

## Conference Program Description

**Association of Family and Conciliation Courts**  
California Chapter Annual Conference  
*EVOLUTION AND INNOVATION: The Art and Science of*  
*Solutions for Families in Conflict*  
February 2-4, 2018

### **PRE-CONFERENCE INSTITUTES (Feb. 2<sup>nd</sup>, 12:30pm to 4:45pm):**

#### **Institute One**

#### **Deconstructing the Process of Decision-Making in Family Law and Dependency Court Matters**

**Presenters:**

**Philip M. Stahl, Ph.D., ABPP, Hon. Mark Juhas, Michael Kretzmer, JD, CFLS**

The theme of this conference is “The Art and Science of Solutions for Families in Conflict”. This presentation takes the reality that family law practitioners, including judges, attorneys, child representatives, child custody evaluators, mediators, and others make decisions daily, but rarely think about the process. Recognizing that conflicted families are complex, and the dynamics are often challenging, this workshop will deconstruct the process of decision-making and identify the factors that may interfere with impartiality when making decisions for the families that we serve.

**Learning Objectives:**

Attendees at this program will be able to:

- 1) Understand and manage the threats to fairness, impartiality and neutrality in family law work
- 2) Recognize the need to embrace complexity and consider **all** relevant family issues rather than a “single story”
- 3) Manage the impact of our own values, experiences, and feelings when formulating conclusions and making recommendations and decisions in family law matters

#### **Institute Two**

#### **Managing Special Needs Issues in the Context of Child Custody Disputes – Practical Strategies, Early Intervention**

**Presenters:**

**Lyn. R Greenberg, Ph. D., ABPP, Eve Lopez, JD, CFLS, Hon. Dianna J. Gould-Saltman**

As the rate of children diagnosed with special educational, medical, or psychological needs increase, so does the frequency of these disputes in custody litigation. Disputes over diagnoses and treatment plans often manifest in disputes about whether diagnoses are being used or misused to influence the feasibility of shared parenting plans.

Via an in-depth demonstration and case discussion, this institute will address an innovative, early intervention approach to managing children’s special needs within the context of parental conflict. Issues addressed will include: interaction with educational and medical systems including professionals unfamiliar with family law, resources and limitations of the legal system, addressing time-sensitive decisions and maximizing each parent’s ability to contribute his/her strengths and resources. Relevant research regarding the risks and benefits of assumptions about feasible parenting plans will be discussed as will management of these issues after a parenting plan is determined.

**Learning Objectives:**

1. Participants will be able to identify three potential impacts on custody litigation when children are diagnosed with educational, medical, or psychological issues needing intervention.
2. Participants will be able to identify practical strategies for supporting intervention with children and families, without compromising external investigations or evaluations.
3. Participants will be able to identify strategies for effective interaction among professionals from various disciplines, including interface with the court if necessary, to support the needs of the child before, during and after any litigation.

***Institute Three***  
**Practical Issues in Family Violence Cases**

**Presenters:**

**Leslie Shear, JD, CFLS, Robert Simon, Ph.D.**

Join a psychologist and a lawyer for a pragmatic, interdisciplinary look at some challenging aspects of family violence practice including interviewing and information-gathering, dangerousness and lethality assessment, family violence in upscale families, family violence and international child custody, effectiveness of educational and therapeutic interventions, suicidal behavior in young children, digital family violence, and references and resources for evidence-informed practice. The institute will also include a legal update for California practitioners.

**Learning Objectives:**

Participants will:

1. Improve their interviewing and information-gathering skills in family violence cases
2. Recognize and understand specialized family violence issues including lethality and dangerousness, suicidal behavior in young children, and family violence in international custody cases;
3. Develop familiarity with recent developments in California family violence law.

