

**Association of Family and Conciliation Courts – New York Chapter
Upstate-West Interdisciplinary Conference:**

**Domestic Violence Update:
Where We Were, Where We Are Now, And The
Work Ahead.**

Friday, Nov 18th, 2016
University at Buffalo School of Law
106 O'Brian Hall, North Campus
Buffalo, NY 14620

Program Description

This dynamic, interdisciplinary training conference will bring together scholars and practitioners from the fields of mental health, substance abuse, social/legal advocacy, alternative dispute resolution, prevention, and the judiciary to offer in-depth presentations on the history of domestic violence in our culture, our current state of knowledge, and suggestions for furthering our understanding and improving advocacy in circumstances of family violence. All presenters will offer commentary that addresses the needs of the interdisciplinary audience (legal, MH, substance abuse, ADR)

Program Co-Sponsors

- New York State Office for the Prevention of Domestic Violence
- The University at Buffalo School of Law, Family Violence and Women's Rights Clinic
- Office of Attorneys for Children,
NYS Supreme Court, Appellate Division, Fourth Judicial Department
- The University at Buffalo, School of Social Work.

Moderated by:

Hon. Jane Pearl
New York County Family Court
Past Co-President, AFCC-NY

This program qualifies for 6.0 transitional or non-transitional NYS CLE credits; 3.0 in the area of Professional Practice, and 3.0 credit in the area of Skills. The University at Buffalo School of Law has been certified by the New York State Continuing Legal Education Board as an Accredited Provider of continuing legal education in the State of New York for the period of March 11, 2014 - March 10, 2017. The University at Buffalo School of Law has a financial hardship policy. For further information on our policy, contact Lisa Mueller, CLE Coordinator at (716) 645-3176. NYSED LMSW & LCSW 6 Contact Hours: Offered in collaboration with the University at Buffalo School of Social Work Office of Continuing Education; recognized by the New York State Education Department's State Board for Social Work as an approved provider of continuing education for licensed social workers #0001. Full attendance is

required; no partial credit will be awarded for partial attendance. Live in-person contact hours are approved. NYS CASAC #0045 6 hours (pending) for addictions professionals. Those in need of financial assistance or with questions about the program should contact the conference organizer, Dr. Jeffrey Wittmann, at jw@childcustodyforensics.com. None of the planners and presenters of this CME program have any relevant financial relationships to disclose.

Learning Objectives

Participants will:

1. Develop a comprehensive understanding of the historical background of how family violence has been treated by both legal and mental health professionals.
2. Gain knowledge of current best practices in legal advocacy for victims, in prevention efforts, and in assessment/intervention methods for mental health and substance abuse professionals.
3. Identify the major sub-types of domestic violence and their effects on children as suggested by the empirical research literature.
4. Develop awareness of current state and federal-level efforts at preventing family violence
5. Become aware of the important historical developments in case-law, legislation, prevention efforts, and jurisprudence regarding family violence.
6. Gain understanding of the complex issues involved when those working in alternative dispute resolution intersect with families coping with violence.
7. Learn about the challenges faced by the judiciary in presiding over cases with allegations of domestic violence and about current factors considered when judicial determinations are made.
8. Acquire an increased awareness of the improvements needed in psychological understanding, social/legal advocacy, prevention efforts, judicial options, and dispute resolution models in order to advance services to victims and children.
9. Develop increased awareness of the need for careful case assessment toward the goal of providing effective services for the highest risk cases of DV.

AGENDA

8:15 – 8:55 a.m.

Registration

9:00 – 9:15 a.m.

Introductory Comments

Jeff Wittmann, PhD (Seminar Coordinator)
Kim Diana Connolly (Director of Clinical Legal Education,
University at Buffalo School of Law)
Gwen Wright (Executive Director, NYOPDV)
Hon. Jane Pearl (NY County Family Court)

**PANEL #1
FOUNDATIONS**

9:15 a.m. – 12:00 p.m.*

DOMESTIC VIOLENCE: PSYCHOLOGICAL AND LEGAL

Faculty & Topics:

**The Impact of Domestic Violence on Victims, Perpetrators &
Children & The Implications for Developing Parenting Plans**

Peter Jaffe, Ph.D.

*Professor & Director
Centre for Research & Education on
Violence Against Women & Children
University of Western Ontario*

**How the Legal System Has the Potential to Change a Culture
of Domestic Violence**

Professor Melissa Breger

Albany Law School

Update on NYS Court Model for DV Cases

**Hon. Deborah A. Kaplan, Statewide Coordinating Judge
for Family Violence case**

* A 15-minute break will be taken when convenient during Panel #1

12:00 – 1:15 p.m.

