



How to Use Social Media for Fun, Learning, and Profit

By Virginia Colin and Pascal Comvalius

Social Media sites are the brave new world of online communicating. They include Facebook, LinkedIn, Twitter, YouTube, Google+, and more. For mediators, social media constitute a big set of opportunities to share your wisdom, educate the public, talk with colleagues, and, if you want, share messages with friends. It's free advertising. It's a place where you can demonstrate your expertise, make your business easy to find, and give viewers a reason to visit your website and learn more about the services you offer. In this article, we plan to focus on three social media platforms: LinkedIn, Facebook, and Twitter; APFM has begun using all three.

LinkedIn is the most formal and professional of the three. This is where people have serious conversations with colleagues. You can create a profile to describe yourself and your work and then join a few groups, such as APFM (http://www.linkedin.com/groups/APFM-5062612?trk=myg_ugrp_ovr), Child-Centered Divorce, or High Conflict Institute. You can read and add comments to discussions posted there. You can start new discussions.

Facebook is more casual. It was originally just a place for friends to share news and trivia from their lives with people they knew who were not at that moment in the same geographic location. Then, Facebook let people start creating Facebook pages to represent their businesses. Now, millions of people use Facebook for getting news about the businesses that interest them, in addition to staying in touch with friends—MILLIONS!

Twitter is the least formal of the three. Some people say that sending and viewing Tweets is the online equivalent of going to a cocktail party. You might stumble upon some gems, but there

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is an awful lot of chatter. Nevertheless, some people have used Twitter effectively to make their expertise known, announce events, and/or make it easy for strangers to get to know, like, and trust them.

LinkedIn

With LinkedIn you can:

1. Publish your credentials, experience, and services online, free.
2. Increase your visibility.
3. Build a network of people you know.
4. Learn from people you do not yet know (in LinkedIn group discussions).
5. Look for job opportunities.
6. See who viewed your LinkedIn profile and how many times you came up in a search.
7. Enhance your search engine results (which increases free advertising of your services).
8. Ask your colleagues for advice in groups you have joined.

Facebook

Why might you decide to have a Facebook busi-

ness page?

1. About 2/3 of the people who use the internet at all use Facebook. More than half of them check it nearly every day. About 20% of them check it more than four times per day. If Facebook were a country, it would be the third most populous in the world (behind China and India).

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It has more than one billion users (according to Wikipedia).

2. Most people from age 18 to age 50 or 55 use Facebook.
3. If your business is visible on Facebook, it is visible where many people who need family mediation services can easily discover it.
4. Facebook activity IS free advertising.
5. Facebook activity contributes to search engine optimization (SEO). In other words, having an active Facebook page for your business increases the likelihood that your business will appear in organic search results when someone does an internet search for a family mediator.

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The Professional Family Mediator

The Professional Family Mediator is the newsletter of the Academy of Professional Family Mediators, a professional organization dedicated entirely to the practice of Family Mediation as a profession. The newsletter is published quarterly as a member service.

Editorial Policy

In efforts to present a wide range of perspectives on the many issues facing family mediators, the views expressed by each contributing author are intended to encourage consideration and debate but do not necessarily represent the views of the Academy of Professional Family Mediators or its editorial staff.

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Editor's Notes

New Board Leaders and Interesting Articles

By Don Saposnek

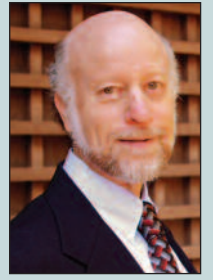
Dear Readers,

First off, I want to introduce and welcome our second APFM President, New York resident Steve Abel, who took office at our Board Retreat in January. Steve has hit the road running—and running fast; there is a lot of work to do in guiding this organization. It can certainly feel overwhelming much of the time. While it takes a while to get one's sea-legs stable, Steve is well on his way. Our other new officers of the Board who were elected at our Board Retreat include: Vice-President Pascal Comvalius (from the Netherlands), Secretary Chip Rose, (from California), and Treasurer Marilyn McKnight, (from Minnesota). We welcome them all.

In this issue of *The Professional Family Mediator*, we have, as our feature article, a piece on "How to Use Social Media for Fun, Learning, and Profit," co-written by two very internet savvy members of APFM, Virginia Colin and Pascal Comvalius. They drive home the point of how social media are here to stay and imply loudly that digital immigrants (see my last Editorial Notes from our Winter, 2014 Issue of TPFM) will need to get on board with the digital natives in learning and using the various electronic platforms for building and maintaining their practices. If you visit the APFM webpage, you will see that, as an organization, we are joining the full ranks of those in the electronic age. In fact, in the next issue of *The Professional Family Mediator*, we will likely have moved this publication to an e-format (pending details to be worked out in the months ahead).

Next, in our President's Message Column, our new president, Steve Abel, includes a potpourri of interesting topics, from the derivation of the term, "plaintiff," to various fascinating facts about divorce across the U.S. This is followed by Chip's Column, The Creative Solution, titled "Mediation by MapQuest," in which he discusses how to build a structure to your mediation process that allows you to always keep your

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bearings during times of distraction by clients' intense emotional expressions. Using the metaphor of Mapquest (for those few of you who don't know Chip, metaphors are his signature teaching tool), he discusses the need to regularly "recalculate" where you are in the mediation process. Then, we have Bill Eddy's Column, The Ethical Edge, in which he answers the questions asked in his previous Column in the Winter 2014 issue of TPFM, "Domestic Violence: Should We Screen All Cases?" The responses of two of our members, plus Bill's own take on the question, should help to enlighten our thinking about this important issue.

Ada's Column, Mojo Marketing and Management, presents the third in her series of "how to go out into the world and market yourself." Having, in her previous Columns, held our hands through the challenging tasks of going to events and selling ourselves, this episode of networking discusses the downfalls of abusing your cell phone when attempting to market yourself. Giving several real-life (and easily recognizable) examples of cell-phone abuse, she encourages us with the simple reminder to "keep your head UP" when greeting people about our mediation practices.

Larry Gaughn treats us, once again, to one of his astute conceptual analyses of mediation issues. This time, he writes on "Mediation and Collaborative Practice: Perspectives in Divorce Settlements." Using a graphic side-by-side chart of comparison, he discusses the "actual and poten-

tial" commonalities and differences between these two models of helping couples divorce; a very useful perspective, indeed.

Then, Pascal has responded to my intrigue over his mention to me of the concept of "Divorce Hotel," which originated in his home country of Holland. Pascal presents the details and his concerns about this intriguing concept which the CEO is attempting to franchise worldwide. The idea of setting up hotels for a quick divorce should be of concern to all of us. And, of even more concern is the inclusion of Divorce Hotel as a Reality TV show! Read Pascal's article for more titillation on this idea.

