

# NW FAMILY TIES



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### Make Plans Now for the 6th Annual WA-AFCC Conference

Two Outstanding Morning  
Plenary Sessions followed  
by Two Choices among Six  
Afternoon Breakout  
Sessions

Pragmatics of  
Developmental Systems  
Approach to Parenting Plans

Attorney & Parenting  
Evaluator: Collaboration to  
Serve the Modern Family

Protecting Children from  
Conflict

Unsolvable Problems:  
Relocation in 21st Century

Crafting Age-Appropriate  
Parenting Plans

Same-Sex Parenting: Legal  
Questions, Research Needs,  
and Practical Solutions

**Register Now**

[www.wa-afcc.net](http://www.wa-afcc.net)

## SIXTH ANNUAL WA AFCC CONFERENCE COMING TO SEATTLE— REGISTER NOW



### Parents Come in All Sizes and Forms

Saturday, March 25, 2017

Washington Athletic Club

1325 Sixth Ave., Seattle

Registration information at [www.wa-afcc.net](http://www.wa-afcc.net)

The Sixth Annual Conference begins with two outstanding morning plenary sessions featuring noted authors and researchers, Bill Eddy, J.D., LCSW and Marsha Kline Pruett, Ph.D.



Bill Eddy

The first by Bill Eddy is titled **High Conflict Parents: Making and Following Parenting Plans**. This presentation will address ways of engaging parents in using simple skills to make their own agreements and follow them. It will cover ways to motivate them in and out of court; how to teach them these skills in small steps; how to guide them in applying these skills in negotiation sessions; and how to use them in the future. These skills can be taught individually by any professional involved in decision-making. They can also be taught in the structured New Ways for Families method developed by the presenter in use in several family court systems in the United States and Canada.



Marsha Kline Pruett

The second presentation is by Marsha Kline Pruett, the current national AFCC President. She will be addressing **Embracing the Young Child: Parenting Plans that Stimulate Growth**. This plenary combines practical clinical experience and the latest empirical information to illuminate *what we know* and distinguish it from *what we wish we knew* about young children and overnights. The talk will focus on young children's developmental tasks and hallmarks, developmental risks relevant to separation and divorce, red flags for child stress, and tips for co-parenting. A grid developed collaboratively by researcher-clinicians offers a way of integrating what we know about young children and families into parenting plans that stimulate and protect early child growth and development.



Stacy Heard J.D.  
President, WA AFCC

*“As the first attorney acting as WA AFCC President, I have been able to share my interest and commitment to AFCC. The network of international professionals dedicated to resolving family conflict is invaluable to my practice.”*

## PRESIDENT’S MESSAGE

When I began my years as the Washington AFCC Chapter President almost one year ago, my goal was to significantly contribute to the growth and success of our state chapter. As my year as the Washington AFCC State Chapter President nears its end, I am pleased to report that we have increased our membership and exposure to professionals working in family law. My goal could not have been achieved without our exceptional Board, to whom I am thankful for their service and commitment.

We continue to grow and succeed as an organization. We hosted the AFCC National Conference in June, which was a huge success. The attendees enjoyed Seattle and appreciated the hospitality from our state members and presenters. Our board connected with other state board members and the national board. This provided our state chapter with invaluable exposure and an opportunity to learn new ways to accomplish our goals.

In the past year, we have sponsored GAL trainings and an Early Risers program where professionals could meet to discuss subjects of importance to our professions. We are hosting our annual conference on March 25, 2017 with Marsha Klein Pruitt and Bill Eddy as our keynote speakers. We are also exploring the possibility of co-hosting a CLE with the Washington State Chapter of the American Academy of Matrimonial Lawyers (AAML) in the future.

As the first attorney acting as Washington State Chapter President, I have been able to share my interest and commitment to AFCC. The network of international professionals dedicated to the resolution of family conflict is invaluable to my practice. I have also found the personal relationships with AFCC colleagues to be very rewarding.

Your continued support will assist us in our future growth and commitment to assisting families in need, furthering the AFCC mission of assisting families in conflict. If you have any questions about membership or the organization, please do not hesitate to contact me.

