



AFCC ALBERTA CHAPTER PRESENTS

# AFCC Alberta Chapter Conference 2024 Thinking Differently: Exploring New Frameworks for Working with Complex Families

BANFF, ALBERTA, CANADA  
FEBRUARY 29 - MARCH 1, 2024

## **AFCC ALBERTA**

The AFCC Alberta Chapter was founded in 2012. The AFCC Alberta Chapter Annual Conference brings together Family Law lawyers, mental health professionals, mediators, arbitrators, parenting coordinators, researchers, teachers, policymakers, Court staff, and members of the judiciary. The Association of Family and Conciliation Courts (AFCC) is an interdisciplinary and international association of professionals in the public, private and non-profit sectors dedicated to improving the lives of children and families through the resolution of family conflict. AFCC members share a strong commitment to education, innovation, and collaboration to benefit communities, empower families, and promote a health future for children.



# Program

## **AFCC ALBERTA CHAPTER CONFERENCE 2024**

Thinking Differently: Exploring New Frameworks for  
Working with Complex Families  
February 29 - March 1, 2024

### **DAY ONE**

#### **OPENING ADDRESS**

Traci Bannister, Family Lawyer (Calgary) AFCC Alberta Chapter  
President

Brandi Smith, Registered Psychologist, AFCC Alberta Chapter Vice-  
President, and AFCC Conference Committee Chair

and Dr. Larry Fong, Registered Psychologist, former AFCC Alberta  
Chapter Board member, AFMS Past President, and AFCC Alberta  
Chapter Distinguished Member

**8:30 am**

#### **MOVING BEYOND THE BINARY: EXPLORING THE DIMENSIONS OF PARENT-CHILD CONTACT PROBLEMS**

Michael Saini, Ph.D., Professor, Factor-Inwentash Chair in Law and  
Social Work, University of Toronto and AFCC (International) President  
Elect

**9:00 am - 12:00 pm**

## **DAY ONE**

### **RESIST/REFUSE CASES: WHAT ARE WE DOING AND WHAT DO WE NEED TO DO DIFFERENTLY?**

Chaired by Jonathan Tieman, Family Lawyer (Medicine Hat), AFCC Alberta Chapter Board Member and Treasurer

**Panel:** Dr. Larry Fong, Registered Psychologist  
Jeffrey D. Wise, K.C., Family Lawyer (Calgary)  
Matia L. Matkovic, Family Lawyer, Mediator/Arbitrator (Calgary)  
Andrea Doyle, Senior Advisory Counsel, Legal Aid Alberta  
Dr. Terry Singh, Ph.D., Registered Psychologist (Calgary) and AFCC Alberta Chapter Board Member

**1:00 pm**

### **BEYOND THE LABEL OF “HIGH-CONFLICT”: FOCUSING ON TRUST AND RESPECT IN COPARENTING RELATIONSHIPS**

Michael Saini, Ph.D., Professor, Factor-Inwentash Chair in Law and Social Work, University of Toronto and AFCC (International) President Elect

**3:00 pm**

### **ALBERTA CHAPTER ANNUAL GENERAL MEETING**

AFCC Alberta Chapter Board of Directors and AFCC Alberta Chapter Members

**4:00 pm**

### **COCKTAIL HOUR (IN PERSON ONLY)**

**4:40 pm**

## **DAY TWO**

### **WELCOME PARTICIPANTS**

Traci Bannister, Lawyer, AFCC Alberta Chapter President, and  
Brandi Smith, R. Psych., AFCC Alberta Chapter Vice-President and  
Conference Committee Chair

**8:30 am**

### **NEURODIVERSE CHILDREN AND PARENTS IN FAMILY COURT**

Dr. Daniel B. Pickar, Ph.D., American Board of Professional Psychology

**9:00 am**

### **I'M UNMOVED.....EFFECTIVE APPROACH, ADVOCACY, AND APPEALS IN FAMILY RELOCATION CASES**

Krysta Ostwald, KC, Family Lawyer (Calgary), and  
the Honourable Justice Nicholas E. Devlin, Court of King's Bench of  
Alberta (Calgary)

**1:00 pm**



# COME FOR THE PROFESSIONAL DEVELOPMENT, STAY FOR THE VIEWS

## BANFF CENTRE FOR ARTS AND CREATIVITY

The *Banff Centre for Arts and Creativity* is one of Canada's leading arts and cultural organization based in the Canadian Rockies.

