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ACADEMY OF  
PROFESSIONAL FAMILY  
MEDIATORS™

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A silhouette of a pier extending over the ocean at sunset. The sky is a vibrant orange and red, and the water is dark blue. Several people are visible on the pier, and a street lamp is lit. The pier's structure is supported by several vertical posts.

**Casting a Wider Net in the  
Ocean of Family Mediation**

San Diego, California • October 16–19, 2014

Register online at [www.apfmnet.org](http://www.apfmnet.org)

## Welcome

Dear Members and Friends:

After a long cold winter, lazing on a San Diego beach sounds delicious. My wife and I are using it as an excuse for a vacation, arriving early to enjoy the sun, beach, and the incredible San Diego Zoo. So one great reason to attend the Annual Conference is as an excuse for a vacation, some of which may be tax-deductible.



The second reason I'm always excited about attending mediation conferences is the incredible warmth and generosity of mediators. I remember the first one I attended in NY around 1984. I'd been an attorney for 10 years and had attended many legal meetings, lectures, and conferences. I was totally bowled over by the different atmosphere of the mediation conference. I can't think of a word that better sums up the atmosphere of our conferences than *Gemütlichkeit*, the German word for a situation that induces a cheerful mood, peace of mind, with a connotation of belonging and social acceptance, coziness and unhurry. Most of our day-to-day work as mediators is meeting solo with our clients in our office or mediation room. It takes real effort to interact with other mediators. Our conferences are the place to share our problems and successes, while making new friends from the entire world of mediation.

This conference offers fascinating workshops, plenaries, and lots of time to socialize. If that's not enough, the Association of Divorce Financial Planners will hold their annual conference days before ours; their last day coincides with our Pre-Conference Institutes. They'll join us at Thursday's Welcome Event. Come early to take advantage of workshops offered by these professional financial experts. We're also excited that our ADFP colleagues are offering in-depth presentations for our Pre-Conference Institutes. To learn more visit [www.divorceandfinance.org](http://www.divorceandfinance.org).

I look forward to seeing you in San Diego.

Warmly,  
Steven Abel, President APFM

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### **Co-chairs**

Ken Neumann and Donna Petrucelli

### **Committee Members**

Jeffrey Bloom    Glenn Dornfeld  
John Fiske        Lisa Wolman

## Thursday, October 16

9:00AM–7:00PM	<b>Registration open</b>	
10:00AM–1:00PM	<b>Pre-Conference Institutes</b>	
	1.1 Narrative Understanding: Perspectives & Approaches to Improving Conflict Resolution Skills	Abby Rosmarin & Danielle Spencer
	1.2 Mediators Working with Neutral Financial Specialists: A Natural Partnership to Enhance Outcomes & Create More Business	Stacey Langenbahn, Linda Miller-DeBerard, Jerry Cohen
	1.3 How to Make Mediation Your Day Job	Forrest (Woody) Mosten
	1.4 Screening for Power Imbalances & Family Violence	Elizabeth Hyde, Christine Kim & Hilary Linton
	1.5 Basic Issues in Understanding the 1040 Tax Return	Peggy Tracy
	1.6 Creative Mediation: Thinking Outside The Box Clients Don't Even Want To Be In	Chip Rose
1:00–2:00PM	<b>Lunch</b>	
2:00–5:00PM	2.1 Narrative Understanding: Perspectives & Approaches to Improving Conflict Resolution Skills, cont'd	Abby Rosmarin and Danielle Spencer
	2.2 Mediators Working with Neutral Divorce Financial Specialists: A Natural Partnership to Enhance Client Outcome and Create More Business, cont'd	Stacey Langenbahn, Linda Miller-DeBerard & Jerry Cohen
	2.3 How to Make Mediation Your Day Job, cont'd	Forrest (Woody) Mosten
	2.4 Advanced/Strategic Mediation Skills	Elizabeth Hyde, Christine Kim & Hilary Linton
	2.5 Advanced Issues in Understanding the 1040	Cheryl S. Glazer
	2.6 Pension, Retirement and Corporate Benefit Plans	David S. Goldberg
5:00–7:00PM	<b>Welcome Event</b> APFM & ADFP Mixer	

## Friday, October 17

7:00–8:00AM	<b>Morning yoga</b>	
7:30AM–5:00PM	<b>Registration open</b>	
7:30–8:30AM	<b>Mentoring and full breakfast</b>	
8:30–10:00AM	<b>3.1 Opening Keynote Presentation</b> Mediation: The Next 30 Years	Forrest (Woody) Mosten
10:00–10:30AM	<b>Break</b>	
10:30–12:00PM	<b>Session Series 4</b>	
	4.1 Practice Papers: How to Support Your Mediation Practice and Your Clients with the Right Paperwork	Michael Jonsson
	4.2 Understanding Individual and Couple Immaturity and How it Impedes Mediation	Michael Scott
	4.3 Role of a Parenting Coordinator in Collaborative Team Mediation	Bradley Craig, Stacey Langenbahn, Linda Miller-DeBerard
	4.4 Mediating Same Sex Couples, It's Not the Same	Jennifer Segura & Amanda Singer
	4.5 The Mediator as Educator: Raising Client Competence for Success in Mediation and Beyond	Gwen C. Mathewson and Forrest (Woody) Mosten
	4.6 Top 7 Ways to Attract Ideal Clients and Referral Partners	Lisa C. Decker
	4.7 Trainer's Forum	Steven Abel

