



Quarterly E-Newsletter

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What's New: Resources from the Field

The following are items that have crossed the desks and inboxes of the Commission Staff in the last couple months that we thought would be of assistance to practitioners representing survivors of domestic violence, and in no way represent a comprehensive search for new resources. If you have something you'd like to see listed in the next "What's New," please feel free to email it to Ellie at banakise@staff.abanet.org.

Research and Policy

- ❖ The National Center for State Courts (NCSC) has released a seminal Policy Paper resulting from the first-ever meeting of the **Elder Abuse and Courts Working Group** in April, 2006. The Policy Paper outlines specific products, strategies, and recommendations that can be developed and implemented to increase awareness among the judiciary and improve court responses to the serious and growing problem of elder abuse, neglect, and exploitation. The report can be found at www.ncsconline.org/famviol/elderabuse/index.html. The NCSC is currently engaged in a number of follow-up activities to implement these recommendations and provide leadership to the courts.
- ❖ Many of you may be interested in this recent and comprehensive study on **violence in the lives of homeless women**, available at: <http://www.ncjrs.gov/pdffiles1/nij/grants/211976.pdf>. It has not been formally published, but was submitted in fall 2005.

Books, Articles, and Medial Reports

- ❖ Current ABA Commission on Domestic Violence member Casey Gwinn and former Commissioner Gael Strack have authored their first book: "**Hope for Hurting Families: Creating Family Justice Centers Across America.**" It is an excellent analysis of our ongoing challenges in this country in helping victims of domestic violence and their children. It is also the philosophical basis for the national and international Family Justice Center movement.

You can order a copy of the book at www.volcanopress.com or www.familyjusticecenter.org The authors have donated all proceeds to benefit the Family Justice Center movement.

- ❖ For those who want to hear the 7 1/2 minute **report on relocation** that National Public Radio produced for Morning Edition, May 29, 2006 go to: <http://www.npr.org/templates/story/story.php?storyId=5425699>

It has three very useful links:

1. The actual report;
 2. The arguments before the Massachusetts Supreme Judicial Court in a relocation case (presumably the trigger for this news report); and
 3. A link to <http://www.famlawconsult.com/reader.html> which claims to have the relocation law in every state.
- ❖ The National Center on the Prosecution of Violence Against Women has released a new article entitled **“Explaining Counterintuitive Victim Behavior in Domestic Violence and Sexual Assault Cases,”** While it discusses the use of experts to educate judges and jurors in criminal cases on how the behavior of DV and sexual assault victims might differ from their preconceived notions of how “real victims” should act, much of it is relevant to civil cases as well. You can find the article at: http://www.ndaa-apri.org/publications/newsletters/the_voice_vol_1_no_4_2006.pdf

Practice Tools

- ❖ The Family Violence Prevention Fund has released its new **"Culture Handbook,"** written by Sujata Warriar and edited by Marissa Dagdagan, with support from the US Department of Justice Office on Violence Against Women.

This handbook is designed to be used by advocates and professionals who work with those who are victims of domestic and sexual violence. It provides some basic information on how to understand culture and begin the process of challenging oneself to become more aware of the ways in which culture impacts our work and the lives of those who are victims.

The Culture Handbook will soon be available to download at their web site: www.endabuse.org

- ❖ The Association of Family and Conciliation Courts has recently released its **Model Standards of Practice for Child Custody Evaluation** at www.afccnet.org

- ❖ Two recent high profile **legal publications have rejected “Parental Alienation Syndrome” (PAS)**, a controversial label often used to discredit allegations of child abuse or domestic violence in family courts. According to PAS theory, children's disclosures of abuse by one parent are reinterpreted as evidence of “brainwashing” by the other parent. The solution proposed by PAS theory is to immediately award custody to the alleged child abuser.

The newly revised, 2006 edition of "**Navigating Custody and Visitation Evaluations in Cases with Domestic Violence: A Judge's Guide,**" published by [The National Council of Juvenile and Family Court Judges](#), includes a strong statement condemning the use of PAS which it calls a “discredited” syndrome that favors child abusers in custody determinations.

At the same time the Spring 2006 issue of the *Children's Legal Rights Journal* provides a comprehensive analysis of all legal case involving allegations of PAS. This definitive review concludes that science, law, and policy all oppose the admissibility of PAS in the courtroom. The journal is a quarterly publication co-edited by the ABA Center on Children and the Law and students at Loyola University Chicago School of Law. It is available from the publisher, William Hein & Co., for \$62/year (back issues are available going back to 1979). Call 1-800- 828-7571 or go to http://www.luc.edu/law/activities/publications/childrens_journal2.shtml to order.

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