



January 2013

New Feature:
Take the [Section Survey](#) each month about trends in the field of family law!

(See left column)

Section News

Elect Leaders at the Family Law Annual Meeting

August 8-10, 2013

The Section of Family Law will meet August 8-10, 2013, in conjunction with the ABA Annual Meeting in San Francisco, CA. Section leadership elections will take place at the meeting.

Slated nominees are:

Officers:

Lori Nelson (Chair-Elect);
Greg Ortiz (Vice Chair);
Mary Vidas (Secretary).

Council:

Lori Colbert (At Large);
Samuel Schoonmaker IV (At Large);
Peter Walzer (At Large);
Allen Palmer (Region I);
William Biviano (Region III);
Allen Bailey (Region VI).

Look for brief bios and pictures of the nominees in the spring issue of *Family Advocate*.

Congratulations to our nominees, and thank you to our Nominating Committee (Scott Friedman, Jan Keefer, Paula Kirby, Lyne Ranson, and Jonathan Wolfe) and all of the Section members who offered their nominations!

We know the Nominating Committee had a tough job selecting from the wealth of highly-qualified candidates, and we appreciate everyone's commitment of service to the Section and the practice of family law.

CLE Calendar

Webinar February 13, 2013

How to Develop an Assisted Reproductive Technology (ART) Practice

Learn the basic fundamentals of ART law and how you can start your practice in this unique and exciting field!

[Register for this course.](#)

REGISTER NOW FOR THESE CONFERENCES & INSTITUTES

April 17-20, 2013 [Spring CLE Conference](#)

Captain Cook
Anchorage, AK

[Register now](#)--the early-bird deadline for FLS members is March 1, 2013. See left column for more information.

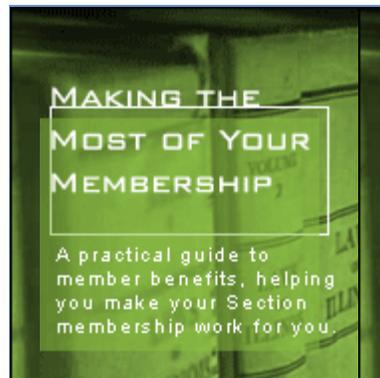
July 13-20, 2013 [27th Annual Family Law Trial Advocacy Institute \(TAI\)](#)

NITA National Education Center
Boulder, CO

Become a more effective trial lawyer in just seven days! The ABA Section of Family Law and the [National Institute for Trial Advocacy](#) (NITA) are pleased to offer you the opportunity to enhance your career and boost your self-confidence as you master the skills and techniques needed for success at trial.

See for yourself why [TAI alumni](#) say it's the best thing they've ever done for their legal careers.

ABA Family Law Section members receive discounted tuition; you must input code **FAMILY** at the time of registration in order to receive the



Member Benefit: eNews Online Archive

What Is It?

It's the web-based home for all of our monthly Family Law eNewsletters!

What's In It For Me?

If you misplaced the eNews in your inbox, or if you'd prefer reading it online, all you need to do is visit the Family Law eNews webpage!

Remember that the eNews contains links to the "Best of the ESQ List" column and our substantive feature articles; now you can peruse past issues at your leisure!

(One caveat: earlier issues of the eNews may display improperly due to the latest ABA web redesign. If that is the case, just let us know, and we'll send you a clean copy.)

Okay, Give Me the Link

* * * * *

**Last Call for CLE Proposals
Deadline: Feb. 11, 2013**

Have an idea for a great CLE program or know something every other family law attorney should be aware of? Heard a great speaker you think would wow your ABA Family Law colleagues?

Submit a proposal for our CLE Committee's consideration!

Programs will be considered for our Fall CLE Conference (October 16-19, 2013, Deer Valley, UT) and our Spring 2014 CLE Conference (May 7-10, 2014, Southampton, Bermuda).

We're also accepting proposals for our teleconference series. These programs last approximately 90 minutes.

To submit your ideas, just fill out the appropriate form linked below and return it to us via facsimile at 312-988- 6800 or via email by February 11, 2013.

[CLE Proposal Form](#)

[Teleconference Proposal Form](#)

* * * * *

**Meet Our New Family Law
Section Director**



Cynthia Swan

There's a new FLS director in town, filling the vacancy left by Paula Nessel who retired in August 2012.

discount. (The code is case-sensitive.)

Space is limited—[register now!](#)

For more information, [visit the TAI website.](#)

SAVE THE DATES

August 8-10, 2013

Family Law Annual Meeting
Marriott Marquis
San Francisco, CA

October 16-19, 2013

Fall CLE Conference
The Montage
Deer Valley, UT

May 7-10, 2014

Spring CLE Conference
Fairmont Southampton
Southampton, Bermuda

More information about these conferences will be available soon; be sure to clear your calendar so you can join us!