Sincerely, Stacy Heard, J.D. President, WA AFCC

## BOARD PICNIC STARTS A NEW SOCIAL NETWORK FOR WA AFCC



This past July there was a glorious sunny afternoon in a serene setting with outstanding food to provide a great beginning to a new social activity for our organization. This was a “trial balloon” (no, not a new form of litigation) which allowed board members to purchase tickets for a catered event. There were burgers, hot dogs, veggie items, chips, brownies and all the other necessary ingredients to set the stage for some sharing at a more personal level. While the work we do is so very important and challenging, the opportunity to socialize and “break bread” together is a valuable tradition to share amongst our WA AFCC members and leadership. If there is sufficient interest amongst the membership, we will expand this event to a larger venue and open it to all members to come out and have some fun together. If you want to see this as a larger event, let the leadership know of your interest.

## 53rd AFCC Conference Brings Out the Best

The International AFCC Conference was held in our own Emerald City this past June 1st through 4th. The four days of training included a series of Pre-Conference Institutes which addressed interdisciplinary topics in the areas of collaborative practice, dealing with alienation and estrangement issues, designing effective parenting plans, and a number of other relevant concerns. There were several superb plenary sessions attended by the nearly 1100 persons from all over the globe who made the journey to Seattle to share in this annual event. Among those plenary sessions which really were memorable was the presentation by our own Supreme Court Justice Mary Yu who spoke with passion, animation, clarity, and no notes for the entire session. Dr. Kyle Pruett gave a superb presentation on the role of fathers in early childhood development and concluded the session with a song. Ask anyone in attendance and you will find that these sorts of top-rate training events mix the latest research content, socially relevant material, and colorful engaging presentation styles to make the annual event worth the journey. Our own local expert, Stephanie Coontz, from Evergreen State College presented on the trends in marriage and family structures in the 21st century. The remainder of the programs covered a huge array of topics of interests to attorneys, mediators, evaluators, and court personnel. And, it wasn't all work and no play. There were a series of dine-arounds hosted by your WA AFCC Board members as well as a hospitality suite where our own Past-President, David Hodges, served as bartender. Our Board member, John Kydd, organized an exceptionally successful

and collegial Judicial Officers private event. This special dinner gave judicial officers from around the globe a chance to share in their experiences and novel solutions to the challenges facing the court system. A special "APP" was developed by AFCC where attendees could post their latest news about sessions, local sights they were going to see, and insights into the excitement of visiting the conference and being in Seattle. All in all, the conference brought out the best in the presenters and shared the best of what we have to offer here in Seattle. The 54th AFCC Conference will be in Boston May 31-June 3, so go to the website for details at [www.afccnet.org](http://www.afccnet.org).



Peter Boshier (Past Pres.AFCC;) Justice Mary Yu



Kyle Pruett, M.D.

## GAL UPDATE TRAINING A GREAT SUCCESS

Two outreach training events were held this past year to expand the available training to persons who might not otherwise come to our annual conference. Teams of presenters travelled to Spokane and to Olympia to offer a one-day seminar for Title 26 Guardian Ad Litem and others interested in the training. There were capacity crowds at both events and feedback from the participants was that the training was very professional, practical, and helpful. The Spokane event had the added feature of outstanding refreshments provided through the courtesy of our local board member, Dennis "DC" Cronin and his wife. There was even a judicial officer attending the event in Spokane. A second program took place a few months later in Olympia to a capacity crowd. As with the first program, attendees found the content and discussion to be informative, stimulating, and supportive of their efforts in the field. These two outreach events also generated some keen interest in membership in WA AFCC. There were ten new additions to AFCC and our local WA AFCC membership roster as a result of these events. The "new members" clearly "caught the bug" and could see the benefits of being a part of such a vibrant and helpful organization. We look forward to seeing these new folks at the Sixth Annual Conference in March.



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## Parallel Parenting : Helping Parents Reduce Conflict by Mindy Mitnick, Ed.M., MA

For professionals working with separated parents, helping them meet the challenges of parenting apart is an important part of their practice. Parenting apart may represent a continuation of what worked well when the parents were together. A substantial number of parents experience significant difficulties making this transition, even when it involves a continuation of responsibilities established prior to the separation. Responsibilities, roles, rules, and communication methods may all need to be re-established based on the family's new circumstances or in situations where parents have never lived together may need to be established.

