



Fall Newsletter

DECEMBER 5, 2017

VOLUME 2017, NUMBER 1

President's Message

Greetings Mass Chapter of the AFCC,

I hope you all enjoy time with your family and friends over his holiday season. I am looking forward to an exciting year as your Chapter President, and want to take a moment to share some chapter news.

As you know, we were fortunate to serve as the host city for our National Conference. It was wonderful to see so many of you there. On June 25, 2017, Donna Feinberg graciously opened her home for a Board Retreat. Leslie Hunter, AFCC Associate Director shared her insights and we developed a plan for the year ahead.

During the summer and fall, we were very busy, and I am thrilled to be working with Past President Donna Feinberg, and Incoming President Jennifer Clapp on several projects. Projects that we are working on include, the completion of the Substance Use Disorder Best Practices Guide for cases involving substance abuse in the Probate and Family Courts; outreach to expand our membership, newsletter, and legislative projects/updates.

We also established committees reflecting the changes on the board, and we are inviting all members to reach out to chairs of any subcommittee where you may have interest in assisting. All you need to do is click on the committee chair's name and the hyperlink will open an email to them so you can express your interest.

Several members from our Mass Chapter attended the AFCC Regional Conference in Wisconsin. The sessions were rich and focused on providing practice tips related to many issues, including those related to parent – child contact problems, and intimate partner violence. As always, the collaboration among colleagues from across the country and internationally, was outstanding.

A highlight of our conference came when Robin Deutsch was awarded with a Life Time Achievement award. She is a most deserving recipient, it is an honor to have Robin hale from our own Mass Chapter.

On November 10, 2017, I had the privilege of serving on a panel at our sister organization, MAGAL's, Annual Conference. The conference was designed to provoke thought and conversation among all – and it succeeded tremendously! In fact, if you are a member of MAGAL are probably following the buzz on their list serve. The conference was well attended and was the first of what I hope will be an ongoing collaboration between Mass Chapter of AFCC and MAGAL, as we continue to work to provide outstanding service to the children, and families of the Commonwealth and ultimately for the Courts.

In addition, in an effort to be more accessible and present, we will be having board meetings in different locations to ensure that we are reaching the needs of our membership. The dates and times of our scheduled meetings are listed below. We invite you to forward questions, suggestions, and topics of importance to you, so that we can be sure to focus our work. And if it is convenient, please join us. All members are welcome to attend and participate in discussions; voting, however, is reserved to board members only.

Lastly, as a Board, we are looking forward to increasing our membership, please consider referring a friend, colleague, or a student, so that we can continue the growth of our Chapter, which began in 1993. In closing, we are thrilled to be working to continue to enhance the important work we all do in the Commonwealth.

[MA AFCC](#)

**President:
Patricia Brady,
LMFT, LMHC**

**Chapter
Administrator:
Rebecca Ryan**

**Visit us on the
Web!**

<http://www.maafcc.org>

Thank you for all you do every day and for continuing the tradition of excellence established for all family focused professionals.

Sincerely,

Patricia Brady, President

Welcome New/Renewing Members!

Laura Arbeitman	Nicole Armstrong
Sarah Ash	Andrea Barnes
Christine Bonardi	Jennifer Breen
Jill Brofsky	Leslie Brown
Joan Canavan	Jeremy Clyman
Robert Coutu	Meredith DeJesus
Susan DeMatteo	Sheryl Dennis
Alicia Doherty	Shelah Feiss
Alisa Feldman	John Fiske
Cheryl Garrity	Dorothy Gibson (Ret.)
Rachel Goldman Greenwald	Jessica O'Brien
Marc Grimaldi	Steven Gurdin
Wendy Hickey	Marybeth Holland O'Hearn
Lisa Kent	Vanda Khadem
Sally Kinder	Bryna Klevan
Peter Kortright	Kim LaDue
James Landy	Regina Mandl
Katie Mckinn	Judith McKinnon
Melinda Milberg	Karen Myatt
Beth Myers	Mary Ellen Niles Howard
Kathleen O'Sullivan	Barbara Oro
Katherine Partridge	Lee Peterson
Linda Ramsden	Ann Rascati
Diana Reeves	Meredith Rosenthal
Beth Ross	Katie Lee Salis
Brian Salisbury	Nan Sauer
Amanda Shuman	Talia Simonds
Linda Singer	Julia Sollenberger
Darlene Spence	Gayle Stone-Turesky
Stephanie Tabashneck	Lynnea Taylor
Alisha Tomasino	Kathleen Townsend
Alexander Tsai	John Waisman
Kim Whelan	Ellen Wilbur
Richard Wolman	Claudine Wyner
Sandy Yeung	

