Welcome Letter from Our New President

Jill Sanders, President of FLAFCC

Dear FLAFCC Members,

When I joined AFCC from my practice in Utah in 2001, I never expected to find myself the President of the Florida Chapter sixteen years later. However, thanks to a long list of serendipitous events and fabulous Florida mentors, including Deborah Silver, Robert Silver, Shelly Finman, Mary Ellen Frazier and Judge Hugh Starnes, I humbly and happily take on this mantle for 2017. Like many of you, I initially joined AFCC to get the journal but soon discovered the exceptional educational offerings and later, the joy of involvement. Over all these years AFCC/FLAFCC has become my “go to” organization. This is the professional group that provides me the best education, the most helpful colleagues, and a mission that inspires me. During my ten years on the FLAFCC Board of Directors, I have experienced what it means to be on a “working board”. Year after year dedicated professionals step up to help and serve. It is a remarkable experience.

I've spent some time pondering why I find AFCC/FLAFCC to be more influential than other organizations. I came to the conclusion that everything I do connected to AFCC/FLAFCC - reading the journal, attending conferences, serving on committees and boards - educates, inspires, and empowers me. Any organization would be successful if it accomplished one of those goals. AFCC/FLAFCC is exceptional in that it manages to do all three. I read the journal, I attend conferences, I work for the organization and I am continuously educated, inspired, and empowered.

This organization feeds my professional life and along the way my personal life is enriched as well. Members have become good and trusted friends. It is not a cliché to say that FLAFCC is a family; that’s how we roll.

With that background, educate, inspire, and empower is my mantra for this year. I am dedicated to continuing and enhancing this long legacy of providing our membership and all other interested persons with the knowledge needed to be skilled professionals, the inspiration needed to carry on, and the tools that empower us to serve families in transition.

Please feel free to contact me with any ideas about how FLAFCC and I may serve you better.

Your president,

Jill D. Sanders, PhD
Domestic violence (DV), or what the literature now predominantly refers to as Intimate Partner Violence (IPV), is a part of the list of statutory best interest factors in Florida (F.S. § 61.13(3)(m,n), as it is in the majority of states. Thus, legislatures consider this issue to be highly relevant to judicial decisions about parenting plans. A finding of past IPV often creates a rebuttable presumption against joint decision-making authority.

Consistent with this author’s experience as a parent evaluator, research has shown IPV to be very frequent (as much as half) among the population of parents who are involved in parenting plan litigation. Specifically, it is not unusual for the separation between intimate partners to begin with an IPV incident, or to be a Separation-Associated IPV incident. A survey study of parenting evaluators found they estimated that 44% of their cases involving IPV were of this type (Bow & Boxer, 2003). There is literature that is highly critical of how evaluators address the issue of IPV and my experience reviewing work products of parent evaluators confirms that evaluators are often deficient in how they investigate IPV allegations.

Due to this concern about the quality of evaluations addressing IPV, AFCC created a taskforce to develop guidelines for evaluators when IPV is a salient issue. After many years of work, an interdisciplinary taskforce produced guidelines that were accepted by the AFCC Board of Directors. These guidelines were recently published in the Family Court Review (October, 2016). They are a robust set of guidelines and quite detailed in their recommendations to evaluators. One strong point is that evaluators should screen for IPV in every case and then continue to be vigilant in their investigation when IPV allegations are raised.

Historical Perspective of DV/IPV
Initially, the literature was pervasive in globally referring to DV/IPV as “battering.” This term implied that all IPV was characterized as male-instigated, highly controlling, and severe in nature. In the 1970’s-80’s, community sample research established that married females and males engaged in situational violence at about the same rate (10-16% incidence during prior 12-months) with most violence being mild in severity. Consequently, a typology of discrete IPV subtypes was published in 1993 (Johnston & Campbell) which created quite a stir among DV Advocate groups as it included types of female violence. In 2005, noted authorities remarked that most of the research on DV/IPV should be considered “meaningless” because of the lack of “differentiation” where all patterns were lumped into a global category of “DV.”

