



# 2007 NEWSLETTER

Issue #1

## Special Points of Interest:

**44th Annual Conference**  
*Children of Separation and Divorce: The Politics of Policy, Practice and Parenting*  
May 30-June 2, 2007  
Capital Hilton  
Washington, D.C.

**7th Annual Texas Chapter Fall Conference**  
*Child Custody and Mental Health Professionals – Social Sciences on the Witness Stand*  
October 4th and 5th, 2007  
Doubletree Hotel, Austin  
For more information go to:  
[www.texasafcc.org](http://www.texasafcc.org)

## President’s Note

*Aaron Robb, Texas Chapter President*

Welcome, and I hope the New Year has been treating all of you all kindly. I want to open by saying “thank you” to the membership for the honor of heading up the State Chapter this year, and I also want to say a special **THANK YOU** to our Board of Directors for all the help they provide in organizing our Chapter activities and events this year. Our Chapter couldn’t function without the hundreds of volunteer hours that they put in and I figured while I had the spotlight I would

encourage others to say thank you to them as well – you can find the listing of the 2007 Board on the Texas AFCC webpage at [www.texasafcc.org/board.html](http://www.texasafcc.org/board.html). We are also available to hear your ideas and input regarding the direction of the Chapter in coming years, and for those who might be interested in volunteering to help we welcome that as well. Speaking of the coming years, this year sees a number of exciting developments and a few challenges

on the horizon for those of use who work with families in conflict. The Texas State Legislature is in session again, and there are a number of interesting bills that will affect how attorneys, mediators, mental health professionals, financial planners, and other family law professionals conduct business. I encourage all of you to stay in touch with what is happening at the Capitol via the “Texas Legislature Online” resource

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## Spotlight on Austin – Pending Legislation

Things are jumping in Austin! Here are a few highlights of bills our members may find interesting:

- **HB 772** – Relating to social studies conducted in certain suits affecting the parent-child relationship (by Representative Dutton)

Subchapter D, Title 5, Family Code provides for appointment of a person or entity to conduct a social study evaluation in cases of divorce, child custody and modification, or adoption. Due to past changes in other

Texas statutes, there are currently no definitions regarding minimum qualifications or procedures for conducting social study evaluations. The Texas Chapter Board of Directors has reviewed the legislation and we believe this legislation is consistent with our purposes. We believe the proposed statute would provide a level of protection for Texas’ children and families by establishing minimum procedures and accountability for professionals conducting social study

evaluations. Statutory provisions for minimum standards and procedures for social study evaluations (also known as child custody evaluations) are in existence in many other states. Such requirements for providing custody recommendations to family courts are a basic safeguard for children and families. The concept of minimum standards for mental health professionals working with child custody issues has been promoted by AFCC for more than two decades. We believe these proposed

statutory guidelines will assist courts in obtaining the best possible information when seeking input on the best interest of children before the court.

- **HB 555** and **HB 554** – Relating to the use of parenting plans and parenting coordinators in suits affecting the parent-child relationship (both by Representative Phillips)

HB 555 is the compromise amendment to the parenting coordinator/parenting plan statute that was worked out

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[www.capitol.state.tx.us](http://www.capitol.state.tx.us). You can search bills, find contact information for State Senators and Representatives, set up e-mail alerts for committee meetings, and track legislation as it moves through the process. But don't just be a spectator on the legislative process – be involved! **Call** your senator and representative! **Write** to committee chairs and

members to express your opinion! If at all possible **attend** committee meetings. Be an active participant in shaping family law in Texas – let your voice be heard!

Aaron Robb, M.Ed., NCC, LPC  
arobb@texasounseling.org

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last year. It clarifies parenting coordination to be a form of ADR and adds other clarifications regarding the practice of parenting coordination. HB 554 would repeal the parenting plan/parenting coordinator statute entirely.

The Texas Chapter Board of Directors has reviewed the proposed legislation and believes that HB 555 provides an option for constructive resolution of family disputes by providing a statutorily recognized tool to avoid or minimize the effects of harmful litigation and is therefore consistent with our professional mission. The proposed revisions to the Family Code contained in HB 555 are the results of careful study and numerous meetings conducted since the 79th Legislative Session between the Legislative Council and representatives of the Association of Family and Conciliation Courts, the Texas Association for Marriage and Family Therapy, the Texas Council on Family Relations, and members of the judiciary. Removing the parenting coordinator statute from the Family Code, as contemplated in HB 554, would be a large step backwards for Texas. Thus, the Board believes that HB 554 is not consistent with our organization's mission to aide families in conflict. There

are simply too many high-conflict cases that revolve around psycho-social issues, rather than purely legal matters, that Texans and our courts need the option of parenting coordination as a statutorily recognized hybrid Alternative Dispute Resolution procedure.

- **SB 449** – relating to the requirement that the parties in a suit affecting the parent-child relationship attend parenting classes (by Senator Uresti)

This is one that just came up on our radar recently (and just referred to the Jurisprudence Committee last week), and although the Board has not been asked to review this legislation it appears to be something that our readers may find interesting.

- **Searchable legislation on-line at** [www.capitol.state.tx.us](http://www.capitol.state.tx.us)

This column only highlights a small handful of the massive number of family law related bills filed so far this session. We encourage you to stay educated and go on-line and search for additional issues that relate to your own practice!



## News and Events

### Texas Chapter Fall Conference

Planning for the annual Fall conference is well underway. We have set a date and have hotel space already reserved. This year we will be meeting on October 5<sup>th</sup> and 6<sup>th</sup> at the beautiful Doubletree Hotel in Austin. The conference title is "**Child Custody and Mental Health Professionals – Social Sciences on the Witness Stand.**" We anticipate significant discussion for judges, attorneys and mental health professionals regarding application of social sciences knowledge to family law cases, including issues of direct and cross examination of mental health experts in contested custody cases.