Last, we offer an excellent book review by Les Wallerstein on David Hoffman's new book, *Mediation: A Practice Guide for Mediators, Lawyers and Other Professionals*. Les' well-crafted analysis of the book is a very good read.

I leave you with this thought:

"Life becomes easier when you learn to accept an apology you never got."

-- Robert Brault

Enjoy.
Don Saposnek
Editor

The Professional Family Mediator

A Call for Submissions to *The Professional Family Mediator*

We invite you to submit previously unpublished articles related to family mediation, including clinical insights, innovative programs, research studies, practice ideas, news updates, and letters to the editor with your responses to any of our published articles or columns. The editor will review submissions as they come in and will consider for publication those submissions that offer unique and innovative ideas for practicing family mediators. Please send your materials by email to the Editor, Don Saposnek, at: dsaposnek@mediate.com. Authors should include name, city and state/province, and other materials as requested by the Editor. If an article is selected for publication, the author will be requested to sign a Permission to Publish agreement and submit a photo and a brief Bio.

APFM's President's Message

The Plaintiff and the Initiator, and Other Stuff

By Steve Abel

I am pleased to serve as your second president of APFM and look forward to an exciting year ahead. As I was finishing a divorce mediation last week, we got to the question of filing for divorce in court and who would be the plaintiff and who would be the defendant. The wife asked if it really mattered and I gave her my almost boilerplate answer: There is no legal or financial difference, but sometimes people have a psychological or emotional preference. The wife said that, as far as she was concerned, they could flip a coin, stealing one of my favorite lines. The husband smiled and said, "Well the divorce was your idea, so you can be the plaintiff."

Then the wife then asked me, "What does the word 'plaintiff' mean, anyway?" I told her, "It means the person who is asking for the divorce." Then, the husband said that the "plaint" part of the word sounded a little bit like "complaint," so the plaintiff must be the complainer.

Because I'm a bit of a word nerd (before I became a lawyer and mediator, I was a reporter and writer), I thought I'd check the actual derivation of "plaintiff." It turns out that the husband was correct. Wikipedia reports, "The word 'plaintiff' can be traced to the year 1278 and stems from the Anglo-French word *pleintif*, meaning "complaining."

This little bit of research got me to thinking about my personal observation that the vast majority of divorce mediations that I've worked on in the past few years were initiated by the wife. In my very suburban, New York practice, I would estimate that 90% of the divorces were initially the wife's idea. Then, I learned that research based on 2002 interviews showed that about 66% of divorces are initiated by women. What I've noticed is that, in the past ten years, this imbalance in who initiates the divorce has grown enormously. I learned a long time ago from my friend and partner, Ken Neumann, that any time you try to figure out what caused a divorce, if you peel back the onion layers one at a time, you will probably get to something that happened on the first date. In other words, there

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is usually enough blame to go around. It is rare that one party is very clearly so much more to blame than the other. While assessing blame is probably a dead-end, I'm still puzzled by what appears to be a significant change in who initiates the divorce. I haven't figured this out and I'd love to hear your thoughts on the matter. Maybe this will be the start of an interesting blog discussion.

The Internet. Trying to find research on who initiates divorce got me searching around the web, which turned up some other interesting stuff. I've been aware for a long time now that there is a lot of material about divorce on the web. Now, it seems to be explosive. There are articles specifically for women getting divorced, specifically for men getting divorced, and even for children of divorce. I cannot imagine how the average person sorts through all of the information and opinions to reach anything approaching a good decision about the numerous challenges involved in the average divorce.

One noticeable site was the Huffington Post. It has a specific divorce page with pages devoted to parenting, dating, divorce laws, divorce stats, divorce advice, and celebrity divorce. One recent article dealt with an analysis of the easiest and hardest states for getting a divorce. The conclusion is that Alaska is the easiest state, with South Dakota close behind. The hardest states for divorce are Arkansas and New Jersey. Perhaps not surprisingly, Alaska has the highest divorce rate in the United States, but Arkansas is third. The lowest rate of divorce was in New Jersey. Aside from its geeky value, I'm not sure what to make of this analysis. If you want to see where your state stands on this issue, go to: <http://divorce-laws.findthebest.com/>.

Obamacare and Divorce: On a more important subject, that of health insurance and the impact of Obamacare on divorcing couples, the Internet reports from every angle— financial, social, and political. I found an article titled "Obamacare

Could Ease Divorce's Financial Sting." The author, Elizabeth O'Brien, says that the availability of low-cost health insurance, without exceptions for pre-existing conditions, will make divorce more affordable for many. The article is at:

<http://www.marketwatch.com/story/obamacare-winners-the-recently-divorced-2013-09-25>

It's hard to avoid political posturing on the Internet. One commentator at CNSnews.com (the right news, right now) put it this way:

"On the Obamacare health insurance exchanges, being married can cost you a lot. Get divorced (or avoid getting married, if you live together), and you save \$7,230 per year if you are a fairly typical 40-year-old couple with kids (example: the husband working full-time, and the wife working part time, with the husband making \$70,000, and the wife making \$23,000). If you are a 60-year-old couple with equal incomes and no kids, and you make \$62,041 a year, you save \$11,028 a year by getting divorced or remaining unmarried. These are the amounts of money you will lose if you get married, since you will lose this amount of taxpayer subsidies due to Obamacare's discriminatory treatment of married versus unmarried couples..." Go to <http://www.cnsnews.com/commentary/hansbader/obamacare-provides-7200-divorce-incentive-11000-older-couples>.

A more dispassionate analysis, titled "4 Ways Obamacare Can Affect a Divorce," listed these four main points:

1. It provides coverage for those with chronic illnesses.
2. It provides another alternative to COBRA.
3. It may save you money on health care expenses.
4. It may save a higher earning spouse money on alimony.

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THE CREATIVE SOLUTION

“Mediation by MapQuest”

By Chip Rose

There is a regional group of mediators to which I belong that meets several times a year and we share our experiences, often focusing on some particular aspect of family mediation. At the most recent meeting, the topic was the issue of alimony or spousal support. A panel of participants who led the discussion presented on various aspects of the role of financial support from one spouse to the other as part of the divorce process, including both temporary support and post-judgment support. At the outset, one of the panel members asked each of us (30 or so participants) to write down what we considered to be the most difficult aspect of mediating the topic of support. The majority identified “emotions” as the most challenging element of the mediation process, when the topic of one party supporting the other is being discussed. The facilitator then directed to the group the question: What are some ways of dealing with the emotional aspect of support negotiations? In a previous meeting, the topic was child support, and the same approach was followed.