## Conference Schedule

### Friday, October 17, cont'd

12:00–1:30PM	<b>Lunch &amp; Annual Meeting</b>	
1:30–3:00PM	<b>Session Series 5</b>	
	5.1 Dialogue with the Board of Directors	Steven Abel
	5.2 The Cultural Competency Toolbox	Elizabeth Hyde & Christine Kim
	5.3 Divorce Mediation and Our Spiritual Journeys in a Material World	Larry Gaughan
	5.4 Stepfamily Plan, Going Beyond the Parenting Plan	Kitty Duell
	5.5 How Team Mediation Can Help with Divorce and The Special Needs Child	Robert D. Bordett, Marsha Schechtman & Mary Anne Ehlert
	5.6 Marital Mediation Can Help Couples Stay Married	John Fiske & Ken Neumann
	5.7 Top Five Ways to Market Your Practice	Mark Bullock & Vik Rajan
3:00–3:30PM	<b>Ice Cream Social</b>	
3:30–5:00PM	<b>Session Series 6</b>	
	6.1 Transformative Mediation: Enhancing Family Relationships & Creating New Insights for Win-Win Conflict Resolution Results	Sandra Wang & Jeffrey P. Blum
	6.2 Delights and Challenges of Co-Mediation in Private Practice	Eileen M. Rowley
	6.3 The Gray Divorce	Rebecca Hoelting & Linda Schaeffer
	6.4 New Ways for Mediation of High Conflict Cases	William Eddy
	6.5 The Parties Have Settled! Now What? Getting It In Writing!	Jay Bultz
	6.6 Top 10 Things Every Innovating Mediator Should Know	Michelle Crosby
	6.7 Advanced Topics for Experienced Mediators, Part 1	Chip Rose & Don Saposnek
6:00PM	<b>Dine-Around</b>	
09:00–11:59PM	<b>Hospitality Suite</b>	

### Saturday, October 18

7:00–8:00AM	<b>Yoga</b>	
7:30–8:30AM	<b>Mentoring and full breakfast</b>	
8:00–1:30PM	<b>Registration open</b>	
8:30–10:00AM	<b>7.1 Plenary 2</b> Certification: Where Are We Going?	Marilyn McKnight
10:00–10:30AM	<b>Break</b>	
10:30–12:00PM	<b>Session Series 8</b>	
	8.1 Individual Pre-Mediation Sessions: Why They Should be Considered Best Practice	Selina J. Shultz
	8.2 Fear, Revenge & Anger: The Delicate Balance of Mediating Prenups and Postnups: An Intersection of Psychology & Law	Kathleen Bar-Tur & Deborah Hope Wayne
	8.3 Responding to Cultural Diversity in Family Mediation	Susan Armstrong
	8.4 Open Adoption: Creative Solutions for the Adopted Child	Ann C. Narris
	8.5 Mediating Conflict with Substance Using Families or the Mentally Ill	Susan Guercio
	8.6 Partnering with Technology for Cost-Effective Case Completion	Gwen C. Mathewson & Lorraine Rimson
	8.7 Utilizing the Child Specialist and Divorce Coach in Mediation	Karen Bonnell & Kristin Little

### Saturday, October 18, cont'd

12:00–1:30PM	<b>Topic Lunches</b>	
	9.1 Working with a Neutral Divorce Financial Specialist to Help Reach a Fair and Equitable Settlement	Steven J. Rutlen & Jerry Cohen
	9.2 Using Social Media to Educate the Public and Grow Your Business	Virginia Colin
	9.3 How Mediators are Trained in The Netherlands, What We Can Learn	Ciska Tesnik, Pascal Comvalius & Judith Emaus
	9.4 Moving Divorce Out of the Court System-The Minnesota Project	Steve Erickson & Marilyn McKnight
1:45–3:15PM	<b>Session Series 10</b>	Rebecca Smith & Ann Marie Termini
	10.1 Children Refusing Contact with a Parent, Part 1	Rebecca Smith & Ann Marie Termini
	10.2 Critical Errors Made With Divorce Clients, Part 1	Carol Ann Wilson
	10.3 Creative Divorce Inside and Outside of the 'Legal Box,' Part 1	Larry Gaughan
	10.4 A Psychobiological Approach to Safety and Threat: Widening the Theoretical Net for Effective Mediation Outcome, Part 1	Joy A. Dryer
	10.5 If They Can Do Parenting Plans, They Can Do Support Plans	Steve Erickson & Marilyn McKnight
	10.6 Expanding the Reach of Mediation Through Easy and Effective Marketing Techniques	Sabra Sasson
	10.7 Advanced Topics for Experienced Mediators, Part 2	Chip Rose & Don Saposnek
	10.8 Ethical Considerations of the Parenting Coordinator (PC)	Judith M. Wolf, Andi J. Paus & Aris J. Gallios
3:00–3:30PM	<b>Break</b>	
3:30–5:30PM	<b>Session Series 11</b>	
	11.1 Children Refusing Contact with a Parent, Part 2	Rebecca Smith & Ann Marie Termini
	11.2 Critical Errors Made With Divorce Clients, Part 2	Carol Ann Wilson
	11.3 Creative Divorce Inside and Outside of the "Legal Box," Part 2	Larry Gaughan
	11.4 A Psychobiological Approach to Safety and Threat: Widening the Theoretical Net for Effective Mediation Outcome, Part 2	Joy A. Dryer
	11.5 Treatment and Prevention of High Conflict Divorce Cases Using Online Programs	Bryan Altman & Don Gordon
	11.6 What Was I Thinking? Reflective Practice Using a Case Consultation Group	Donna Duquette, Carolyn Finney, Carl Schneider, John Spiegel, Eileen Coen, Kate Cullen & Martin Kranitz
	11.7 Advanced Topics for Experienced Mediators, Part 3	Chip Rose & Don Saposnek
6:00-10:00PM	<b>12.1 Coronado Beach Barbeque</b>	
9:30-11:59PM	<b>Hospitality Suite</b>	