A Paradigm Shift
Subsequently, there occurred a conceptual transformation in the field of DV/IPV theory and research in 2008 with the publication of a number of articles by noted authorities as a product of an interdisciplinary conference sponsored by the AFCC (Kelly & Johnson, 2008; Jaffe, Johnston et al., 2008). These articles presented a new typology with subtypes. This movement sent a strong message to courts and parent evaluators to emphasize and identify differing patterns, or “shades of gray” of IPV, and to retreat from the use of the undifferentiated conceptual lens of the “batterer paradigm.” The term
and subtype of “coercive control” was substituted for batterer. The most frequent pattern was referred to as “conflict-instigated” IPV which was generally defined to be mutual in participation and minor in severity.

AFCC Model Standards (2006/2007) identified IPV as one of the special and complex issues that call for evaluators to take a “systematic approach” to the assessment and integration of the issue into parenting plan recommendations. One component would need to be for the evaluator to identify steps taken to assess the credibility of both the allegations of IPV and the denials of those allegations. It is common to encounter allegations by both parties. It requires careful investigation of possible documents and collateral interviews, including the children. A forensic assessment model exists to assist with this credibility assessment (Austin, 2000). Evaluators need to be mindful of the literature describing how many IPV victims fail to disclose even a longstanding, severe pattern of abuse.

**The Integrated Model**

The Integrated Forensic Evaluation model exists to help provide structure for the evaluator’s forensic tasks in cases in which IPV is a salient issue (Austin & Drozd, 2012), including a more “user friendly” judges’ “bench book” version (Austin & Drozd, 2013). This bench book version even has a chart for judges to rate the quality of the evaluator’s work product on the IPV issue. The previously published 2008 IPV typology model was revised and combined with major risk factors from the violence risk assessment research literature. The more common pattern was renamed as Conflict-Instigated, Situational-Specific IPV, while the severe pattern of IPV was renamed as Coercive Control, Intrusive, Authoritarian IPV (CCIA). The CCIA pattern generally includes substantial psychological aggression with control, intimidation, threats, demeaning and degrading language on a regular basis, as well as some degree of physical violence. The literature and our model also identify a pattern of CCIA with the predominant traits of psychological aggression, where very little, or even no actual physical violence/aggression occurs. While authorities have identified this pattern, it may be difficult to convince a judge there has been IPV without clear evidence of physical violence. Nonetheless, some state definitions of DV would allow for psychological abuse/aggression to be sufficient to make a legal finding. Other patterns of IPV may include Major Mental Disorder Associated (MMDA) and Substance Abuse Associated (SAA). Many cases will have a hybrid pattern such as Conflict-Instigated and Substance Abuse Associated (e.g., alcohol).

The Integrated model identifies ten (10) behavioral dimensions or factors to assess. Examples include the degree of psychological control, pattern of instigation, severity of past violence, exposure of children, degree of threat factors present and potency, a major mental disorder, and a substance use problem.

The fundamental evaluation tasks for the parent evaluator in these challenging cases are to establish the degree of relevance of any past IPV for the quality of future parenting and co-parenting, violence risk/safety for parent and child, and the child’s future adjustment and wellbeing. In cases with a minor IPV incident or two, IPV is not likely to be very relevant. However, with coercive control, even without physical violence, it is expected to be highly relevant for future co-parenting so there likely would be “coercive co-parenting” so parenting time and decision making recommendations will need to be protective of the parent and child.

**Special Note to Lethality Risk**

Parent evaluators also need to be mindful of the possibility of the “worst case scenario” of homicide and suicide. A “lethality assessment” would focus on threat factors that are red flags. These include threats to kill and access to firearms, following/stalking behaviors, suicidal comments, and severe depressive symptoms.