Whenever this type of problem is posed—How do you deal with emotions in discussing support?—I see the focus being directed to the wrong end of the telescope. The more informative question is: How are the clients’ emotions addressed as a major process issue? A mediator that waits until an emotionally charged issue emerges in the discussion in order to address the role of emotions in the process is not giving the clients the best opportunity for success. I am reminded of when I was asked to present a program on expanding the possibilities in settlement negotiations for what was supposed to be an advanced workshop to a group of experienced practitioners; I asked them to send me a hypothetical set of circumstances from which to work. What I received was a train wreck for a fact pattern. Everything that could go wrong in putting the clients at odds with one another had been built into the facts. To the great consternation of the group, I told them that the solution to the impasse that they had created would have been what had not been done at the very beginning of the case. To frame the discussion in terms of what kinds of Band-Aids to apply to this divorce triage is to condemn one to repeating desperate and marginally effective interventions over and over again.

So, this goes to some questions on which Jim Melamed and I conspired at the beginning of an advanced mediation workshop at Pepperdine’s Straus Institute a number of years ago. The questions are both simple and complex at the same time: What is the map of your mediation process? How does the beginning of the process inform as to the end? How do the outcome goals of the parties determine what has to happen at the beginning? If you mapped out your process structure, what would it look like and how would it inform as to every contingency that might arise during the mediation process?

The beginning of my practice, some 35 years ago, was undertaken without the benefit of any structured training. I relied solely on intuition and my background in the legal system to offer clients willing to work together what I thought of as “friendly law.” I had no map, no compass, and certainly no GPS in terms of knowing what I was doing. I operated under the principle that a bad day in mediation was better than a good day in court. As I gained experience, I began focusing on answers to the enumerable problems that clients brought to the table. In a very real sense, I backed into the creation of the structural pieces that became the fundamental frameworks for my approach to mediation.

What evolved were two different and distinct process frameworks, each one of which addressed a basic prerequisite for a successful collaborative negotiation. One framework addresses how the participants (mediator included) behave during the process, and the other addresses the handling of the substantive issues which the clients have to resolve. Without any question, the former controls the latter and is for me the sine qua non of a successful mediation. The second framework describes the process for identifying and developing all the substantive issues that the clients need to resolve (parenting, support, financial issues, etc.). There is not adequate space in this column to fully describe or develop these frameworks, but, having presented workshops for the last several decades based on these structures, I can affirm their universality and applicability by the responses of workshop participants everywhere. These structural pieces represent two things.

First, they recognize and acknowledge the emotional circumstances that the clients bring to the

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table, while at the same time confirming the reality that none of us has the capacity to make someone else think, feel, or want something just because we are desperate to have them do so. This awareness is critical to helping the clients to focus on strategic behaviors and abandon the ineffective ones. Drawing lines that connect desirable outcomes to strategic actions creates the longitudes and latitudes of the process map. Unchecked emotions are a kind of process fast-food. They feel good in the moment but result in undesirable consequences. Clients know this in their rational moments, and hopefully, that is when these process structures are being put in place.

The second purpose of these frameworks is to help the clients identify where we are in the process and see the connection between what is happening at any given time and the attainment of the goals the clients have for the process. Years ago, a colleague and I were giving a workshop in Houston and ventured from the hotel to an enormous indoor mall to find a place to eat. The internal structure of the mall was enormous, with an ice rink several floors down. As soon as I had surveyed the interior, I momentarily lost my bearings and could not identify how we had come in. That is why places like this have directories, with visual maps with big red stars to let you know where you are.

Clients especially need those kinds of reference points while they are in the process, to help them measure the progress they are making, and to be reminded that strategic behavior is critical to the attainment of their most important goals. I ask clients to give me permission to tell them when they are deviating from the course to which they committed at the beginning. They always say yes. When it becomes necessary to do so, I am reminded of that voice on our GPS devices that says “recalculating” when we are going off course.



The Ethical Edge:

Domestic Violence:

Should We Screen All Cases?

By Bill Eddy

In each issue of this Newsletter, I ask one or more ethical questions and invite feedback from members. My questions from the Winter 2014 Issue were the following:

Domestic Violence: Should We Screen All Cases? In conjunction with this question, here are four sub-questions for you all to consider:

- A. What percent of cases in your Mediation practice do you think have a D.V. issue (known or unknown)?
- B. Can you tell which cases have D.V. issues from individual screening interviews?
- C. Should you refuse to mediate a case with D.V. issues?
- D. What precautions do you (or will you) take to protect a victim of domestic violence?

I received two responses and I will add my own thoughts, following theirs.

Linda Gryczan of Montana wrote:

What percent of my cases involves DV? Looking over my 2014 cases, up to half of divorce/parenting plan cases had some component of domestic violence or a coercive and controlling relationship.

Can I tell which cases have a DV issue, from individual screening? Often, the first indication of an imbalance is how utterly charming an abuser is during the intake interview. I use the HITS survey (acronym for Hurt, Insulted, Threatened with harm, and Screamed at) in my written intake (see Kevin Sherin, http://www.omniaeducation.com/whav/WHAV_Addenda/Domestic_Violence_Screening_Tools.pdf. For permission to use—contact him at: kevin_sherin@doh.state.fl.us). I ask the parties to contact me before the first meeting if they have a score of 10 or more. I also ask, "In your relationship, how did you make decisions?" "Every couple argues. How do the two of you handle disagreements?"

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Should I refuse to mediate a DV case? I leave the choice about whether to mediate up to the survivor. My district court judges ask that, if I don't believe a DV case should be mediated, I write the court asking them to be excused from their court order.

It has been my experience that survivors of episodic or situational violence are the most willing to mediate and are perfectly capable of advocating for themselves. The most difficult cases are those with coercive and controlling relationships without physical violence. The effect is the same as full-blown physical violence, but the dynamics are more difficult to uncover.

Montana case law (*Hendershott v. Montana*) allows emotional abuse survivors to opt out of mediation. New state law allows them to opt in with written permission, and we are working on the procedures to make that fair and workable.

What precautions do I take to protect the survivor? I offer separate rooms, arriving and leaving at different times, bringing support people, meeting over the phone, and arranging signals that mean, "I'm leaving now." I discuss the possibility that the mediation process may re-victimize the survivor, because I will never know all the triggers.

Other Thoughts? I entered the field of mediation believing that we should never mediate in cases of DV. Then, I found myself in front of pro bono Legal Services clients, where coercion and control were obviously factors in the relationship. So, I got some training at ACR conferences and brought members of the Iowa Coalition Against Domestic Violence to Montana to train family mediators. This coalition developed best practices of mediation for mediating cases with DV.