Officers, Board Members and Committee Chairs

June 1st marked the beginning of a new year for MA AFCC. What better way to kick things off than by hosting the AFCC 54th Annual Conference where we saw our chapter grow by // new members. Here is the lineup of our leadership team for the current term. All members are encouraged to become involved in supporting the success of our chapter. So, if you have an idea for a newsletter topic, social activity, round table, symposium or anything else you'd like to share please reach out to an officer, board member, or Committee chair with your ideas and suggestions. All members are encouraged to get involved!

Officers:

[Patricia Brady](#), President

[Jennifer Clapp](#), President-Elect

[Donna Feinberg Rachwal](#), Immediate Past President

[Kelly A. Flynn Zawistowski](#), Secretary

[Alisa Hacker](#), Treasurer

Board Members:

[Bette Babinski](#)

[Laura E. Gibbs](#)

[Claudette-Jean Girard](#)

[Amy Koenig](#)

[Mira Z. Levitt](#)

[Tony Pelusi](#)

[Claudette B. Pierre](#)

[Vicki L. Shemin](#)

[Hon. Richard A. Simons](#)

[Sylvia Sirignano](#)

[Harry Somers](#)

[Heidi Wells](#)

Committees:

Membership – [Vicki L. Shemin](#) and [Alisa Hacker](#), Co-chairs; [Tony Pelusi](#)

Legislative/Judicial - [Mira Z. Levitt](#) and [Alisa Hacker](#), Co-Chairs; [Patricia Brady](#)

Annual Conference - TBD, Chair; [Mira Z. Levitt](#)

Symposium - [Donna Feinberg Rachwal](#), Chair; [Alisa Hacker](#)

Round Table - [Kelly A. Flynn Zawistowski](#), Chair; [Sylvia Sirignano](#)
and [Claudette-Jean Girard](#)

Newsletter - [Tony Pelusi](#), Chair; [Vicki L. Shemin](#)

Nominating - [Donna Feinberg Rachwal](#) Chair; [Patricia Brady](#) and [Jennifer Clapp](#)

If you are interested in joining one of these committees, please contact one of the chairs to learn more.

Board Meetings and locations

January 2, 2018 – 3:00 PM Wellesley

March 6, 2018 – 5:30 Essex (or another location in Wellesley)

May 1, 2018 – (TBD) Norfolk Probate and Family Court, Probation Dept. Conference Room)

All members are invited to attend and participate in discussions, however, voting privileges are reserved for board members only.

Meet & Greet

Stay tuned for details on a meet and greet, we've got something special in mind. No formal agenda other than to provide a space for our members to commune; and most especially to welcome newer members into the fold. If you would like to mentor a new member or be matched with a more experienced member who will serve as your mentor contact [Vicki L. Shemin](#).

Winter Symposium

If you are already or are planning to seek certification as a Parenting Coordinator, if you recommend Parenting Coordinators to your clients, and/or if opposing counsel is suggesting a PC you need to know the logistics of the appointment process. Join us to learn about and explore Standing Order 1 -17. Click on the link below for details and to register. Act soon, this is sure to be a sold-out event.

[Parent Coordinator—The Court's next Gladiator Cutting through Standing Order 1-17](#)

To help insure that we maximize the opportunity for learning WE INVITE EVERYONE TO SUBMIT ANY QUESTIONS YOU HAVE ABOUT STANDING ORDER 1 -17. YOU CAN MAIL THEM DIRECTLY TO [Tony Pelusi](#) or respond to the topic that was opened on our List Serve.

