



Association of Family and Conciliation Courts

New Jersey Chapter

NEWSLETTER



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A Message from the President

Denise Wennogle, Esq.

It has been an exciting 21 months since I was sworn in as the president of the New Jersey Chapter of the AFCC. It has been an honor to have served in this role.

Our chapter has accomplished some great projects and programs of which I am very proud.

In April 2022, members of our chapter made two 75-minute presentations entitled "Evaluations for Families in Conflict," to approximately 150 family judges, on the differences of the most frequently used evaluations. The presentation was very well received, and we are hoping the success of this endeavor will open the door to much more collaboration with the court to help educate the judiciary about a myriad of issues. Our chapter has continued its tradition of offering informative, timely seminars to our members and other professionals, including, "Adolescent Development and Issues that Arise in Divorcing Families" (October 2021), "When Cultures Collide" (April 2022) and "The Impact of Covid on Family Law and Mental Health Professionals." (October 2022). Of course, there are also the excellent conferences and webinars provided by our parent organization of the AFCC. Check out their website, (<https://www.afccnet.org/>) for outstanding ongoing webinars and trainings on timely, relevant topics including the upcoming 60th Anniversary Conference in Los Angeles 5/31-6/3/23.

In addition to the opportunities, we provide to members to network and to develop further as professionals, we continue to be proud of our excellent website. Our chapter website not only has general information about our chapter and committees, but also has a useful "find a professional" feature which can be a source of referrals to our members. Throughout the year, our chapter has continued to support a number of committees and round tables dedicated to a variety of focus areas, including parenting coordination, supervised visitation, custody evaluations and of course, this newsletter. I encourage you to reach out to the Committee chairs listed in this newsletter if you are interested in any of the topics to see how you can get involved.

As I come into my final months as President of the Chapter, I am hoping we will finally be able to release the long-awaited resource, "Evaluations and Interventions for Families in Conflict," that members of the board have been diligently working on for many months, describing the types of evaluations and interventions that can be implemented for families in conflict. Stay tuned, it is sure to quickly become a "go to" resource for many years to come.

It has been a wonderful "almost two" years as President. I will be leaving my position with complete confidence in the future of our chapter as I pass the baton on to the very capable President-Elect, Dr. Cynthia Lischick and our dedicated Board of Directors and active Past Presidents. I would like to thank everyone in the chapter who has contributed in one way or another to the vitality of our chapter and our continued success in meeting our goal of improving the lives of children and families through the resolution of family conflict.

Denise A. Wennogle, Esq. is a family lawyer at Wennogle Law, LLC in Morristown, NJ and is the president of the NJ-AFCC

Welcome New Board Members

Honorable Ellen L. Koblitz, P.J.A.D. (Ret.)

The Honorable Ellen L. Koblitz, P.J.A.D. (Ret.) joined the NJ-AFCC before the group officially became a chapter of the AFCC in 2002, when she was the Presiding Family Judge in Bergen County. She was elected vice-president and remained in that office until she was transferred out of the Family Part. As a sitting judge, she was not permitted to have her name on chapter stationery, nor ever become the president of the organization. Judge Koblitz views becoming vice-president of the NJ-AFCC once again as not only an honor, but also a homecoming.

Judge Koblitz spent thirteen years as a Family Judge, ten of them as Presiding Judge. She was Chair of the statewide Conference of Family Presiding Judges, Chair of the Children in Court Improvement Committee, vice-chair of the Supreme Court Family Practice Committee and Chair of the Supreme Court Judicial Education Committee. She spent ten years in the Appellate Division, writing numerous opinions in the area of Family Law. After twenty-seven years on the bench, including two as Presiding Judge in the Appellate Division, she retired and became special counsel in the Alternative Dispute Resolution, Appellate Advocacy, and Family Law practice at Pashman Stein Walder Hayden. She focuses her practice on mediation and arbitration of Family, Chancery and Civil matters. In addition, she advises attorneys and clients on appellate matters in all areas, including reviewing appellate briefs and conducting moot court appellate arguments. Judge Koblitz is a qualified NJ Ct. R. 1:40-12 Civil and Family mediator.

After graduating from Yale Law School, Judge Koblitz began her legal career in the New Jersey Office of the Public Defender and rose to the position of deputy public defender in charge of the Hudson and then the Bergen County regional office.