### Sunday, October 19

7:00–8:00AM	<b>Yoga</b>	
7:30–8:30AM	<b>Full breakfast</b>	
8:30–11:30AM	<b>13.1 Closing Plenary</b> Mediation, Collaborative Law, Litigation: Pot of Gold at the End of the Rainbow? Panel discussion with moderators Larry Gaughan & Steve Erickson	Kate Bar-Tur, Victoria Coleman, Tom Murphy, Chip Rose, Joe Sorge
11:30AM–NOON	<b>14.1 Open Forum and Closing Comments</b>	Ken Neumann & Donna Petrucelli

**Thursday, October 16****10AM–1PM PRE-CONFERENCE INSTITUTES****1.1 Narrative Understanding: Perspectives and Approaches to Improving Conflict Resolution Skills,**

**Part 1** How can we understand the myriad ways stories speak to us? The Narrative Understanding workshop is an experiential approach to the themes of narrative analysis, storytelling, and listening. Utilizing thematic writing prompts, novel materials such as film clips and targeted group discussion, we will improve our analytical skills and explore the workings of narrative. *Abby Rosmarin & Danielle Spencer*

**1.2 Mediators Working with Neutral Divorce Financial Specialists: A Natural Partnership to Enhance Client Outcome and Create More Business, Part 1**

This Institute will first focus on how Mediators and Neutral Divorce Financial Specialists can work together in various ways such as forming networks following the “Team Mediation Model”; having neutrals participate in traditional mediations; as well as how mediators and financial specialists can refer to each other. We will then look at several examples where the input of a neutral financial specialist contributed to a significantly better outcome. And we will follow a very complex case from beginning to end which included a post-divorce mediation. *Stacey Langenbahn, Linda Miller-DeBerard & Jerry Cohen*

**1.3 How to Make Mediation Your Day Job, Part 1** If you have ever considered trying to make mediation your day job, this Pre-conference Institute is the one to attend. It will help you decide if you have the skills, personality and commitment necessary to become a full-time mediator. The author of the “Mediation Career Guide,” Forrest (Woody) Mosten, will point out the essential steps in establishing a career as a full-time mediator. He will provide self assessment materials and tools for marketing your practice, considering your options, and developing yourself as a mediator. *Forrest (Woody) Mosten*

**1.4 Screening for Power Imbalances and Family Violence** Today’s clients present diverse and challenging realities. Building on participants’ understanding and skills, this program fills a gap between mediation training and practice. Effective resolution of complex conflict requires a deeper understanding of risk, negotiation power and drivers of conflict. Using role plays, simulations, demonstrations and discussion, this program will challenge us to rethink our practices and move to the next level as reflective mediators. *Elizabeth Hyde, Christine Kim & Hilary Linton*

**1.5 Basic Issues in Understanding the 1040 Tax Return** The tax return tells the story of all the taxable events that occurred in a couple’s life in the previous tax year and gives us many clues of what else to look for. This seminar will discuss the basic Federal 1040 along with accompanying Schedules A, B, C, D and E. Attendees will learn about all the material that is embedded in the Basic 1040 and how to use this material in our work with divorcing couples. *Peggy Tracy*

**1.6 Creative Mediation: Thinking Outside The Box Clients Don’t Even Want To Be In** There is a whole assortment of impasse-producing characteristics that clients bring to the process; some of the most challenging are the position-based, bottom-line, oppositional attitudes they hold about the most important and critical issues. This institute will focus on the use of theoretical frameworks and creative approaches to basic issues of child support, alimony and the family residence, to help clients embrace effective approaches to success while continuing to pursue their own self-interests. *Chip Rose*

**1:00–2:00 Lunch****2:00–5:00PM PRE-CONFERENCE INSTITUTES, CONT’D**

**2.1 Narrative Understanding: Perspectives and Approaches to Improving Conflict Resolution Skills, Part 2** *Abby Rosmarin & Danielle Spencer*

**2.2 Mediators Working with Neutral Divorce Financial Specialists: A Natural Partnership to Enhance Client Outcome and Create More Business, Part 2** *Stacey Langenbahn, Linda Miller-DeBerard & Jerry Cohen*

**2.3 How to Make Mediation Your Day Job, Part 2** *Forrest (Woody) Mosten*

**2.4 Advanced/Strategic Mediation Skills** Conflict analysis is an essential first step in negotiation, mediation and creative problem solving.. Using case studies and discussion, strategies and skills for knowing when to dig deeper and when to move on will be reviewed. Comfort with impasse is an essential mediator orientation and skill. Mediations stumble for many reasons. The second part of the session will explore mediator strategies for deciding when and how to intervene when impasse appears inevitable. *Elizabeth Hyde, Christine Kim & Hilary Linton*

**2.5 Advanced Issues in Understanding the 1040** Do assets of the marital estate include a closely held business, a partnership, a corporation? Is business dissolution contemplated or will the business entity be sustained on a split of equity, assets and income? Long before divorce was contemplated and with no consideration for that possibility, the manner in which the business was then formed will now impact on property settlement negotiations. This presentation will highlight those distinctions by comparing and contrasting a single hypothetical business entity when structured as a C-corp, an S-corp, a partnership and an LLC. *Cheryl S. Glazer*