Speaking of which.....did you know we have one?

List Serve

Got one of those nettlesome questions that you'd like a quick answer to? Need a case reference or a pointer to the most recent research? Want a template for a motion or pleading?

There is no need for anyone in our community to recreate the wheel or struggle alone. When you join MA AFCC you become a member of an association of like-minded skilled professionals who value sharing with and supporting others. Our list serve is a great place to connect with and draw upon the collective wisdom of our members.

So, check out our list serve. [MA AFCC YAHOO GROUP](#)

All you need is a Yahoo! Account to join. Please do.

And once you are on the list you can participate in a discussion, with all members of the group, by simply sending one email to maafcc@yahoogroups.com.
To join, email if maafcc-subscribe@yahoogroups.com and if you ever want to leave the group, just send an email to maafcc-unsubscribe@yahoogroups.com

Online Membership Directory

Did you know that we have an online member directory that is available to the public? MA AFCC members can log in and set up their own profile. This is a great way for you to establish yourself as a competent professional in the eyes of your peers and the public (you can even add a link to your own website!) It is also an effective and efficient way to find and connect with subject matter experts across the state. Check it out today:
<http://directory.maafcc.org/join>

News from the Court

Greetings from Chief Justice of the Probate and Family Court Angela M. Ordoñez

I am pleased to share some recent updates within the Probate and Family Court:

- Our Electronic Filing System (e-filing) has expanded and is presently active in 13 divisions.
- The NEW Child Support Guidelines went into effect September 15, with updated pdf fillable forms accessible to the public.
- Child Focused Facilitation Teams (CFFT) have been established in the Middlesex, Barnstable and Norfolk Divisions.
- A Fiduciary Litigation Session (FLS) began on November 20th. This pilot program will serve several divisions.
- Real Time Docketing and Scanning is presently in a total of 13 courtrooms within the Bristol, Suffolk and Essex Divisions and soon to be added into the Norfolk Division.

We continue to work hard to provide you with the most positive and efficient working environment in our court. Your willingness to give your valuable time, expertise and feedback greatly improves the court's ability to administer justice in a fair, equitable and efficient way.

Thank you for your continued support and commitment to our court and the communities we serve. Best wishes for a happy and healthy holiday season!

Angela M. Ordoñez

Chief Justice

Probate and Family Court Department

NEW 2017 Child Support Guidelines

The NEW Child Support Guidelines went into effect on September 15, 2017.

To access the NEW Child Support Guidelines Commentary, CSG Worksheet and any other important forms or information you can [CLICK HERE](#) or visit mass.gov/courts.

Electronic Case Filing

The Courts e-filing project continues to expand throughout the state. In the Probate and Family Court Department, e-filing is now present in 13 divisions. Attorneys and self-represented litigants can file Estates and Administrations, Guardianships of Incapacitated Adults, and Contested Divorces.

Tyler, the e-filing system is accessible 24 hours a day, 7 days a week online. As of September 2017, over 500 new cases have been initiated through e-filing with over 1,300 pleadings in the nine divisions. Once all 14 divisions are using e-filing, more case types and action codes are planned to be added.

If you are not yet registered and would like to do so: [REGISTER HERE](#)

If you would like to receive periodic updates on e-filing, you are welcome to join the Trial Court's e-filing news list serve by sending an email to efilenews-join@jud.state.ma.us.

Divisions active with e-filing: Barnstable, Bristol, Dukes, Essex, Franklin, Hampden, Hampshire, Middlesex, Nantucket, Norfolk, Plymouth, Worcester.

Child Focused Facilitation Team (CFFT)

Child Focused Facilitation Teams are now present in the Middlesex, Barnstable and Norfolk Divisions. These teams consist of a retired Probate and Family Court judge, an experienced family law attorney and an experienced mental health professional. The goal is to assist parties in family conflict to resolve contested issues and establish an agreement that focuses on their children's needs.