Judge Koblitz passes her legal knowledge on to others through service as an Adjunct Professor at Rutgers University School of Law and presenter of numerous continuing legal education courses.

Eileen A. Kohutis, Ph.D.

Eileen A. Kohutis, Ph. D. has a private practice in Livingston, NJ, where she conducts evaluations for child custody, relocation, risk assessment and other assessments in family matters, and serves as a parenting coordinator and a reconciliation therapist. She also conducts capacity evaluations of elderly or disabled persons. Dr. Kohutis received her masters and doctoral degrees in psychology from Yeshiva University. While working in various health care settings, she became interested in the mind-body relationship and began taking classes in psychodynamics. This led to her enrolling in a psychoanalytic institute and earning a certificate in psychodynamic psychotherapy and a certificate as a psychoanalyst. Some of her research on the mind-body relationship has been published in psychoanalytic journals and presented at various psychoanalytic conferences.

Endeavoring to expand her skill set, Dr. Kohutis took courses in collaborative law and mediation. In 2008, she joined the New Jersey Collaborative Law Group, where she met Phil Sobel, one of the founding members of our NJ-AFCC Chapter. She joined AFCC in 2008, and recalls Sunday morning meetings at Phil's office that included an abundance of bagels, various spreads, and coffee. From 2009-2012, she was the Program co-chair of NJ-AFCC, and in 2019, she rejoined the NJ-AFCC Board as a Director and currently serves on the Program Committee.

Dr. Kohutis is a member of the American Psychological Association (Division 41—Law Society; Division 42—Independent Practice), a member of the New Jersey Psychological Association, a Trustee of the New Jersey Psychological Association Foundation, and on the Medical Staff at St. Barnabas Medical Center in Livingston, New Jersey. She is a former co-chair of the Forensic Interest Group of the New Jersey Psychological Association.

She has presented at local, national and international conferences on issues in child custody evaluations, psychological testing, and post-traumatic stress disorder, and she has authored several articles on custody, psychological testing, malingering, somatic disorders and factious disorders imposed on another (formerly Munchausen syndrome by proxy). In her spare time, Dr. Kohutis enjoys hiking, golfing, and reading mysteries.

Annual Meeting of the NJ-AFCC

*New Board Members Elected
Phil Sobel Award
When Cultures Collide Presentation*

For the third year in a row, the New Jersey Chapter held its annual meeting virtually due to COVID precautions. The zoom platform did not impede the Chapter from completing its agenda, with many chapter members participating.

The chapter unanimously elected the Board's slate of nominees for new two-year terms. The slate included the re-election of two existing members as well as the election of two new board members. Those existing board members elected for new terms as officers included, President-Elect Cynthia Lischick, and board member Linda Schofel, who were each re-elected to serve for two more years on the Board. Additionally, the chapter unanimously elected two returning members to the board, retired Judge Ellen Koblitz and Dr. Eileen Kohutis. (See articles elsewhere in newsletter profiling the new board members). Retired Judge Ellen Koblitz replaced Linda Schofel as the new Vice President of the Board.

In addition to the election of officers, the annual meeting included the annual presentation of the "Phil Sobel Award." The Phil Sobel Award is presented each year, in honor of Phil Sobel, a founding member of the New Jersey AFCC chapter, to someone who shares Phil's vision of helping families collaboratively resolve conflict outside of court. This year the Board selected President-Elect Dr. Cynthia Lischick as the recipient and Dr. Ron Silikovitz made the presentation (see article elsewhere in newsletter).

The evening was capped off by an informative program entitled "When Cultures Collide," moderated by the Honorable Hany A. Mawla, J.A.D. The guest speakers included, Dr. Jeffrey Singer, is a licensed psychologist who maintains a forensic and clinical practice with the Morris Psychological Group; Dr. Aileen Torres, the Director of Clinical Training, Clinical Psychology PsyD program at William Paterson University; and Babita Spinelli, a licensed psychotherapist and former practicing attorney, who is the principal of Opening the Doors Psychotherapy. The seminar received glowing evaluations from the attendees and many attendees expressed opinions that the programs increased their understanding of how diverse cultural backgrounds often impact the different roles between parents, their unique parenting practices, as well as expectations and philosophies of child rearing (see article elsewhere in newsletter describing the seminar in more detail). The seminar was also approved by NJPA for 2 continuing education credits, and by the New Jersey Supreme Court for 2.4 continuing legal education credits.

