

# ALBERTA FAMILY MEDIATION SOCIETY

## NEWSLETTER

Edition 10: October 2005

### Special points of interest:

- Newsletters will be distributed six times yearly
- We welcome your input about the newsletters and encourage you to submit articles and features

### Interview with Esther Phair Understanding the role of a Family Court Counsellor

It was a pleasure to interview Esther, a Family Court Counsellor with Alberta Justice. Esther is one of six Family Court Counsellors in her office and they work very closely with the two Case Flow Coordinators and Mediation team. The Family Court Counsellors are Registered Social Workers and their role is quite broad, providing a range of supports to families with custody, access and guardianship issues (in provincial court). The Family Court Counsellors assist individuals and families in navigating through the family court system which includes providing education and awareness to clients about the options available to them, how to complete applications, the court system, referrals and explaining the mediation process. Mediation is typically the number one option that is provided to clients as the Family Court Counsellors have seen the

effectiveness of mediation in these cases. The Family Court Counsellors also complete home studies that are ordered by the Courts. These home studies are quite extensive and involve the Family Court Counsellor meeting with both parents, observing them with the children, conducting home visits and collateral communication (e.g. with schools, doctors, babysitters, etc.). A detailed report is completed (usually accompanied by recommendations) for the court. Esther advised that in most cases the lawyers and courts accept the recommendations that were made throughout the year.

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### AFMS Board of Directors

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## Lunch and Learn Sessions

The location is always the Edmonton City Hall in the Heritage Room. Doors open at 11:30 a.m. and the presentations run from noon until 1:00 p.m. There is a question period and mixer beginning at 1:00 to 1:30. This is a great venue to learn, share information and network with colleagues (all over a lunch break). All sessions will be held on Wednesdays in the Heritage Room at Edmonton City Hall.

Lunch and Learn sessions are a great way to network, learn and connect with colleagues all at once.

Topics will include: Cultural issues, spousal and child support guidelines, tools in mediation, the new Family Law Act, information on addictions, difficult personalities and how to deal with them, wills and estates and More.

**October 12** (Summary and Panel Discussion: High Conflict Personalities/ managing their effect of family disputes),  
**December 7,**  
**January 11,**  
**April 12,**  
**May 10**

**Mark these dates on your calendars.**



Lunch and Learn

### Multicultural Training— an update on learning by C. Hammond

Recently I had the pleasure of attending the Multicultural Training: developing awareness, knowledge and skills workshop by Dr. Paul Pedersen. In addition to having the opportunity to see some of my colleagues, I found this session to be extremely valuable and worthy of sharing with others.

Dr. Pedersen is a professor with Syracuse University and the University of Hawaii, and so willingly shared his wisdom and teachings. He encouraged us to be reminded that all behaviors are learned and displayed in a multicultural context ***Continued next page***

**"Life's challenges are not supposed to paralyze you, they're supposed to help you discover who you are."**

**-- Bernice Johnson Reagon**

## From the newsletter Editor— Charmaine Hammond

**"Blessed are the flexible, for they shall not be bent out of shape."**

**-- Unknown**

Flexibility is an important life skill (or behavior) that many individuals say is compromised in times of change, conflict and certainty.

When we are living through a turbulent time, we may become increasingly aware that our actions and thinking patterns are more rigid than usual. Many people describe the challenging balancing act of being flexible while having structure, a sense of focus and stability. Spencer Johnson, author of *Who Moved My Cheese* (one of my favorite stories about change)

explores these challenges related to coping with change and upheaval. The book is written as a story and is quite light reading with very powerful and meaningful life lessons.



## Multicultural Training— an update on learning by C. Hammond Continued

so to adequately understand behaviors (and respond to them) we need to have awareness of the multicultural context (one of several competency foundations). He adds, Behavior has no meaning until it is put into a cultural context (to understand how the behavior was learned).

