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PRESIDENT'S MESSAGE



J. Benjamin Stevens
AAML President

First and foremost, I want to express my heartfelt gratitude to everyone who worked so hard to make our inaugural National Family Law Conference (NFLC) a success. Thank you to our co-chairs, the speakers, and our national office, who all worked tirelessly to make this event a reality. Over 200 attendees, including more than 150 non-Fellows, witnessed first-hand the dedication, expertise, and

As we move forward from this milestone event, I want to take a moment to acknowledge the importance of Father's Day. As family law attorneys, we understand the crucial role that fathers play in the lives of their children. On this special day, we celebrate the love, guidance, and support that fathers provide to their families. May this Father's Day be filled with joy, laughter, and cherished moments with your loved ones.

Looking ahead, I wish everyone a happy and restful summer. The work we do can be emotionally taxing, and it is essential to take time to recharge and reconnect with family and friends. Whether you are taking a well-deserved vacation, spending quality time

Once again, thank you for your dedication to the American Academy of Matrimonial Lawyers and the families we serve. Your expertise, compassion, and unwavering commitment to excellence make our organization truly remarkable, and I am honored to be part of this distinguished group of professionals.

Warm regards,

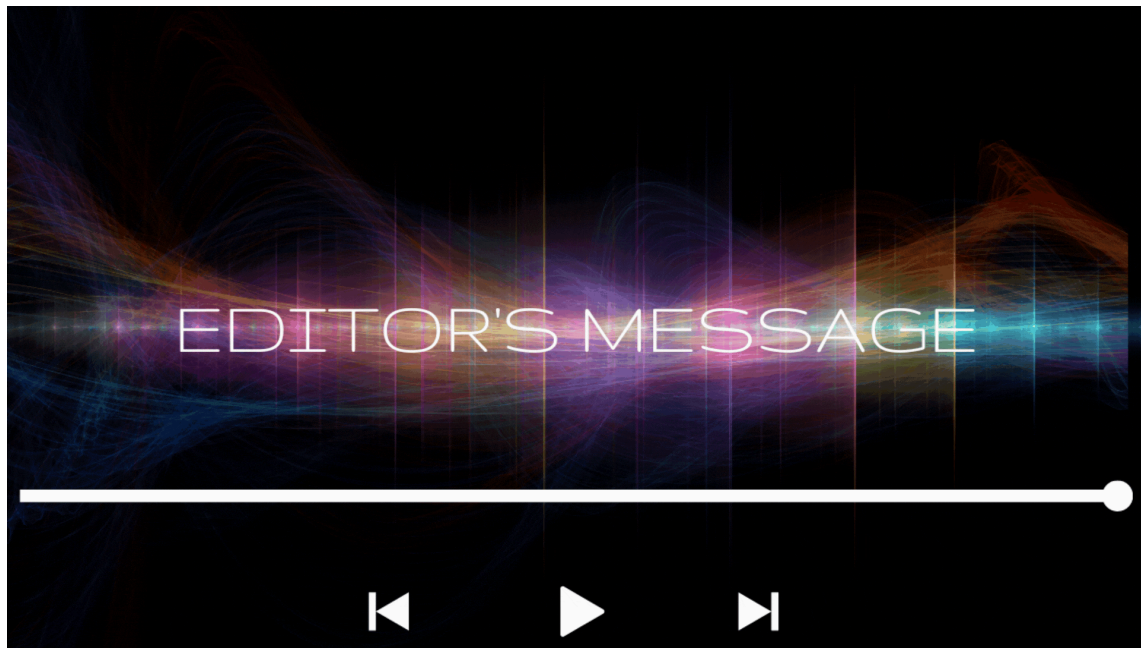
Ben Stevens

AAML President

A handwritten signature in blue ink, appearing to read 'Ben Stevens', written in a cursive style.

camaraderie that define the Academy, and the initial reviews were extremely positive. I am confident that the NFLC will have a lasting impact for the Academy.

with loved ones, or simply enjoying the warmer weather, I hope this summer brings you moments of peace, relaxation, and rejuvenation.



[CLICK HERE](#) or above to play a message
from Newsletter Editor [Rod Firoozye](#)



THE EDITOR'S NOTE – June 2024

By [Rod Firoozye](#), AAML Newsletter Editor

Some of us may have represented fathers in family law proceedings who have difficulties with their children wanting to visit them. Frequently, they bring up allegations of “parental alienation” as the reason for this type of behavior. So, what is parental alienation behavior? Is it the only reason a child may not want to visit their parent or are there other issues?

This month, we address these questions and many others in this area in several articles from our Fellows.

This month's guest interview is with [Dr. Matthew Sullivan](#), former president of the Association of Family and Conciliation Courts (AFCC) who has written and presented extensively about this topic. If you want to provide your clients with a summary of these issues you may want to provide them Dr. Sullivan's book: “[Overcoming the Co-Parenting Trap](#)”.