Virginia Colin of Virginia wrote:

The Commonwealth of Virginia requires mediators to screen all cases for domestic violence. Some mediators refuse to take such cases. I frequently work with clients who report a history of domestic violence. If current threat or fear levels are high, I may handle the entire mediation through caucus sessions. In extreme cases, I hold caucus sessions inside a courthouse, with armed deputies patrolling the halls and with rooms far enough apart from each other that the two clients do not have to see each other.

In other cases, despite past incidents of violence, each party feels able to stand up for his or her interests and concerns, and all goes well in a pretty normal way. Sometimes, a history of violence inverts the parties' former power balance. If a woman or a man has been convicted of an act of violence toward her or his ex-partner, the ex-partner may have a hard time getting a good share of time with the kids. In every case, I try to help the parents figure out what will be best for the kids. Few parents are so violent that the kids want nothing to do with them.

Many ex-couples conclude that ongoing positive relationships with both parents are important and do the best they can to make such relationships possible. That may include anger management training, therapy, co-parenting counseling, scheduling transfers of the child from one parent to the other in a way that makes it unnecessary for the parents to see each other (e.g. transfer occurs at school at end of school day), agreements to communicate only by email, only about the children, and with no cursing or abusive language, and other protective measures.

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Mojo Marketing and Management

Networking 101-3 Heads UP!

By Ada Hasloecher

So you've managed to talk yourself into going to the Event – with a capital “E”; you orchestrated your busy schedule to attend; you cajoled a friend to go with you for moral support (and of course, an opportunity for them as well); you walked into the room and you're ready to rock and roll. Congratulations and welcome to my world. Not so bad, right? But wait! One more thoughtful consideration before we enter the room.

In my last Column, I mentioned a little something about shutting off your cell phone and not just putting it on mute or vibrate when attending any social gathering. Why? Heads UP – that's why! Just imagine what someone seeing you would think when they see you with your head down, diddling on your smart phone. Approachable? I would say not. And, neither would they.

Think about it - from the moment you arrive, until the moment you leave – how much time are we actually talking about here? Two hours, three hours at the most? Aside from a really serious emergency (and how many of those occur on a daily basis?), what else, other than the activity you have chosen to participate in at this moment, requires your immediate and ongoing attention?

I grant you, we live in a hectic, non-stop world with seemingly few or no boundaries these days (more on THAT in a future article). I propose that we are all complicit in this culture by dint of our unwillingness to hold the line on what we know is appropriate behavior. And what I mean by appropriate behavior in this context is: being present, head up, eyes forward and focused on what's happening in the room, meeting and greeting our fellow human beings with the same respect and attention that we, ourselves, would like to receive.

Here are two stories that really sum it up for me. The names and events have been changed to protect the guilty.

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Story #1:

A number of years ago, I attended a monthly dinner meeting of one of several (women's) organizations to which I belong. I was fairly new to this group but was starting to become familiar, friendly and comfortable with a number of the women there.

The president (I'll call her “Mary”) of the organization who is a real go-getter and spitfire, and who was the impetus for the formation of the group, as well as one of the founding members, asked me to sit next to her at the meeting. I was delighted. After we chatted for a while, I planted my handbag on the chair next to hers to indicate the seat was taken and then I wandered about the room to network with the other women before the dinner began.

The event was organized in the usual fashion (as I described in an earlier Column): Arrival and signing in; main room set up with round tables of 8–10 seats per table arrayed in a horseshoe arrangement facing the speaker's podium; an open bar; general informal networking; finding of seats; welcoming remarks by the president; round robin introductions by the attendees; and finally, the guest speaker introduced and the presentation conducted while dinner is served.

As the informal meet and greet networking portion of the evening was concluding, I took my seat next to the Mary. Our table was situated right in front of the speaker's podium and about six feet from it. Mary and I were facing her directly. The speaker was a personal friend of Mary's, and when the speaker began her presentation, Mary, much to my shock, took out her smart phone, held it beneath the table, and proceeded to tap

away on it during almost the entire presentation. The light from the hand-held was brightly illuminated, so there was no question that it was on and being operated. I was mortified. How could she do such a thing?

I almost felt like I was guilty by association! The presenter clearly saw that her friend was not paying attention. I didn't know what to do. Should I say something; should I whisper to Mary? Should I indicate in some non-verbal way to the presenter that I was as mystified and horrified by this behavior as she apparently was? In the end, I did none of those things. What I did was to pay as careful and close attention to the speaker as I possibly could, giving her the respect and consideration that she well deserved. I lost so much respect for Mary that night!

Now I ask you – what was so important to Mary that it couldn't wait at least until the presentation was over? Whatever was going on for Mary that night was clearly going on and on and on. At the very least, she could have quietly slipped out of the room and handled her business outside. And, if that were the case, she could have apologized about the emergency to her friend later.

When the presentation was over, Mary applauded with hardy enthusiasm, walked right up to her friend in front of the whole group and thanked her for the great job she did! Really!?! How could she possibly have known? She didn't appear to listen to a word of it. I know, because I was sitting right there along with everyone else at that table. Her indiscretion was readily apparent to everyone.

(Continued on Page 13)

Mediation and Collaborative Practice: Perspectives in Divorce Settlements

By Lawrence D. Gaughan

Divorce settlement practice is becoming increasingly diverse. Mediators come from a variety of professional backgrounds, as do collaborative professionals. A lawyer who is primarily engaged in divorce litigation may also handle some cases as a mediator. Many of the attorneys who do collaborative practice also have a conventional divorce practice. In practice groups that certify lawyers for collaborative practice, they must also have been trained as a mediator.

The roles are different, although by no means mutually exclusive. Conventional divorce settlements involve well-understood roles of representation. By contrast, mediation involves an impartial role. While collaborative practice utilizes a representational and not an impartial role, it involves many of the values of mediation practice. The two column chart that follows was originally drafted as three columns, but it quickly became obvious that the mediation and collaborative practice columns could be merged into a single column without losing focus.

This article is about the actual and potential differences among these roles. The chart that follows places conventional attorney divorce settlements in the first column, and mediation and collaborative practice by attorneys in the second. Note that while collaborative practice is representational and mediation is impartial, and although these two roles are governed by separate sets of regulations, they share many common features as to how the respective professionals approach the covered areas.

It is not the purpose of this article to advocate for one approach over the other. That, after all, is for the clients to choose. Nothing is meant to be pejorative in either direction. All three roles are now recognized by the bar, and there are some separate ethical guidelines for each. This article focuses on the similarities in values between mediation and collaborative practice, leaving the technical differences for another time. That is because this is an ar-

t i c l e
about per-
spectives,
not the structural regulations of practice.