The CFFT will meet with the parties in an informal setting as a group (without the attorneys) for the first part of the session in the morning. The parties' attorneys will participate in the second part of the session in the afternoon. Each party has a chance to state their positions, while the CFFT facilitate a positive environment by encouraging communication and problem solving skills. Parties also get the benefit of clinical and therapeutic input and recommendations from a child psychologist who specializes in working with high conflict cases.

If an agreement is reached, they will immediately bring the agreement in front of the judge. The judge will review the agreement and it will be entered as a judgement or partial judgment. If the parties do not reach an agreement, the case will be scheduled for a future court hearing.

If both parties are interested in using a Child Focused Facilitation Team, please contact the Assistant Judicial Case Manager assigned to your case to make the request. If accepted, this process is offered on a voluntary basis at no cost.

Fiduciary Litigation Session

A new initiative was piloted this fall, beginning November 20th. It is called the Fiduciary Litigation Session (FLS). An FLS working group was established in 2016 and they submitted recommendations, a proposed Standing Order and forms. Due to our numerous judicial vacancies, the proposal could not be given serious consideration. Fortunately, Judge Elaine Moriarty expressed an interest in serving as a Recall Judge for the purpose of piloting this program.

Chief Justices Paula Carey and Ralph Gants approved Judge Moriarty to return as a Recall Judge for one year to preside over FLS. Judge Moriarty requested and was approved to work 3 days per week. Judge Moriarty is willing to add additional days to complete trials.

The program is intended to reduce some of the difficult cases from some of our judges' caseloads, allow litigators and parties to feel that they are not lagging behind domestic relations cases and allow us to gather metrics to understand the value of this session.

[Standing Order 3-17: Fiduciary Litigation Session Pilot Project Request for Reassignment Pursuant to Standing Order 3-17 \(MPC 304\)](#)

Real Time Docketing and Scanning

Real Time Docketing & Scanning (RTDS) was started as a Pilot Program in 2016 by Bristol County Register of Probate, Gina DeRossi. It is the process of docketing directly onto our Case Management System and scanning the accompanying images in "real time"; all being done in the courtroom during the session by a registry employee.

The program has created a positive impact in the courtroom and registry. The majority of cases are being completed within the session. It reduces the number of hands touching the file, making it easier to locate files and reduces the chance of lost loose paper. There is also a quality control advantage, when staff inputting data are present in the courtroom with more complete knowledge of the actual events. Citations, copies of orders, judgments, decrees, etc. are being generated and mailed out same day or given in hand if the decisions are completed.

Real Time Docketing and Scanning is currently set up in a total of 13 courtrooms within the Bristol, Suffolk and Essex divisions and soon to be added into the Norfolk division.

Volunteers Needed: Family Court Answer Center

Volunteer attorneys are needed for the Family Court Answer Center. Attorneys provide general information on certain family law matters and supply and help complete necessary forms for court proceedings.

The Family Court Answer Center is offered once a month at the Court Service Center located on the 2nd Floor of the Edward W. Brooke Courthouse, 24 New Chardon Street, Boston MA. Information and dates can be found at mass.gov/courts

If you are interested in helping or would like any additional information, please contact:

Marisol Mancia

617-788-6659

marisol.mancia@jud.state.ma.us

Important Information You May Have Missed:

1. **2017 Poverty Threshold Guidelines update:** For additional information and forms: [click here](#)

2. **Procedure for Administrative Allowance of Certain Petitions for Adoption:**

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COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT PROBATE AND FAMILY COURT DEPARTMENT
Procedure for Administrative Allowance of Certain Petitions for Adoption

Which adoption petitions may be allowed without an in-person court hearing?

Petitions filed where both parties are legal parents and both legal parents are petitioning to adopt.

This may include petitions filed by married couples where the child was born during the marriage and re-adoption petitions after an inter-country adoption.

Does not include step-parent adoptions.

Voluntary Procedure for Requesting Allowance of Adoption without in-person hearing:

Where is the request filed?