**WELCOME & PLENARY ONE (Feb. 2<sup>nd</sup>, 5:30pm to 7:15pm):**

**Forgive for Good: The Stanford Forgiveness Project and Applications with Divorced Families**

**Presenter:**

**Frederic Luskin, Ph.D.**

The research on forgiveness shows almost all positive results for physical, emotional and relationship health. Forgiveness is part of the emerging field of positive psychology with its emphasis on human strength and goodness and fostering the relationship between positive mental and physical wellbeing. The Stanford Forgiveness Projects have taught forgiveness worldwide, through their research-tested 9-step model. This plenary will describe the model as well as explore the research that informs it. In addition, the plenary will discuss application of the model for individuals who have gone through separation, divorce and family reorganization and for professionals who work with these families.

**Learning Objectives:**

Participants will...

1. Understand the relationship between stress and ability to forgive
2. Know how to use forgiveness tools for self-care
3. Recognize when a client may be ready to engage in a forgiveness discussion

## **PLENARY TWO (Feb. 3<sup>rd</sup>, 8:30am to 10:30am):**

### **Current Trends in Family Law: An Update of the Social Science and Legal Literature**

**Presenters:**

**Michael A. Saini, Ph.D., MSW, RSW, Hon. Mark Juhas**

This presentation will highlight the results of an environmental scan of published empirical studies in the social sciences and a thematic presentation of the legal cases in California. The goal of the presentation is to provide participants with current trends, emerging issues and ongoing debates that have occurred in the past five years to enhance evidence-informed decision making with families involved in family law matters. By identifying international trends in the social sciences and local legal cases, the scan will inform the issue of relevance, ongoing needs and gaps in the family justice framework.

**Learning Objectives:**

This plenary will help participants:

1. To identify current trends in the social sciences and legal cases
2. To be better informed about the current psycho-legal issues impacting children and families involved in family law.
3. To identify ongoing needs, debates and gaps in empirical evidence to inform practice with children and families involved in family law matters.
4. To integrate an evidence-informed approach to decision making regarding children and families involved in family law issues.

## **SATURDAY MORNING WORKSHOPS (Feb. 3<sup>rd</sup>, 10:45am to 12:15pm):**

### **Workshop One**

#### **I've Just Taken on Another Reunification Case. WTF (Where's the fun?!)**

**Presenters:**

**John A. Moran, Ph.D., Hon. Marjorie Slabach, Comm. Ret.**

Not your average reunification presentation of lofty, but difficult-to-apply, theoretical ideas. Watch a team approach with the legal professional and the therapeutic professional as they create a stronger more practical treatment plan. This institute (workshop) will focus on practical applications based upon the Overcoming Barriers Model. You will learn specific intervention strategies and techniques you can utilize in your therapeutic or legal practice tomorrow. Of course, you will also learn some of that lofty theoretical stuff to support your use of these strategies!

**Learning Objectives:**

1. Attendees will receive multiple practical tools that can be immediately applied in a therapeutic or legal practice for reunification cases.
2. Attendees will learn how to structure an intake interview and assessment for reunification cases.
3. Attendees will be able to identify various cognitive distortions that interfere in co-parenting

## **Workshop Two**

### **Teens Looking Back at Family Change: What Worked and What Could Have Been Better**

**Presenters:**

**Ellen Bruno, MA, Christina McGhee, MSW**

Ellen Bruno has created a sequel to the award-winning film SPLIT. SPLIT UP follows the 12 children who shared their stories of their parent's separation in SPLIT – now 5 years after the initial interviews. How have these kids fared years later? What has best served them and what has been most problematic, as they grow older in a divided family?

This session will begin with a 30 minute screening - a compilation of the children in their younger years and now in their teen years, organized thematically around the 4-5 issues which present themselves most strongly in the material. (This film is available for review on request.) We will then allow 15 minutes for questions and discussion of the material. The session will then turn to practical ways these children's experiences can be of use to collaborative teams, mental health professionals and court staff. 3 or 4 attendees will outline ways they have used SPLIT with clients, and the presenters will highlight ways the material is being used with great success throughout the country, as a tool to encourage parents to bypass litigation, to better understand the implications of their decisions as they separate, and within the court systems if parents take that path.

