and temporary circumstances.

Adversity can become an opportunity for parents to come together and focus on what is best for the child. For many children, the strange days of the pandemic will leave vivid memories. It's important for every child to know and remember that both parents did everything they could to explain what was happening and to keep their child safe.

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Teresa Williams, Board of Directors and Co-Chair, AFCC International Committee

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It was wonderful to hold a first European conference in mainland Europe, in the beautiful city of Barcelona. The program was attended by around 200 professionals from a range of disciplines: psychologists, legal professionals, judges, social services, and academia. There was also good representation from beyond Spain and the US, with delegates from Italy, France, England, and Israel. Communication was greatly assisted by superb simultaneous translation between Spanish and English.

Among other things, we learned from early experiences in Catalonia and other Spanish regions about the experience of adapting parenting coordination and the English response to working with the increasing proportion of court involved families stuck in persistent conflict – through the development of court-based coparenting programme, and wider system reform. We also enjoyed a very stimulating presentation from Matt Sullivan on understanding and assessing child resist/refuse dynamics, and interventions to respond.

A few days later, similar themes were tackled at a seminar at the Nuffield Family Justice Observatory in London with a smaller number of family justice professionals in England and Wales. Early analyses of newly available national data from England and Wales were shared on the numbers and characteristics of families seeking to resolve disputes over child arrangements in the family courts.

This provided a valuable backdrop to a more in-depth presentation by AFCC member Sarah Parsons of the Cafcass Positive Coparenting Programme – a structured intervention that has been developed to work with parents in persistent conflict and encourage them to refocus their attention on their children. A key question is whether and how to extend this intervention in England and Wales as part of a wider reform programme.

Senior members of the working group considering reform options welcomed the opportunity to learn from the experience of Dr. Matt Sullivan working with children who resist and refuse contact with a parent. Of particular interest were compulsory mediation and parenting programmes prior to court applications, the emerging model for understanding child resist-refuse dynamics; and the operation of parenting coordination.

A number of new members to AFCC were recruited at each event and we hope to welcome a few of them to future AFCC events. Huge thanks to Dr. Connie Brophy, Yolanda Garcia, and Teresa Moratella (COPC, Barcelona) and to Rob Street, Lisa Harker, and Molly Imrie (Nuffield Foundation, London) for their roles in making these events happen.

Teresa Williams, MSc, Board of Directors and Co-Chair of AFCC International Committee, holds an MSc in Social Research Methods & Statistics from City University, London. She is a Fellow of the Academy of Social Sciences in the UK. Ms. Williams is currently Director of Strategy at the Children & Family Court Advisory and Support Service (Cafcass) in England. Prior to joining Cafcass, she spent 6 years as Director of Justice & Welfare at the Nuffield Foundation, a private charitable trust in London which funds social science research to advance social wellbeing. There, she spearheaded the creation of the Nuffield Family Justice Observatory and now sits on its Board. The Observatory was created to support the best possible decisions for children by improving the use of data and research evidence by family justice professionals in England & Wales. Before that, Ms. Williams spent 20 years as a social policy analyst in a range of government departments, with her last role being Chief Social Researcher at the Ministry of Justice where she was also Head of the Access to Justice unit within Analytical Services. Ms. Williams was a member of the AFCC Task Force on the Use of Social Science Research in Family Law and is co-chair of AFCC's International Committee.