In cases where moderate to high levels of conflict affect parents' willingness and ability to work together effectively, a parallel parenting model may provide the structure to allow parents to work in a complementary yet independent fashion to meet their children's needs. Parallel parenting requires recognition of the other parent's role in the child's life, a parenting time schedule, allocation of childcare duties and responsibilities, and communication method(s) about essential information.

Benefits of using a parallel parenting approach include: decreased stress and tension for parents and children (often described as less time spent "walking on eggshells"), decreased exposure and involvement for children in their parents' conflict, greater autonomy in parenting, and more predictability in everyone's schedule. Parallel parenting recognizes that there is a variety of acceptable ways parents meet children's needs.

For professionals assisting in establishing a parallel parenting approach, a clear and detailed parenting plan that specifies the parenting time schedule for the school year, school release days, the summer, holidays, special occasions, and vacations is essential. The parenting plan should also identify areas of joint decision-making, typically the major considerations of education, health care, and religious upbringing. Parallel parenting does not generally incorporate flexibility for alterations to the schedule, such as for family events that may occur while the child is with the other parent, as this minimizes the need for cooperative decision-making. Similarly, day-to-day decisions about screen time, when homework is done, or whether a child needs a haircut are left up to each parent.

Parental disengagement is one foundation of parallel parenting and has both advantages and disadvantages. It shifts the parents' focus from attempting to convince each other who is "right" or whose parenting style is "better" to what happens when the child is in each of their respective care. As a result, this also minimizes the need for parents to coordinate the many details of the child's life between homes. Disengagement results in decreased communication and, with that, diminished stress that parents feel from what may seem like otherwise endless requests for information, schedule adjustments, and demands. Parents can support their child's adjustment by explaining that having two homes means having two sets of rules and by refraining from expressing negative judgments about the other parent's expectations.

In higher conflict situations, there may be times when children may be unable to participate in or attend events or activities that occur because of their parents' inability to agree or coordinate plans. However, with parallel parenting, children's activities can be scheduled during each parent's respective time, giving children the opportunity to participate in sports, music lessons, and special interest classes. To facilitate children's adjustment, parents can tell them that there may be times when they will miss an event because of the schedule that everyone needs to follow.

An important part of establishing effective parallel parenting practices is educating the parents regarding appropriate expectations for their co-parenting relationship. For example, it is unrealistic for parents to assume that the way decisions were made in the past will carry over into post-separation

parenting and it is also usually unproductive to lecture the other parent about what “should” be done. It is helpful to manage expectations by establishing protocols regarding the other parent’s home, such as whether or not a pet will travel with the child, and how children’s clothes, electronics, school supplies, or sports equipment will be handled.

Another goal of parallel parenting is to assist parents in recognizing that reasonable requests may actually feel like demands to the other parent; for example, a parent’s request for copies of the child’s school photos or when the child’s lunch money needs to be replenished. In parallel parenting, each parent takes on these responsibilities separately.

It is expected that parents will make every effort to obtain information on their own, such as directly from school, the pediatrician’s office, and those in charge of extracurricular activities. Parents can streamline communication through a shared calendar and agreed-upon communication tools such as a single e-mail address for child-related matters or an online tool like Our Family Wizard. Many parents limit their communication to e-mail when the issue is not time-sensitive and texts for urgent matters, such as a child’s illness or being late to an exchange.

For dispute resolution a Parenting Coordinator can be extremely helpful in establishing communication rules, interpreting ambiguities in an existing parenting schedule, and helping parents develop and maintain skills for reducing conflict. A Parenting Coordinator can help some parents establish a framework for effective parenting apart that involves the types of communication that makes coordination between homes possible. In some cases a Parenting Coordinator’s work as the “interface” between parents by making recommendations and/or decisions that resolve disputes.