**Learning Objectives:**

By the end of the session, participants will be able to:

1. Discuss the material presented in the session – and the specific ways the children – as teens- describe their experiences and how their relationships to their parents, their schedule, and their loving situations has changed over time.
2. Describe practical ways SPLIT can be used in by divorce professionals, and ways it is being successfully used throughout the country.
3. Have participants discuss ways they can incorporate the perspectives of children to better meet their goals.

## **Workshop Three**

### **Forgiveness Can Have a Heroic Impact - But We Can't Order It**

**Presenters:**

**Albert R. Gibbs, Ph.D., Hon. Harvey Silberman, Merlyn N. Hernandez, Esq., CFLS**

*"I can't stop feeling you so I've made my mind we'll live in misery till the end of time."* Forgiveness can be considered a decision to give up grievances, and release vengeful and angry feelings and motives toward a person who hurt you, or more simply, "the ability to remain at peace when one is unable to get what one wants." While forgiveness can be transformative for litigating co-parents, following court hearings, parents typically are not interested in forgiving or attending classes, especially not with their ex. Our interdisciplinary panel will demonstrate how despite these initial resistances, the Court, and family law professionals can utilize psycho-educational classes, which are financially feasible for most parents, to start working alliances in pursuit of forgiveness. The panel will discuss the impact of co-parents attending together, goals that attorneys can encourage, expectations and accountability the Court can enforce, and describe structured group assignments and discussions that can encourage investments in forgiving among litigating parents in ways often difficult to accomplish in individual, co-parent or family counseling.

**Learning Objectives:**

1. Participants will learn specific court orders that motivate constructive efforts in psycho-educational classes.
2. Participants will learn expectations of participation for which parents need to be held accountable.
3. Participants will learn a sequence of structured group exercises, homework and discussions for acknowledging, expressing and regulating feelings about grievances.

**Workshop Four**

**When Resistance is Justified - Assessment and Treatment of Estrangement in Parent / Child Contact Problems**

**Presenters:**

**Susan Stahl, LMFT, Andrea Gardinier, LMFT, Shawn McCall, Psy.D., Matthew Sullivan, Ph.D.**

Children may resist contact with a parent for justifiable reasons. Estrangement in families is often explained as outcomes from harsh punishment, emotional and/or physical abuse mental illness, domestic violence, and other trauma. Presenters will discuss how to identify, analyze, assess, and treat estrangement in child custody disputes, as well as how to utilize assessment tools, compile data, and collaborate with non-forensic mental health professionals, attorneys and Family Court professionals to optimize positive outcomes in reconnecting families. The presentation will also focus on differentiation between a child's distress and re-traumatization that may occur during the process of reconnecting with the estranged parent.

**Learning Objectives:**

Upon the conclusion of this workshop, participants will be able to:

1. Identify, analyze, and assess parent/child contact problems that stem from estrangement – when a child has been separated from a parent, in the context of a child custody dispute, due to that parent's behavior (substance abuse, mental illness, harsh discipline, physical and emotional abuse, etc.).
2. Devise a treatment plan that includes steps toward building or repairing the estranged relationship.
3. Identify challenges and collaborate effectively with non-forensic mental health professionals, attorneys, and Family Court professionals.

**LUNCHEON & DROWN AWARD (Feb. 3<sup>rd</sup>, 12:30pm to 1:15pm)**

**PLENARY THREE (Feb. 3<sup>rd</sup>, 1:15pm to 2:45pm):**

**Making it Better for Children: Psychoeducation for High Conflict Coparents**

**Presenter:**

**Robin M. Deutsch, Ph.D, ABPP**

There is a robust body of research detailing the negative developmental, emotional, behavioral and academic effects of high conflict between parents on children. William James College's three-year-old psycho-educational program for high conflict parents consists of 27 hours of class time (nine three-hour evening sessions), mandatory attendance of both parents together at all nine sessions taught by a gender mixed and interdisciplinary two-person team of facilitators. The structure of the program, skills taught, and techniques used to maximize participation and positive outcomes will be reviewed, as well as results of pre-post surveys and preliminary results of follow-up contacts with participants.