The adoption petition and all required paperwork shall be filed in the county where the adoptive parents reside.

In addition, the parents, and/or their attorneys may file a request to waive the parties' appearance and for the court to enter the adoption decree without a hearing. This request shall be accompanied by an affidavit which includes the following information:

1. The basis for their status as legal parents. (i.e., marriage, international adoption)

2. For re-adoption after inter-country adoption:

Confirmation that the adoption decree was issued in accordance with the laws of the issuing jurisdiction.

The adopted child was not brought into Massachusetts until the adoption was finalized.

What happens next?

The Court will review the request to waive the parties' appearance. In some instances, an in-person hearing may be required. The adoption clerk will notify the attorney and/or parties if a hearing is required.

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3. **Standing Order 1-17: Parenting Coordination:** To access the standing order [click here](#)

4. **Standing Order 2-17: Family-centered Case Resolution and Case Management in the Probate and Family Court Department:** To access the standing order [click here](#)

5. **Standing Order 3-17: Fiduciary Litigation Pilot Project:** To access the standing order [click here](#)

News from the National

An added benefit to all MA AFCC members is membership in our national organization. If you have not yet visited the website, you are missing a TON of opportunity and information. Check it out right now at: <https://www.afccnet.org>

In addition to the Annual and Regional Conferences, AFCC now offers monthly webinars on a wide variety of topics relevant to our practices. You can explore upcoming offerings and register, click here: [Webinar Registration](#). And listen to recording of previous webinars visit: [Webinar Archives](#)

Did you know that AFCC is sponsoring a Membership Contest with a \$5,000.00 prize to the chapter that has the largest per cent-age increase in new members between July 1, 2017 and June 30, 2018? What a great way to support our chapter – all you need do is invite a trusted colleague to join. Here is a link to where folks can join online: <https://members.afccnet.org/become-a-member>. So, PLEASE, spread the word and help our chapter grow.

Click on this link for details: [Save the date for the 55th Annual Conference in DC!](#)

Guest Columns

On behalf of the Board please allow me to extend an **open and ongoing invitation** to each and every one of our member to contribute to this newsletter as a “guest” author. In each issue, we hope to provide the opportunity to spotlight one or more of our members who choose to share their insight, knowledge, and experience on a variety of topics that we hope are relevant and of interest to our members. Please contact [Tony Pelusi](#) if you are interested in submitting a contribution, or know someone who might be interested if they received a gentle prompt.

In this inaugural issue of the Newsletter we are graced with these contributions. May they be helpful.

Guest Contributor Vicki L. Shemin

IACP 18th Annual Networking and Educational Forum

What a delight to have attended the International Academy of Collaborative Professionals’ (IACP) 18th Annual Networking & Educational Forum (October 12-15, 2017) in beautiful and historic Philadelphia! This year’s Forum boasted representative attendees from among IACP’s 20 countries and attracted about 500 participants.

This year’s theme, **“BEYOND US & THEM,”** truly captured the spirit of Internationalism and Interdisciplinary Collaborative Practice. Consider, for example, the trifecta highlights: (1) *Opening Plenary (“An Expansive Vision of Collaborative Ethics – Diversity, Psychology, Peacemaking and Social Justice”)*; (2) *Stu Webb Lecture (“Resolving Emotionally Charged Conflicts”)*; and (3) *Closing Plenary (“Building a Culture of Collaboration”)*.

Along with my AFCC and IACP colleague, Justin Kelsey, I was honored to present a Workshop entitled, **“Chasing Zebras: Collaborative Law Models of a Different Stripe.”** The title is a reference to the teaching pearl passed down from generations of seasoned physicians to their medical students: “When you hear hoofbeats, think horses not zebras” (meaning, during triage, when a patient presents with a cough and a low-grade fever, treat for the common cold and not for the Ebola virus). In our workshop, we challenged the participants to turn that old adage inside out by encouraging practitioners to go beyond the traditional CL practice triage teachings (“horses”) by designing a process tailor-fit to our client’s particular needs (“zebras”).