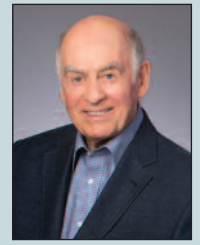
Again, it should be clear that these two columns are not at all mutually exclusive, despite the difference in focus. An attorney in conventional divorce practice has a duty to represent his or her client, so the starting point of analysis must be the first column. But nothing prevents that attorney from looking at approaches from the second column as a means to expand settlement options.

In collaborative practice, the attorney is expected to avoid litigation strategies and to modulate the more adversarial forms of negotiation. However, a collaborative lawyer is still expected to know how the law applies to the case at hand, while avoiding references to what the judicial outcome might be. That collaborative attorney's approach is much more likely to be consistent with the second column, not the first.

An attorney who is a mediator may still analyze the case from a conventional legal standpoint. But, frequently, the interactions in the mediation process, as well as the principles of impartiality and the avoidance of giving legal advice, work to keep much of that mediator's approach grounded in the second column.

It may also be useful to consider the structure of American divorce law, much of which exists at the level of standards, principles and criteria, rather than at the level of rules. A good example is the Virginia parenting statute, § 20-124.3 of the Code. It is based upon the standard of the best interests of the child, and it gives us a list of 10 relevant criteria. Judges are accorded substantial discretion in applying that basic standard, in terms of the listed statutory considerations. A similar analysis may apply to

Larry Gaughan is a former law professor and Virginia divorce lawyer who has been mediating divorce cases since 1980. During the academic year 1979-80, he studied at the Georgetown Family Center at the time when Murray Bowen, M.D. was the director. Larry and his wife, Joyce, who is a retired family therapist, celebrated their 30th wedding anniversary in May, 2013.



equitable distribution and spousal support. The child support guidelines are of course a special case, but even they leave open areas of discretion.

Much of the knowledge and skills of divorce lawyers relate to strategies of litigation and negotiation as much as to the substantive law. Divorce lawyers frequently call upon outside professionals, such as the accountants who trace separate property that is commingled with marital property, or trace dissipated assets, or who value a closely held business or professional practice. But, it is important to remember that mediators and attorneys in collaborative practice can find valuable models in some of the creative tradeoffs and other settlement options that at times arise in conventional divorce settlement conferences.

Over time, the public's expectations of professional roles in the divorce process may gravitate to the second column. More attorneys are becoming mediators, and collaborative practice seems to be gaining adherents among lawyers. Conventional divorce practice is also gradually adapting to these changes, especially in settlement negotiations, without losing its representational focus. For now, let's simply diagram the differences between two distinct—but interrelated—sets of perspectives as to the professional settlement roles of divorce lawyers, collaborative professionals, and mediators.

(Continued on Page 14)

Divorce Hotel on TV: Exploitation of Pain?

By Pascal Comvalius

Over the past two years, we've heard about a new phenomenon that is called the Divorce Hotel. The concept is that couples with or without children are offered an opportunity to get divorced within 3 or 4 days. So, for example, on Friday, a couple checks in a hotel still being married, and on Monday they leave the hotel being divorced. During these few days, the couple is guided by a team of divorce professionals. The cost? For a maximum of \$5000

dollars, you are all set. "Everybody who goes in the hotel has a 100% success guarantee that they will be



divorced on Sunday," said Jim Halfens, the CEO of Divorce Hotel, in a CNN Money interview. Quite remarkable, since family mediators never offer any predictions about the outcome of their work with a given case. Jim Halfens is a Dutch attorney with merchant skills. He is the creative brain behind this concept. When he started his company, he envisioned that this divorce process could ultimately also be used as a nice television format. This year, his dream starts to turn into reality. In the Netherlands, Divorce Hotel will start in May as a reality TV show, and in the United States, Fox TV is developing a pilot for the program. The hour-long show will follow the couple's experiences with a team of lawyers, mediators and counselors, with the pair checking out of the hotel on Sunday being happy, relieved and legally divorced. The pilot will have two childless couples who want to separate set up in two separate rooms in a luxury hotel. The staff of the hotel is aware of the couple's intent, as it would be strange to check them out on Sunday and still treat them as if they were married. The whole divorce process will be done in private rooms, not in any public area.

Jim Halfens told in The New York Times that the couples are carefully selected

Pascal Comvalius began his mediation career in 2007 after a career in IT and Consultancy. He has been an IMI Certified mediator since 2013, and is also a MFN-registered mediator in the Netherlands, and he works with Erickson Mediation Institute. His has had extensive training in Kinesic Interviewing and Interrogation, developed by Stan Walters. Currently, he is pursuing emotional skill and competency training at the Ekman Group.



through an application process to ensure that their split-up is not too complex or too violent.

The intake form to apply for a role in the Divorce Hotel series does contain some of the standard intake questions, but lacks certain main questions, such as, "Do you both agree to file for divorce," and "what are your concerns during this divorce process." At the end, each party within the couple has to upload a photo of himself and herself. So, here is another criterion for acceptance to the program: your face must look interesting for television.

If couples are willing to appear on television, their divorce will be done for free. Seems like a nice trade off at first glance, but it will likely mostly attract people who simply can't afford to pay for their divorce. By doing this, you create a dependency. TV programmers will certainly take advantage of this.

During the episodes, the Divorce Hotel will not show the children of the parents. In a spin-off program in Holland, they did show the children, which brought a lot of criticism towards the host and the producers. Jim made very clear that he did not want to have that as part of his program. That's a good thing. However the parents of these children are still on television. Going through divorce is already a roller-coaster ride of emotions for couples, and besides, that they have to live with the fact that their friends and neighbors may well see the TV program, and it will be out there forever in the public archives of the digital era in which we are living. I am sure that this will have an impact on the children in their day-to-day life. I can imagine that if the children go to high school, other kids will make fun of them and their parents. Parents who appear in this program are not likely to really feel proud. The program will show the parents

acting at their worst. So, even when the parents have small children when they divorce on television, the children will unwittingly be confronted with the show when they get older and have independent access to the internet.

The couples, themselves, will also be exposed to an extra amount of stress; first, from the divorce itself, second, from the cameras following them around, and last but not least, from the pressure to finish the divorce within a time-frame of recording the show. Jim hopes that there would even be a couple on the Divorce Hotel show that change their mind and stay together. However, the chances of a couple staying together in this show are very slim, since they will likely be pushed (even subtly) by the production team to divorce, not for their own interests, but for the entertainment of the TV viewers that will tune in to this show.

My suggestion would be that, after the cameras are gone and the couple have filed for divorce, they have at least some sort of help in digesting the intense divorce weekend. I would recommend a required period of reflection led by a coach or a therapist.