Lunch

PANEL #2:

DOMESTIC VIOLENCE: Principles for Advocacy, Prevention, Prosecution, and Justice

1:15 – 5:00 p.m.*

Faculty & Topics:

At the Crossroads of Mediation and Domestic Violence

Daniel Weitz, Esq.

Deputy Director of the Division of Professional and Court Services & Coordinator of the OCA Court Services & Coordinator of the OCA Statewide ADR Programs

Domestic Violence Practice: Services, Response, Prevention

Gwen Wright

Executive Director, NYS Office for the Prevention of Domestic Violence

The Erie County Domestic Violence High Risk Team: A Multidisciplinary Collaboration for Dangerous Cases

Judith Olin, Esq.

Director, Family Violence & Women's Rights Clinic, University at Buffalo Law School

Lynette Reda, Esq.

Chief, Domestic Violence Bureau, Erie County District Attorney's Office

Advocacy in Domestic Violence Cases: A View from the Bench

Hon. Lisa Bloch-Rodwin

Erie County Family Court

* A 15-minute break will be taken when convenient during Panel #2

5:00 p.m.

Program Conclusion

Presentation Summaries

The Impact of Domestic Violence on Victims, Perpetrators & Children & The Implications for Developing Parenting Plans

Peter Jaffe, Ph.D.

Dealing with allegations of domestic violence in tandem with child custody dilemmas represents a significant challenge for the family court as well as legal and mental health professionals engaged in helping families in crisis. The presentation will provide participants with emerging knowledge about the nature of domestic violence and how it impacts parenting and children exposed to this violence. Promising practices on assessment and screening models will be presented as well as the implications for client advocacy. Dilemmas and unresolved debates in the field will also be addressed.

How the Legal System Has the Potential to Change a Culture of Domestic Violence

Professor Melissa Breger

Some would argue that our American culture too readily accepts domestic violence as normal or inevitable. How has the legal system contributed to that culture, how has it changed that culture, and how can the law try to transform a culture of family violence? This presentation will address significant case law and legislative reforms over the decades that have informed our perspective of intimate partner and family violence in the United States. It will also suggest ideas for future reform, including domestic violence awareness, early education, and transformation of our perceptions of intimate partner violence.

At the Crossroads of Mediation and Domestic Violence

Daniel Weitz, Esq.

This presentation will focus on the history and recent developments regarding the policies surrounding the use of mediation in cases in which coercive control is present. Court sponsored ADR programs have historically precluded mediation in such cases with extremely rare exception. Mediator training requirements include coverage of domestic violence awareness and mediator ethics guidelines include provisions for screening for appropriateness in mediation, which includes careful attention to domestic violence as a threshold issue for mediators. This policy derives from a clear need for victim protection and a recognition that domestic violence cases appear to be incompatible with the core values of mediation including party self-determination. However, some ADR professionals have collaborated with domestic violence advocates to explore ways of resolving the tension between the core values of mediation and victim protection. The presentation will take stock of the roads traveled toward the intersection of ADR and domestic violence while taking a look toward the future as well.

Domestic Violence Practice: Services, Response, Prevention
Gwen Wright

This presentation will focus on the development of domestic violence services: The evolution of response and of efforts at prevention. As domestic violence services have become institutionalized, it is important to look at who we serve and who we do not, and if our responses match our clients' needs. Finally, the ever-elusive question will be addressed: How do you prevent domestic violence? What have we learned and what are we doing now.

The Erie County Domestic Violence High Risk Team: A Multidisciplinary Collaboration for Dangerous Cases
Judith Olin, Esq & Lynette Reda, Esq.

This presentation will be on the new Domestic Violence High Risk Team in Erie County which arose from an OVW grant. The Team's model includes the use of risk assessments to identify the most dangerous domestic violence cases, which are then monitored by a multidisciplinary team, including team members from law enforcement, prosecution, probation and victim advocacy.

Advocacy in Domestic Violence Cases: A View from the Bench
Hon. Lisa Bloch-Rodwin

This presentation will explore the philosophical (and consequently procedural) changes in family court's approach to issuing orders of protection. Judicial education on the topic of domestic violence along with the factors that judges consider in evaluating family offense, custody, and child welfare proceedings will be reviewed. The challenges and parameters of advocacy in the courtroom and outside of it for alleged adult victims and perpetrators of domestic violence, and for children in these cases, will be examined.