**2.6 Pension, Retirement and Corporate Benefit Plans** Familiarize attendees with private, Federal (CSRS, FERS, FSPS, Military), state, county and municipal pensions, retirement and deferred compensation plans and corporate benefit plans such as stock options, deferred compensation, and “Golden Parachute” plans. Determine whether such plan benefits are divisible in divorce, or, if not, possible work-arounds. Difficulties in valuing plan benefits. Implementing the allocation of such plan benefits between divorcing parties with the use of Qualified Domestic Relations Orders (or equivalent Orders). Related issues include tax equalization between pre- and post-tax assets, treatment of Social Security, treatment of IRA accounts, International Agency Plans, employer-provided life insurance plans, Federal preemption of state law, of the terms of the Agreement of the parties, and of the provisions of the Judgment of Absolute Divorce. *To be announced*

**5:00–7:00PM OPENING RECEPTION**

**Opening Reception** APFM/ADFP Mixer with light food and cash bar

**Friday, October 17**

**7:00–8:00AM** Yoga

**7:30AM–5:00PM** Registration open

**7:30–8:30AM** Mentoring and breakfast

**8:30–10:00AM OPENING KEYNOTE PRESENTATION**

**3.1 Mediation: The Next 30 Years** *Forrest (Woody) Mosten*

**10:00–10:30AM** Break

Thinking of attending? The average high for this time of year is 75°F. The average low is 60°F. Balmy, with next to no rain!

## 10:30AM-12:00PM SESSION SERIES 4

**4.1 Practice Papers: How to Support Your Mediation Practice and Your Clients with the Right Paperwork (Beginning Mediator)** Too often mediators focus only on their oral communications with clients during negotiations, and the terms of client agreements. They neglect using other good supporting paperwork. This very practical workshop surveys examples of the language in different types of writings and documents that provide a practical and ethical structure within which a mediator can run his/her practice. We will cover language in everything from wording in the website to closing correspondence, and why certain provisions should be used in them. *Michael Jonsson*

**4.2 Understanding Individual and Couple Immaturity and How it Impedes Mediation (Advanced Mediator)** The stress of a divorce often contributes to immature behavior of the parties during mediation. This behavior frequently undermines, interferes with, or impedes the mediation process. The resulting dynamic of the couple frequently appears imbalanced. This session will provide a new viable model for the mediator to identify and assess immaturity in clients and their relationship. In addition the session will explore strategies to counter the immature behavior which will result in a more successful resolution to the mediation process and promote a more respectful and mature dynamic between the couple. *Michael Scott*

**4.3 Role of a Parenting Coordinator in Collaborative Team Mediation** One of the more challenging and emotionally laden areas of resolving family law cases lies in creating a parenting plan for a child. In some cases, having a third party act as a neutral in the role of parenting coordinator can help keep the parents focused on the child and educate the parents along the way. This may involve providing general information about children growing up between two homes or in some cases the parenting coordinator actually meeting with the child. This presentation will cover the use of a parenting coordinator in the team mediation process (in collaboration with an attorney-mediator and therapist co-mediator). *Bradley Craig, Stacey Langenbahn & Linda Miller-DeBerard*

**4.4 Mediating Same Sex Couples, It's Not the Same** With all of the changes we've seen recently surrounding same sex marriage, it's important to discuss mediating same sex couples since it's not all the same. This session will review the legal issues to be aware of when working with same sex couples and then go into detail about strategies and techniques for mediating same sex couples through separation, parenting and dissolution. Our presentation will also include practice pointers that the attendees can implement in their own practices. *Jennifer Segura & Amanda Singer*

**4.5 The Mediator as Educator: Raising Client Competence for Success in Mediation and Beyond** We begin with the assumption that our task as mediators is not just to facilitate the parties' discussion about possible settlement terms (as complicated as that task may be), but to prepare them for success in mediation and beyond. Clients who are redefining co-parenting relationships, taking on new financial responsibilities or preparing to return to the workforce are laying a foundation in their mediation process and in their settlement agreements on which to build their next life chapters (and those of their children). To enable them to be successful in this foundation-building work, we need to recognize what deficits there are in a client's understanding of the issues or in his or her ability to participate actively and authentically in the negotiations, and then find a way to increase his/her competence. We will discuss working with clients individually and engaging professional allies as additional neutral helpers in the task of educating and guiding the clients towards increased competence. *Gwen C. Mathewson & Forrest (Woody) Mosten*

**4.6 Top 7 Ways to Attract Ideal Clients and Referral Partners (Marketing Workshop)** For many solo and small firms how to effectively market themselves and their business remains a mystery. This workshop will provide an overview of 7 ways to attract ideal clients and perfect referral partners through a systemized approach to online and offline marketing. These approaches include marketing messaging, networking that works, trends in social media, publicity, media and pulling all the pieces together as you build your brand. *Lisa C. Decker*

**4.7 Trainer's Forum** A place for to share experiences and concerns, and to shape the future. *Steven Abel*



**12:00–1:30PM Lunch & Annual Meeting**

**1:30–3:00PM SESSION SERIES 5**

**5.1 Dialogue with the Board of Directors** An opportunity to discuss organizational issues with the Board of Directors. *Steven Abel*

**5.2 The Cultural Competency Toolbox (Beginning Mediator)** What skills and knowledge we do need to be Culturally Competent? What's in our toolbox? The increased diversity of families involved in mediation requires us to examine how we are responding to the diverse needs of the families we serve. Although cultural sensitivity has been steadily emerging as a prominent framework for the past 20 years, less attention has focused on the complexity of working with culturally diverse families in the context of separation and divorce. As mediators, our ability to recognize cultural influences may facilitate a better process and outcome for all the parties involved. The session will focus on examining different cultural orientations, including our own, and how these influences may impact process, choice and design in mediation. *Elizabeth Hyde & Christine Kim*