Save the Date

for the **NJ-AFCC Chapter's**

2023 Annual Meeting and Spring Conference

Tuesday, May 9, 2023

5:00 pm - 8:00 pm

Maggianno's - Bridgewater, NJ

Details coming soon

afccnewjersey@gmail.com

afcc-nj.org



Phil Sobel Award Presented to Dr. Cynthia Lischick

Dr. Ron Silikovitz

On April 27, 2022, at our New Jersey AFCC Annual Meeting, Dr. Cynthia Lischick was awarded the Phil Sobel Award. I first met Dr. Lischick in Seattle, Washington during the June 2016 International AFCC Conference. She joined NJ-AFCC that year and has continually demonstrated her dedication to court reform through the education of professionals who provide services in the name of safety for families in court.

Attorney Phil Sobel was one of the founding members of our NJ-AFCC chapter in the late 1990's. His vivid dream and passionate wish were to reform the court system to help families resolve conflict without court intervention. After his untimely death in 2012, our chapter created the Phil Sobel award to honor his vision. Since then, the award has been presented to Phil himself, posthumously, Judge Ellen Koblitz, Dr. Sharon Montgomery, Dr. Ann Ordway, Barbara Worth, Esq., Amy Wechsler, Esq., Dr. Marcy Pasternak, Denise Wennogle, Esq., Dr. Lisa Tomasini, Dr. Frank Weiss, and me.

Dr. Lischick earned her bachelor's degree, with College Honors, at Rutgers University, a Domestic Violence Specialist certification by the New Jersey Association of Domestic Violence Professionals, Master's degrees in Psychology from Rutgers and in Counseling Psychology from Monmouth University, and her Ph.D. in Psychology from Rutgers. Her 1999 dissertation focused on dating abuse, coercive control, and coping strategies for battered women while providing some of the first empirical support for the model of coercive control.

During the US involvement in the Iraq/Afghanistan Wars, Dr. Lischick served as a systems change agent working to reduce the high prevalence of military suicide, a success that was celebrated by the NJ National Guard in achieving one of the lowest suicide rates in the U.S. for many years under her watch. For her service to the Guard, Dr. Lischick was awarded the Civilian Meritorious Service Medal, one of the highest honors a civilian can earn.

For more than three decades, Dr. Lischick was a policy writer for child welfare, a curriculum/program developer, a trainer, and a researcher. In 2021, she was appointed by the Governor to the NJ Fatality and Near Fatality Review Board, where she has served as a resource member since 2016. As a Licensed Professional Counselor with specialties in the areas of trauma mental health, domestic violence, coercive control, rape and sexual trauma, war trauma, and child welfare, Dr. Lischick is currently the Clinical Director at Main Street Counseling in Allentown, NJ. In her private forensic psychology practice, she has conducted assessments of Battering and Its Effects in civilian and military courts, and she has authored several publications regarding assessment of battering and risk and coercive control in the context of divorce.

Dr. Lischick taught for Rutgers University in the departments of Psychology and Criminal Justice and has presented numerous professional and academic workshops and training over the past three decades for psychologists, judges, court personnel, social workers, attorneys, and mediators. A few of the most notable for AFCC, included her 2010 presentation on assessment of coercive control and high conflict dynamics in ADR Settings and a 2012 presentation on "Assessing Post Separation Risk." Locally, she presented at the 2018 NJ-AFCC program on Treatment and Interventions in High Conflict Custody Cases in Light of Allegations of Domestic Violence and served as a panelist at our program on Parental Decision Making With High Conflict Families.

This April, Cynthia will ascend to the presidency of our chapter. We all congratulate this most deserving recipient and wish her continued professional success and personal happiness.

***Ron Silikovitz, Ph.D., is a licensed psychologist
with offices in West Orange, New Jersey and Elizabeth, New Jersey.
He is co-founder of the NJ-AFCC and has been a board member since 1999.***

When Cultures Collide

Annual Meeting Seminar Provided Valuable Insights on Cultural Differences

Lynn B. Norcia, Esq.