Please note that in July and August, we ask all Fellows to send us pictures of themselves on any summer family trips they attend. In the September edition, we will select a winner for the most memorable picture.

Additionally, starting this month, we will feature relevant updates about [local chapters](#). Please provide us with the latest news about your local chapter.

Again, thank you to all the Fellows who contributed articles and your continued support of the AAML Newsletter.

This Month's Videos & Webinars:

- My [interview with Dr. Matthew Sullivan about Parental Alienating Behavior](#).
- Please view our [previous webinars](#).

This Month's Articles:

- Dr. Deborah O. Day & David L. Hirschberg, Esq. Article: [Resist and Refuse Dynamics: Alienation is Not the Only Answer](#).
- Todd A. Stahly & Brittany A. Frisbie Article: [The Particularity Conundrum: Colorado Custody Proceedings and Triggering the Mandatory 14-day Hearing on Motions to Restrict](#).
- Meghan L. Zupancic & Brian C. Vertz Article: [Kayden's Law: How Pennsylvania Crafted a Custody Statute to Deter Child Abuse Without Fueling Gamesmanship](#).
- Mark E. Sullivan Article: [Domestic Abuse and Military Transitional Payments \(Part 2\)](#).
- AAML Foundation Update: [Grantee Profiles](#).



UPCOMING NATIONAL EVENTS/MEETINGS

How to Sell Arbitration to Family Law Clients - Baiting the Hook and Landing the Big One

Tuesday, June 25 | 12:00 - 1:00 p.m. CT
1 Hour CLE

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HOW TO SELL ARBITRATION TO FAMILY LAW CLIENTS: Baiting the Hook and Landing the Big One



Alisha Ankers
Alisha Ankers Law Office



Carolyn N. Daly
Partner at Cohen Seglias

Tuesday, June 25 | 12:00 - 1:00 p.m. CT
1 Hour CLE

Speakers: Alisha Ankers, Alisha Ankers Law Office and Carolyn N. Daly, Partner at Cohen Seglias

Discover the secrets to persuading clients to opt for arbitration, a faster, more cost-effective and private alternative to traditional litigation. Learn proven strategies to highlight the benefits of arbitration, handle common client objections, costs and selection of an arbitrator and ultimately secure more successful resolutions. Learn about unique issues in New Jersey and North Dakota regarding arbitration. Enhance your practice by mastering the art of guiding clients towards arbitration for a smoother, more amicable divorce process.

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GUEST INTERVIEW: PARENTAL ALIENATING BEHAVIOR

Rod Firoozye interview with Dr. Matthew Sullivan



**Resist and Refuse
Dynamics: Alienation
is Not the Only
Answer**

By: [Dr. Deborah O. Day, Psy.D.](#) &

As family law practitioners, we are often presented with a family dynamic where one parent has a fractured relationship with a child or multiple children. A frequent and quick conclusion is that parental alienation is the cause of the fracture, especially when we perceive that the other parent is engaging in certain harmful behavior, or failing to take action, which we conclude is detrimental to the other parent's parent-child relationship. As this article details, a fractured parent/child relationship is not a "good guy, bad guy analysis." It is not a

in which they occur.

The "Continuum of Family Dynamics" is a useful framework for analyzing a family system. Immediately below is a summary of the different stops along the continuum.

Healthy attachment:

The child in question has healthy attachments to both parents, and possibly to extended family members, such as grandparents.

Preferred attachment:

The child in question has a stronger attachment to one parent over the other, but the child still maintains a good relationship with each parent.

Alignment: The child in question is aligned with one parent. This alignment may be the result of several different reasons, or a combination of reasons. While the child may be aligned with one parent,

Enmeshment: The child in question is inseparable from one parent to such an extreme that the child will give up some of their own self-identity. This is the point on the continuum where we begin to see resistance and refusal to be around the other parent whom the child is not enmeshed with.

Estrangement: A parent has engaged in certain behavior(s) causing the fracture of the parent's own relationship with the child. Examples include, but are not limited to, a parent with substance abuse issues, a parent who commits child abuse, or a parent who has abandoned the family for an extended period of time.

Parental alienation behavior: A parent's actions influence the child's relationship with the other parent. This behavior is at the furthest end of the

question of “alienation or not alienation.” Fractures to a parent/child relationship must be analyzed as part of the complex family system

the child still maintains a relationship with the other parent.

continuum, compared to “healthy attachment.”

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**The Particularity
Conundrum: Colorado
Custody Proceedings
and Triggering the
Mandatory 14-day
Hearing on Motions
to Restrict**

By: [Todd A. Stahly, Esq.](#),
[AAML](#) and [Brittany A.
Frisbie, Esq.](#) Stahly
Mehrrens Miner,
LLC, Boulder, Colorado

Family law practitioners are no strangers to extensive litigation among high conflict families. It is inevitable that at some point in time, clients will assert or need to defend against parental alienation or imminent physical or emotional danger to a child.

