

Advance Orientation (AO) and Family Law Process

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By invitation for (the AFCC Newsletter; www.afccnet.org/Resource-Center/AFCC-eNEWS)

Been there? Done that?

There I was sitting through another CEU presentation at a conference in Quebec. Two young psychology students were talking about parenting plan evaluations (PPEs). I was ready to tune out. Tell the truth. You do the same all the time, right?

But these students started talking about custody litigants' negative experiences of PPEs. I was intrigued. Fannie Locat and Simon Currier's research found that parents who had participated in PPE found the process confusing, inefficient, and inadequate (Locat, in preparation).

- How had these parents been prepared for the process? I wondered.
- What can I do as a forensic psychologist to orient parents to PPE above and beyond the mandatory strictures of informed consent?
- How do we -the family law community at large- respect the intelligence and integrity and autonomy of those whom we subject to Court-ordered services?

I returned home to New Hampshire intrigued and motivated by these questions. Google quickly taught me that fifty years of rigorous research in medicine, nursing, dentistry, public health, psychotherapy and numerous other fields has long ago documented a single powerful idea that we have somehow overlooked: **When consumers are oriented to a service in advance of participating in that service, they are more compliant, more satisfied and the service becomes more efficient and more effective** (e.g., Darville-Beneby et al., 2023; Krouse, 2001).

At this point the question became quite simple: Why the heck aren't we doing this in family law already? (Garber, 2024).

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Sometimes the stars align. That seems to be what's occurred over the last nine months. The concept of providing advance orientation (AO) to family law litigants (consumers) so as to improve satisfaction, efficiency, efficacy, and the ecological validity of the evaluations that we provide the courts somehow flowed directly from idea to exciting reality.



Figure 1: Logo for DefuseDivorce.com

I partnered with a CEU provider in California to host programming online. Together we founded www.DEFUSEDIVORCE.com, committed to helping family law litigants defuse the anxiety associated with court-ordered processes through AO programming. I've been thrilled and remain incredibly grateful to dozens of our colleagues around the world who have eagerly contributed time and wisdom and video content.

I've presented a half dozen times on the subject of AO generally and on the promise that AO can help to make custody-related processes more humane, realistic, and less stressful for all.

Shameless Self-Promotion

I am particularly excited to work with those same two amazing students from Quebec (Fannie Locat and Simon Carrier) and my friend and co-author, Dr. Chris Mulchay, to talk about AO and DEFUSEDIVORCE.com at the AFCC conference in Ohio in November. Please join us!

To date DEFUSEDIVORCE.com hosts four AO programs:

1. Preparing to participate in Parenting Plan Evaluation



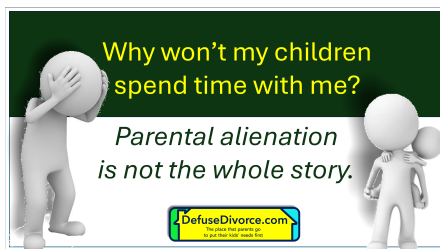
This one hour AO program helps custody litigants know what to expect from the PPE process.

2. What should we tell the kids?



Experts from around the world help custody litigants anticipate and respond to the sixteen trillion questions that children inevitably ask about family transition.

3. Why won't my kids spend time with me? Parental alienation is not the whole story.



Helping caregivers to better understand what the full spectrum of relationship dynamics and practical pressures that we know are associated with resist/refuse dynamics.

4. So you've been ordered to participate in "reunification" therapy?



A broad overview of the interventions that courts often order so as to help children enjoy a healthy relationship with both/all caregivers.

AO is neither informed consent nor coaching

Informed consent educates consumers about their legal rights and the risks associated with a proposed service. As such, informed consent can contribute to consumer anxiety and undermine consumer satisfaction, service efficiency, efficacy, and ecological validity (Goldberger et al., 2011). Coaching, of course, is a no-no in family law (Dale and Gould, 2014). It is unethical and counterproductive to teach a litigant how to respond to a psychometric instrument or how to "win" the custody dispute.

Advance orientation and DEFUSEDIVORCE.com do neither. Our intent is the humane, respectful, obvious first step of simply helping the people who participate in court-ordered, custody-related services to know what lies ahead. By defusing anxiety, I believe that parents will feel better heard and that evaluators, therapists, mediators, parenting coordinators, and judges are more likely to understand and serve the needs of each child.

What good is a program without research?

Actually, there are lots of effective, valued, and valuable services out there that lack empirical support. No one wonders whether a kindergarten's August picnic with his new teacher and classmates has achieved a certain alpha coefficient or whether the human resource professional's time showing you around at your new job has been subjected to factor analysis, and yet these are among the familiar forms of AO that help to make our lives easier.

Nevertheless, DEFUSEDIVORCE.com is investing in research seeking to determine if and how these AO programs actually contribute to consumer satisfaction, service efficiency and efficacy. We are now recruiting courts, jurisdictions and (in some instances) entire states to provide DEFUSEDIVORCE.com programming to custody litigants and to allow us to study outcomes. Interested? Please reach me directly.

What's Ahead?

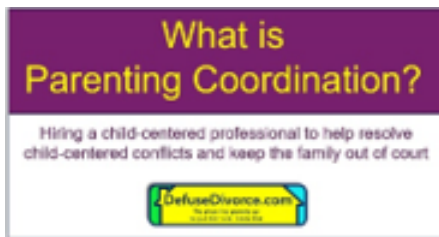
DEFUSEDIVORCE.com has family law professionals on three continents involved in creating valuable new content including:

- Talking about divorce and custody with kids



A three part series providing litigating parents with prompts and props that help to explain family transitions without putting the kids in the middle.

- What is parenting coordination?



Parenting coordinators work together to define the role and its limits.

- The anatomy of a parenting plan
Orienting divorcing and divorced caregivers to better understand the elements of a parenting plan.

Please join in!

Many issues in this work intrigue and excite me, but none so much as the work now underway through DEFUSEDIVORCE.com. AO



programming is easy to create, very low cost, low-tech, and can be made accessible everywhere to everyone who seeks it.

Your voice can help us defuse the anxiety associated with court-ordered family law processes and better serve kids' needs. Please reach me directly at any time to learn more.

Thank you for the work that you do on behalf of children.

Learn More

Visit DEFUSEDIVORCE.com
 Email Ben Garber at bdgarber-phd@FamilyLawConsulting.org
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Ben Garber Dr. Ben Garber is a New Hampshire licensed psychologist with a special interest and 25+ years of acquired expertise understanding and serving the needs of children. He is the author of numerous popular press, law review,

and peer-reviewed publications and ten books on subjects in child and family development, divorce, and family law.

Dr. Garber restricts his practice to forensic evaluation, consultation, and expert testimony. Across roles, Dr. Garber is first and foremost a children's advocate. As a clinician, as a consulting expert, as a writer and as a speaker, Dr. Garber's goal is to help parents, professionals, and courts to better understand child development and family dynamics so as to put children's needs first.

Dr. Garber has lived and worked in New Hampshire since 1987. He is active in the greater Nashua community, has consulted to the state government, and has been instrumental in the development of child-focused agencies and legislation. He is active in family law organizations throughout New England and around the planet.

Ben Garber is himself a proud son, husband, father and grandfather. Outside of work, he is an avid kayaker, fisherman, and woodsman, an aspiring stone mason, and a cynic.