Last, but not least, I am also concerned about what kind of effect this show could have on us professional family mediators, and on our several professional organizations (APFM, AFCC and ACR). What about our standards of practice, that include such principles as impartiality and confidentiality? How do we know for sure that each of the participants' self-determination will be preserved? In almost every reality TV show, the participants are coached in what to say and how to behave on television.

(Continued on Page 13)

Mediation's Magnum Opus

A Book Review by Les Wallerstein

Like most emerging professions, mediation has spawned an abundant literature of mediocre merit that is often ignored and easily forgotten. By contrast, *Mediation: A Practice Guide for Mediators, Lawyers and Other Professionals* [MCLE New England (2013)] by David A. Hoffman and Boston Law Collaborative is an extraordinary tour de force brimming with insight and wisdom.

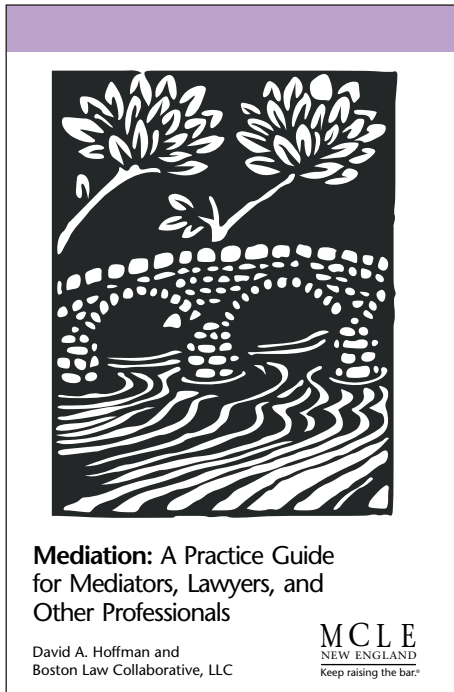
As lead author, David Hoffman draws on his wellspring of experience, with contributions from colleagues Israella Brill-Cass, Nicole DiPentima, Annie O'Connell, and Katherine Triantafyllou, and clinical psychologist Richard Wolman at the Boston Law Collaborative, an organization that he founded. The book topics range from a theoretical overview of mediation to a discussion of its underlying principles. He weaves a tapestry which touches on virtually every aspect of mediation, including the minutia of seating arrangements, the intricacies of confidentiality and privilege, the representation of clients in mediation, and ethics. He focuses on both family and civil cases (commercial, personal injury, etc.) and interweaves stories into the fabric from both areas of mediation.

The uniform structure of the book makes it eminently readable, as well as practical. Each chapter begins with a detailed table of contents and a chapter précis titled "Scope Note." The text is enhanced by numerous "Examples" and "Practice Notes" to illustrate the hands-on work of mediation. This book includes extensive appendices, stocked with technical resource materials.

The inherent strengths and weaknesses of any practice guide stem from a common source—the need to cover an enormous amount of material in limited space, which requires the distillation of complex concepts that warrant book-length analyses. Rather than skirting the issue, this book strives to ameliorate that reality with frequent invitations for the reader to explore subjects in greater depth, by providing plentiful references to primary source material.

Here are four short examples of what awaits the willing reader:

Posing the provocative question, "Why Screen for Domestic Violence?" the following analysis is offered: "Because of the potential danger associated with disclosing a history of domestic violence to a mediator or third party, as well as feelings of shame associated with a history of such violence, mediators seldom learn about this aspect of the parties' past unless they inquire. There are two primary reasons why mediators should screen for domestic violence. First, if the mediator is unaware of the problem, she could elicit infor-



mation in a joint session that would put one of the parties in danger of reprisal. Second, the mediator could be unaware of a power dynamic related to a history of domestic violence that puts one of the parties at a severe disadvantage regarding her ability to safely assert her own interests..." [§3.2.3(a)].

In his consideration of the "Stages in the Mediation Process," David Hoffman advises mediators of the need for Delivering Bad News Gracefully. He writes, "Another vital skill in helping the parties and counsel assess the value of their case is for the mediator to communicate reality-testing questions with more than impartiality—with compassion. The parties and counsel may have invested considerable time and effort in developing their claim or defense. They may lack an objective view

of the case. Any questions that you raise—even if invited—may be viewed with skepticism or defensiveness, or as an attack on their judgment or ability. Therefore, mediators need to tread lightly, but candidly, in providing this type of feedback" [§4.7.2(b)].

David Hoffman's creative, out-of-the-box problem-solving skills are well illustrated in his story about bringing a husband's mother-in-law into the process. "In a marital mediation case in which the parties wished to remain married, the parties told the mediator that one of their major problems was the tension between the husband and the wife's mother. The next two mediation sessions were held at a bagel shop near the mother-in-law's home, and the only attendees were the mediator, the husband, and his mother-in-law. The bagels were excellent, the discussion was productive, and the parties are still married" [§4.9.1(b)].

Last, in a chapter, titled "The Psychology of Mediation," after an examination of the power of belief and expectations of clients and attorneys, the authors focus their attention on the often-overlooked subject of mediator expectations, in a section titled The Psychologically-Minded Mediator. They write, "In order for agreement to emerge from the thought, experiences, and creativity of the parties, the mediators must achieve a psychological stance that is difficult to achieve. The mediator must learn to detach herself from the outcome of the mediation..." [§7.3.1(d)].

Everyone with any curiosity about mediation will find in this book something of interest and lessons to be learned. Mediator aspirants will find practical advice from the ground up, considering every conceivable aspect of how to establish and maintain a mediation practice. Seasoned practitioners will discover thoughtful analyses of the conundrums and contradictions of the human condition that pervade all mediations.

No one who has had the pleasure of rubbing shoulders with David will be surprised to learn that his new book is available in both the traditional format of the printed word and the digital format—as an eBook—revised "with regularity."

(Continued on Page 15)

“How to Use Social Media for Fun, Learning, and Profit” Cont. from Pg. 1

6. You can use some of your posts on Facebook to encourage people to visit your website, especially if you write a blog.

7. Low cost, high visibility, and paid advertising is also available on Facebook.

8. It is not necessary ever to use Facebook for personal communications. You can use it solely for your professional family mediation business.

If you create a Facebook profile for yourself, you can post comments on APFM'S page, www.facebook.com/APFM.ProfessionalFamilyMediators, and on the pages of other organizations. Remember, anything that gets posted on Facebook may eventually be seen by almost anyone in the world. However, the privacy controls are not very good. So keep your comments professional. You can also post links on APFM'S Facebook page to articles that you have published on the internet. The primary purpose of the APFM page is to educate the public about family mediation and family mediators. If you use Facebook, please “Like” the page, Share it, and once in a while leave a comment on APFM's page. In the long run, this helps all of us in APFM.