To assist parents in adopting a parallel parenting arrangement:

1. Craft a parenting plan that is detailed and forward-looking to anticipate areas of disagreement and address them proactively.
2. Work with parents to identify key issues that require agreement and those that each parent may decide on their own.
3. Help parents develop positive messages for the child about this arrangement so the child becomes comfortable with the “two homes, two sets of rules” approach.
4. Remind parents to limit communication to important issues, to avoid bringing up the past, and to refrain from lecturing the other parent.
5. Suggest the use of a Parenting Coordinator to provide additional support in achieving the parallel parenting structure and to reduce conflict between parents.



Parallel parenting involves both a mind-set and follow-through with action. The notion of “stay in your own lane” reflects a commitment to accepting that, until communication and cooperation go more smoothly, and limiting parents’ interaction which also works to reduce conflict.

1. P. Stahl (2000) [Parenting after Divorce](#). Impact Publishing
2. Sullivan, M. (2008) Coparenting and the Parenting Coordinator Process. [Journal of Child Custody](#), 5(1/2), 4-24.

# A Dozen Things Lawyers and Judges Should Know About Custody Evaluations by Leslie Ellen Shear, J.D.

(This article is based upon a presentation given at the AFCC 12th Symposium on Child Custody Evaluations in November, 2016. Visit <http://tinyurl.com/hslolwc> for the slides, supplemental materials and Leslie's biographical information. Thanks to Hon. Denise McColley (Ohio) for coming up with this topic and moderating the presentation in Atlanta.)

Judges and lawyers commission child custody evaluations and work with the reports and testimony of evaluators. Here's what I think they should know.

## 1. Who is the report for?

The child custody evaluation report and/or the evaluator's testimony should be directed at all of the decision-makers – the parents and their advisors; mediators, collaborative teams, and settlement judges working with the parents to develop a parenting plan; the bench officer adjudicating custody in the event that settlement efforts fail; and a possible appellate court reviewing a trial court and possibly creating precedent. Judges and lawyers should teach evaluators in their communities to craft their work with those audiences in mind.

Settlement, not trial, is the normative outcome. In some jurisdictions, the range of parenting plan decisions that the parents can make is significantly broader than the law allows. Evaluations are most useful when they address the risks and benefits of alternate parenting plans – including options that the parents may be able to adopt even if a trial court might be subject to greater constraints.

Judges and lawyers should expect evaluators to take a pragmatic approach to report writing – tying the data gathered and the analysis to the terms of a parenting plan. The parents, their lawyers and the judge are not psychologists and an evaluation report should not be a journal article, a report to a professional team or a detailed exegesis of evaluation procedures. Too often the report sets forth allegations and data without reference to the analysis, leaving the reader to speculate about what the evaluator believed to be true, and what significance the evaluator gave each fact. When data-gathering and presentation is organized around the plan (rather than as gathered or by a family member), the analysis is stronger and the report is a coherent essay. Local practice varies, but where the data and analysis are only sketchy, people conclude that they weren't considered. The reverse is also often true – cited allegations assumed to be well-founded.

Jennifer Senior reminds us that “Mothering and fathering aren't just things we do. Being a mother or being a father is who we are.” (*All Joy and No Fun: The Paradox of Modern Parenthood*, 2014) Evaluators should show appreciation of how important parental identity is to the parents they evaluate, and they should recognize that parent-child relationships enjoy special constitutional protections). Evaluators must balance concerns about the dignity of family members, diplomacy, and use of diagnostic language where it is warranted by the data and analysis. If the report is clear about parenting deficits, deficiencies and risks, then settlement feels like an admission to many parents who decide to fight. If the report is very diplomatic, then the importance of recommendations for the protection of kids may be missed by the decision-makers, as may the seriousness of risks that a parent presents.

## 2. Appointment orders & procedures disclosures

The forensic setting differs materially from the clinical setting. Evaluators are court-appointed neutrals and officers of the court. Evaluations are court-ordered, they are not consensual processes. Even if the parents stipulate to an evaluation, their failure to fully cooperate in the process can result in contempt of court – punishable by fine or jail time. Judges and lawyers should develop and use detailed appointment orders (see samples in the materials) rather than directing the parties to privately engage the evaluator. Thus, the Court has a duty to supervise the evaluation, specify the purpose and scope of the evaluation and determine compensation of the evaluator. Unlike a private contract, an appointment order does not require the evaluator or parties to file a separate civil action to enforce compensation or other provisions.