The central location allows guests of the AFCC Alberta Chapter to spend time in Banff National Park, and enjoy breathtaking scenery with year-round activities. Enjoy a gondola ride up Sulphur Mountain, overlook Banff townsite via ferrata to the summit of Mount Norquay, tour Banff by horseback or guided excursion, and so much more.

The Conference Centre is located on the side of Sleeping Buffalo Mountain, in Treaty 7 territory. This is a sacred place for Indigenous people. For generations, Indigenous people gathered here to host celebrations and events. The AFCC Alberta Chapter and the Banff Centre for Arts and Creativity are committed to Truth and Reconciliation.



## **VISTAS AT THE BANFF CENTER**

Chef Leandro Vega's team has designed a creative buffet menu inspired by the unique culinary diversity of Canada, celebrating the ingredients of the season. The AFCC Alberta Chapter is committed to inclusivity and, with the staff at *Vistas at the Banff Centre*, are pleased to offer a range of dietary options to our members and guests.

## **GETTING THERE**

The Town of Banff (pop. 8,000) is your base camp for adventure. World-class skiing, skating and snowshoeing in winter gives way to spectacular walking and biking trails during the summer months, and our famous hot springs are yours to enjoy all year round. The town itself is peppered with intriguing museums, galleries, cafes and boutiques just waiting for you to explore. Banff is only 90-minutes from Calgary International Airport and is easily accessible by rental car, the Banff Airporter, ROAM Transit or the Brewster Banff Airport Express.

# MOVING BEYOND THE BINARY: EXPLORING THE DIMENSIONS OF PARENT-CHILD CONTACT PROBLEMS

**Michael Saini, Ph.D., Professor, Factor-Inwentash Chair in Law and Social Work, University of Toronto and AFCC (International) President Elect**



Parent-child contact problems arising from high-conflict separations have often been attributed to intimate partner violence (IPV) or parental alienation (PA), leading to a binary conceptualization that oversimplifies the complex realities of families. In this presentation, Professor Michael Saini will challenge this binary perspective and explore the intricate dimensions contributing to parent-child contact difficulties. By synthesizing existing literature, empirical data, and in-depth case analyses, Prof. Saini will highlight the multifaceted factors influencing the emergence, persistence, and resolution of parent-child contact problems. Beyond examining the roles of IPV and PA, we will consider the broader ecosystem of influences, including psychological, legal, social, and systemic factors. This multidimensional approach seeks to unravel these elements' intricate interplay and impact on parent-child relationships. Recognizing the intricate web of influences allows for developing tailored interventions and legal strategies that address families' unique needs and vulnerabilities in navigating these challenging circumstances. By striving to broaden our understanding of this complex issue, Prof. Saini will offer a more nuanced and empathetic perspective that acknowledges the intersectionality of the multiple factors that can influence PCCP, emphasizing the need for holistic, context-sensitive approaches to supporting families.



