

Eighth Judicial Circuit Family Law Advisory Group (FLAG)
Minutes of April 28, 2008

The FLAG met on Monday, April 28, 2008 at the Alachua County Family and Civil Justice Center. Present were: Ruth Angaran, Harvey Baxter, Russell Clifton, Lisa Cue, Bill Farley, Nancy Huggard, Arlene Huszar, Myrna Neims, Judge James P. Nilon, Leon Plympton, Bill St. Amour, and Nancy Wilkov.

The Parenting Plan and Website Committee report was given by Myrna Neims and Ruth Angaran. They are developing guidelines to help parents put together their own parenting plans. Ruth passed around information from the 12th Circuit website which has something similar to what we are working on but more elaborate. There are instructions and an overview which includes assessments regarding safety, distance, yourself, the co-parent, and each child. There is also a detailed description of developmental milestones. A separate section has a draft parenting plan that can be filled out by the parties. These documents can be viewed at: http://12circuit.state.fl.us/Family_Division/ParentingPlan.html.

There was discussion regarding proposed legislation that would affect mental health professionals. One pending bill would allow only psychologists to do custody evaluations. Currently, mental health counselors, family therapists, and other professionals may perform these evaluations. It was noted that another proposed bill would allow only psychiatrists to comment on whether or not abuse has adversely affected a child. Ruth also brought up a proposed statutory change that would repeal rotating custody. A question arose as to who makes these proposals and if the judges have any input. Harvey Baxter noted that some legislation is proposed by the Florida Bar Family Law Section. Judge Nilon stated that judges tend to be involved more with rules changes than with substantive law changes.

The FLAG Planning Committee consisting of Judge McDonald, Judge Nilon, Randi Dincher, Myrna Neims, Jill Conti, and Arlene Huszar met this month to discuss plans for future programs. Topics under consideration are the mental health grant recently awarded to Alachua County, services offered by Gator TeamChild, mental health professionals – what they can and cannot do, an explanation of the use of the MMPI, mental health evaluations – how to make them more helpful to the court, a presentation by Judge Raymond McNeal of Ocala about domestic violence, a discussion about shared parental responsibility, and parenting plans.

Myrna asked for volunteers to form the next Nominating Committee. Arlene volunteered and she and Myrna will contact other FLAG members to serve.

There was a discussion about whether or not the FLAG should take a break from meetings during the summer. The consensus was that we should continue meeting.

Our speaker was to have been Bev White from DCF. Due to illness, she was unable to attend but sent two of her staff, Lisa Cue and Bill St. Amour from the Mental Health and Substance Abuse Office for the Eighth and Third Circuits. They were there to conduct a SWOT (strengths, weaknesses, opportunities, threats) analysis regarding mental health and substance abuse in our circuit.

Strengths that were identified included:

- a) interest by the court in referring parties to appropriate resources
- b) existence of mental health court in Alachua County and several drug courts in the circuit
- c) strong mental health professional community
- d) specialized services for dependency issues in Alachua County such as the non-offending parents support group and Power in Parenting
- e) many social service agencies in Alachua County
- f) intensive substance abuse treatment in Alachua and Baker counties
- g) all the stakeholders work well together

Weaknesses that were identified included:

- a) lack of access to residential treatment in the regional counties
- b) not enough in-home services for children
- c) lack of mental health services for adolescents and young children
- d) lack of therapy groups for adolescents
- e) lack of transportation
- f) poor reimbursement for evaluators
- g) burn out of evaluators willing to work for less pay
- h) good child and adolescent therapists do not want to have anything to do with court cases

An opportunity that was identified was training for mental health professionals. The reasons they do not like to be involved in court cases include: feeling out of their element; not trained to testify in court; do not want a conflict between being a therapist and an expert witness; feeling there is a violation of trust with their patient; and feeling that testifying is counter-therapeutic. Training regarding their role as an expert witness could alleviate some of these concerns.

Threats that were identified included:

- a) the economy which includes everything from cuts to the state budget to the cost of gas to get to therapy
- b) staff turnover due to large caseloads and resulting in lack of institutional knowledge.

The next meeting of the FLAG will be Monday, **May 19**, at 4:00 PM. This is a week earlier than usual due to Memorial Day. Dr. Russell Clifton will give a presentation regarding the role of the mental health professional.