References are available by e-mailing Dr. Austin at: wgaustinphd2@yahoo.com. His articles can be downloaded from his websites: www.child-custody-services.com www.parentalgatekeeping.com.
I am writing this membership report for you. If you are reading this article you are most likely a member of the Florida Chapter of the Association of Family and Conciliation Courts (FLAFCC). If not, read this and the rest of the newsletter, get excited and join us. We are a great organization of like-minded professionals who care about families, children, the elderly and how they progress when the family unit is impacted by disputes and begins to fall apart. You all know of our organization’s accomplishments, especially those that have been generated here in Florida. We are not done yet!!!

Over the past year the FLAFCC has been a sponsor at several conferences. They have included The Florida Bar Marital and Family Review Certification program, the Florida Academy of Collaborative Professionals Conference, the Dispute Resolution Conference, and our own annual conference. At each of these conferences the Membership Committee has had a table, encouraging attendees at the conference to join our organization. As a result of our efforts, at the conferences and in between, FLAFCC has been able to increase our membership by over 10%. This percentage is fantastic and reflects the desire for professional to become members and become involved in the work we do. We will be doing the same during 2017 and hope that we can increase our membership by at least 10% over last year and hopefully double that number.

Membership is important to any organization. Just being a member is important; however, being an involved member is even more important. The beauty of FLAFCC is that we are an organization of very involved members. Having been a member of numerous organizations I believe ours is the most productive. When asked, everyone jumps in and is not afraid of getting a bit dirty. We all take on tasks willingly and never begrudgingly.

This year the Membership Committee will have three major tasks. The first will be to get professionals in the legal, mental health, and financial communities who have never been members to join our organization. The second will be to retain those individuals who have already been members but have not renewed their membership. The third will be to get the word out about what we do and who we are.

This is your opportunity to join the Membership Committee and become an active participant in FLAFCC.

We meet telephonically once per month, usually the third Monday of the month, from 8:00 AM to about 9:00 AM. We need you and would like you to join the committee. If you would like to participate, please join us by telephone. Call 712-432-7100. When prompted key in 822595# and you will be on the call. Introduce yourself and join in. If you have any questions and would like to contact me I can be reached by email at craig@cfabrikantphd.com or by telephone at 954-340-7717.
Helping families through difficult times is taxing on everyone: the parents, the children, the extended family, you the professional, and the courts. What can exacerbate the situation is when the professionals come face to face with complicated multicultural, multigenerational family situations. This is when your unintended beliefs about differences can come into conflict with your client interactions. Without insight, this can become a barrier to fair treatment and equitable outcomes.

We all have a set of values that represent how we see the world. They are values that we have learned from our families, our schools, our friends, our spiritual institutions etc. Some of these are so much a part of us that they become our unexamined beliefs. Often, we don’t question ourselves but assume our beliefs are true. For example, we might say that a shorter person cannot play basketball and a child may be diverted from trying out for the team - yet we know that there have been some great basketball players that are not giants.

As family court professionals, we may have a strong belief that therapeutic interventions like counselling are helpful for families that are caught in litigation. But have we considered that in many cultures counseling, therapists, psychologists, and psychiatrists are strictly taboo? How do we reach these people and encourage them to try another method? Perhaps we think that a child caught in the middle of a high conflict family would benefit from counselling but the parents interpret this as disparaging their parenting ability. These are all cultural beliefs.

In this writing, I’d like to highlight three cultural concepts that I have observed as a diversity practitioner and coach working in the legal arena with lawyers, family professionals, students, and judges for almost 30 years... concepts that will help anyone working with families or individuals.

