

# Emotional Harm of Children in Separation and Divorce:

## The Clinical and Legal Conundrum

**Thursday, April 19, 2012**

8.45 a.m. to 5.00 p.m.

St. Lawrence Centre for the Arts

Jane Mallet Theatre

27 Front Street East, Toronto

### Principal Speakers:

#### **Dr. Jean Clinton, MD, FRCP(C)**

Associate Clinical Professor, Department of Psychiatry and Neurosciences at McMaster, Division of Psychiatry

#### **Professor Nicholas Bala, LL.M, JD**

Professor of Law at Queen's University, Kingston, Ontario

### Symposium participants will include:

#### **Justice Heather McGee**

Superior Court of Justice,  
Family Court Branch

#### **Justice Debra Paulseth**

Ontario Court of Justice

#### **Justice Stanley Sherr**

Ontario Court of Justice

#### **Georgina Carson**

Partner, MacDonald & Partners,  
Barristers & Solicitors

#### **Aaron Franks**

Partner, Epstein, Cole,  
Barristers & Solicitors

#### **Lorne Glass**

Glass & Associates,  
Barristers & Solicitors

#### **Howard Hurwitz**

Director of Programs,  
Jewish Family & Child

#### **Carolyn Leach**

Counsel, Office of the  
Children's Lawyer

#### **Ricardo Theoloduz**

Social Worker,  
Jewish Family & Child

#### **Lisa Tomlinson**

Supervisor, Children's  
Aid Society of Toronto

**Seventh Annual Forum  
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EVERY STEP OF THE WAY.

**Jewish Family & Child**  
in conjunction with the  
**High Conflict Forum**

The **High Conflict Forum** was convened in February, 2004 to examine issues and practices related to families experiencing high conflict separation and divorce. It is comprised of child welfare, mental health and legal professionals from public sector agencies and private practitioners.



**Register Online:**

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# Emotional Harm of Children in Separation and Divorce

Emotional harm to children chronically exposed to conflict has emerged as an important concern in separating and divorcing families. In high conflict custody cases the complexities of emotional harm are not well understood by child welfare professionals, clinicians, lawyers and judges. The absence of a common understanding within and between the clinical and legal communities has often left professionals at odds when working with these families. As a result, these cases are extraordinarily challenging to professionals involved with children, their parents and the family justice system.

Concurrently the growing body of research on the long-term impacts of adverse childhood experience hastens us to act decisively to ensure the best possible outcomes for children. How do we know when a child is experiencing emotional harm? When does the inevitable distress of parental separation turn into harm?

This unique day-long conference will challenge the professional community to evaluate current practices in case management and intervention in the context of these challenging custody cases. The day will open with Dr. Jean Clinton, renowned child and adolescent psychiatrist at Chedoke-McMaster Hospital. Dr. Clinton will address the complexity of alleged and actual emotional harm, and help to define a clear clinical understanding of this concept. Moderating an actual case conference attended by a social worker, clinical supervisor, and child welfare lawyer, Dr. Clinton will deconstruct the case from the perspective of emotional harm, provide clinical commentary, and address questions from the audience.

The afternoon will open with a presentation by Nicholas Bala. Professor Bala will examine the issue of emotional harm by providing a review of the case law. A mock trial will be then be presented including cross-examinations of a CAS social worker. Professor Bala will provide commentary on the legal aspects of the case. In her role as moderator, Dr. Clinton will comment upon the clinical issues as addressed during the trial, and facilitate the participation of the audience. The matter of 'evidence' will be considered with the goal of bridging the legal and mental health domains. Later, Dr. Clinton will offer commentary on the decisions of the judges, and Howard Hurwitz will provide commentary on the child welfare components of this case.