The annual chapter meeting of April 2022 included presentations on cultural diversity, entitled "When Cultures Collide." The program was moderated by the Honorable Hany A. Mawla, J.A.D., and the panelists, each qualified in their respective areas of expertise, highlighted aspects of Jewish, Latinx, and East Indian culture and presented a wealth of practical, timely and useful information.



Dr. Jeffrey Singer, a licensed psychologist who maintains a forensic and clinical practice with the Morris Psychological Group, gave an historical overview of Judaism, explained the spectrum of Orthodoxy, and described common Jewish values, especially pertaining to gender and modesty in our modern world, and as they affect parenting. Behavioral norms of many Orthodox Jews include modesty in dress, language, and behavior; avoiding being alone with a person of the opposite gender; and the prohibition against touching an unrelated person of the opposite gender, e.g., no handshaking. Dr. Singer also described commonalities among Orthodox Jews, such as keeping kosher (requiring two sets of all dishes), "family purity laws," men required to pray three times per day and the principle that Rabbinic Authority is binding.

Today, there are still both official and unofficial matchmakers in the Orthodox community. Divorce is discouraged, but it is acknowledged as a reality and recognized through the presentation of a "Get." Rules governing the Get are subject to the civil law of the relevant jurisdiction, which has precedence over Jewish marital law. However, a Get is necessary if parties want Jewish law to recognize the divorce and they wish to remarry under Jewish law.

Orthodox parents highly value Torah study and studying in general. They will sacrifice much to pay tuition to a Jewish school, so their children are immersed in Jewish beliefs and values. Large segments of the Orthodox community do not allow their children to watch entertainment, and some will not permit the reading of secular books.

Dr. Aileen Torres, Director of Clinical Training, Clinical Psychology, PsyD program at William Paterson University, presented on Latinx culture. She reviewed basic terminology, noting that the term "Hispanic" refers to someone who speaks Spanish but who may have ancestors from a wide range of countries, whereas "Latino(a)" refers to someone from Latin America. "Latinx" is a gender-neutral term sometimes used instead of Latino/a. There are 60.5 million (18.4%) Latinx in the United States. The Latinx population in New Jersey was about 21.6 percent of the state's total population in 2020 and is steadily increasing.

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When Cultures Collide - continued

Of particular interest was Dr. Torres' review of concepts detailed in the one of the most widely used books on cultural competency, *Developing Cross-Cultural Competence: A Guide for Working with Children and Their Families*, (3rd Edition), edited by Eleanor W. Lynch and Marci J. Hanson (1998), which contrasts beliefs, values, and practices of the Latinx culture as compared to Anglo-European culture. Some of these contrasting beliefs, values and practices included: interdependence (Latinx) versus independence (Anglo-European); relaxed with time versus time sensitive; tendency toward a more patriarchal family structure versus a more democratic family structure; and focus on extended family systems more than on the nuclear family system in Anglo-European culture. Parenting styles common in the Latinx community include the direct commands for children to obey and respect, the use of punishments which include shaming and threats, and emphasis on respect for elders or others with status.

Dr. Torres' advice about conducting forensic interviews with Latinx families included the need for the interviewer to clarify his/her role and to consider that it may need to be explicitly stated that the interviewer is not concerned with reporting the family to immigration. She offered examples of appropriate questions to ask interviewees about parenting style and what their culture teaches about how to raise a child. Overall, her presentation provided many practical tips for both mental health and legal professionals.

Babita Spinelli, a licensed psychotherapist and the principal of Opening the Doors Psychotherapy, delivered an instructive presentation on South Asian communities and divorce, noting that numerous countries make up South Asia, and, more significantly, 19,500 dialects are spoken in India as mother tongues. Distinctively different cultures are found in the different regions of India requiring us to be mindful and respectful of those distinctions when interacting with South Asian families.

Arranged marriages continue to be commonplace in the South Asian community. Divorce, viewed as taboo and a last resort, can result in either a real or perceived loss of honor in the community. One who divorces is considered a failure in South Asian culture. A successful marriage is a crucial goal, and many couples stay married to avoid being labeled as having a failed marriage, and to preserve their family's reputation. A significant issue in the divorce is often the return of gold jewelry received from the groom's parents. In South Asian families, this gifting of gold jewelry is a long-standing practice, whether it is worn or not, and is considered an important exchange in some families.

In South Asian culture, the role of the parent is authoritarian, and parents often determine their children's profession. Not only is a high importance placed on education, but the culture sets very high educational expectations on children as well.