These three cultural concepts are: (1) the degree of knowledge of the client’s culture that can impact the client’s acceptance or participation in the legal process whether in settlement or litigation, (2) the degree to which you understand and have clarity about your personal cultural beliefs and biases, both explicit and implicit (that’s a heavy one), and (3) the most current... the impact the principles of Mindfulness can have on you as you prepare to assist your clients. Well practiced, these principles can bring both physical and mental relief for you and positively affect your relationship with your clients. Let’s take a brief look at these three concepts:

1. Impact of Culture.
Culture is important to pay attention to because it is “who we are.” It’s made up of the common characteristics that bind a group of people together like a magnet. It is what we believe, how we get things done and the ease by which we go about our daily lives without having to think about certain things. Our values develop from cultural traditions, as do our beliefs and our norms...and these get passed from one generation to the next. So, when you are assigned or somehow acquire a family to work with, your knowledge, awareness and cultural sensitivity of potential or actual cultural characteristics and nuances of your client can affect your interactions or communications with the families and will determine your success with them.

These dimensions or characteristics that differ from one culture to another relating to your work with families may include the way they communicate (including language), gender roles, religion, preference for hierarchy, the need for harmony and their emphasis on relationships, to name a few.

If you are not aware of the cultural nuances and understanding, you may fall into the trap of interpreting or assuming and may not be able to advocate adequately. For example, you may interpret that children who do not openly look you in the eye are withdrawn, resistant, confused,
respective and move forward based on that interpretation or assumption. But which is it? Do you then stop and ask, “Can you tell me why....?” or “can you explain....?”

It is going to require us to have a deeper understanding of the socio-cultural background and the environments in which the family members live or have come from. For example, Florida has a Haitian community of about 350,000. How much do we know about the culture and family customs of the little country that is only 681 miles away? Do we know that in the traditional Haitian household, the extended family lives together, which is why you may see the whole family at once? Or that a Haitian father is likely to get upset if a judge requires that he pay child support? It’s not, because he doesn’t want to, but because in that culture, in that country, it is what they naturally do.

Family court professional participating in diversity sessions have reported the complexity of the culture dimensions to be the biggest obstacle to success. However, the major contributor to the explicit uneasiness and implicit (unaware) biases that occur, is directly related to the second cultural concept and that is...

2. The degree of understanding of your personal culture, biases, and beliefs.

We approach things from our own belief systems, we don’t question them. It’s like the air we breathe. We’re not bad people .... We just act on what we accept to be true.

I remember a family court judge in a workshop saying, “I know my own mind and I think I am pretty much able to evaluate others in a fair and accurate way”, and then he added, “at least I hope I am.”

Story: During one of the diversity workshops I conducted for judges, a family court judge shared an experience regarding her personal bias, or blind spot regarding tattoos and body piercings that nearly negatively influenced a decision that could have hurt a family. A father appeared in court wearing a tank top, scruffy jeans and covered with tattoos and body piercings. She was going to throw him out, but didn’t. The father came to court on an emergency motion to obtain custody of his 5-year-old daughter. “No chance.” she thought. Reluctantly, the judge proceeded with the hearing. In the process, she learned that earlier that day the mother involuntarily entered an in-patient drug treatment program, the father had the child’s birth certificate, owned his own landscaping business, and since this was an emergency he had come directly to court from work with no opportunity to change his clothes. He was given temporary custody. Later, when the mother could come to court, she asked that the father be given permanent custody. A few years later that judge bumped into the father and his daughter at an educational meeting. She learned that he had become head of the PTA at his daughter’s elementary school and at 8 years old, the child was in advanced classes.

A book I have found to be particularly helpful in challenging self-perceptions is “Blindspot: Hidden Biases of Good People” by Mahzarin Banaji and Anthony G. Greenwald, both social psychologists. Mahzarin Banaji is an Indian-American professor at Harvard University and Anthony G. Greenwald is a professor at the University of Washington. “Blindspot” is the authors’ metaphor for the portion of the mind that houses our hidden biases. In the book, they challenged these self-perceptions as they explored the

hidden biases we all carry from a lifetime of exposure to cultural attitudes about age, gender, race, ethnicity, religion, social class, sexuality, disability status, and nationality.