**5.3 Divorce Mediation and Our Spiritual Journeys in a Material World (Advanced Mediator)**

Our spiritual journey is our search to understand the world in ways that help us to find meaning and purpose in our lives. We live in a world that makes it difficult to separate the spiritual from the material. Divorce is an immensely important juncture that has great spiritual and material significance for anyone who experiences it. Reaching a divorce settlement that enables the clients to keep both the material and the spiritual sides of their lives intact and vital is also a goal that enlists the spiritual journey of the mediator. *Larry Gaughan*

**5.4 Stepfamily Plan, Going Beyond the Parenting Plan** The discussion aims to provide answers to the following questions: How does the Stepfamily Plan differ from a Parenting Plan? What are the different dynamics involved? At what point can the Plan be introduced or helpful? Who are the participants? Which extra skills does the mediator need? Some exercises. *Kitty Duell*

**5.5 How Team Mediation Can Help with Divorce and The Special Needs Child** This presentation will address the holistic approach to the financial and parenting challenges that the mediator must consider when working with divorcing families that have children with special needs, be that physical or psychological. *Robert D. Bordett, Marsha Schechtman & Mary Anne Ehlert*

**5.6 Marital Mediation Can Help Couples Stay Married** In the emotional maelstrom of divorce, clients are often battered by conflicting emotions: Do I go or do I stay? The family mediator should know how to help them discuss marital contracts, if they want, which they could enter into to change the terms of their marriage and thereby save or prolong it. John and Ken have been using mediation to help couples stay married for years, and in this workshop discuss how you can set the stage for this exciting conversation. Forms and sample contracts used by the mediator are included in the materials. Check out *Ansin v. Craven-Ansin*, the July 2011 case in Massachusetts making it clear that these contracts between spouses are enforceable, absent fraud or duress. *John Fiske & Ken Neumann*

**5.7 Top Five Ways to Market Your Practice: Marketing Workshop** Successful practitioners know that they cannot simply wait for the phone to ring. There are specific strategies to pro-actively encourage word-of-mouth referrals. Based on his & his partner's previous APFM seminars & webinars, Vik Rajan will outline 5 inter-related marketing best practices - from the Internet-related to the time-tested. *Mark Bullock & Vik Rajan*

**3:00–4:00PM Ice cream social**

**Friday, October 17****4:00–5:30PM SESSION SERIES 6**

**6.1 Transformative Mediation: Enhancing Family Relationships and Creating New Insights for Win-Win Conflict Resolution Results (Beginning Mediator)** While many forms of mediation focus on problem-solving, transformative mediation seeks to enhance the parties' relationship to facilitate a more effective and longer-term conflict resolution. It can be used in many types of disputes where there will be an ongoing relationship, whether within the family, at work, or in the community. We will distinguish transformative mediation from the major approaches to mediation, as it seeks both conflict resolution and the parties' shift toward mutual recognition and empowerment, with the potential for the parties and their relationship to be transformed. Course meets the qualifications for 1.5 hours of continuing education credit for MFTs, LPCCs, LEPs, and/or LCSWs as required by the California Board of Behavioral Sciences (PCE 5184). *Sandra Wang & Jeffrey P. Blum*

**6.2 Delights and Challenges of Co-Mediation in Private Practice** Mediation practitioners and newly trained mediators will learn how adopting a co-mediation model might be of value. *Eileen M. Rowley*

**6.3 The Gray Divorce** When couples have been married for over 20-25 years, there are specific challenges to overcome. Complexities with social security, retirement plans and employment benefits will be addressed. *Rebecca Hoelting & Linda Schaeffer*

**6.4 New Ways for Mediation of High Conflict Cases** This session will include an explanation of the reasoning behind the paradigm shifts of the New Ways for Mediation method. Then, implementing these differences will be explained, including: more tightly structured process, more skills to teach and reinforce for clients, and why this results in less stress for the clients and the mediator. Video clips will be used to demonstrate how the method works in providing legal information, managing anger, guiding proposals and providing empathy and respect for the parties at every step of the process. *William Eddy*

**6.5 The Parties Have Settled! Now What? Getting It In Writing!** A clear, unambiguous and specifically customized agreement for separation or divorce or parenting may take more time to write, but the benefits to the parties are obvious—including much lower likelihood of future conflict due to ambiguity and/or lack of direction. This workshop is designed to educate the attendee on the basic issues specific to the drafting of agreements and MOUs, as well as to provide practical skills such as utilizing a master form or outline, organizing issues in logical categories, and drafting a comprehensive agreement or MOU ready to take to court for approval. *Jay Bultz*

**6.6 Top 10 Things Every Innovating Mediator Should Know (Marketing Workshop)** Sparks of innovation in ADR are being seen across the globe as technology becomes an essential part of today's ADR practice. During this talk you will learn the Top Ten things that ADR innovators need to know, such as using neuro & behavioral sciences to create services & products clients want, and how to make your practice or ADR innovation 1% better every day. Michelle Crosby, founder & CEO of Wevorce, a national mediation company, will share insights & lessons she learned from her time in YCombinator, the world's leading tech start up accelerator. Michelle practiced law for 13 years and has recently been featured in Forbes magazine as an up-and-coming entrepreneur. She has inspired mediators all over the globe to unlock innovation in their practices. *Michelle Crosby*

**6.7 Advanced Topics for Experienced Mediators, Part 1 (Advanced Mediator)** *Chip Rose & Don Saposnek*

**6:00PM DINNER**

**Dine-Around Groups on the Town** Choose a group for a dinner outing at a local restaurants. Sign-up lists will be at the registration desk. This is a great opportunity to meet new people and continue exciting conversations.