The presentations of the three speakers and the discussion that followed gave attendees a better understanding of the norms and practices of the three different cultural groups. This understanding is critical to establishing rapport with clients from diverse cultural backgrounds and in assessing the family dynamics. The seminar on "When Cultures Collide," is yet another example of the quality of seminars provided by the New Jersey Chapter of AFCC.

***Lynn B. Norcia, Esq. is Of Counsel at Starr, Gern, Davison & Rubin in Roseland, NJ.
She has been on the Board of NJ-AFCC since 2019 and currently serves as Secretary.***

The Impact of COVID on Family Law and Mental Health Professionals and the Families We Serve

NJ-AFCC Fall Seminar

Amy Wechsler, Esq.



Our fall 2022 program, moderated by Marcy Pasternak, Ph.D., offered a multi-disciplinary presentation from both legal and mental health perspectives. The Hon. John A. Jorgensen, J.S.C., (Middlesex County) noted the rapid and dramatic judiciary response when Covid hit in March 2020. Although courthouses were shuttered, judges and court employees adapted, operated remotely, and handled most court appearances, including trials. Today, courthouses are open, but many proceedings are still conducted virtually, while some hearings, trials, and conferences are in-person. Anticipating the possibility of a future pandemic or other event which may cause courthouse doors to close, all court staff are required to work remotely one day per month to stay familiar with the requirements of working virtually.

Thomas DeCataldo, Esq., noted that virtual court appearances sometimes fostered a lack of respect for the court. Parties and lawyers did not always join conferences on time, some participants were not appropriately dressed, and some had distractions at home and were not focused on the proceedings. Issues of virtual testimony were addressed in the case of *Pathari v. Kakarlamath*, 462 N.J. Super. 208 (App. Div. 2020) which set forth factors to be considered in determining whether a witness can testify virtually. Remote appearances are convenient, but many lawyers miss in-person opportunities to conference with judges, to have meaningful settlement talks at the courthouse, and to network with colleagues.

Other functions required adaptation as well. Covid threw standardized processes for forensic psychological evaluations into chaos. David Gomberg, Ph.D. and several of his colleagues believing that parts of evaluations must still be in person established protocols for a mix of virtual and in-person methods, developed safety measures in their offices (partitions, high end air purification systems, ventilation, outdoor meetings), drafted releases for client consent to telemedicine meetings and Covid risks, and advised the legal community about their new procedures.

Other evaluative processes, such as guardian ad litem (GAL) assignments and therapy, in-person meetings are preferable and sometimes necessary. GALs are expected to do home visits, which must be in-person. GALs and therapists, who work with families, need to observe interactions among family members, because this provides valuable information about relationships and family dynamics. These observations are limited in virtual meetings.

Many mediators and parenting coordinators (PC) readily switched to remote meetings and continue to utilize video conferencing. This saves time and fees for clients who are able to limit their time absent from work, reduces childcare expenses, and saves on attorney travel time expenses.

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The Impact of COVID - continued

Other benefits of remote meetings for mediators and PCs include avoiding unwanted contact between parties, the ability to screen-share documents, editing drafts together, and reducing the need for office space. Shireen Meistrich, L.C.S.W., noted the advantages and disadvantages of working virtually with clients in therapy, as well as a PC and GAL.

Also noted was the effect of Covid on clients and how it played out in custody cases. For some parents, Covid became another source of conflict, because they were worried about the levels of Covid, using Covid as a purported reason to limit parenting time. For a parent already prone to gatekeeping, Covid was the perfect foil for continuing to gatekeep. Early fears about Covid were warranted, but, as time went on and we learned more about how the infection spread, when parents continued extreme gatekeeping measures, it suggested something more insidious was at play.



Safeguards are needed in any process working virtually. If the process is to be confidential, this should be confirmed in writing. Recordings are prohibited, as are live feeds to third parties. Only agreed-upon participants can be present in the room used by each participant, and virtual backgrounds, which obscure whether someone else is there, should be avoided. Participants should use a secure WiFi connection.

During sessions, phones and other devices should be shut off and out of sight, with participants providing assurances that they won't be interrupted. Alerts and social media activity should be disabled on the device being used.



