



Transforming Family Justice IN ALBERTA

March 16 & 17, 2023
Westin Hotel, Downtown Edmonton

CONFERENCE PROGRAM



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 for interdisciplinary education and networking.

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.

The AFCC Alberta Chapter was founded in 2012. The 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 for networking and inter-disciplinary education related to the resolution of family conflict.

Order of Events

MARCH 16

- 8:35 am** Welcome and Acknowledgements
- 8:50 am** **Building the Resilience of Children and Families: The Role of Family Court**, Dr. Michael Ungar, Ph.D.
- 10:15 am** Break
- 12:00 pm** Lunch
- 1:00 pm** **Transforming Family Justice in Alberta: Where Are We Going?**, the Honourable Justice Gaylene Kendell and Diana Lowe, K.C.
- 2:45 pm** Break
- 3:00 pm** **Family Violence & Shared Parenting: The Disconnect Between Research & Reality**, Associate Professor Beth Archer-Kuhn, Ph.D, M.S.W., B.S.W. and Glenda Lux, M.A., R. Psych.
- 4:10 pm** AFCC Alberta Chapter Annual General Meeting
- 4:40 pm** Cocktail Hour

MARCH 17

- 8:35 am** Welcome and Acknowledgements
- 8:50 am** **Interactive Exploration of Transforming Family Justice Through Trauma Informed Practice: From Theory to Practice**, Christina Johnson, Social Worker and Executive Director of the Sanare Centre and Jonathan P. Tieman, Family Law Lawyer/Mediator
- 10:25 am** Break
- 12:00 pm** Lunch
- 1:00 pm** **The BC Experience with Parenting Coordination**, John-Paul E. Boyd, K.C., A.O.C.A., M.A., L.L.B.
- 2:30 pm** Break
- 3:00 pm** **Best Interests in the Divorce Act: From Theory to Practice**, the Honourable Justice Cheryl Arcand-Kootenay
- 4:30 pm** Conference Ends



Dr. Michael Ungar, Ph.D.

Building the Resilience of Children and Families: The Role of Family Court

In this workshop, **Dr. Ungar** will show how a child's resilience is much more than their individual ability to overcome adversity. It is just as much the result of how well their families, educators, communities and courts work together to help vulnerable young people navigate their way to the resources they need for wellbeing, and whether those resources are made available in ways children experience as meaningful. In addition to exploring what resilience means in family and community settings for children from many different cultural backgrounds, Dr. Ungar will provide practical strategies that lawyers, the judiciary and mental health care providers can use to help children cope during and after a crisis, whether that is a family breakup, domestic violence or other life changing event.

Specific learning objectives for this presentation are:

1. To become familiar with innovations in the theory and application of the concept of resilience;
2. To learn about resilience-promoting resources necessary for positive human development;
3. To discuss strategies for working without resistance with hard-to-reach, culturally diverse children and their families;
4. To discuss ways services and supports (including the courts) can intervene in children's lives to make resilience more likely.



Honourable Justice
Gaylene Kendell



Diana Lowe, K.C.

Transforming Family Justice in Alberta: Where are we Going?

Justice Gaylene Kendell graduated from the University of Alberta Faculty of Law in 1998 and was admitted to the Alberta bar in 1999. She lived in Edmonton until she moved to Red Deer to article with the firm Chapman Riebeek, where she remained throughout her legal career, joining the partnership in 2009. She was appointed to the Court of Queen’s Bench (Edmonton) in April 2018.

Throughout her career, Justice Kendell has maintained a varied general practice, with a primary focus on family law. In 2003, she joined the Association of Collaborative Lawyers of Central Alberta, where she was secretary from 2008 to 2011.

In addition to being a Legal Aid roster lawyer, Justice Kendell was also a member of the Red Deer Regional Legal Aid Committee from 2006 to 2012, where she considered appeals of denials of coverage. In 2010, she received a Legal Aid Certificate of Recognition for her service. Justice Kendell also spent many years as a volunteer

lawyer with the Central Alberta Community Legal Clinic. Prior to her appointment, she served on the boards of the Central Alberta Women’s Outreach Society and the Suicide Prevention Society of Red Deer.

Justice Kendell is a member of the Court of King’s Bench Family Law Steering Committee, and a Family Resolution/Docket Roster Judge. She is also a member of the Court of King’s Bench Ad Hoc Remote Hearings Working Group and Legal Counsel/Student Co-Liaison.

Diana Lowe, KC is a lawyer with 35 years of experience which includes legal practice, research and reform of the civil and family justice systems in Canada, and most recently as Executive Counsel to the Chief Justice of the Court of Queen’s Bench of Alberta. Since retiring from the Court in late 2020, Diana has established a consulting practice - “Re-imagining Justice”. She continues to support the Reforming the Family Justice System (RFJS) initiative in Alberta, and also works with other jurisdictions interested in justice system transformation. The RFJS is a multi-year, multi-sector collaboration, designed to effect system-wide transformational change in the family justice system in Alberta, based on the evidence of brain science and Adverse Childhood Experiences. The RFJS is seeking to shift the focus in family justice matters away from adversarial, legal responses, to making supports available to assist families with the social, relationship, parenting and financial issues that arise in family matters. The outcome collaborators are seeking is family well-being, which they define as “Helping Families Thrive”.



Dr. Beth Archer-Kuhn

Associate Professor, Ph.D,
M.S.W., B.S.W.



Glenda Lux

M.A., R. Psych.

Family Violence & Shared Parenting: The Disconnect Between Research & Reality

Beth Archer-Kuhn joined the Faculty of Social Work at the University of Calgary in August 2015. She brings with her twenty-five years of practice experience, starting in child welfare. Beth was employed in children's mental health for 23 years as a clinical social worker, clinical director of services, and executive director. For 15 years, Beth completed child custody and access evaluations for the family court in Ontario.