It is also worth noting that Professors Mahzarin and Greenwald are part of the team that developed Harvard’s Implicit Association Test (IAT), the test that often reveal distressing things about how our unconscious minds work. Feel free to take the test at:

www.implicit.harvard.edu/implicit/takeast.html

Although some controversy still exists regarding the IAT and what it measures, much research into its validity and psychometric properties has been conducted since its introduction into the literature in 1995.

Back to our family court judge: To manage this brain-based tendency toward bias and to keep this behavior from happening again, unbeknownst to her, the judge practiced something called Counter-Stereotypic Imaging; she called it “my constant reminder”. Taped in front of her on the bench in court, she put a picture of a father with tattoos holding his daughter’s hand. Beneath the picture it boldly
said PTA President. Very similarly, Professor Banaji also uses Counter-Stereotypic Imaging by putting positive images on her screen saver to counter unconscious stereotypes. She has images of people from far-away places, or in unfamiliar roles—in an effort to rewire her associations.

The basic premise is that even those who have escaped the grip of explicit biases still require ways of managing basic brain based human tendencies to harbor unconscious biases and inherent in implicit bias.

IF OUR ATTITUDES COME FROM OUR CULTURE, THEY ARE STILL IN OUR OWN MINDS AND CAN INFLUENCE OUR BEHAVIOR IF WE ARE NOT VIGILANT TO NOT LET THEM.

Which brings us to the third cultural concept and a breath of fresh air.....

3. Impact of the principles of Mindfulness

What is Mindfulness and how does it relate to helping families? I see Mindfulness as “awareness to the tenth degree.” Mindfulness is an awareness of our thoughts, feelings, bodily sensations, and surrounding environment, moment-by-moment. When you are mindful, you observe your cognitions and emotions in a way that makes you completely aware of what you are thinking and feeling inside. This allows you to determine whether your reactions are appropriate for the circumstances. It also affords you the ability to observe feelings of others without judging them as good or bad, leading to objectivity that further enhances outcomes.

Mindfulness brings you to a place of peace and calmness and prepares you to handle difficult or complex family client matters. Research shows that because mindfulness-practices help us focus, give us greater control over our emotions, and increase our capacity to think clearly and act with purpose, success follows - the family wins. I assume you will continue this discussion with ideas such as “Mindfulness can be transformative” and “Mindfulness helps us understand, and be critical of, our own cultural bias” and/or “Mindfulness helps us be honest about diversity.”

Alfredo James includes in his book Pocket Mindfulness, six mindfulness exercises that practice the principles of Mindfulness: They are Mindful Breathing, Observation, Awareness, Listening, Emerson, and Appreciation. Here is an example of a Mindful Breathing exercise:

Mindful Breathing – One minute. Be still (standing or sitting). Focus on breathing in and out slowly. Each cycle is 6 seconds. Breathe in through your nose and out through your mouth, letting your breath flow effortlessly in and out. For one minute let go of your thoughts, things you must do later or pending projects needing your attention. Let yourself be still for one minute. Focus on your breath’s pathway as it enters your body and works its way up and out of your mouth and dissipates into the world. (If you are someone who thought they’d never be able to meditate, guess what? You are half way there already!)

-Alfredo James
Pocket Mindfulness

When we consider the benefits of applying mindfulness in the context of cultural diversity, we must also consider strategies that will mitigate the potential barriers to success. Those barriers being our biases and lack of knowledge of the client’s culture. Therefore, it is equally important to acknowledge that mindfulness, that moment-to-moment awareness, is the very first step toward accomplishing the goal of meaningful interactions with clients in the pursuit of harmony and change.
Congratulations to our FLAFCC members who will be presenting at AFCC’s 54th Annual Conference in Boston, May 31st-June 3rd:

Gregory Firestone, PhD  
Debra K. Carter, PhD  
James P. McHale, PhD  
Peggie A. Ward, PhD  
James R. Flens, PsyD  
Jill Sanders, PhD