Dr. Pedersen also encouraged us to think about complexity as something to celebrate. Often the situations that mediators are exposed to

(through their client's conflict) are complex and sometimes difficult to understand. Dr. Pedersen reminds us to consider that culture is much more than heritage, language and religion; it is about our experiences, values, history, learnings, family patterns and behaviors. When faced with complex behaviors, Dr. Pedersen encourages us to explore and understand how the behavior was learned before determining how to intervene (behavior has no meaning until you consider the cultural con-

text). By doing so, he suggests that even the most concerning or perplexing behaviors can be better understood when one knows the learnings and teachings that influenced the behaviors. This is not necessarily saying one agrees to or even accepts certain behaviors but it does allow for more effective dialogue and understanding. His workshop also provided information about multicultural competencies that are relevant to our field of practice.

### Wild Rose Foundation Supports AFMS

*We acknowledge, with thanks the financial contribution of the Wild Rose Foundation towards the purchase of materials and services in support of public information and education programs of The Alberta Family Mediation Society.*

***Thank you Wild Rose Foundation!!***

### Membership Categories with AFMS

**Registered Family Mediator (RFM)** specializing in separation/divorce mediation.

**Registered Family Mediator (RFM)** specializing in General Family Mediation.

**Registered Family Mediator (RFM)** specializing in Family Business Mediation.

**Practicing Mediator** (designation for those who are continuing to gain mediation experience or for whom mediation is a small part of their practice.

**General Member**  
**Student Member**

## ALBERTA FAMILY MEDIATION SOCIETY (AFMS)

#405, 918-16 Avenue NW  
Calgary, AB T2M 0K3

Phone: 403-233-0143  
1-877-233-0143  
Email: [info@afms.ca](mailto:info@afms.ca)  
Webpage: [www.afms.ca](http://www.afms.ca)



Alberta *family* Mediation Society

*Advancing the practice of  
family mediation.*

*We're on the web—  
look us up!*

### About AFMS

Established in 1984,  
the non-profit  
society provides  
services to family  
mediators.

The organization has a  
part time administrative  
assistant and is managed  
by a volunteer board of  
directors, with  
representatives across the  
province.

The society is dedicated to  
both professional and public  
education regarding family  
mediation.

**We avoid the things that  
we're afraid of because  
we think there will be  
dire consequences if we  
confront them. But the  
truly dire consequences  
in our lives come from  
avoiding things that we  
need to learn about or  
discover."**

**-- Shakti Gawain**

Be on the lookout for strain  
in each other, and with  
compassion and  
understanding, lend a help-  
ing hand and a mature  
heart. Helping each other  
manage emotional strain  
can yield creative alterna-  
tives and build a new  
foundation for heart-based  
communication and hope.

-- Doc Childre

## **Interview with Tamie Perryment—Alberta Conflict Transformation Society**

Tamie is the Program Development Manager for the Alberta Conflict Transformation Society (ACTS). ACTS is a charitable non-profit organization with the mission of transforming conflict to cooperation. In 1998 the Community Conferencing Association of Edmonton was formed with support from the Edmonton City Police and various community groups and organizations. In 2003 the organization's name was changed to ACTS to reflect its broader mission of not just Community Conferencing, but conflict transformation. ACTS focuses (children/youth, families, community supporters and workplace) are based on five key principles, those being: respect and fair outcomes, inclusively, early intervention/prevention, capacity building-harm reduction and voluntary participation. The organization offers training on community conferencing.

Across the nations and around the world, many cultures have utilized processes that are similar to community conferencing. Community conferencing, one of many conflict management tools, is a rediscovery of the traditional restorative justice methods (Source: ACTS) and entails a scripted healing process. The process is utilized for conflicts in workplace, school, home and the justice system and is one that the people in conflict and the individual creating harm are provided the opportunity to be directly accountable to the individuals that were impacted or harmed. Community conferencing facilitates the reintegration of the individuals causing harm as well as those who have been impacted, back into the relationship, school, workplace or community. Many schools utilize community conferencing to deal with issues of bullying and expulsions. It is also being introduced to the immigrant community with great success. In justice cases, the participants in the conference often make recommendations, which are frequently supported by the Judge. The outcome of the process depends largely on the health of those participating and the effectiveness of the preparation and the readiness of participants to be involved. As with other ADR processes, conferencing is not appropriate in all cases. There are times when other tools and processes such as mediation, facilitation and court are the most appropriate option.