In recent years, the Colorado Supreme Court has addressed such allegations within the confines of the C.R.S. § 14-10-129(4) Motion to Restrict Parenting Time and the associated triggering of the immediate suspension of unsupervised parenting time and requirement for a forthwith hearing.

Under Colorado law, pursuant to C.R.S. § 14-10-129(4), where a

Resulting is that any parenting time which occurs during the 14 day period after the filing of such a motion shall automatically be supervised by an unrelated third party deemed suitable by the court, or by a licensed mental health professional. It should be noted that C.R.S. § 14-10-129(4) states that the movant must only allege, not prove, that the child is in imminent physical or emotional danger. How then does the Court parse through motions alleging imminent physical or emotional danger being adequate enough to trigger the 14 day hearing requirement? How does the Court handle situations involving litigious parties filing motions permitting one party to effectively unilaterally immediately suspend a parent’s unsupervised parenting time? How does the Court balance cases of “crying wolf” with actual imminent danger or harm?

In 2020, the Colorado Supreme Court addressed these issues in *In re Marriage of Wollert and Joseph*,

“facially sufficient” for purposes of emergency intervention, specifically whether the allegations made appear valid on the face of the motion filed, and after taking those allegations as true, give rise to the conclusion that the children are in imminent physical or emotional danger. *cWollert* parted ways with *Slowinski* holding instead that the particularity requirement of C.R.C.P. 7(b)(1), which governs motions practices in Colorado civil cases, specifies the correct standard to review motions to restrict. This standard requires a written motion “shall state with particularity the grounds therefor, and shall set forth the relief or order sought.”

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parent alleges that a child is in imminent physical or emotional danger due to parenting time or contact with the other parent, the motion shall be heard and ruled upon by the Court no later than 14 days after the date of filing.

overruling *In re Marriage of Slowinski*. Prior to *Wollert*, the court relied upon whether the allegations made in a C.R.S. §14-10-129(4) motion appear



Kayden's Law: How Pennsylvania Crafted a Custody Statute to Deter Child Abuse Without Fueling Gamesmanship

By: [Meghan L. Zupancic, Esq.](#), gently edited by [Brian C. Vertz, Esq.](#) AAML, Pollock Begg, Pittsburgh

The challenge of crafting effective family law legislation requires the foresight to not only address tough issues that arise in marital dissolution, but also to minimize the unintended consequences. We may be aware, for instance, that access to justice is impaired for people who have socioeconomic disadvantages; and laws enacted to defend children and spouses from domestic violence (DV) may be misused by parents seeking to delay the custody process or gain an unfair advantage. Still, the greatest priority must be the deterrence of child abuse. In Pennsylvania, state and local bar associations have wrestled with a

[the AAML newsletter.](#)

On April 15, 2024, Pennsylvania Gov. Josh Shapiro enacted Kayden's Law, making sweeping changes to Pennsylvania's statutory child custody factors to provide for greater emphasis on threats to children's safety and well-being. Kayden's Law is named after 7-year-old Kayden Mancuso, a Bucks County child who was killed by her biological father on August 5, 2018. Three months before Kayden's murder, a final custody order was entered that reduced Kayden's father's custodial time but left his custody unsupervised. While there were no allegations of abuse against Kayden specifically, her father had a long history of mental health issues, assault charges, threatening and erratic behavior, and drug and alcohol abuse. During the custody trial, evidence of Kayden's father's violent history included his criminal record and a previous DV order entered against

mandated by the trial court.

Following Kayden's death, her mother advocated to reform child custody laws to provide greater protection to children in similar situations. During the years between the bill's introduction and its passage, Kayden's Law was amended and rewritten by statewide and local bar associations that initially opposed the bill due to its wide-reaching impact on custody cases and potential for misuse.

[Read More.](#)

legislative initiative ("Kayden's Law") to place greater weight on domestic violence prevention in custody proceedings. Their hard-won legislative success is the subject of an article authored by my colleague Meghan L. Zupancic, which is adapted here for

him for having threatened to kill his family members. A court-ordered custody evaluation recommended that Kayden's father be awarded unsupervised visits only if he received mental health treatment, which was not mandated



Domestic Abuse and Military Transitional Payments (Part 2)

By: [Mark E. Sullivan](#)

OTHER BENEFITS

The benefits granted to the dependents of the offending service member (SM) include not only financial compensation but also rights to on-base shopping privileges and health benefits. On base shopping privileges are granted to the dependent spouse while receiving financial transitional compensation benefits in continuation of the same privileges enjoyed while the SM was still on active duty. In addition, the dependent spouse and children might still be eligible for medical benefits as indicated in the applicable statutes and instructions. These medical benefits are subject to certain limitations and must involve abuse-related treatment. This entitlement is limited to

PRACTICE TIP

When representing the nonmilitary victim spouse pending discharge of the SM, make use of the Family Advocacy Program counselors and/or victim advocates to help you and your client understand the regulations governing the start and termination of transitional compensation. These people can be very helpful in making sure your client knows about all the programs provided through the military.