**Hospitality Suite** Stop by the APFM Hospitality Suite for some informal parlor chat.

## Saturday, October 18

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**7:00–8:00AM Yoga**

**7:30–8:30AM Mentoring and Breakfast**

**8:00AM–1:30PM Registration Open**

### 8:30–10:00AM PLENARY 2

**7.1 Certification: Where Are We Going?** *Marilyn McKnight*

**10:00–10:30AM Break**

### 10:30–12:00AM SESSION SERIES 8

**8.1 Individual Pre-Mediation Sessions: Why They Should be Considered Best Practice (Beginning Mediator)** The session will explore why holding individual pre-mediation sessions should be considered best practice. The traditional view is that in order to maintain the appearance of neutrality, a mediator should never meet with parties individually. However, several research studies have shown that pre-mediation preparation, including individual pre-mediation sessions, actually increases both participant satisfaction and the ultimate success of the mediation. Why is this? The session will explore possible reasons, including (1) building trust and rapport, (2) face time, (3) psychological commitment to the mediation process, and (4) management of emotions. Finally, the argument will be made that the clients' perception of the mediator's neutrality is actually strengthened by this practice. *Selina J. Shultz*

**8.2 Fear, Revenge & Anger: The Delicate Balance of Mediating Prenups and Postnups: An Intersection of Psychology & Law** There is a growing trend for couples to enter into prenuptial and postnuptial agreements. These agreements can promote honesty and openness when mediated by an experienced professional. Marriages are strengthened by communication about finances and many other lifestyle and family issues. Fear, anger and the wish for revenge can derail the process at any minute. While these are common emotions that mediators deal with in working with divorcing couples, in pre- and postnups the goal for most couples is to clear obstacles and resolve each spouse's concerns about moving forward with the marriage. The exchange of ideas and information during mediation can maximize their chances for a healthy union and should be part of proper planning for any marriage. Mediators must be prepared to handle the emotional and ethical challenges involved in mediating these agreements and understand the scope of a valid agreement. This session will address criteria for an enforceable premarital and postnuptial agreement. This will include discussions of voluntariness, fraud, duress or undue influence. We will review the factors for a valid agreement, the role of independent counsel and financial disclosure, including the mechanics and content of financial disclosure. Secondly we will discuss and role play particular emotions and family dynamics which often occur when one spouse requests that the other sign a pre or postnuptial agreement. We will also discuss other scenarios that occur when both spouses want an agreement before or after marriage but for very different reasons. The impact of family such as stepchildren, parents and friends outside the marriage will also be discussed. *Kathleen Bar-Tur & Deborah Hope Wayne*

**8.3 Responding to Cultural Diversity in Family Mediation** Ethical responses to cultural difference in family mediation require that mediators know how they might adapt the mediation process to better meet the needs of the parties and what interventions might enhance party self-hood in the context of their cultural and relational networks. This presentation explores both the rationale for, and some of the practical steps that family dispute resolution professionals might adopt to be responsive to their clients' cultural contexts. *Susan Armstrong*

**Saturday, October 18**

**8.4 Open Adoption: Creative Solutions for the Adopted Child** We'll discuss some of the issues affecting children in adoption that should be on our minds. While understanding that open adoption can take many forms and can run the gamut of open contact, various provisions will be identified. For example, how will the parents communicate? Will there be visits between the biological parents and the children? Are there siblings involved and how will that relationship be addressed? If there are visits, will they be supervised? Do the parties contemplate the exchange of cards and letters? Will there be an opportunity for the child to seek out a biological family, etc.? Are there safety issues or do the pre-adoptive parents wish to remain anonymous? Finally, the presenter will discuss how to balance the legal requirements of the agreement (i.e. closed adherence to the state's adoption law and required finding) and include language that will give the parties flexibility to meet the child's needs as he or she grows. *Ann C. Narris*

**8.5 Mediating Conflict with Substance Using Families or the Mentally Ill** This presentation addresses the tension mediators experience when dealing with individuals, couples or families that have a member involved in some substance abuse or mental illness. It's very difficult to determine the extent to which the problem has hijacked the one or both parties' ability, or even competency, to participate fully as an equal partner in the conversation. By law, and in fact, people who use/ abuse substances or who are mentally ill are not incompetent unless declared so by a court of law. They have to right of self-determination and to engage in contracts unless a court determines otherwise. Even a psychiatric hospitalization is not necessarily a declaration of incompetency. Many mediators will refuse, however, to mediate conflict when one party is known to have been involved in substances or has a psychiatric diagnosis. This presentation will discuss the concerns mediators confront when presented with such disabled parties, and present ways to handle these situation that maintain the dignity of both the parties and the mediation process. *Susan Guercio*

**8.6 Partnering with Technology for Cost-Effective Case Completion** On-line delivery of unbundled legal services (specifically, document preparation) offers an answer to the question of how clients can most cost-effectively complete their mediated cases. Clients of mediators who do not offer document-drafting services will appreciate knowing that their mediator can provide them a simple strategy for getting divorce finalized that does not require paying high hourly traditional attorney rates for advice and drafting. Mediators will appreciate being able to integrate technology into their services and/or tailor their end product (the memo of understanding, for example) to simplify clients' use of available on-line resources. This session will include a demonstration of on-line services currently available in some jurisdictions and under development in others. *Gwen C. Mathewson & Lorraine Rimson*