## Conference Objectives:

- To summarize leading research on emotional harm and its impact on children
- To provide professionals with a common framework for understanding the concept of emotional harm from both a clinical and legal perspective
- To enhance clinical skills in assessing emotional harm in children
- To provide a framework to develop recommendations and assist in clinical and legal decision-making in cases involving emotional harm to children

## Agenda

- 8:45** Welcome, Howard Hurwitz
- 9:00** Dr. Jean Clinton
- 10:30** Refreshment Break
- 10:45** Case Conference and Consultation
- 12:15** Lunch (on own)
- 1:30** Professor Nicholas Bala
- 2:15** Mock Trial
- 3:30** Refreshment Break
- 3:45** The Decisions & Reasons of the Judges, including commentary by Dr. Clinton, Professor Bala, & Howard Hurwitz
- 4:45** Closing Remarks, Dr. Richard Cummings, Executive Director of JF & CS

# Emotional Harm of Children in Separation and Divorce

## Dr. Jean Clinton MD, FRCP(C)

*is an Associate Clinical Professor, Department of Psychiatry and Behavioural Neurosciences at McMaster, division of Child Psychiatry. She is on staff at McMaster Children's Hospital; an Associate in the Department of Family Medicine at McMaster; an Associate in the Department of Child Psychiatry, University of Toronto and Sick Children's Hospital; and, an Associate Member of the Offord Centre for Child Studies. Dr. Clinton has been a consultant to children's mental health programs and child welfare for 25 years.*

*Dr. Clinton's extensive community involvement includes 20 years as a consultant to early years and childcare programs in Hamilton. She has served as an expert advisor for "Invest In Kids Parenting Initiative". She was a founding Board member and Fellow of Fraser Mustard's Council for Early Child Development. Dr. Clinton's skills as a knowledge translator are frequently called upon, presenting to community groups nationally and internationally. She has authored papers on early child development and poverty, infant neglect, children's mental health, resilience, and on adolescent brain development. Dr. Clinton advocates for a system for children's well-being and promotes Asset Building believing All Kids Are Our Kids.*



## Nicholas Bala LL.M, JD

*is a leading Canadian expert on issues related to children, youth and families in the justice system, and a Law Professor at Queen's University in Kingston, Canada. Much of his research work is interdisciplinary, collaborating psychologists, social workers, criminologists and health professionals to better understand how the law and the justice system should address such issues as parental rights and responsibilities after divorce, including parental alienation; spousal abuse and its effects on children; young offenders; child witnesses and child abuse. Nick has published extensively in journals in law, medicine, psychology and social work. His work is often quoted by all levels of court in Canada, including the Supreme Court of Canada, and has also been cited by courts in the United States, Australia and Britain.*



# Registration Information

**Registration**  
The Hincks-Dellcrest Centre -  
Gail Appel Institute.

## For Information Contact:

Hincks-Dellcrest Institute

**Gerda Sumner:** 416-972-1935, x3256 gsumner@hincksdellcrest.org

Please one form per person. Please print clearly.

Name: \_\_\_\_\_

Discipline:  Child Welfare  Mental Health Practitioner  Lawyer  Family Court Judge

Family Mediator  Other \_\_\_\_\_

Agency/Institution: \_\_\_\_\_ E-mail: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

City: \_\_\_\_\_ Province/State: \_\_\_\_\_ Postal/Zip: \_\_\_\_\_

Day Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

## FEES:

For the Early Bird Rate, registration must be received on or before March 23, 2012

### Individual Rate

Early Bird . . . . . \$195

Regular . . . . . \$235

### Group rate

6-9 online or in the same envelope . . . . . \$170

10 online or more in the same envelope . . . \$150

## METHOD OF PAYMENT

Payment must be made by cheque or credit card (Visa or Mastercard) and must accompany the registration form. Cheques to be made payable to: The Hincks-Dellcrest Centre

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## CANCELLATION POLICY

I have read the cancellation policy

For a refund, notice of cancellation must be received in writing 14 days prior to the event. After that time, a colleague may be substituted for attendance. An administrative fee of \$40 will be charged for all cancellations. JF&CS reserves the right to cancel due to under-enrolment, work stoppages, instructor illness, or inclement weather. If cancelled, JF&CS is responsible for refunding only the fee portion.

## CEU CREDITS

This program can be applied towards 9 of the 12 hours of annual Continuing Professional Development (CPD) required by the Law Society of Upper Canada. Please note that these CPD hours are not accredited for Professionalism credit or the New Member Requirement.

## Planning Committee

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### or Mail to:

High Conflict  
Hincks Dellcrest Institute  
114 Maitland Street,  
Toronto, Ontario M4Y 1E1

**or Fax to: 416-924-9808**