Alexandra Coglianesse, Esq., L.C.S.W., discussed the appropriate use of guardians ad litem (GAL), noting the importance of triage at the time the assignment is made. Some GALs are appointed when the need is actually for something else, such as a parenting coordinator, therapist, or co-parenting counselor. GALs and other professionals (such as parenting coordinators) are often misused by attorneys and courts who may recognize that a family needs help, but have not defined what is indicated. Before appointing a GAL, Alex recommends contacting the proposed GAL and having a conversation that allows all involved to better frame the family's needs. This can help expedite initiating the right services and supports, specify the scope of the GAL assignment, assess whether a tandem team approach is warranted, and identify the right team members at the outset.

The seminar was also approved by NJPA for 2.5 continuing education credits, and by the New Jersey Supreme Court for 3.0 continuing legal education credits.

Amy Wechsler, Esq. is a family law attorney at Lawrence Law, LLC in Watchung, NJ. She has served on the Board of NJ-AFCC since 2003 and is a recent Past President.

**For more information about the
New Jersey Chapter of AFCC go to:**

afcc-nj.org

Or send us an email!

afccnewjersey@gmail.com

Newsletter Committee:

Lynn B. Norcia, Esq. Chairperson

Eileen Kohutis, Ph.D.

Marcy Pasternak, Ph.D.

Amy Wechsler, Esq.

Nancy Andreasen, Administrative Assistant

AFCC 15TH SYMPOSIUM ON CHILD CUSTODY**Supervised Visitation/Parenting Time:
The Who, What, Why and How**

By Jennifer Joseph, JD; Mindy Mitnick, EDM, MA; and Hon. James Street

A review by Holly M. Friedland, Esq.

Recently, I attended the AFCC 15th Symposium on Child Custody in Las Vegas, Nevada. While there, I had the opportunity to sit in on a panel discussion on supervised parenting time with three experts on the subject from Minnesota. At the outset, they established two very basic concepts; first, not all supervision cases are created equal and second, it is vital that the level and parameters of the supervision meet the needs of the individual case.

Consider the following scenarios. Parent A has a documented history of domestic violence including physical violence towards their child. Parent B has a history of drug abuse and only recently started seeking treatment. Parent C moved away when the child was an infant and is now seeking to establish a relationship but the child is resisting seeing them. While there is a reason for each of these parents to be supervised, clearly the supervision set up in each case will not be the same. First, it may not be necessary, and second, setting the wrong parameters could actually be detrimental to the goal you are trying to achieve. Because of that, it is extremely important to take the time to set the appropriate parameters and rules at the outset. You need to ask certain basic questions: what level of supervision is needed, what are the expectations for the supervisor, and finally, when can supervision end?

As I indicated before, not all supervision is created equal. There are varying degrees of supervision that can be applied depending on the kind of risk asserted. The more critical the risk or concern, the higher the level of supervision; the less critical, the less restrictive and invasive. While parents A and B may require a professionally trained supervisor conducting visits in a structured setting, Parent C may simply require that visits take place in a public setting with a trusted third party present. One reason for the difference in the degree of supervision is the goal or priority of the supervision. For Parents A and B the focus is on protecting the child from a substantiated risk of harm. The focus for Parent C is on providing a comforting environment for the child to establish a relationship with their parent. To low a level of supervision for A and B could expose the child to additional risks, to high a level for parent C could interfere with the child's ability to become comfortable with the parent.

Once the level of supervision has been set, the next question has to be what is expected of the supervisor? Will the supervisor be expected to take notes on each visit? Will they be expected to ultimately render some form of report on their observations?

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AFCC 15th Symposium - continued

Keep in mind that requesting a report from a supervisor on their observations is NOT the same as asking for a recommendation on whether supervision should continue. A supervisor's job is to do exactly that, to supervise; it is not to be a factfinder or an evaluator and it is not to make an ultimate determination on parenting time.

It is also important that the supervisor know what authority they have to act or intervene in a visit. To properly assess this, the supervisor needs to know why visitation is being supervised to begin with so they know what 'warning signs' they should be looking for.

