

HANDLING SEX ABUSE ALLEGATIONS IN FAMILY LAW CASES

Moderator

Allison Williams, Esq.

*Certified by the Supreme Court of New Jersey as a Matrimonial Law Attorney
Williams Law Group, LLC
(Union)*

Angelo Sarno, Esq.

*Certified by the Supreme Court of New Jersey as a Matrimonial Law Attorney
Snyder & Sarno, LLC
(Roseland)*

Speakers

Honorable Daniel D'Alessandro, JSC
(Jersey City)

Linda A. Schofel, Esq., L.C.S.W.

*Newman, McDonough, Schofel &
Giger, P.C. (Roseland)*

Honorable Donald A. Kessler, JSC
(Newark)

Mark H. Sobel, Esq.

*Certified by the Supreme Court of New Jersey as a Matrimonial Law Attorney
Greenbaum, Rowe, Smith & Davis, LLP
(Iselin)*

Susan Cohen Esquilin, Ph.D., ABPP
(Verona)

Judith Brown Greif, DSW, LCSW
(Englewood)

Sharon Ryan Montgomery, Psy.D.
(Morristown)

Marcy A. Pasternak, Ph.D.
(Watchung)

Steven M. Resnick, Esq.
*Budd Lerner, P.C.
(Short Hills)*



© 2015 New Jersey State Bar Association. All rights reserved. Any copying of material herein, in whole or in part, and by any means without written permission is prohibited. Requests for such permission should be sent to NJICLE, a Division of the New Jersey State Bar Association, New Jersey Law Center, One Constitution Square, New Brunswick, New Jersey 08901-1520.

Table of Contents

	<u>Page</u>
Evidence in Sexual Abuse Cases: Child Sexual Abuse Accommodation Syndrome Allison C. Williams Danielle M. Cason	1
How Does CSAAs Arise in the Context of Child Welfare Litigation?	6
Best Practices for Addressing Evidentiary Issues in a DCP Child Sexual Abuse Case	12
Conclusion	14
A Comparison of Evidence in Sexual Abuse Cases: DYFS Proceedings Versus Custody Proceedings Allison C. Williams, Esq.	15
CORROBORATION: What It is and What It is Not A Review of Case Law Since the Seminar Z.P.R. Case Allison C. Williams, Esq. Victoria D. Miranda, Esq. Danielle M. Cason, Esq.	21
<i>N.J. Division of Youth & Family Services v. Z.P.R.</i>	21
<i>N.J. Division of Youth & Family Services v. A.R.</i>	22
<i>N.J. Division of Youth & Family Services v. S.O.</i>	23
<i>N.J. Division of Youth & Family Services v. A.H.</i>	24
<i>N.J. Division of Youth & Family Services v. P.H.</i>	25
<i>Department of Children and Families v. D.T.</i>	26
<i>N.J. Division of Youth & Family Services v. E.S.</i>	27
<i>N.J. DYFS v. T.K.</i>	27
<i>N.J. DYFS v. L.A.</i>	28
<i>State v. D.R.</i>	28
<i>NJ Division of Child Protection & Permanency v. C.P.</i>	29
<i>N.J. DYFS v. H.B.</i>	31
<i>DYFS v. L.C.</i>	32
<i>DCPP v. A.D.</i>	34
<i>DYFS v. R.D.</i>	34
<i>DYFS v. S.G.</i>	35
<i>DYFS v. J.G.</i>	36
<i>N.J. Division of Youth and Family Services v. J.M.</i>	38
<i>N.J. Division of Youth and Family Services v. H.G.</i>	38
<i>Tracy V. v. Donald W.</i>	39
<i>K.M. v. S.M.M.</i>	41
<i>In the Matter of D.T.</i>	42
<i>State v. Michaels</i>	44
What Constitutes Corroboration in Child Sexual Abuse Cases? Allison C. Williams, Esq. Victoria D. Miranda, Esq.	47

Physical and Psychological Corroboration	49
“Precocious Sexual Knowledge”	51
Susceptibility of Children to Suggestibility in Interviewing Techniques	52
<i>State v. Michaels</i>	53
Factors Relied Upon by the Court to Determine Reliability of Statements	55
Sexual Abuse Allegations in the Context of Matrimonial Cases	56
Sexual Allegations in Divorce Syndrome	59
Conclusion	59
<i>Segal, et al. v. Lynch</i> (Complaint, Jury Demand, Demand for Discovery, Deposition Notice, and Designation of Trial Counsel)	61
<i>Segal, et al. v. Lynch</i>	73
<i>Smith</i> (Complaint)	105
Understanding and Assessing Sexual Abuse Allegations in the Context of Custody/Visitation Disputes Susan C. Esquilin, Ph.D., ABPP-Clinical	113
Understanding and Assessing Sexual Abuse Allegations in the Context of Custody/Visitation Disputes PowerPoint Presentation Susan C. Esquilin, Ph.D., ABPP-Clinical	115
<i>New Jersey Division of Youth and Family Services v. A.H., et al.</i>	129
<i>New Jersey Division of Youth and Family Services v. C.O., et al.</i>	137
<i>State v. Michaels</i>	143
5:3-2 <i>et seq.</i>	163
5:8-6	164
Rule 5:8A	164
Rule 5:8B	165
About the Panelists...	167