Rather than obtain informed consent, the evaluator has a duty to disclose the procedures that will be employed in the evaluation. By providing a written procedures disclosure before the evaluation begins, the evaluator gives the parties and counsel an opportunity to seek clarification, object to a particular procedure, or see protective orders. Where the parents are asked to sign releases or privilege waivers, those documents should be distributed through counsel just as any other document signed by parties in the course of litigation.

Lawyers and judges are wise to develop “standard” stipulations and appointment orders for their jurisdictions so that evaluations are not delayed by negotiations over the terms of appointment orders, and lawyers are not afraid of being blamed for the terms of the appointment order. Typically the language for a stipulated appointment may contain releases and consents, while an appointment order made without a stipulation cannot contain those provisions.

### 3. What is the purpose and scope of the evaluation?

When I began practice in 1976, the purpose of a child custody evaluation (and of custody adjudication) was to pick a custodial parent. In the decades that followed there has been a profound paradigm shift from picking a custodial parent to developing, implementing and adapting a parenting plan.

It is the responsibility of the appointing court to spell out the purpose and scope of the evaluation. A full evaluation addresses the risks and benefits of alternate parenting plans. Where the Court wants a narrower question or questions addressed, the appointment order should expressly identify the limited scope of the evaluation. Judges and lawyers should be mindful that complex issues are not suitable for limited scope evaluations (See the recommended boundaries in the AFCC Guidelines for Brief Focused Assessment).

### 4. Elements of a parenting plan

Judges and lawyers should direct evaluators to address each of the elements of a parenting plan. Those key elements are:

- Communication & Civility
- Information Access & Exchange
- Allocation of Decision-making Authority
- Residential Schedule
- Holidays/Vacations/Special Days
- Logistics
- Support Services
- Review & adaptation

Assessing legal custody is as important as assessing the residential schedule – and it too often gets short shrift. Johnston and Roseby (*In the Name of the Child* (1<sup>st</sup>. Ed.), 1997) [Emph. added],

...[It] is clear that the schedule alone does not account for differences in young children’s adjustment and cannot substitute for the kind of working relationship that parents must develop. The reframing of the agenda—that is, focusing on the parents’ communication rather than on the schedule—is the first order of business when beginning an intervention with highly conflicted parents. In this approach, the schedule is defined as an important buffer that may be necessary, but it is certainly not sufficient to ensure the well-being of the young child. *To address the schedule only is like providing a paper parasol in a hurricane. As might be expected, the parasol constantly has to be taped up or replaced.*

### 5. Roles: forensic not clinical

Judges and lawyers play an important role in teaching fundamentals of the adjudicatory process and forensic roles to the evaluators in their community. Most evaluators trained as clinicians— not forensic psychologists. Clinical skills are important for evaluators, but evaluators need to know what is different in the forensic setting. Most of the clinical paradigms (including informed consent) do not apply in the forensic setting. Here’s a quick look at the contrasts in roles.

- Characteristics of clinical role
  - Informed consent
  - Therapeutic alliance
  - No systematic data-gathering
  - Privilege, confidentiality, privacy
- Characteristics of forensic neutral role
  - Order not consent
  - Objective & inscrutable
  - Systematic data-gathering
  - Communications made for purpose of evidence/expert testimony
  - Due process, state action & the duty of transparency.

## 6. Specialized expertise

Judges and lawyers should understand that most clinicians do not have the training and experience to conduct a child custody evaluation. Evaluators must be familiar with research and scholarship on divorce and child custody (and parenting plans); investigation & assessment methods for child custody; how family courts work and the basics of forensic roles.

It takes concerted effort – interdisciplinary organizations like AFCC, trainings, supervision and mentorship, some great books on custody evaluations, subscribing to the key journals in the field, list-servs, and constant work to learn and keep up. Judges and lawyers can encourage recruitment, promote internship opportunities and supervision to develop the next generation of evaluators. Recruitment is a huge challenge because of fear of the courtroom and fear of licensing complaints.

