Multidisciplinary Collaborative Practice: Innovative Child Focused Family Dispute Resolution

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Collaborative Practice Goal

To reach sustainable resolution & provide opportunity for clients to grow as a result of the process
Collaborative Practice Principles

- Comprehensive client focused interests based approach, not rights based positional bargaining
- Client empowerment, supportive, non-competitive process
  - respectful communication
  - not act unilaterally
  - facilitate positive future focus
  - progress at clients’ pace
- Confidential & respectful process
  - No client or lawyer can take advantage of any mistake of the other
  - Open sharing of all relevant information
  - Signed Participation Agreement - prevents lawyers and other professionals involved from participation in litigation
- Adhere to process and to interim agreements
Collaborative Practice Principles

- Multidisciplinary team – joint engagement of impartial experts as required
  - Child and Family Consultant
  - Financial planner
- Clients are fully supported in the process by their lawyers & other professionals
- Confidential & respectful process
  - No client or lawyer can take advantage of any mistake of the other
  - Open sharing of all relevant information
  - Signed Participation Agreement - prevents lawyers and other professionals involved from participation in litigation
- Cooperative team approach amongst lawyers and other professionals
- Creative options for sustainable solutions - not limited to what a court can order
Role of Child & Family Consultant

Individual &/or couple sessions; whole team & client sessions:
- Facilitate effective client communication & negotiation
- Facilitate flexible/creative thinking & options generation
- Assist clients to identify/manage their own issues & referral as needed
- Recognise & respond to individuals’ needs
- Stress management & deal with emotions
- Transform clients’ fear response to new learning
- Explore parenting concerns
- Assist clients’ understanding of family relationship dynamics
- Child inclusive practice
- Consultation with parent’s or child’s therapists
- Debrief clients & team & contribute to case management
Research

Client Surveys (USA 2010 & England & Wales 2009)
- **Vast majority** satisfied with process and outcome
- Benefits - felt respected & heard; enhanced communication; impartiality; understood the process

Lawyer Surveys (England & Wales 2009)
- Benefits - emotional support; communication enhanced; improved conflict management
Child Inclusive Practice

Aim
Direct involvement of child & constructive feedback to parents to enhance understanding of their child’s needs & to minimize risks

Individual Child Session
- Develop understanding of:
  - Child’s experience of the family separation, including exposure to conflict or violence
  - Child’s development, coping capacity & adjustment
  - Family relationship dynamics
  - Child’s support network
  - Child’s perspectives & wishes
CHILDREN REFLECT THE WORLD IN WHICH THEY ARE RAISED

(Perry & Pollard 1998, P.35)
Adverse Effects on Children from Exposure to Family Violence

Possible Long & Short Term Consequences:
- Serious physical, psychological, cognitive, behavioral, developmental, emotional & relational problems
- Poor life satisfaction, self esteem & future relationships
- Disrupted tasks of childhood
There is no greater hell than to be a prisoner of fear

**Childhood Trauma**

**Impact** - Live defensively

- Impaired orienting and defensive responses
  - Sensory alertness – hyperactive or hypoactive
  - Muscular adjustments
  - Hypervigilance
  
  (Sensorimotor Psychotherapy Institute 2012)

- Deficits in anticipatory & regulatory pathways for modulation of emotion, autonomic functions, & behaviors
  
  (Sinnamon, 2012)

- Disorganised attachment patterns

- Volatile or submissive responses
  
  (Sensorimotor Psychotherapy Institute 2012)
Reasons to Include Children

Child inclusive research on children exposed to family violence show children:

- Want to be included in discussing future family relationships
- Coping capacity enhanced
- Feel recognized, heard, & understood
- Overcome fear of disclosure
- Build hope for their future
The National Framework for Protecting Australia’s Children

- Protecting children is everyone’s responsibility
- Emphasis on early intervention and prevention in assisting children & families
- Cross sector collaborative practice is often needed in complex cases
Some Inherent Challenges for Practitioners

- Screen for appropriateness for child inclusive practice:
  - Parents’ cognitive capacity & emotional functioning
  - Relational dynamics – potency & pattern of violence
- Manage power imbalance, & multiple & complex needs –risk is never static
- Prepare parents to appropriately invite child
- Child session:
  - Engage anxious child & explore relevant sensitive information
  - Aware of & manage signs of trauma
- Provide constructive & safe feedback to parents that addresses child’s needs
- Motivate parents to follow up with recommended referrals for self or child
- Resource intensive – flexible and timely intervention; team work
My mother never imagined having to start over as a single mother but when the unimaginable happened she adapted she found strength. She moved on and I hope when my life doesn't go as I plan which it certainly won't I can handle myself with the same grace and strength that my mother has taught me. She may not be an Olympic athlete or a world leader but my mum is definitely my hero.
What children experience affects how they mature and function as adults (Perry 2000)

Use holistic Multidisciplinary Collaborative Practice in family dispute resolution to identify and address each vulnerable child’s needs and their parents’ needs and reach sustainable agreements in the child’s best interests