* * * * *

Stay up-to-date on CLE offerings with our [CLE Calendar.](#)

Unable to attend a teleconference or a Section CLE conference? Not to worry, you can learn on your own time when you purchase the CLE materials.
[See a listing of available CLE materials.](#)

Best of the ESQ List

This month's column features questions and answers concerning:

- 1) Parenting Plan Involving Chronic Psychiatric Condition;
- 2) UCCJEA and Parenting Coordination;
- 3) UCCJEA Jurisdiction with Child Living with Non-Parent;
- 4) Personal Property Exchange Language/Method;
- 5) Personal Jurisdiction for Divorce;
- 6) Veterans Benefits and Guardian;
- 7) Temporary Absence Under UCCJEA; and.
- 8) Child's Passport Provisions

[Read the December/January issue.](#)

Join the List!

[Visit the eNews archive](#)

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Please send proposals for future content submissions to the editor.

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If you prefer, call us at 800-285-2221 or write to:

**American Bar Association
Service Center
321 N. Clark St.
Chicago, IL 60654**

Cynthia (Cindy) Swan comes to us from the Catholic Extension Society, a not-for-profit whose purpose is to help poor mission dioceses across the United States build lasting foundations by investing in people, infrastructure, and ministries.

Cindy, an attorney who practiced law in Kansas, is excited about her new position and looking forward to working with the Family Law Section.

"My primary goal is to serve the members of FLS by facilitating the pipeline of information and services that the ABA provides so that our members' professional lives are enormously benefitted." If that lofty goal leaves Cindy any spare time, you will find her taking advantage of the myriad of cultural activities Chicago has to offer, as well as traveling to as many new places as she can.

One new place you'll find Cindy is Anchorage, Alaska, for our Spring CLE Conference. If you're joining us there this April, be sure to welcome her to the fold!

* * * * *

Registration Open for Spring CLE Conference

Early-Bird Deadline: March 1, 2013

Spring into CLE action this April in Anchorage! Sessions will focus on a variety of topics, including: ICWA, collaborative law, tribal courts, assisted reproductive technology, domestic violence, child custody and abduction, as well as cultural issues in the courtroom and much more. See a list of [all the CLE programs](#).

Once you're done learning for the day, take advantage of our networking and socializing opportunities. Dine Arouds and receptions are just some of the ways you can meet other family law

ESQ is cited as one of the **top member benefits** of the Section of Family Law and is the third most heavily trafficked of all the ABA discussion lists. Get referrals, ask questions, [sign up now!](#) (Please note that the ESQ list is only for our lawyer members.)

Are you one of our members from outside the U.S.?

Let us help you get on the ESQ list! If you're one of our members from Canada, Mexico, England, etc., and you're not currently on ESQ, please let us know. Send an email to [Hilary Glazer](#) and be sure to include your member ID.

Law Student Corner

Schwab Essay Contest: Call for Entries

Show us you've got the "write" stuff by entering the Howard C. Schwab Memorial Essay Contest!

Just pick a topic in the field of family law, get about 5,000 words down, and you're done. (That's about 25 double-spaced, typewritten pages including footnotes. Don't go overboard; we disqualify entries over 28 pages.) Also, only one submission per author is eligible.

If you win, we'll tell your Dean, you'll likely be published in Family Law Quarterly (and on the Family Law website), and you'll get a nifty certificate, too.

Please note that although essays must be about family law issues, the contest is open to **all** law students—not just those who are Section of Family Law members—so feel free to spread the word and mention it at your study group. The more entrants we have, the better you can feel about winning.

More information about the contest—rules, eligibility, etc.—is available at the [Schwab website](#).

Request your entry number by April 12, 2013.

Deadline for entries: April 26, 2013

Law school professors, please mention this to your students! Maybe one of them will make you proud! (You can also [download this flyer](#) to promote the contest at your school.)

[American Bar Association ABA Copyright Statement](#)

practitioners, and you won't want to miss our special train ride on the Alaska Railroad on Friday!

[Register today](#)

[Conference website](#)

* * * * *

ABA Presidential Appointments

Apply by February 25, 2013

ABA President-Elect James R. Silkenat will be making approximately 600 appointments to standing committees, special committees, commissions, and other entities and initiatives. All ABA members are eligible for an appointment.