Beth's research experience and interests include the overlap of child custody decision-making and domestic violence. The implications of this work invite partnerships in the fields of social work, child welfare, children's mental health, domestic violence shelters and law. As a Teaching Scholar, Beth's second area of research is social work education with a specific interest in inquiry-based learning, on campus, on-line and study abroad. Beth integrates research and teaching to support student learning as critically reflexive practitioners. She teaches across programs, clinical, ICD, leadership, and across levels of programs, BSW, MSW, and PhD.

Glenda Lux, M.A., R. Psych. has been in clinical practice since 2001 working with parents, children and families. She is a Registered Psychologist with an undergraduate degree in Psychology from the University of Calgary and a graduate degree in Counselling Psychology from Gonzaga University in Spokane, Washington.

Ms. Lux has specialized training and experience in working with couples and their families as they go through divorce and post-divorce. Ms. Lux provides divorce-related forensic services such as parent mediation, parent coordination, co-parenting counselling, reunification therapy, psychological testing, parenting-time/parenting responsibility assessments (previously known as bilateral custody and access assessments), parental fitness evaluations and litigation support. She has published in the area of coercive control and its relevance to best interest determinations in Canadian family law.



Christina Johnson
Social Worker,
Executive Director of
the Sanare Centre



Jonathan P. Tieman
Lawyer/Mediator

Interactive Exploration of Transforming Family Justice Through Trauma Informed Practice: From Theory to Practice

Join **Jonathan P. Tieman** (Lawyer/Mediator) and **Christina (Chris) Johnson** (Social Worker/ Executive Director of the Sanare Centre) for an interactive exploration of Trauma Informed Practice.

Jonathan and Chris hope to engage conference participants to become inspired to implement changes to the Family Justice System to promote a more trauma informed approach.

Chris and Jonathan will explore the concept of trauma and the theory of a trauma informed practice. Participants will engage in an

interactive exercise to promote a better understanding of trauma and the benefits of a trauma informed approach. Trauma informed practice models will also be explored as examples of successful implementations of trauma informed practices.

Participants are encouraged to offer input and ask questions throughout this session. Come prepared to interact and participate!



John-Paul E. Boyd

K.C., A.O.C.A.,
M.A., L.L.B.

The BC Experience with Parenting Coordination

In this session, in the context of Alberta grappling with its approach to parenting coordination, **John-Paul Boyd** KC will discuss the development of parenting coordination in California, Colorado, and the founding of the BC Parenting Coordinators' Roster Society and the inclusion of parenting coordination in BC's Family Law Act. He will reflect on the current practice of parenting coordination in BC and what the takeaways might be for Alberta, related to the scope of practice, the support for parenting coordination in the courts, and common problems faced by practitioners.

John-Paul is an accredited arbitrator, family law mediator and parenting coordinator with an LLB from UBC and an MA from the University of Guelph. He is the principal of John-Paul Boyd Arbitration Chambers and counsel to the Calgary family law firm

Wise Scheible Barkauskas. John-Paul practiced family law in Vancouver for 14 years where he was a founding director of the BC Hear the Child Society and the BC Parenting Coordinators Roster Society. In 2013 he took up the executive director position with the Canadian Research Institute for Law and the Family at the University of Calgary. In 2018, he returned to private practice and was appointed Queen's Counsel in 2019. He continues to practice throughout Alberta and BC and is a frequent speaker, legal educator, trainer, and prolific award-winning author and blogger for JP Boyd on Family Law and Slaw, and has numerous published papers in academic journals including the UBC Law Review, Canadian Family Law Quarterly, the Canadian Journal of Family Law, the International Journal of Law, Policy and the Family, and the International Family Law Journal.



Honourable Justice
Cheryl Arcand-Kootenay

Best Interests in the *Divorce Act*: From Theory to Practice

The **Honourable Justice Cheryl Arcand-Kootenay** was first appointed to the Provincial Court of Alberta in November 2018, the first Cree woman from Treaty 6, Alexander First Nation, to be appointed to the Provincial Court. In May 2021, she was elevated to the Court of Queen's Bench, now the Court of King's Bench. And there too she was the first Treaty person in Alberta to be appointed to the Court.

After graduating from the University of Alberta with a BA in political science and an LLB, she created her own law firm and began practicing in the areas of child welfare and Indigenous justice. She served as Director's counsel for the Akamkispatinaw Ohpikihawasowin Child and Family Services, and for the Alexis First Nation, and acted as Counsel for children in child welfare matters through the Office of Child and Youth Advocate (OCYA). In September 2022, Justice Arcand-Kootenay completed the degree requirements for a Masters of Law in Dispute Resolution at

Osgoode Hall Law School and graduated in absentia in February 2023. As a Provincial Court Judge (PCJ), she presided over criminal, family and civil matters as a tri-hat Judge. She introduced healing circles in family law matters and judge-led case conferences in child protection matters. During her tenure as a PCJ, she was a member of the Indigenous Justice Committee, Alberta Provincial Judges Association ("APJA") and a member of the CAPCJ (Canadian Association of Provincial Court Judges) Indigenous Justice Committee as the APJA Member. Throughout her career, Justice Cheryl Arcand-Kootenay has advocated for culturally respectful access to justice for Indigenous people and families. Mentorship is also important to Justice Arcand-Kootenay. She has mentored lawyers in child protection and Indigenous law students at the Faculty of Law, University of Alberta. In June 2022, Justice Arcand-Kootenay was the recipient of an Indspire Award, recognizing outstanding and inspirational achievement in Law & Justice by Indigenous Canadians.

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