Our workshop reflected back on our traditional heritage and our current legacy (how CL evolved these past 30 years); some psychosocial dynamics that keep us anchored in antiquated CL practice methodologies; war stories illustrating why there needs to be more creative considerations; and ended with challenging participants to contribute to the expansive possibilities of our profession over the next 30 years – and beyond.

Along with emphasizing the critical considerations such as triage and latent professional conflicts of interest, the workshop focused on the inherent challenge presented by limited scope representation (a method of practice that certainly encompasses CL). Limited scope representation calls into question collaborative professionals’ ethical mandate to provide clients with thorough and detailed informed consent about the limited nature of the professional’s relationship to the client and the implications that naturally follow. This duty of informed consent is not a perfunctory one-shot deal that ends in the initial client meeting; rather, it is an ongoing and affirmative duty of care that continues during the entire CL process. As such, informed consent encompasses our prescriptive mandate to advise our clients about their rights, the alternatives available to them under the circumstances, the likely consequences of each alternative, and the costs and likelihood of success for each alternative.

In short, as collaborative professionals, during our triage process with our prospective and even on-boarded clients, we have a heightened obligation to provide appropriate informed consent about the potential risks of limited scope representation - - as opposed to weighing too heavily on the promotional aspects of the CL process. Without due care, we may be unwittingly leading our clients to a literal and figurative rush to judgment by guiding them to enter into a process if they have not had sufficient opportunity to truly evaluate the appropriateness of this option’s consequences for them and if we have failed to present them with a panoply of creative alternatives.

Just as we would not ask a couple on their first date to enter into a prenuptial agreement, so too should we not be hasty in facilitating the execution of a Collaborative Law Process Agreement in the first meeting.

Rather, as a cautionary tale, we should summon all our horse-sense and challenge ourselves to think zebras when we hear hoofbeats....

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Guest Contributor Tony Pelusi

AFCC Regional Conference

As has always been the case with the AFCC conferences I've attended, once our parent organization did a tremendous job with the 2017 Regional in Milwaukee.

For those who have not yet attended a conference they usually begin with a full day "institute" followed by two days of shorter, well vetted and thematically relevant workshops. This conference focused on High Conflict and Troubled Families. From the institute options, because I am already enrolled in Robin Deutsch's High Conflict Parenting course (which is great by the way) I chose to attend the PC focused institute that was led by Debra Carter and Jim McCall titled "The Far Side of Acrimony". We received an advanced peek into some of the results that are being tabulated from the recent PC survey that all identified AFCC PC's were invited to complete followed by a deep dive into some researched based approaches that might be helpful in our work to support challenged families. The interesting question for me was: "what if instead of just being 'private judges' who resolves disputes, our PC engagements were designed to raise the bar beyond simple supporting parallel parenting with less conflict all the way up to finding ways to support our clients to be 'good enough coparents'?" It left me wondering, is this too aspirational? What changes in the practice (and perceptions of it) might be needed to support the efforts of those committed to serving to this higher standard? Will the courts support this as a goal? Lots of great questions for those of us in the field to contemplate and explore going forward.

And, sticking with the PC theme, all in attendance were invited to an Open Forum with the newly constituted AFCC Taskforce that is charged with the responsibility of reviewing and updating the AFCC Parenting Coordination Guidelines that were published in 2005. The taskforce is committed to reviewing input from PC all over the world, recent developments in the law (like Standing Order 1 -17), and the most current research on the field to update and revise these well-respected guidelines. Stay tuned for the 2018 Annual Conference in DC where the committee expects to update us on their work.

Newsletter

This is YOUR organization. Have you written something that might be of interest to our members? Will you be speaking on a panel that other members might benefit from attending? Is there a "burning issue" that ignites your passion that you want to share about? Want to share your learning or a perspective you picked up at a training? All of these and more present great opportunities for you to consider submitting something for publication in our newsletter. If you have an idea or just want to talk about the possibility call 781.944.9449 or [email](mailto:tony@afcc.org) Tony Pelusi.