**Learning Objectives:**

1. Participants will identify components of a coparenting program that address dynamics of high conflict.
2. Participants will be able to use an exercise that is part of the William James high conflict parent education program.
3. Participants will review results of pre and post test data of participants in the WJC high conflict parent education program.

**SATURDAY AFTERNOON WORKSHOPS (Feb. 3<sup>rd</sup>, 3:00pm to 5:00pm):**

**Workshop Five**

**Psychological Testing in Family Law Matters: Rumors of Its Demise Are Greatly Exaggerated**

**Presenters:**

**Daniel B. Pickar, Ph.D., ABPP, Robert L. Kaufman, Ph.D., ABPP, Hon. Shelly Averill, Emily Vance, JD, CFLS**

Psychological testing can yield important information about personality characteristics that underlie sound or ineffective parenting, which may not be evident from interview or parent-child observation alone. Yet, in spite of the many advances in test development to improve validity and reliability, controversy remains about the use of psychological testing in family law evaluations. This workshop will discuss both the best use and misuse of psychological testing, as well as the risks of not using relevant assessment instruments to help the court understand how psychological functioning may impact parenting capacities. Emphasis will be placed on the use of psychological testing as part of a multi-modal approach. Judicial and legal perspectives regarding how testing can contribute to settlement or decision-making will be addressed, along with how test results may be misused or misunderstood in court.

**Learning Objectives:**

1. Participants will be able to list the types of psychological constructs that psychological tests can examine, which relate to sound or ineffective parenting.
2. Participants will be able to describe the psychological tests most commonly used in family law cases, which have the best validity and reliability.
3. Participants will describe how psychological testing can be used effectively in multi-modal assessments of parents, when considered with other sources of data (i.e., interviews, parent child observations, collateral sources of information, historical information).
4. Participants will be able to discuss the benefits and drawbacks of psychological testing as perceived by judicial officers and family law attorneys.

**Workshop Six**

**Technology, Apps & Ethics: Using Technology To Effectively, Efficiently and Ethically Help Today's Parents**

**Presenters:**

**Julia F. Weber, JD, MSW, Hon. Sherrill Ellsworth, Ret., Jonathan Verk, co-founder/CEO, coParenter, Hon. Harvey Silberman**

Millennials are the largest, most populous generation in American history, outpacing baby boomers, gen x and gen y by over 30%. While the group is not monolithic, these connected, digital natives are driving seismic change in every industry, sector and community. It is increasingly clear that as Millennials

approach their age of 'conscious uncoupling', family law courts and practitioners will be expected to meet the expectations of this demanding, discerning generation. Websites, mobile apps and artificially intelligent innovations are being developed for parents and professionals to meet the needs of these families, yet very little guidance has been offered as to how to determine what innovations might be most appropriate in a particular situation. This workshop will provide information on generational trends, characteristics and expectations and attendees will learn how private practitioners, including mediators, attorneys, and evaluators, and courts can increase legal, judicial, mental health, mediation, and self-help efficiencies and provide more responsive services in family law matters.

***Learning Objectives:***

By the end of this workshop, participants will be able to:

- Describe the significance of the millennial demographic as parents accessing mediation and related family law services;
- Apply information on promising, innovative practices that can help coparents and children; and
- Utilize improved court and private practice procedures, including appropriate uses of technology, in child custody matters to improve efficiency and effectiveness.

## **Workshop Seven**

### **An Inside-Out Perspective of Children Who Resist or Refuse Contact with a Parent**

***Presenters:***

**Dorie A. Rogers, JD, CFLS, Leslie M. Drozd, Ph.D., Jorge Galindo, Psy.D., Hon. Lon Hurwitz**

Can we unlock the paralysis of polarization of families when there is no clear consensus among professionals on how to resolve it? Clinicians, attorneys and judges are increasingly challenged with managing highly conflicted families with children who resist or refuse contact with a parent. An increasing reduction of court resources, including limited court time and delays in obtaining orders, contribute to the parties' intractable positions with children caught in the heart of the conflict. Whether the origin of resistance/refusal stems from domestic violence, alienation, inadequate parenting, enmeshment or restrictive gatekeeping, professionals continue to seek family-focused solutions providing recommendations that serve as a basis for the court to craft orders that ensure compliance and better outcomes for families. The panel will discuss focused clinical assessment, address reunification models, discuss early legal intervention strategies, and examine necessary professional collaboration. Participants will learn about children's historical perspective of having experienced alienation and gain a deeper understanding of their experience.

