

MASSACHUSETTS BAR ASSOCIATION
2023 ANNUAL FAMILY LAW CONFERENCE

OCT. 27-28, 2023
CHATHAM BARS INN, CHATHAM, MASSACHUSETTS

THE NEW BASICS

Friday, Oct. 27, 2023 Registration and Doors Open at 11:00 a.m.

Noon – 12:55 **Roundtable Discussion: Appellate Issues and Practice in Family Law**

Moderator: Holly A. Hinte, Esq., *Lee & Rivers LLP, Boston*

Panelists: Hon. Amy J. Blake, Justice, *Massachusetts Appeals Court, Boston*
Hon. Randy J. Kaplan (Ret.), *Boston*
David H. Lee, Esq., *Lee & Rivers LLP, Boston*

1 – 1:35 **Welcome Remarks:** Marc Moccia, Esq., *Chair*
MBA Family Law Section Council

Keynote Speaker: Hon. John D. Casey, Chief Justice
Massachusetts Probate and Family Court, Boston

1:45 – 3 **Trial, Soup to Nuts: A Checklist**

The time to begin your trial preparation is when you file your complaint. Careful and complete pleading, attention to what discovery is needed in your case, securing qualified experts for critical contested issues, obtaining necessary privilege waivers and *in-camera* review of privileged materials, proper lineup of trial exhibits such as medical records and KOR certifications with proper delivery, preventing discovery from becoming stale, and thoughtful consideration of what exhibits might ultimately be needed are only the beginning of the tasks that must be flawlessly executed in order to ready your case for trial. Our panelists will discuss these necessary tasks and others as best practices to set you on your way.

Moderator: Claire K. Forkner, Esq., *Lee & Rivers LLP, Boston*

Panelists: Hon. Dana L. Doyle, *Hampden Probate and Family Court, Springfield*
Hon. Katherine A. Field, *Bristol Probate and Family Court, Taunton*
Claire K. Forkner, Esq., *Lee & Rivers LLP, Boston*
Calvin J. Heinle, Esq., *Gibbs Heinle Maiona LLP, Wellesley*
Michael P. Judge, Esq., *Casner & Edwards, LLP, Boston*
Martin F. Kane II, Esq., *McGrath & Kane, Boston*

3:15 – 4:30 **Cutting-Edge Discovery in the Modern Age**

Hear from experts, practitioners and judges as they discuss recent advancements in e-discovery and AI technology for the modern, digitally focused practice. Our panel will share key pointers and approaches for mastering e-discovery, introduce you to new and useful AI products, and shed light on how to integrate these cutting-edge technology tools properly and ethically into your practice.

Moderator: Marc A. Moccia, Esq., *Kazarosian Costello LLP, Haverhill*

Panelists: Hon. Thomas J. Barbar, *Middlesex Probate and Family Court, Woburn*
Michael I. Flores, Esq., *Michael I. Flores, PC, Orleans*
Daniel K. Gelb, Esq., *Gelb & Gelb LLP, Beverly*
Hon. Angela M. Ordoñez, *Barnstable Probate and Family Court, Barnstable*
Jason Pierce, CPA, CMA, CFM, CVA, MAFF, *JS Held, Boston*
Robert B. Setterbo, Esq., *Wilkinson & Finkbeiner LLP, Boston*

4:45 – 5:30 **Judicial Forum**

The tradition continues: current judges consider and discuss issues encountered in the day-to-day world of the Probate and Family Court.