Note: All current ABA Special Committee and Commission members must "re up" to be considered for reappointment. Please be sure to read the instructions before filling out the application. For more information and to apply, visit the [Presidential Appointments](#) website.

Please send a note to familylaw@americanbar.org to let us know that you've applied, as we might be able to put in a good word for you!

* * * * *

Submit Nominations for the Sharon Corbitt Award

Deadline: March 30, 2013

The ABA Commission on Domestic & Sexual Violence created the Sharon Corbitt Award in 2008 to recognize exceptional service and leadership in improving the legal response to domestic violence, dating violence, sexual assault and/or stalking. Nominees may be lawyers from any area of practice, including non-profit, private firm, government, corporate counsel, and the judiciary.

Sharon L. Corbitt was an active member of the

Financial Focus

A Column by Accountants for Family Lawyers



Disappearing Income and Asset Values

By Tracy L. Coenen, CPA, CFF

We've all seen it before: A spouse owns and operates one or more businesses. Divorce is filed, and the "out" spouse is told that the businesses have little or no value. Further, there is no income available to pay support, thanks to the poor financial condition of the businesses.

How can this be when the married couple has lived a good life for years, always having more than enough money to pay for homes, living expenses, and vacations? It's the case of the disappearing income and asset values, brought on by the divorce.

Fortunately, there are ways to ferret out truth behind the financial picture that is being presented. It likely will not be easy. The "in" spouse controls the money, the information, and the documents. Getting him to turn over financial documents that will prove there is income and value will be difficult.

[Read full article](#)

(You will need to log in to the ABA website.)

Forensic Psychology and Family Law: An Expert's Perspective

Forensic v. Clinical Psychology III: Diagnosis in Family Law Forensic Psychology



By Robert A. Simon, Ph.D.

In my [October 2012 article](#), I pointed out that in forensic psychology and forensic assessment in family law matters, there is no patient and no treatment. I noted that this stands in contrast to clinical psychology and clinical assessment in which there is, indeed, a patient and, if indicated, a diagnosis. Forensic psychologists most frequently become involved in family law matters when the Court orders a child custody evaluation or another form of forensic assessment for the purpose of determining what

American Bar Association for 25 years, serving as a member of the Commission on Domestic Violence from 2002 to 2005, after completing her term as chair of the Family Law Section. In honor of her exemplary professional and personal contributions to victims of domestic violence throughout her career, this award will recognize an attorney who embodies her spirit and dedication.

Anyone familiar with the achievements of a candidate may submit a nomination. The Commission urges nominators to choose only one candidate a year. No self-nominations will be accepted. Nominations must be submitted by March 30, 2013. For more information, [visit the website](#).

Don't Get Dropped!

There's just a little time left to pay your membership dues...

If you've already paid your Family Law membership dues, thank you very much, you'll continue receiving all of your membership benefits like *Family Advocate*, *Family Law Quarterly*, and *Case Update*, to name just a few.

You'll also be able to continue networking with your colleagues on ESQ and our other committee discussion lists. And you'll continue saving money on Family Law CLE programs and books, too.

BUT...if you've found yourself thinking, "Oh, I can take care of that tomorrow," please know that you only have until **February 27th** to renew your membership. After that time, you'll no longer be considered a valued member of the Section of Family Law, and worse, you'll lose all the benefits of Family Law membership.

is in the best interests of children.

While the definition of "best interests" may vary from state to state in the same manner that the family code varies from state to state, invariably the best interests of children includes elements of how they are parented, whether the parenting is effective and appropriate, and whether the children are being raised in a psychologically safe and psychologically stable environment.

It is tempting for psychologists and for family law attorneys to seek diagnosis in child custody disputes. Diagnoses are discrete and are defined by specific criteria as set forth in the *Diagnostic and Statistical Manual of Mental Disorders*. (The current version of the *DSM* is the *IV-R*. However, note that a revised form, the *DSM-V* is due for release in May 2013). On the surface, diagnoses appear objective (they are, in reality, frequently subjective) and they are seen as providing powerful and compelling statements about individuals. Imagine, for example, that there is a parent who, upon custody evaluation, is not given a diagnosis where their co-parent is given a diagnosis of Bipolar Disorder. On the face of it, it may appear that this would argue for the children's best interests being fostered by being primarily in the custody of the parent who did not merit a diagnosis based upon their symptoms. As is so often the case, surface appearances can be deceiving. Things that seem to summarize complex issues in a neat and tidy way are often misleading, reductionistic and overly simplistic. Often this fails to present the complete and nuanced picture that is so critical to quality forensic work, particularly in the arena of child custody and child custody evaluations.

[Read full article](#)

(You will need to log in to the ABA website.)