**8.7 Utilizing the Child Specialist and Divorce Coach in Mediation** Mediators understand the value of "team". Two unique and important roles, Child Specialist and Divorce Coach, offer mediators options for preparing divorcing couples with guidance for success during and post-mediation. The divorce process offers guidance on the "what", but can be short on the "how". We fill in the blanks. Sharing the "tricks of the trades", we endeavour to strengthen co-parents, make the divorce transition more supportive and intentional. Ultimately, we aim to set up parents for successful implementation of their parenting plan, a functioning co-parenting relationship, and with skills for managing their two-home family. *Karen Bonnell & Kristin Little*

**12:00–1:30PM TOPIC LUNCHES**

**9.1 Working with a Neutral Divorce Financial Specialist to Help Reach a Fair and Equitable Settlement** *Steven J. Rutlen & Jerry Cohen*

**9.2 Using Social Media to Educate the Public and Grow Your Mediation Business** *Virginia Colin*

**9.3 How Mediators are Trained in The Netherlands, What We Can Learn** *Ciska Tesnik, Pascal Comvalius & Judith Emaus*

**9.4 Moving Divorce Out of the Court System-The Minnesota Project** *Steve Erickson & Marilyn McKnight*

1:30–3:00PM SESSION SERIES 10

**10.1 Children Refusing Contact with a Parent, Part 1** A child refusing to share time with a parent has serious consequences for families. Parental alienation is one of several reasons a child may resist spending time with a parent. This session will address a differential perspective of visitation refusal based on a review of the literature and clinical experiences. Early identification of parent-child contact problems and future risks for children will be discussed. Presenters will discuss interventions designed to resolve visitation resistance/refusal before behaviors become embedded. Participants using a case study will determine strategies while identifying the importance of qualified professionals that understand family dynamics of high-conflict divorce. *Rebecca Smith & Ann Marie Termini*

**10.2 Critical Errors Made With Divorce Clients, Part 1** Avoiding tax and financial errors in property distribution, pensions, alimony and child support. *Carol Ann Wilson*

**10.3 Creative Divorce Inside and Outside of the “Legal Box,” Part 1** Divorce mediators who are not lawyers may need a better understanding of the ways in which family law may actually make sense and be used creatively in settlements. Lawyers who do divorce mediation may need to realize that there are many important elements of settlements, especially those that involve future relationships and planning, that are often not addressed in legal agreements. This workshop is designed to broaden the perspectives of all divorce mediators as to what settles the legal case and what helps the clients to move forward in their lives. The goal is to achieve a more unified profession of family mediation that is not as dependent upon the original professional background of the mediators. *Larry Gaughan*

**10.4 A Psychobiological Approach to Safety and Threat: Widening the theoretical Net for Effective Mediation Outcome, Part 1** This presentation integrates several brain-mind-body theories to heighten awareness, by both mediator and client, to the experience and meaning of safety and threat during mediation. By helping clients acknowledge their attachment, arousal, and defense patterns, we can label what and where are the “threats,” and respond with “safety” measures. Practical steps propose a) a reflective “safe haven” for them, and b) for us as mediators to be a “safe base” from which to explore options. The end goal of this Separation Resolution Model [SRM], is for each couple to develop a personally meaningful narrative about their marriage and divorce. *Joy A. Dryer*

**10.5 If They Can Do Parenting Plans, They Can Do Support Plans** When parents divorce, one of the most contentious discussions is about support—child support and spousal maintenance. Yet we mediators have been successful in assisting clients in approaching Parenting Plans in such a constructive way that they begin to be hopeful that we can also approach support plans and this can really work. This workshop will begin with the budgets and move to numerous interventions and options that will enhance the discussion and the outcome. *Steve Erickson & Marilyn McKnight*

**10.6 Expanding the Reach of Mediation Through Easy and Effective Marketing Techniques (Marketing Workshop)** If you’re struggling to fill your practice with mediation clients, you are probably going about it the wrong way. You’ll find that with the right tools, knowledge and information, it is not that hard to find them or for them to find you. You probably never took a class in marketing and so it’s understandable that you find yourself in this kind of struggle. Your clients are out there and they want your mediation services, but they just don’t know how to find you. The good news is that marketing is a learnable skill. And in this program you will learn some effective techniques that you can apply right away (maybe even during the workshop!) in your practice. *Sabra Sasson*

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As the site where the first Europeans set foot on the US west coast, San Diego oozes history and culture.

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**Saturday, October 18****10.7 Advanced Topics for Experienced Mediators, Part 2 (Advanced Mediator)** *Chip Rose & Don Saposnek*

**10.8 Ethical Considerations of the Parenting Coordinator (PC)** What can a PC enforce? When should a PC interview a child? Can a PC recommend a financial sanction? This 90-minute session will focus on ethical dilemmas faced by the parenting coordinator with the specific learning objectives of recognizing an ethical problem, avoiding ethical minefields and learning to share ethical concerns with other professionals to be able to support and assist one another. Presenters will introduce ethical hypotheticals and engage participants in an interactive program to include role play, guided discussion, generation of possible solutions and a participant vote on the solutions. *Judith M. Wolf, Andi J. Paus & Aris J. Gallios*

**3:00–3:30PM Break****3:30-5:00PM SESSION SERIES 11****11.1 Children Refusing Contact with a Parent, Part 2** *Rebecca Smith & Ann Marie Termini***11.2 Critical Errors Made With Divorce Clients, Part 2** *Carol Ann Wilson***11.3 Creative Divorce Inside and Outside of the “Legal Box,” Part 2** *Larry Gaughan***11.4 A Psychobiological Approach to Safety and Threat: Widening the theoretical Net for Effective Mediation Outcome, Part 2** *Joy A. Dryer*