Jamie N. Isicoff, JD  
Allan E. Barsky, JD, PhD  
Linda Fieldstone, MEd  
Hon. Michelle Morley  
Robert J. Merlin, JD
CALL FOR PRESENTERS—14TH ANNUAL CONFERENCE

FLORIDA CHAPTER—ASSOCIATION OF FAMILY & CONCILIATION COURTS AND
OFFICE OF THE STATE COURTS ADMINISTRATOR (FLAFCC & OSCA)
September 26-27, 2017 at the Florida Hotel and Conference Center, Orlando, Florida

SERVING FAMILIES IN TRANSITION:
EDUCATE, INSPIRE AND EMPOWER

We are looking for workshops which offer cutting edge information, are inspirational in content, and/or which provide practical tools for our attendees to use. Our audience consists of judges, magistrates, attorneys, financial professionals, mental health professionals, mediators, court personnel, collaborative practitioners, and guardians ad litem. Proposals should contain content that may be useful to any interested family law professional even if it is geared to a specific professional group. Workshops should contain some defined interactive component. We are particularly interested in topics such as:

- Trauma informed services and programs
- Application of social and biological research to family law
- Social policy
- Family law changes/trends
- Domestic violence assessment and prevention
- Pro se trends and programs
- New developments in social investigations and parenting plans
- Collaborative programs
- Innovations in mediation and alternative dispute resolution
- Financial family law changes and challenges
- Substance abuse education
- Mental health education
- Enhanced education and early intervention programs for those who utilize family courts
- Culture influences/impacts

The deadline for proposals is March 31, 2017. Workshops will be 75-90 minutes in length. If your workshop is accepted, you may be asked to present the same workshop twice (Tuesday, September 26th and/or Wednesday, September 27th). If you are interested in submitting a proposal, we need:

- An abstract of 100 words or less describing your workshop
- A one-page detailed outline including a description of an interactive portion of the workshop
- Three learning objectives
- Resumes and contact information for the presenters
- A one-paragraph bio of each presenter with designation of a workshop coordinator

FLAFCC is unable to guarantee consideration of incomplete proposals or those submitted after the deadline. All presenters will receive reduced registration fees and conference meals during your presentation day(s). Out-of-state presenters will receive basic travel (airfare within limitations) and one-night hotel expense. Reimbursement is made following the conference based on submitted receipts. Please submit proposals to the President of FLAFCC, Jill Sanders, at jilssandersphd@msn.com and use the subject line: FLAFCC Proposal 2017.
FLAFCC CONFERENCE SPONSORSHIP LEVELS

PLATINUM LEVEL: $5000
- Complimentary conference registration for 4 designated representatives of the company/organization
- 4 reserved seats at plenaries
- A vendor/information table in foyer area
- Logo on lunch signage, bag or USB
- 1 collateral piece in conference bag

GOLD LEVEL: $2,500
- Complimentary conference registration for 3 designated representatives of the company/organization
- 3 reserved seats at plenaries
- A vendor/information table in foyer area
- Sponsor breakfast, mouse pad, or travel mug with logo

SILVER LEVEL: $1,500.00
- Complimentary conference registration for 2 designated representatives of the company/organization
- 2 reserved seats at plenaries
- A vendor/information table in foyer area
- Co-branded sponsor: coffee breaks with logo signage

BRONZE LEVEL: $1000
- Complimentary conference registration for 2 designated representatives of the company/organization
- 2 reserved seats at plenaries
- A vendor/information table in foyer area
- Co-branded sponsor: coffee breaks with logo signage

SUPPORTER LEVEL: $500
- Complimentary conference registration for 2 designated representatives of the company/organization
- Supporters may elect to be listed as a co-host of coffee break

EXHIBITER LEVEL: $300
- Listed as an Exhibitor in the program
- A vendor/information table
- Two meals for one representative

FULL PAGE AD IN CONFERENCE MATERIALS: $250.00
HALF PAGE AD IN CONFERENCE MATERIALS: $200.00