Our main program speakers are renowned authors Jon Gould and Tim Tippins. Dr. Gould, associate editor of the *Journal of Child Custody* is the author of "Scientifically Crafted Child Custody Evaluations" (now in it's second edition), as well as dozens of peer reviewed journal articles on forensic mental health issues. Professor Tippins may be

recognized by AFCC members for his recently co-authored Family Court Review article "Empirical and ethical problems with custody recommendations: A call for clinical humility and judicial vigilance" which has been the touchstone for an ongoing debate regarding both the limits of expert knowledge and practical applications of social science in the family courts.

As more than just "Courthouse 101," this program promises to challenge some long held notions on both sides of the interdisciplinary divide and provide valuable guidance in one of the most complex areas of forensics. Attorneys should come away better informed of the intricacies of professional practice for mental health providers, and mental health professionals should better understand the needs and demands of high-level practice in the legal system.

**Let the rest of the chapter know what is going on in your area. Email [jbannin@bexarfamilyolutions.com](mailto:jbannin@bexarfamilyolutions.com) with your news.**

### Legislative Curiosities From the Current Session:

- **HB 1547:** Relating to inclusion of pets and other companion animals in protective orders.

## Texas AFCC Recognized Seminars

Beginning the first of what we hope will be several Texas AFCC recognized discussion groups/educational projects, long time AFCC members Judith Miller and Sondra Kaplan have organized the year long "Advanced Training for Parenting Coordinators and Legal Professionals" series. Bringing together judges, family law attorneys, financial professionals, and mental health professionals for discussion with leading experts from a variety of fields this program provides an ongoing interdisciplinary forum for the exchange of ideas and the development of procedures to lessen the impact of divorce and child custody issues on children and their families. You can find out more about the program, including a downloadable brochure listing the monthly topics, at <http://www.texasafcc.org/seminars.html>

We hope others around the state will offer to host similar discussions amongst their local professionals. Contact your local Board members to learn more about how we can help!

## 2007 Texas AFCC Board of Directors

### President

*Aaron Robb, M.Ed., NCC,  
LPC*  
arobb@texasounseling.org

*Rosemary Garza, JD*  
RosemaryGarza04@aol.com

*Susan L. McMillan, Ph.D.*  
drslmcm@aol.com

### President-Elect

*Martha Musselman, JD*  
mmussel@swbell.net

*Alissa Sherry, Ph.D.*  
alissa.sherry@mail.utexas.edu

### First Vice-President

*David M. Eaker, JD*  
David@EakerLawFirm.com

*Mardi Winder-Adams, M.Ed.*  
winder\_mardi@hotmail.com

### Second Vice President

*Jack Bannin, MS*  
jbannin@bexarfamilysolutions.com

*Gilda Bowen, LMSW*  
bowen\_associates@yahoo.com

*Mary Fogel, MS*  
Mary.Fogel@co.travis.tx.us

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*Scott Clarke, CDFIA, CFP*  
divorcefinancial@yahoo.com

*Hon. Frank Rynd*  
Frank\_Rynd@Justex.net

### Secretary

*Louise Lee, JD*  
louise@childlawmatters.com

*Vicki James, MS*  
vmjames@sbcglobal.net

### Past President

*Laurie Nowlin, JD*  
lnowlin@akinsnowlin.com

*Trevor Townes, MA*  
trevor\_townes@co.harris.tx.us

The next Board of Directors meeting is scheduled for April 20, 2007 in Houston.

### At-Large Directors

*Rocky Deutscher, LBSW*  
rdeutscher@tarrantcounty.com

*Questions, concerns, or ideas about the Texas AFCC chapter? Contact a board member for assistance.*

## Texas Service Referral List

We have recently completed a renovation to the Chapter webpage, including revamping our service referral directory. The service referral directory is an evolution of the previous "Service Models" project. As a service to both our members and the public, Texas AFCC maintains a list of members who provide services directly to families or children involved in family law matters. The list is intended to serve as one possible point of contact for families trying to locate services as well as for professionals trying to connect with other professionals. Texas AFCC does not endorse any specific provider or model; the list is provided for informational purposes only.

Services listed include:

- amicus/ad litem representation
- child custody evaluations/social studies
- co-parenting education
- collaborative law (allied professionals)
- collaborative law (attorneys)
- financial planning
- mediation/arbitration
- parenting coordination
- supervised visitation
- therapy/counseling

We have significantly streamlined listings from the previous "Service Models" format – the list is maintained as Excel spreadsheet, which is sortable by geographic area, city, or type of service. You can check it out at [http://www.texasafcc.org/pro\\_services.html](http://www.texasafcc.org/pro_services.html).

If you are a Chapter member who is not listed but would like to be (or if your information needs to be updated), please contact [arobb@texasounseling.org](mailto:arobb@texasounseling.org) to be added in. If you're not a Chapter member (or not sure if you are) go to [www.afccnet.org](http://www.afccnet.org) to sign up!

## Board of Directors Adopts New Web Link Policy

In order to establish minimum criteria for adding links to external sites the Board has adopted the following guidelines that links to external sites should be related to:

- professional organizations or government affiliated groups that provide services to families dealing with divorce or child custody issues; or
- professional services offered by a Texas AFCC Member; or
- peer reviewed journals, ongoing magazine-type publications, or publications by a Texas AFCC Member related to divorce or child custody issues.

Additionally the resources and external links pages should contain a clear disclaimer that Texas AFCC provides such links for information only and does not endorse or guarantee the content of the referenced sites.