**11.5 Treatment and Prevention of High Conflict Divorce Cases Using Online Programs** The neurobiology of parental conflict can be explained to parents, using technology, in a way that improves their skill at controlling conflict. At the same time they can apply mindfulness concepts to enrich their relationships and lower their stress. A study of moderate-to-high conflict parents that uses two online programs—Children in Between Online for parent education and Our Family Wizard for scheduling and sharing information—is described and demonstrated. Court in-person programs for high conflict parents will be compared to the online approach, with audience discussion of the relative advantages of each. *Bryan Altman & Don Gordon*

**11.6 “What Was I Thinking?” Reflective Practice Using a Case Consultation Group** This session will share the experience of eight of us who have met monthly for a case consultation group for more than five years! This has been an incredibly valuable and unique experience for us. In discussing cases, we practice reflective practice, focusing on the interventions of the mediator, what was tried, and how it worked. Together, we’ve shared questions, failures, impasses, learnings, occasional successes, and personal joys and sorrows. We also rotate homes and share a meal together. This group is composed of eight of the ‘elder mediators’ in the state, each of whom has a successful practice, several among our longest practicing mediators. The combined mediation experience of this group is more than 150 years, so our biggest challenge was creating a safe space where we could be vulnerable with one another. *Donna Duquette, Carolyn Finney, Carl Schneider, John Spiegel, Eileen Coen, Kate Cullen & Martin Kranitz*

**11.7 Advanced Topics for Experienced Mediators, Part 3 (Advanced Mediator)** *Chip Rose & Don Saposnek***6:00–10:00PM Coronado Beach Barbecue****9:30–11:59PM Hospitality Suite**


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San Diego Zoo is the premier North American zoo, encompassing over 100 acres of displays and habitats and boasting of creatures not visible in any other zoo on Earth.

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## Sunday, October 19

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**7:00–8:00AM Yoga**

**7:30–8:30AM Mentoring and breakfast**

### **8:30–11:30AM PLENARY 3**

**13.1 Mediation, Collaborative Law, Litigation: Pot of Gold at the End of the Rainbow?** For Whom? Clients or Professionals? An in-depth discussion of different modalities and what options lie ahead. *Panelists include Kate Bar-Tur, Victoria Coleman, Tom Murphy, Chip Rose, Joe Sorge. Moderators are Larry Gaughan & Steve Erickson.*

### **11:30AM–12:00PM CLOSING**

**14.1 Open Forum and Closing Comments** *Ken Neumann & Donna Petrucelli*

## Registration information and conference location

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Please register online at [www.apfmnet.org](http://www.apfmnet.org). Register by August 4, 2014 for preferred conference rates.

### **Hotel information**

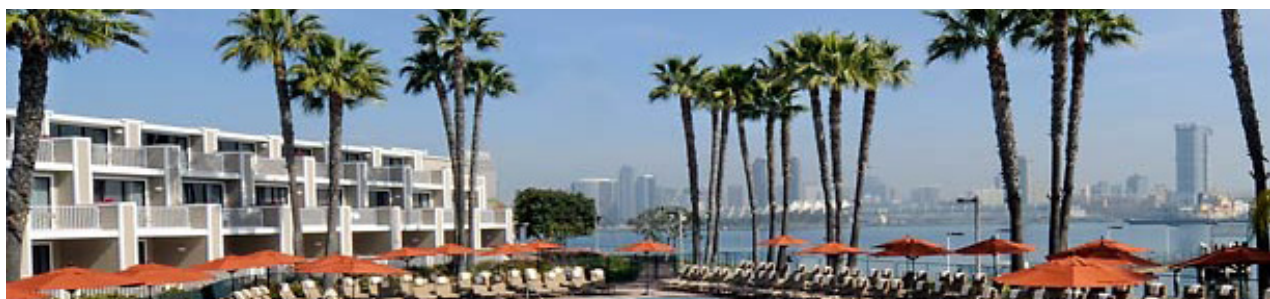
The APFM conference will be held at the Coronado Island Marriott Resort & Spa, a premier hotel set on 16 acres of scenic waterfront, across from downtown San Diego, California. Once at the hotel you will be a short distance to the world class San Diego Zoo, SeaWorld San Diego, Coronado Beach, Wild Animal Park, Balboa Park, Gaslamp Quarter, Seaport Village, Legoland California Resort, Disneyland/Disney California Adventure Park. Visit [sandiego.org](http://sandiego.org) for more info.

To reserve your room call (619)435-3000 and mention the Academy of Professional Family Mediators special conference rates. We expect our special rate room block to sell out early, so reserve now. The special rate for APFM is \$149 per night (plus applicable taxes) for single or double occupancy. Additionally, we have negotiated a special parking rate of \$15 for day parking. These rates are only good until September 30 (or earlier if sold out). After that rooms may only be available at the prevailing rates.

San Diego Airport (Lindbergh Field) is served by every major airline, from Air Canada to West Jet. Bus Service is available from the San Diego Airport but involves two transfers. Super Shuttle operates a service from the airport to the hotel.

### **Cancellation Policy**

With written notice of cancellation postmarked or faxed by September 1, the registration fee will be refunded minus a \$50 service fee. Written notice of cancellations postmarked or faxed after September 1, will incur a fifty-dollar service fee, and the balance may be used as a credit to future conferences or membership dues. No refunds or credits will be allowed for cancellations received after September 16.



**Academy of Professional Family Mediators**

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