Finally, when will supervision end? The goal of supervised parenting time is to inevitably transition to unsupervised parenting time. Sometimes, the end of supervision can be established at the outset. For example, for Parent B it might be appropriate to lift supervision or allow some unsupervised parenting if they can demonstrate completion of a treatment program followed by 3 months of clean drug tests. Parent C might be able to start some form of unsupervised parenting time if they have a set number of visits without incident within a set time period. As for Parent A, perhaps their supervision is more difficult to determine when it ends. Perhaps for Parent A, their supervision must continue until a more detailed evaluation is completed or they complete some other form of mental health counseling. Regardless of the goal, it is important that it be set at the outset of the supervision.

Ultimately, like most panel discussions, there were no definitive rules set in stone dictating what kind of supervision should be set or when supervision can end in specific cases. What was established, however, was the importance of knowing what questions to ask when deciding to start supervision and understanding that what might be appropriate in one case, may not work in another. It is up to you to ask the question needed to establish the parameters that work best with your specific situation.



***Holly Friedland is a partner at Jacobs, Berger LLC, Morristown, New Jersey.
She has been a member of AFCC since 2012 and
has served on the Board of Directors of the NJ-AFCC since 2018.***

A Call for Civility:

When Did Advocating for a Child's Best Interests Require an All Out Attack on the Other Parent?

Thomas J. DeCataldo, Esq.

On December 24, 1914, in the midst of one of the worst catastrophes in human history, troops from both sides in World War One participated in what is known as the "Christmas Truce." Enemy combatants from both sides of this global conflict decided to lay down their arms and provide a temporary reprieve to the conflict in order to celebrate the holiday. There are many reported incidents of rival soldiers crossing into enemy trenches to make conversation and take a break from the fighting.

It is almost impossible to picture that people, who were quite literally trying to kill one another a few days earlier, could find a way to be civil for the sake of peacefully enjoying a holiday. Knowing that this is at least conceptually possible, why is it so difficult for custody litigants to see the good in one another? After all, these are almost always people that have chosen to live together, often marry one another, and start families together. Further, it is widely known that parental conflict is detrimental to a child's best interest so imagine the irony of fighting for a child's best interests, while harming that child in the process of advocating for one's own position.

As a family law practitioner, I regularly counsel my clients that it is not only okay to have kind things to say about another parent, it may also carry other benefits. First, if a party's goal is to advance the best interests of their children, a great start is to avoid hostilities between the parents or ensuring there is interparental conflict. There are also strategic benefits. Offering kind words about the other parent endears a litigant to the reviewing arbiter, whether it is a family part judge, mediator, custody professional or arbitration. It shows an ability to focus on the pertinent analysis without emotion or vitriol, and it shows a maturity to express why the custodial arrangement being sought is best for the child, without feeling a compulsion to denigrate the other parent. Custody professionals are also accustomed to acrimony that it is often a breath of fresh air to see a litigant pause to acknowledge the other party has redeeming qualities.

It is all too easy for custody litigants to lose sight of the breadth of the New Jersey's custody statute. There are many factors that can be argued in support of what may be best for a child, with very few holding a nexus to a parent's fitness. Good attorneys and smart litigators will persuasively use these factors to advocate for a given position without portraying the other parent as evil incarnate. Perhaps the other party's employment demands undermine their position, or the geographic proximity of the parties' residences renders one party's position more consistent with the best interests of the child. A parent might be a wonderful loving influence in many ways but have a difference of personalities with a certain child, or struggle with schoolwork, there are endless examples of how one could still support the other parent's influence while believing an equal arrangement may not necessarily be best.



There will always be occasions where a parent's fitness may be at issue, but that is not every case and probably not even most cases. With that in mind, there is simply no reason in most custody disputes that the focus needs to be on the ineptitudes of the other parent, and in fact this can pigeonhole a party's position, because if the Court disagrees and believes the other parent is "fit," the focus has been taken off all of the other factors that might support a different outcome. If custody litigants and family law attorneys could strive to make this process less personal and less about winning and losing, the process becomes less emotional and personalized, and more focused on what is truly best for a child. A good first step towards achieving that end is a commitment from custody litigants and family attorneys to foster civility in these disputes.