If you do not use Facebook but do want a link to an article you wrote posted on APFM's Facebook page, please send the link to me (Virginia) at mediatorQ@gmail.com. I (Virginia Colin) love having a Facebook business page (www.facebook.com/vlcolin) that lets me make links to good articles and other good resources available to anyone who is interested. I doubt that Facebook directly brings clients to me, but it does make my blog and my private practice

more visible when someone does an internet search for "family mediation" in my geographic area.

Another option is to hire a social media professional to create and manage your Facebook page for you. Services from some very competent people are available at reasonable prices.

Twitter

Twitter gives you quick information about what's happening right now. You have a maximum of 140 characters to put into a message. Each message is called a tweet. You can “follow” individuals, groups, or organizations that interest you. “Following” means that tweets they post will appear in the stream of messages you see when you log in to Twitter. You can include a picture or share an internet link in a tweet. You can abbreviate links so that you include maximum information with a minimum number of characters. Short messages make it easy for your followers to retweet them, which carries your message to people you do not know but might be able to help. APFM uses Twitter to comment quickly on things that have to do with family mediation and to follow APFM members to see what they are doing or talking about.

To find and follow APFM on Twitter, log in and search for “TheAPFM.” The more followers TheAPFM has, the better it is for all APFM members. To send a tweet to APFM, start it with @TheAPFM. If you want a thorough, step-by-step explanation about using Twitter, you can

find it at <http://mashable.com/2012/06/05/twitter-for-beginners/>.

Social Media Summary

We think that almost everyone should create a basic LinkedIn profile. That's just part of looking professional in today's world and making it easy for someone to see your credentials. Similarly, we recommend creating a Facebook business page if you want more work than you already get. A huge audience of prospective clients is right there. Why would you not converse with them? Do you remember good old-fashioned word-of-mouth “advertising”? Posting comments on Facebook is the modern way people spread news about products and services they use or like. It's a place where people mention professionals they trust. Whether using Twitter is a good idea for you is less clear. Twitter offers plenty of opportunities to converse with colleagues and prospective clients, but your comments can easily get lost in the stream of comments from others.

If any of these social media platforms appeals to you, please connect with APFM on that platform. You can find APFM at http://www.linkedin.com/groups/APFM-5062612?trk=my_groups-b-grp-v, www.facebook.com/APFM.ProfessionalFamilyMediators, or <https://twitter.com/TheAPFM>. We plan to post a link to this article on all three platforms. We would love to have you post comments and questions in response to those links. Interaction on social media boosts visibility for both parties -- you and APFM.

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“The Plaintiff and the Initiator, and Other Stuff” Cont. from Pg. 4

The author, Tamara E. Holmes, details each point at:

<http://www.netquote.com/health-insurance/news/obamacare-and-divorce.aspx>

APFM Annual Conference: I encourage all of you to plan to attend our 3rd Annual Conference this October at the beautiful Coronado Island Marriott Resort & Spa in San Diego. You will be receiving complete details and registration forms very shortly. Please look for them in your email box. Con-

ference Chair Ken Neumann has put together an extraordinary array of workshops, plenaries, and fun activities. There will be a series of workshops specifically designed for new mediators, and another series for advanced mediators. The keynote speaker will be Forrest "Woody" Mosten, talking about "The Next 30 Years." Preconference Institutes will deal with financial issues, mediation process issues, and practice issues. Woody Mosten will also present a Preconference Institute on

“How to Make Mediation Your Day Job.” There will be a Trainers' Forum, to share our best training techniques. And, for the first time, one of our conference sessions is designed to provide time for you to meet with the APFM Board of Directors for informal discussions about any topic of your choice. We hope to see you there.

(Continued on Page 12)

“The Plaintiff and the Initiator, and Other Stuff” Cont. from Pg. 11

Last, at a recent Board meeting, the Academy of Professional Family Mediators adopted Mission and Vision Statements. They are as follows:

Mission: To promote the profession of family

mediation to resolve family conflict.

Vision: To be the premier international organization in the development of professional family mediation.

We would like your comments and reactions to these positions. Thank you in advance. Send your comments to: Steve Abel at: sabel@igc.org



“Domestic Violence: Should We Screen All Cases?” Cont. from Pg. 6

Bill Eddy’s thoughts (in California jurisdiction):

What percent of my cases involve DV? I estimate that about 10% of my cases may involve domestic violence, with some of those coming to mediation after a restraining order is in place.

Can I tell which cases have a DV issue, from individual screening? I work at a nonprofit community mediation center (National Conflict Resolution Center, based in San Diego), and our Director asks clients at intake if either party will allege domestic violence—similar to the Family Court Services mediations at the courthouse throughout California. Upon request, the clients may ask to be seen separately, but this is rare.

Until recently, I have provided divorce mediation services to approximately 1500 couples without individual screening sessions beforehand. After last year’s Advanced Training on Power Imbalance, I decided to start offering individual screening and requiring it in cases of known domestic violence, such as those already with a restraining order. I have found that an individual session gives me an opportunity to form a stronger relationship with each client, including domestic violence perpetrators, so that the parties are more likely to cooperate and reach agreements when I meet with them together. I have recently written a Pre-Mediation Coaching Workbook, which I give to each party to help prepare them for mediation and for them to take more responsibility in the process.

However, I am not convinced that I can tell from an individual interview whether there is a

domestic violence history, and I do not use a detailed domestic violence questionnaire because I don’t want to alienate the majority of my clients who do not seem to have these issues. Our Director is very experienced at in-

tim/survivor? These include having the parties arrive 15 minutes apart, with the alleged perpetrator of violence arriving first and leaving last, so that we know where he/she is (mostly “he”). Also, providing an escort to the parking

PLEASE NOTE: SUMMER ADVANCED TRAINING

Screening for domestic violence and other issues will be addressed at an APFM Advanced Training for two days in Seattle on July 19-20, 2014 on the topic of Power Imbalance. Please go to the APFM website for more information and to register: www.APFMnet.org.

take interviews and the way I structure my mediations often reveals whether there are power imbalance concerns early on, because I have the parties make many little process decisions from the start.

Should I refuse to mediate a DV case? Not at all. Most DV cases can be mediated, if done carefully, and the parties consistently reach reasonable agreements. There is a wide variety of DV cases and I believe there are three basic types: Coercive Controlling Violence (Battering, with power, control and fear); Situational (fairly equal pushing, shoving, without fear – generally involving a lack of conflict resolution skills); and Separation-Related (1-2 incidents around separation, with no history of violence or excessive power and control issues). I avoid Coercive Controlling cases, after having two such cases in which no good negotiations were able to occur. But, cases involving Situational and Separation-Related Violence do quite well in mediation.