## 7. Dual roles? Hybrid roles?

None of the formal roles, rules and standards for mental health professionals in child custody evaluations existed when I began practice in 1976. They evolved from experimentation and pilot projects over time. I watched the development from an investigative model to a mental health assessment model to the more comprehensive current view. While the roles and rules have become formalized over time, it is important to remember that the various rules and guidelines are the product of professionals thinking about what works best to help families develop and to implement and adapt wise parenting plans. We should not freeze models and demonize other pilot projects as intrinsically unethical.

Here are some possible hybrid roles. Which do you think are wise to try and which do you think cross lines that should never be crossed:

- Med-arbitration or recommending mediation?
- Transition from evaluation to settlement?
- Combined assessment & intervention?

- Transition from evaluation to therapist?
- Transition from evaluation to parent coordinator?
- Transition from therapist to evaluator?

## 8. Legally and scientifically-informed (analysis and methods)

Evaluations need to be broadly legally informed. Judges and lawyers should provide legal training for evaluators but also bear in mind that the law is evolving. Evaluators should explain what makes a real world difference for the children since the parents are not bound by all of the legal parameters of custody adjudication. Moreover, appellate courts learn what matters for children from the reports and transcripts in appellate records. Thus the evaluator's work product may help the development of the law and support variance from precedent and establishment of new precedent.

Judges and lawyers should not expect custody analysis to be scientifically determined but should expect evaluators to be scientifically informed about both analysis and methods. Thus evaluators need to know about divorce-separation dynamics, family systems, child development, parenting, parenting plans and custody research, cultural differences, substance abuse, interpersonal violence, resistance-rejection (alienation/estrangement) dynamics, abduction risk, special needs children and parents, long-distance parenting, stepfamilies and non-traditional families. They must use multiple scientifically-informed methods with a scientific mindset. Those methods include clinical interviewing, observation, investigation, and, in some cases, psychological testing. They must consult or associate with experts when there are issues outside the evaluator's expertise.

## 9. The Multi-Modal Method

Today most books and guidelines for evaluators stress the importance of what is now described as the multi-modal method for child custody evaluations. (See AFCC Model Standards 5.4

"USE OF DIVERSE METHODS Child custody evaluators shall strive to use multiple data gathering methods in order to increase accuracy and objectivity.") Dr. Norman Stone and I were thinking about this in the 1980's . When I went back to look, I was pleased to see that our thinking stands up all these decades later. We wrote,

The use of multiple methods of data gathering enhances the confidence of conclusions concerning personal attributes [Citation]. More importantly, it provides the expert corroborative data at different levels of inference, thereby strengthening the logical basis of conclusions. For example, test data may raise hypotheses about certain characteristics of a child and a parent. Interview data may be used to test these hypotheses. Parent-child interaction observations may demonstrate specifically how these characteristics are manifest within the family. Teacher reports may demonstrate how these characteristics impact the child's social and intellectual functioning. As a result, evaluation conclusions are based upon a logical chain of inference in which independent observations of questionable reliability and validity are subject to a test of "best fit."” Stone & Shear (1988)

## 10. Boundaries

Judges, lawyers and evaluators are bound by legal and ethical standards. All of us need to understand and be mindful of:

- Fundamental liberty, privacy & autonomy interests
- Statutory grants of authority to family courts
- Issues before the court

- Privileged & confidential data
- Statutes and order governing evaluation
- Licensing rules
- Professional standards & guidelines

## 11. Reports, feedback sessions and testimony

The parents are the primary decision-makers. Even when the case is adjudicated rather than settled, the parents must understand why the Court reached that decision, and they must understand the requirements of the parenting plan orders.

Clarity is crucial. Evaluators should remember that 14% of adults cannot read, only 13% of adults read at a proficient level, 28% of adults didn't read a book in the last year, and 50% of adults can't read a book written at an 8<sup>th</sup> grade level (U.S. literacy statistics reported by the Washington Post). Thus, reports and custody orders must be written for the parents (and others) to understand.

Reports and testimony should be organized to maximize understanding. Here are my suggestions (See my *Family Portraits* article in the materials for greater detail.)