Committee Corner

**Military Law Committee:
Recommended Resource**

Webinar

**Protection Orders: Tools in the
Client-Safety Toolkit
February 13, 2013**

The ABA Section of Family Law's Military Law Committee has learned about a new webinar that may interest our committee members and others in the Section, too.

Fortunately, renewing your Family Law membership is simpler than ever! Either call the ABA Service Center at 1-800-285-2221 or [renew your membership online](#).

If you haven't had a moment to do so before now, or thought it could wait, time's running out. [Renew today](#).

Thank you for your membership in the ABA Section of Family Law!

Section Survey

Participate Each Month to Help Us Discover Family Law Trends and Your Interests

The Family Law Section has launched a special initiative through its Communications Committee to survey both the interests and concerns of our members as well as take note of emerging trends in the field of family law and our practice of same.

Please note that the results are **not** meant to serve as official statistics issued by the ABA FLS, but will be used by the Section to publicize the concerns of the family law community and to bring attention to issues in the Section that are of particular importance and/or timely relevance.

Survey results will be published in future newsletters. Although we encourage you to use the findings locally to bring visibility to these issues and the Section, please remember that the results are not official statistics issued by the Section.

If you would like to propose questions for future surveys, please feel free to email committee chair Thad Woody at twoody@ksfamilylaw.com.

The survey consists of five (5) short questions and will be open now through February 20, 2012.

The Battered Women's Justice Project (BWJP) is presenting a webinar on issues regarding orders of protection—both civilian and military—for attorneys and legal advocates who deal with military-related survivors of intimate partner violence.

Topics to be addressed include:

- * What is a Military Protective Order (MPO)?
- * How is it different from, or similar to, a civilian order of protection?
- * How do you get an MPO? Should it be utilized in conjunction with a civilian order or does it stand as something separate that needs nothing else to be effective?
- * How are they enforced?
- * Are civilian orders of protection enforceable on a military installation?
- * What do we know about how to craft effective orders?

This webinar is designed for civil attorneys, civilian and military legal advocates, and judges.

Visit the [website](#) for more information or to register.

Also of Interest

National Council of Juvenile and Family Court Judges (NCJFCJ)

**Judicial Institute: Family Law
San Antonio, TX
February 24-27, 2013**

This conference will feature a range of cutting edge family law topics on challenging issues in divorce, custody and visitation, property distribution and finances, military service and families, and the role technology and social media play both in and out of the courtroom. Top judicial and national experts in their fields will provide the latest advances, helpful advice and successful practices.

The mission of the *Judicial Institute: Family Law* is to provide the most current information and tools to family and domestic relations judges to improve case processing and outcomes for children, youth, families, victims, and communities with whom they work.

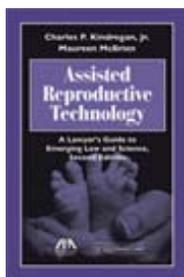
Visit the [conference website](#) for more information.

[Take the survey](#)

Publications

**Assisted Reproductive
Technology:
A Lawyer's Guide to
Emerging Law and Science,
Second Edition**

Charles P. Kindregan
Maureen McBrien



Product Code 5130178

As more people turn to assisted reproduction, the legal issues surrounding it have become increasingly complex. Beyond representing patients or clinics, numerous legal problems are arising from the technology's application. Disputes about disposition of embryos and gametes in divorce are perhaps the most common, but assisted reproduction technology (ART) impacts many other areas of the law, including personal injury, insurance, criminal law, probate and estate planning, and government.

This updated edition of *Assisted Reproductive Technology* covers important recent developments in the area, including the approval by the ABA of the Model Act Governing Assisted Reproductive Technology and the approval of proposed new standards governing inheritance by children of ART in the Uniform Probate Code. Drawing from multiple legal sources, including the ever-evolving number of court decisions dealing with various aspects of ART, this book presents complex information in a direct, balanced and fair manner.

[More information](#)

AFCC 50th Anniversary Conference

**Riding the Wave of the Future: Global
Voices, Expanding Choices
Los Angeles, CA
May 29-June 1, 2013**

Professionals face growing changes and challenges including alienated children, self-represented litigants, LGBT parenting, parental mobility, international child custody issues, high conflict and domestic violence, enhanced technology, same-sex marriage, and seemingly perpetual funding crises in our family courts. This conference will examine what the future holds and how the AFCC community will influence the constantly evolving family law system.

The ABA Section of Family Law is pleased to be a collaborating organization for this conference.

Scholarship application deadline is March 1.

Early-bird registration ends March 8.

Visit the [conference website](#) for more information.

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