COMMENCEMENT AND DURATION

When an offending SM is being, or has been, discharged or separated due to domestic violence, counsel for a victim-spouse must determine if the spouse is eligible for transitional compensation. Once this is resolved as set forth previously, the attorney should next determine when the transitional compensation will start.

administrative separation and (2) discharge due to a court-martial. When a SM is administratively separated for an offense that qualifies for transitional compensation, the spouse's compensation begins once the commanding officer starts the administrative separation paperwork. For the SM being discharged as a result of a court-martial, the transitional compensation does not begin until the convening authority approves the sentence of the court-martial.

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one year following the SM's separation or discharge.

There are only two scenarios: (1)



AAML Foundation Update: Your Donations at Work

We are excited to provide the following Grantee Profiles to you so that you can see how your donation dollars to the AAML Foundation are helping our grantees. Together we can make a difference.

Haven Hills, Canoga Park, California

Your contributions to the Billable Hour Campaign enable the AAML Foundation to support non-profits that provide vital services for women and children. The AAML Foundation has awarded grants to Haven Hills, Inc. for several years. In November 2023, Haven Hills was the inaugural recipient of the inaugural Hon. Anne Lamkin Durward Access to Justice

Grant.

Located in Canoga Park, California, which is in the San Fernando Valley near Los Angeles, Haven Hills provides domestic violence (DV) services to low-income survivors of domestic violence and their children who are unable to access DV related resources on their own. Many of Haven Hills' clients are financially dependent on their abusers so they risk becoming homeless and losing their children in a custody battle. The emergency shelter and free or low-cost legal services Haven Hills provides to clients helps them overcome language barriers and threats of turning them over to U.S. Immigration and Customs Enforcement (ICE) helping them to escape the cycle of

abuse.

Haven Hills's crisis shelter, and transitional housing program prevents clients from having to choose between staying with abusers or becoming homeless. The program also provides supportive services designed to help clients heal from trauma and establish independence from their abusers.

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Books for Attorneys and Clients

Discounts and Personalizations



FEATURED PUBLICATIONS



Financial Issues in Divorce: A Client Handbook
An excellent resource to assist clients who have just begun or are in the middle of their divorce process with legal and financial advice. Filled with tips and resources in realistic and practical terms.



Stepping Up Your Parenting: Focusing on Kids' Needs During Separation or Divorce
A very instrumental handbook to assist your clients in keeping their children's well-being front and center throughout the divorce process. Includes a variety of tips and helpful resources.



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www.aaml.org/bookstore



Local Chapter News

Virginia Chapter News from Julie Cillo

On behalf of our Chapter,
I wanted to share the

that a fitting way to honor
and remember him was
to establish a monthly or
bi-monthly program
where we could gather
via Zoom and discuss
ways to improve the
practice of family law in

Texas Chapter News from Jonathan Bates

Jonathan wanted us to
recognize Texas Chapter
fellow Tammy Moon for
her receipt of the 2024
David Gibson Award for

exciting news that we received an Award of Merit from the Virginia State Bar Conference of Local and Specialty Bar Associations for our program - The Barry Kantor Series on Trial Advocacy and Civility in Family Law.

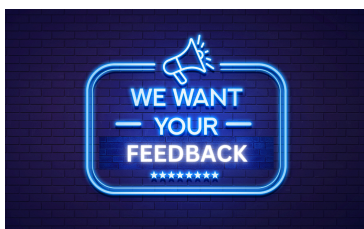
Barry Kantor, a former Fellow of the Virginia AAML, passed away in June 2022. He was a highly regarded attorney in Virginia who was known to many as a great mentor and worthy opponent and who was looked upon by many as a role model of professionalism in a highly adversarial area of law. Upon his death, our Fellows determined

Virginia as well as to promote civility between lawyers and with the bench. What we call "Mini-Barry's." Each month we identified a topic, a moderator, and met for about an hour to discuss the topic.

I am attaching a copy of the Award and a photo from the presentation at the annual meeting. From Left to Right is Dillina Stickley (Chair of the CLSBA), Julie Cillo (President – Virginia Chapter AAML), Allison Anders (Treasurer – Virginia Chapter AAML), Chidi James (President – Virginia State Bar).

Professionalism presented by the Gulf Coast Family Law Specialists. The award honors Texas family lawyers for professionalism and excellence.

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Editor:
[Rod Firoozye](#)



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