***Thomas DeCataldo, Esq. is a founding partner of Manzi, Epstein, Lomurro & DeCataldo, LLC
with offices in Montclair and Hoboken, NJ.
He is a past officer of the New Jersey Chapter of AFCC.***

NJ-AFCC Committees 2023

As a member of the New Jersey Chapter of AFCC, all are encouraged to participate in attending our very educational meetings held twice per year, writing an article for our Newsletter, or joining a committee or peer group. If you are interested, please contact the Committee Chair or Denise Wennogle, chapter president. For contact information, go to www.AFCC-NJ.org or email us at afccnewjersey@gmail.com

Committees Seeking New Members

Membership Committee

Chair: Joseph Racite

Joe reports on membership at each board meeting. This committee is seeking new members and new ideas to increase membership in our chapter.

Newsletter Committee

Chair: Lynn Norcia

The NJ-AFCC Newsletter committee's goal is to publish issues two times each year and include articles of interest to our membership. Articles on relevant topics are always welcome. Contact Lynn if you are interested in serving on the committee or in submitting articles for future editions.

Website Committee

Chair: Denise Wennogle

This committee keeps the website up to date with membership listings and chapter news. It was recently updated; the committee welcomes any ideas on improving our website or interest in managing it and keeping it up to date.

Custody Evaluation Committee

Co-chairs: Elise Landry and Lidia Abrams

This committee is focused on improving custody evaluations in New Jersey, with a current focus on looking into changes from the dueling-expert model to another preferred neutral evaluation model.

Parenting Coordination Committee

Co-Chairs: Amy Wechsler and Linda Schofel

This is a new committee focused on providing mentoring support to members of our chapter, who have completed formal Parenting Coordination training. Regular monthly zoom meetings are planned. Contact Amy or Linda if you are interested in joining this group.

Social Committee

We are looking for a Chair or Co-chairs.

We are hoping to form a committee to encourage NJ-AFCC Members to connect with each other, network and participate in the Chapter throughout the State of New Jersey. Please contact Denise Wennogle if you are interested in participating.

Supervised Parenting Time Committee

Co-Chairs: Lynn Norcia and Holly Friedland

This is a newly formed committee exploring ways in which options for supervised parenting time can be expanded. Possible options are to establish education and qualifications standards for parenting time supervisors and a possible roster for supervisors. Please contact Lynn or Holly if you are interested in joining this committee.

** All Committee Chairs can be contacted via email to: afccnewjersey@gmail.com

Established Committees

Bylaws Committee

Co-chairs: Barbara Worth and Ron Silikovitz

This committee reviews our Bylaws annually and makes suggestions for changes, if appropriate.

Nominating Committee

Chair: Marcy Pasternak

This committee is chaired by the Immediate Past President with three additional members appointed by the President, including at least one board member. Each year this committee solicits nominations to the board and presents recommendations for a board vote for the upcoming year.

Phil Sobel Award Committee

Co-chairs: Ron Silikovitz and Barbara Worth

Each year this committee solicits nominations for the honorable award named after one of our beloved Co-founders, Phil Sobel, who along with Ron Silikovitz, founded our Chapter.

Program Committee

Chair: Marcy Pasternak

If you have an idea for a program, please reach out to Marcy for consideration.

Announcements

Chapter Events

Save the Date

for the NJ-AFCC Chapter's

"2023 Annual Meeting and Spring Conference"

Tuesday, May 9, 2023

5:00 pm - 8:00 pm

Maggiano's in Bridgewater, NJ

Details coming soon

afccnewjersey@gmail.com

afcc-nj.org

National Events

AFCC 60th Anniversary Conference

"60 Years of Asking the
DIFFICULT QUESTIONS"

May 31 - June 3, 2023

Westin Bonaventure Hotel & Suites

Los Angeles, California

Registration is Open

afccnet.org/60thannualconference

NJ-AFCC

2022-23 EXECUTIVE BOARD OF DIRECTORS

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Tamsen Thorpe, Ph.D.

Past Presidents

Ron G. Silikovitz, Ph.D. (1999 - 2002)
Co-founder of Chapter
Philip N. Sobel, Esq. (2002 - 2007)
Co-founder of Chapter
Sharon Ryan Montgomery, Psy.D. (2007 - 2009)
Frank Weiss, Ph.D. (2009 - 2010)
Barbara Worth, Esq., Ph.D. (2010 - 2013)
Ann Scucci Ordway, Esq., Ph.D. (2013 - 2015)
Gregg Benson, MA, LCADC (2015 - 2017)
Amy Wechsler, Esq., MSW, APM (2017 - 2019)
Marcy A. Pasternak, Ph.D., (2019 - 2021)