What precautions do I take to protect the vic-

garage if there is no restraining order and something occurs in the mediation to raise concerns. In some cases, meeting in separate rooms for the whole mediation has occurred. We also offer conference call mediation, so that the parties are not in the same building, if there is a request for it, or enough concern is expressed. Sometimes, I require the parties to have lawyers present during the mediation to add an element of control and balance for clients who appear at risk for bullying or giving in.

I would like to continue this discussion and invite more responses to the questions above, plus this question: Do you agree or disagree with requiring an individual screening interview for domestic violence before ALL mediations?

Send me your comments – as long or short as you wish. Having an open discussion of these issues may improve our practices, while reassuring the public that APFM family mediators are realistic and cautious.



“Mojo Marketing and Management: Networking 101-3 Heads UP!” Cont. from Pg. 7

Story #2:

I attended a monthly morning organization meeting of which I am a member. Upon arriving and before I partake of the gloppy, scrambled eggs, stale croissants and watered down orange juice (no kidding), I choose a seat next to someone I have never met before to give myself an opportunity to get to know new people and expand my network. (I promise this can and will happen for you – just give me a few more Columns to get you there.)

So, I sit down next to this guy (whom I’ll call “Jake”) who is busy on his hand-held device. I figure he’s going to wrap up what he’s doing, put the phone down, and greet me. I settle into my chair, he says a quick hello, and then he goes back to his business. I realize he’s going to be a while, so I look around and head toward the buffet. On my way toward the breakfast spread, I stop and chat with some of the colleagues I have come to know. I am introduced to some I have not met before, and we all share a laugh about the poor quality of the food. I take this opportunity to thank, in person, those who have referred

clients to me and/or who have been a resource for me and my clients. I return to my seat with my breakfast, thinking Jake should be off his phone by now and we can introduce ourselves. Think again. He’s still plugging away on his phone. He looks up at me, with eyes glazed over, and complains about his busy morning, the fact that he can never get away from business and can never get off his phone, that his clients and his staff are constantly emailing him with their emergencies, and that he has no life, and so on. Then, he puts his head back down and continues to tap away on his phone. Okay—no opportunity here.

What blew my mind was that all through the meeting—the round-robin introductions, the announcements by the president, and the presentation of the speaker—Jake hardly ever looked up. In fact, a few times when his phone rang (which he never put on mute), he scrambled up from his chair and ran out of the room, phone to his ear, talking all the way out the door. When he came back, he continued to tap away on his phone. At the end of the meeting, when he finally came up for

air, he apologized to me about his hectic life and reiterated his complaints about his job, the people in it, etc.

But, here’s the corker! When I saw Jake the following month, he did exactly the same thing. But this time, some other hapless fellow was sitting next to him not making his acquaintance. I wondered what on earth he was getting out of attending these meetings in the first place. Why bother showing up physically if you’re not going to show up with focused attention and with Heads UP!?

So, I leave you with these questions:

1. What message are these preoccupied people sending?
2. Would you want to make their acquaintance?
3. Would you ever consider doing business with them?
4. What is more important than your full attention and presence at such a meeting?
5. Could this (with a slight variation, of course) be YOU?

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“Divorce Hotel on TV: Exploitation of Pain?” Cont. from Pg. 9

By doing this, the behavior and emotions of the couples will likely be influenced. How can we be certain that everything that we see is unstaged?

All of these concerns support our having a certification process in place, so that we can protect not only our own profession

but also the public. Standards will help to support this by offering full transparency as to what, why, and how we do what we do. This is not for our own personal gain or glory, but for the best interests and needs of the public and of our clients.

To visit the Divorce Hotel website, go to :

<http://www.divorcehotel.com/en/>.

There is even another U.S.-based company that has an equivalent offer:

See <http://www.destinationdivorces.com/> for more details.

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Conventional Divorce Settlements

Inductive reasoning from appellate cases, detailed statutes, and trials; deductive reasoning from code criteria.

Looking backward to determine the present consequences of past actions or inactions; rulings based mainly upon past events or situations.

Ideas from the legal profession and other lawyers; reliance mainly upon legal sources, especially statutes and appellate cases.

Zero sum game; if one party gets more, the other gets correspondingly less.

Keeping clients focused; managing difficult clients and not losing control.

Vocational specialist used to impute income to an unemployed or under-employed party.

Equitable distribution based upon statutory criteria for dividing property.

Accountant hired to trace commingled property or dissipated marital assets and present evidence for one side.

Evidence presented in court to establish that one parent is more experienced and competent than the other.

Use of traditional terms such as “custody” and “visitation”.

Use of civil discovery procedures to obtain information and documents when a voluntary exchange does not suffice.

Litigation and negotiation strategies; use of court procedures to influence settlements.

Formal detailed drafting based upon a tested office formbook.

What is a court likely to do?

Mediation & Collaborative Practice

Adding to or subtracting from code criteria; subjective considerations as suggested by the client(s) or by a relevant professional.

Looking forward to formulate a future plan that is fair and workable and seeks to meet the legitimate needs and goals of each of the parties.

Ideas also from other relevant professions such as mental health professionals, financial planners, and accountants.

Search for creative ways to “expand the pie” to address the needs of each party.

Understanding how the stages of the divorce process may affect clients’ responses.

Career counselor to help a plan a career and find relevant employment opportunities.

Single impartial financial planner to help both parties plan sound financial futures.

Impartial accountant hired by both parties to help negotiate issues of commingled or dissipated assets.

Impartial evaluation by a skilled mental health professional or use of a parenting coordinator to aid parental cooperation.

Use of terms such as “parenting plan” and focus on cooperative future parenting.

Contractual agreement to exchange information and documents that are reasonably necessary to the process.

Cooperative strategies to seek common ground and to achieve win-win solutions.

Drafting in understandable modern English; collaborative revision process.

What is a fair and workable settlement?

“Mediation’s Magnum Opus, A Book Review by Les Wallerstein” Cont. from Pg. 10

The overarching strength of this magnum opus is the authors’ humanity that permeates its pages, enriched by real tales from the trenches. If you could have but one book in your library on the subject of mediation, or only one in your digital collection, this should be the one.

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Massachusetts Council on Family Mediation, and the founding editor of MCFM’s Family Mediation Quarterly. He can be contacted at wallerstein@socialaw.com.

*[This article was previously published in the Massachusetts Lawyer’s Weekly (April 3, 2014 edition) and is reprinted here with permission.]

The book can be purchased on line from the publisher, Massachusetts Continuing Legal Education, Inc., at the publisher’s website: <http://www.mcle.org>, or by phone at 1-800-966-6253, or by snail mail to Massachusetts Continuing Legal Education, Inc., 10 Winter Place, Boston, MA 02108. Email inquiries should be directed to: customerservice@mcle.org



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