Community conferencing involves extensive preparation and pre-work with the participants prior to conducting the conference. The stages of the conference are:

- First stage- telling the story
- Second stage- impact of conflict
- Final stage- deciding how to repair the harm- integration

It is a circle process that involves a facilitator, people harmed and their supporters, person causing the harm and his/her supporters, any other key individuals who were directly or indirectly affected by the event. Sometimes other resources such as teachers, police, child welfare staff and other involved professionals take part in the conference as well.

It was a pleasure to interview Tamie and to learn more about their organization's valuable efforts towards strengthening communities, managing conflict in a transformative way and enhancing relationships. To find out more, to refer to the program, access training or become a volunteer please contact:

ACTS 780-944-3616

**The AFMS Conference is set!!! Mark April 20 and 21/06 on your calendar. The location will be Edmonton and more details to follow in the next newsletter. The featured speakers are Gerald Monk and John Winslade.**

**The AFMS Board of Directors recently had their Annual Planning Retreat and are pleased to report that the AFMS continues to be a healthy organization with more than 100 active members. Membership has increased in the past year. The Board approved putting \$1000 in a GIC as an emergency and sustainability fund. The new Family Law Act is posted on the AFMS website for members to review. Sue's title has been changed to Executive Assistant.**

## **News, Upcoming Events and Other Information**

**- Family Justice Services and Family Law Act brochures are now available on the AFMS Website**

**Diverse Voices** is presenting a conference on December 4, 5, and 6, 2005 (in Edmonton) that considers the impact of Family Violence across generations, from various multicultural perspectives as well as in the workplace and the health care systems. There are several keynote speakers that will discuss:

- the impacts of family violence on children
- working with abusers
- impact of family violence on the workplace
- and much more

Registrations can be found at [www.diverse-voices.com](http://www.diverse-voices.com)

### **AFMS Annual Conference— April 2006**

**Watch upcoming newsletters for details. The conference is a collaborative effort of AFMS and the Collaborative Law Lawyers Association. The featured speakers are Gerald Monk and John Winslade.**

### **Interview with Esther Phair- Understanding the role of a Family Court Counsellor Continued**

There are different times of the year when issues seem to emerge such as Christmas and other holidays, prior to the children returning to school and at special occasions throughout the year. Sometimes the disputes are about which school a child should attend, taking a child out of the country for holidays and issues with respect to parenting schedules and special occasions. Esther promotes mediation for families as well as the Parenting After Separation Program and the Focus on Communication program to assist parents in working through the issues together. After all, in most cases, the best people to make decisions for the children are the parents of the children.

Some of the other issues that the Family Court Counsellors find that families are in dispute about include grandparent access, issues that arise when children are born from brief a relationship between the parents, and disputes between a biological parent and the care giver for the child (e.g. when grandparents have been parenting the child). Another prevalent issue is that of family violence. The Family Court Counsellors complete risk assessments and work with individuals who have experienced violence to ensure that there is a safety plan in place prior to commencing court actions.

Esther suggested that the approach to their work is one that is based in holistic foundations in that the Family Court Counsellors work with clients to provide information to help parents make informed choices, ensure that parents are provided with the resources (e.g. education but also referrals) to have the support necessary to work through the issues and challenges, and the supports required as they navigate through a system that is often foreign to the clients.

It was evident that Esther takes great pride in her work, as well as the team of professionals that she works with. She greatly values the collaboration that exists between service providers to support families through difficult times and to ensure the best interests of the children are in the forefront.