Moderator: Jessica M. Martin, Esq., *Anchor Family Law, Seekonk*

Panelists: Hon. Thomas J. Barbar, *Middlesex Probate and Family Court, Woburn*
Hon. Kevin R. Connelly, *Plymouth Probate and Family Court, Plymouth*
Hon. Dana L. Doyle, *Hampden Probate and Family Court, Springfield*
Hon. Katherine A. Field, *Bristol Probate and Family Court, Taunton*
Hon. Melanie J. Gargas, *Middlesex Probate and Family Court, Cambridge*
Hon. Susan L. Jacobs, *Bristol Probate and Family Court, Taunton*
Hon. Kimberly Moses-Smith, *Norfolk Probate and Family Court, Canton*
Hon. Angela M. Ordoñez, *Barnstable Probate and Family Court, Barnstable*

5:45 **Reception**

Saturday, Oct. 28, 2023

8:30 – 9:45 **Civility Reconsidered and Redefined**

Many attorneys and court personnel are discouraged by lawyer incivility. Some have left the practice of family law or discouraged talented new attorneys from joining this

practice. Incivility in family law practice not only hurts lawyers, but it also harms our clients and their children. Those of us who entered this practice with hopes of helping to put people in a better place know how incivility diminishes that outcome. The rules of professional conduct do not provide guidance. Many bars have instituted standards of civility setting forth aspirational principles, all with the goal of improving the experience of attorneys practicing in this field and the experience and outcomes for our clients and their children. Our clients and the system are delicate. We have the power to cause harm. Civility not only can protect clients from that harm but can provide the opportunity for creative collaboration that allows for better outcomes for our clients.

This panel will discuss ways of improving the outcomes for our clients, the courts and ourselves through the practice of civility. We would like to partner with the courts to improve the professional lives of lawyers and court personnel as well as our clients.

Physicians have the Hippocratic Oath to do no harm. This is a call to lawyers to form our own oath of civility and best practices.

Moderator: Lisa J. Graff, Esq., *Graff & Dawson LLC, Sudbury*

Panelists: Charmaine Blanchard, Esq., *Charmaine Blanchard Attorney at Law, Beverly*
Grace Edwards, Esq., *Edwards & Associates, Gloucester*
Anthony M. Doniger, Esq., *Retired Partner, Sugarman, Rogers, Barshak & Cohen PC, Boston*
Hon. Kimberly Moses-Smith, *Norfolk Probate and Family Court, Canton*
Vicki L. Shemin, J.D., LICSW, ACSW, *Field & Dennis, Wellesley*

10 – 11:15

Trends for Complex Issues in Legal and Physical Custody

As professionals, we are often challenged with a variety of complex issues that may face families in the family courts. These challenges may include medicating children; children's psychotherapy; children's gender identity; social media presence and screen addiction issues in children; children's privilege; avenues for reunification with children; and court-involved therapy. As individual professionals, it is impossible to become an expert in all the possible issues that might face the families we serve. This panel will discuss best practices in approaching complex issues by engaging in a team model.

Moderator: Crissa A. Morton, Esq., *Michael I. Flores PC, Orleans*

Panelists: Premela G. Deck, J.D., Ph.D., LICSW, *SD Family Services, Inc., Canton*
Hon. Susan L. Jacobs, *Bristol Probate and Family Court, Taunton*
Linda Medeiros, *Law Office of Linda Medeiros, Danvers*
Jessica Greenwald O'Brien, Ph.D., *SD Family Services, Inc., Canton*
Talia Simonds, Esq., *Simonds Family Law, Newton*

11:30 – 12:45 **Perfecting Your Technique: The Continuing Bootcamp for Trial Advocacy**

Part of our continuing series to shine a spotlight on excellence in practice by taking hypothetical facts and subjecting them to the rigors of trial with intense focus on proper procedure and technique. Sit back and observe our esteemed experts roll up their sleeves and do the work to get their evidence in!

Moderator: Karen W. Stuntz, Esq., *McEvoy & Stuntz LLP, Concord*

Counsel of Record:

Merril S. Chin, Esq., *Law Office of Merrill S. Chin, Peabody*
Michael G. Xavier, Esq., *Prince Lobel Tye LLP, Boston*

Presiding Judges:

Hon. Kevin R. Connelly, *Plymouth Probate and Family Court, Plymouth*
Hon. Melanie J. Gargas, *Middlesex Probate and Family Court,
Cambridge*

12:45 Conclusion – *see you next year!*