# RESIST/REFUSE CASES: WHAT ARE WE DOING AND WHAT DO WE NEED TO DO DIFFERENTLY?

**Chaired by Jonathan Tieman, Family Lawyer (Medicine Hat), AFCC Alberta Chapter Board Member and Treasurer**

**Panel:** Dr. Larry Fong, Registered Psychologist  
Jeffrey D. Wise, K.C., Family Lawyer (Calgary)  
Matia L. Matkovic, Family Lawyer, Mediator/Arbitrator (Calgary)  
Andrea Doyle, Senior Advisory Counsel, Legal Aid Alberta  
Dr. Terry Singh, Ph.D., Registered Psychologist (Calgary) and AFCC Alberta Chapter Board Member





## **BEYOND THE LABEL OF “HIGH-CONFLICT”: FOCUSING ON TRUST AND RESPECT IN COPARENTING RELATIONSHIPS**

**Michael Saini, Ph.D., Professor, Factor-Inwentash Chair in Law and Social Work, University of Toronto and AFCC (International) President Elect**

In the realm of family law, the term "high-conflict" often takes center stage as a catch-all phrase to describe intense disputes and strained interactions. However, an exclusive focus on high conflict can have significant limitations, hindering our ability to understand, address, and ultimately resolve complex issues effectively. This workshop aims to shed light on the drawbacks of fixating on the "high-conflict" label. The workshop will offer strategies to navigate these limitations, including the importance of understanding root causes and fostering trust and respect in relationships. We will explore the emotional and psychological impact of the high-conflict label, encouraging a more empathetic and solution-oriented approach to disputes.

### **Learning Objectives**

- Explore the limitations of focusing exclusively on levels of conflict.
- Gain knowledge of the research that supports positive coparenting relationships.
- Enhance trust and respect to support conflict reduction and parents reaching coparenting agreements.

# NEURODIVERSE CHILDREN AND PARENTS IN FAMILY COURT

**Dr. Daniel B. Pickar, Ph.D.,  
American Board of Professional  
Psychology**



Within the family court system, neurodiversity (ND) is a much less recognized and far less discussed area of diversity than other traditional issues such as cultural and gender diversity, as well as non-traditional families. The neurodiversity perspective, while having its' limitations, can help reduce bias in family court by recognizing that there is a broad range of brain functioning, while taking a strengths-based approach, as opposed to a pathology orientation. There have been recent positive developments in our field regarding neurodiversity in children, as exemplified by increasing attention paid to the unique considerations of children with special needs in families undergoing separation and divorce. This keynote presentation will begin with an overview of the topic of neurodiversity with children and adults, while addressing the various diagnostic categories which fall under this new framework. Noted will be some of the specific challenges for attorneys, judges, and mental health professionals when assisting a family with either a neurodiverse child or parent. Other specific topic areas to be covered include a presentation of a risk-assessment model for use in parenting plan development and decision-making determinations in families with a neurodiverse child, as well as the unique vulnerabilities of many neurodiverse children to resist-refuse and child alienation dynamics. Additionally, some of the unique parental gatekeeping dynamics arising in post-divorce families with an ND child will be elucidated, as well as the challenges of "listening to the voice" of the ND child with poor intellectual or language skills. Case examples from parenting plans evaluations conducted by the presenter will help illustrate the application of these concepts to family law work.

# **I'M UNMOVED.....EFFECTIVE APPROACH, ADVOCACY, AND APPEALS IN FAMILY RELOCATION CASES**

**Krysta Ostwald, KC, Family Lawyer  
(Calgary), and the Honourable Justice  
Nicholas E. Devlin, Court of King's  
Bench of Alberta (Calgary)**

Ms. Ostwald, KC, and the Honourable Justice N.E. Devlin, Court of King's Bench of Alberta, will discuss relocation issues including the impacts of ADR options, the new relocation provisions of the DA, high conflict families and appeals from Arbitration Awards to the Court.

Discussions will include:

- DA relocation provisions including the shifts in the burden of proof
- Bringing mental health professionals into the process for a neutral voice of the child
- The advantages and disadvantages of mediation / arbitration in these cases
- Clarifying and / or limiting rights of appeal in the med/arb agreements
- The test on appeal of Awards
- High conflict parents and the loss of focus on the best interests of the Children regardless of the forum
- Best practices - navigating to find a balance between timeliness, due process/procedural fairness and process challenges / obstacles along the way







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