***Learning Objectives:***

Participants will:

1. Increase understanding and identification of each parent's and child's contribution in the family dynamic giving rise to the resistance/refusal/alienation of the child.
2. Develop mental health assessment method(s) of the resistance/refusal/alienation dynamic within the family.
3. Acquire legal strategies for implementing a family-focused treatment plan supported by judicial orders
4. Gain insight into the psychological impact on children from actual cases who have experienced alienation and court intervention.

## **Workshop Eight**

### **Extreme Situations Call for Extreme Measures: When a Restraining Order Is Not Enough**

***Presenters:***

**Frank Davis, Ph.D., Deborah Wald, JD, CFLS, Bisa French, Richmond Assistant Police Chief, Jennifer Bawden, Manager of the Safe at Home Program**

This program provides information on resources available when measures beyond a restraining order are needed, including participation in the Safe At Home program, criminal prosecution and, in the worst cases, involuntary termination of parental rights. Many of the response protocols put in place by our family courts are aimed at preservation of the family, but in extreme cases this might not be in the best interest of the child. Our speakers will discuss the tools available to protect children exposed to IPV, and will explore the involuntary termination of parental rights from both a legal and psychological perspective.

***Learning Objectives:***

1. Participants will gain knowledge of the legal and psychological factors pertaining to family law cases that involve the involuntary termination of parental rights.
2. Participants will gain knowledge of the resources available to children and families wherein extreme IPV is a factor.
3. Participants will learn how to make child's best interests determinations in family law cases that involve extreme IPV.

### **PLENARY FOUR (Feb. 4<sup>th</sup>, 8:30am to 10:30am):**

#### **Understanding the (Big) Challenges of “Blended Family” Relationships: What Works and What Doesn’t**

***Presenter:***

**Patricia L. Papernow, Ed.D.**

Stepfamily relationships saturate the practices of lawyers, therapists, judges, mediators, and collaborative law practitioners. Stepfamily members and those who want to help are faced with “resistant” children, major differences over parenting and discipline, confusion about stepparent roles, not to mention complex co-parenting challenges. What works is often not intuitive and relying on first-time family models is misleading and often destructive. Dr. Papernow will help you recognize the dynamics of 5 major stepfamily challenges, and she'll provide lots of evidence-informed guidance about what works and what doesn't to meet them.

***Learning Objectives:***

Attendees will:

1. Be able to list some of the challenges created by stepfamily structure
2. Be able to describe evidence-informed strategies to meet those challenges.
3. Be able to list some guidelines for stepparenting and discipline in a stepfamily

## **SUNDAY MORNING WORKSHOPS (Feb. 4<sup>th</sup>, 10:45am to 12:45pm):**

### **Workshop Nine**

#### **Encapsulated Delusion: Definition, Recognition, and Treatment**

**Presenters:**

**Leslie Drozd, Ph.D., Robin Deutsch, Ph.D., ABPP, Hon. Harvey Silberman**

When children resist or refuse access to a parent, the courts must respond often with little information about the psychological functioning of family members. Of the more difficult to understand and treat is a circumscribed delusional system in the favored parent in which the parent holds onto certain beliefs like "He abused me" or "She abused my daughter" even after a thorough investigation has proven the allegations to be unfounded. In this workshop, we will describe what these cases look like and how to differentiate those that are likely to respond to treatment and those that are not. We will propose therapeutic interventions and a system of accountability with concrete goals for the family and for judges to consider in their orders.