- Introduce the family & the purpose & scope
- Summary of recommendations?
- Organize data by plan components
- Address & assess expressed concerns
- Explain limitations, weight & significance of data
- Which plan particulars matter & which can be flexible?
- Support services and behavioral goals
- Criteria for revisiting the plan

## 12. Retained & Reviewing Experts

There are multiple valuable roles for retained experts in cases where the expense is affordable and warranted. Those roles include work-product consultant, testifying parent shadows, didactic experts, reviewing experts. Retained experts can provide valuable pre-evaluation declarations and testimony (without making best-interests recommendations) to educate the Court about the need for a full evaluation, or as didactic experts on issues before the Court. Where a parent has expressed concerns or made allegations about impaired parenting, a parent-shadow retained expert can observe the parent and child together for extended periods and opine about what was observed as part of the evidence considered in connection with temporary orders. They can observe depositions of parents and witnesses – and play different roles depending upon whether they are work-product consulting experts or testifying experts. They can review the files and work product of evaluators and attend the depositions of evaluators. Testimony of retained experts at trial can be crucial to a Court's assessment of the weight and sufficiency (and occasionally the admissibility) of an evaluator's work product.

The work of retained experts can elevate the level of practice in a community. There is nothing like the prospect of scrutiny as a motivator. Consulting experts often advise the party and counsel that the evaluation was performed well and encourage settlement. Retained testifying experts should include a proviso in their engagement letters that their methods, opinions and testimony will be the same as if they had been court-appointed to conduct

the review or provide the didactic testimony, and that they advised the party and counsel that their opinions may not support the client's goals. Adherence to those standards separates respected professionals from hired guns.



Leslie Shear, J.D. (and friend @ Atlanta Aquarium)

Thanks to Leslie Shear, J.D., and Mindy Mitnick, EdM, MA for sharing these two informative articles. They were also previously distributed by the Association of Family and Conciliation Courts as part of their e-newsletter. Keep informed of training events and the latest in professional practice with AFCC and the Family Court Review. More information about AFCC is available at their website including professional practice guidelines, research papers, and other useful material.

[www.afccnet.org](http://www.afccnet.org)



## INTERESTED IN GETTING INVOLVED AND LENDING A HELPING HAND?



Your state chapter is a vibrant organization which relies on the guidance and input of an active Board of Directors and various committees. As a precursor to serving on the Board, members are expected to have been involved with WA AFCC for at least two years and preference is given for persons who have served on committees. In order to get involved in moving this organization to greater heights, you are encouraged to consider volunteering to work on one of the committees. In order to be considered for involvement in a committee, you should email the respective chairperson and share your interest and contact information. They will be happy to answer questions and see where you might be able to participate. The current committee structure and email contacts for chairpersons is listed below.

**Education Committee** (includes Conference, Speakers Bureau) — Dr. Jennifer Wheeler ([dr.wheeler@yahoo.com](mailto:dr.wheeler@yahoo.com)) and Hon. Tony Wartnik ([theadjudicator@comcast.net](mailto:theadjudicator@comcast.net)) co-chairs

**Professional Roles and Practice Standards** (includes Quality Assurance, Ethics, Professional Outreach) — Melanie English, Ph.D., MSW ([menglish@drmenglish.com](mailto:menglish@drmenglish.com)) and Michele Unsworth, M.Ed. ([mischa915@gmail.com](mailto:mischa915@gmail.com)) as co-chairs

**Membership and Outreach** (includes Public Relations, Social, Professional Partners) — John Kydd, J.D. ([john@kyddlwa.com](mailto:john@kyddlwa.com))

**Technology and Media Task Force** (website design, mgt.) — Dr. Daniel Rybicki ([rybicki06@comcast.net](mailto:rybicki06@comcast.net))

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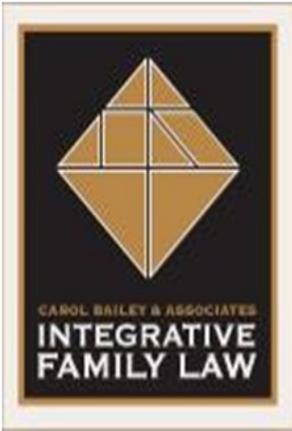
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