**Learning Objectives:**

Participants will be able to:

1. Define what an encapsulated disorder is and is not.
2. Identify the roots of an encapsulated disorder.
3. Differentiate between encapsulated disorders that are more likely to be treatable from those where success in treatment is unlikely.
4. Describe treatment interventions and ways to measure success in treatment.

### **Workshop Ten**

#### **Child's "Preference" or Child's "Voice": What is the Difference and Why Does it Matter?**

**Presenters:**

**Diane E. Wasznicky, JD, CFLS, Hon. Bunmi Awoniyi, Carol Greenfield, MFT**

The presenters will discuss recent legislation regarding FC§3042 on Children's Preferences, the pitfalls and concerns involved as well as potential solutions. In addition, the presenters shall address the potential conflict between the guidelines for receiving child testimony and other input as set forth in California Rules of Court 5.250 and the application of the recent *People v. Sanchez* Supreme Court decision. What impact, if any, will there be on the admissibility or otherwise of the Child Custody Recommending Counselor's recommendation, if the child is not going to testify? If time allows, additional discussion will be provided on Minor's Counsel and Special Masters.

**Learning Objectives:**

Attendees will:

1. Be more aware of potential legislation and efforts to amend proposed bills that impact Family Law and children;
2. Gain raised awareness of potential issues created by applicability of *People v. Sanchez* as it impacts CCRC/Evaluation process and statements from children;
3. Discuss and obtain feedback from attendees as to impact of this on whole area of children testifying in family law cases.

## **Workshop Eleven**

### **Implicit Bias, Recognizing and Managing It**

***Presenters:***

**Dean Jones, LCSW, Rhonda B. Barovsky, LCSW, Psy.D.**

Child Custody mental health providers, lawyers and Judicial Officers will benefit from learning how to recognize and control for Implicit Bias in their work. Implicit bias is a result of neurobiological mechanisms that can restrict an individual's ability to be open to multiple perspectives. Implicit Bias activates stereotypes, and associations that exist outside conscious awareness that may adversely influence the health of minority, underserved, and stigmatized populations. Unconsciously held biases, also known as implicit biases, and Micro Aggressions, may lead to inaccurate or compromised clinical decisions and an erosion of trust between health professionals and patients due to poor interpersonal interactions and biased behaviors. Implicit bias in health care has been demonstrated in several studies. For example, among 202 first-year medical students at Johns Hopkins School of Medicine, 66% showed an implicit preference toward Caucasians, and 86% demonstrated a preference toward upper class individuals. Among practicing physicians, another study found that, despite consciously expressing explicit egalitarian goals, physicians were less likely to recommend thrombolysis to African American patients, as compared with Caucasians with similar symptoms. Other work has highlighted that bias adversely impacts women, obese individuals, fathers, patients with chronic pain, and patients with chronic fatigue syndrome. Implicit Bias and Micro Aggressions may also impact the outcomes of patients receiving mental health services.

***Learning Objectives:***

Participants will:

1. Understand the difference between explicit and implicit bias.
2. Understand how biases are formed.
3. Understand health care and health impact implications of biases and racial dynamics.

## **Workshop Twelve**

### **The Evolving Law of Domestic Violence: How Recent Trends in Cases Affects Courts, Practitioners, and Families**

***Presenters:***

**Hon. Mark Juhas, Hon. Julie A. Emede, Robert L. Kaufman, Ph.D., ABPP**

This session will be an interactive review of the current state and trends in DV law. Based on current case law and hypotheticals, this session will explore where we are and where we are going in Domestic Violence. At the end of the session, participants will be better able to understand how a judicial officer would view Domestic violence, how a lawyer might approach a case and how a mental health professional could use the legal context in a child custody evaluation. Among areas that will be discussed are self-defense, 3044, First Amendment, disturbing the peace and fire arms.

***Learning Objectives:***

1. Participants will be able to discuss with other professionals current, pressing issues in domestic violence;
2. Participants will be able to critically critique the expanding trends in the law and assess their effect on perpetrator and victim alike;
3. Through hypotheticals discussions, participants will be able to analyze hypothetical fact situations and apply the current law to them.