

Managing High Conflict People in Collaborative Practice

Plenary

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the missing peace

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The Brain and Conflict Resolution

PROBLEM-SOLVING BRAIN (Generally Left Brain)	DEFENSIVE BRAIN (Right Brain)
<ul style="list-style-type: none"> • Slower; takes time to analyze problems • Flexible thinking (many solutions to every problem) • Managed emotions • Moderate behaviours (so can maintain relationship) 	<ul style="list-style-type: none"> • Fast; shuts down higher thinking & problem-solving to focus on quick action • All-or-nothing thinking (eliminate or escape the enemy) • Intense emotions drive fight or flight behaviour • Extreme behaviours (to defend self from life or death dangers or <i>perceived</i> life or death dangers)

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2 Hemispheres of Brain (Flexible)

<u>Left Hemisphere</u>	<u>Right Hemisphere</u>
<ul style="list-style-type: none"> • "Logical Brain" • Generally Conscious • Language • Thinks in words • Planning • Examines Details • Rational analysis • Systematic Solutions • Positive Emotions Calm, contentment, etc. 	<ul style="list-style-type: none"> • "Relationship Brain" • Generally Unconscious • Observes relationships • Thinks in pictures • Creativity, Art, Intuition • Non-verbal Skills • Facial recognition/cues • Gut feelings • Negative Emotions Hurt, anger, fear, etc.

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Common Cognitive Distortions?

(Or simply Right Brain defensiveness?)

- All-or-Nothing Thinking
- Jumping to Conclusions
- Emotional Reasoning
- Personalization
- Exaggerated Fears
- Mind-reading

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Corpus Callosum

- The main wiring between the hemispheres of the brain, that aids in the flow of information back and forth. More flow is better.
- Some people get stuck in the upset emotions of the right hemisphere and can't access their left hemisphere to help resolve negative emotions.
- It's damaged or smaller in children repeatedly exposed to abuse, as well as in some adults with personality problems.

-- Martin Teicher, *Scientific American*,
March 2002, Vol. 286, Issue 3, p. 68+

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Effect of Child Abuse on the Brain

Martin Teicher of Harvard University and his colleagues found that "verbal aggression" which can include loud yelling and belittling remarks (which often occur in divorce) may have as damaging an effect on the brain during child development as physical and sexual abuse.

Neurons in the corpus callosum shrink or die when there's too much cortisol (stress hormone) repeatedly released in the brain, blocking the uptake of nutrients. The long-term effect of this may be seen in adult patients with borderline personality disorder. He explains this in the following two slides.

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Effect of Child Abuse on the Brain

“Reduced integration between the right and left hemispheres and a **smaller corpus callosum** may predispose these patients to shift abruptly from left- to right-dominated states with very different emotional perceptions and memories. Such polarized hemispheric dominance could cause a person to see friends, family and co-workers in an overly positive way in one state and in a resoundingly negative way in another – which is the hallmark of this disorder.”

(continued on next slide)

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Effect of Child Abuse on the Brain

“Society reaps what it sows in the way it nurtures its children. Stress sculpts the brain to exhibit various antisocial, though adaptive, behaviors. Whether it comes in the form of physical, emotional or sexual trauma or through exposure to warfare, famine or pestilence, **stress can set off a ripple of hormonal changes that permanently wire a child’s brain** to cope with a malevolent world. Through this chain of events, violence and abuse pass from generation to generation as well as from one society to the next. Our stark conclusion is that we see the need to do much more to ensure that child abuse does not happen in the first place, because once these key brain alterations occur, there may be no going back.”

-- Martin Teicher, *Scientific American*, March 2002, Vol. 286, Issue 3, p. 68+
Quoted by permission in *Don't Alienate the Kids!* by Bill Eddy, HCI Press, 2010.

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**Amygdala in
Non-Verbal Communication**

- Amygdala of the brain:
- Alarm center; “Smoke Detector” of brain
- “Hijacks” brain for fast, unconscious defensive responses -- faster than “thinking”
- Shuts down logical, analytical thought processes -- Daniel Goleman, *Emotional Intelligence* (1995)
- Attentive to facial expressions, specifically Rt. Amygdala: **fear and anger** (not other neg. emotions)

Allan Schore, *Affect Regulation and the Repair of the Self* (2003)

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Mirror Neurons

- Neurons in our brains automatically “mirror” activities we watch, to prepare to do the same
- Emotions are mirrored: smiles, sadness, anger
- Empathy may be a mirroring activity
- You can over-ride mirroring and act opposite (respond to anger with empathy; sadness with hope; upset emotions with problem-solving)

-- *Mirroring People: The New Science of How We Connect with Others*, Iaconboni (2008)

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Talking to the “Right” Brain

- Tone of voice and body language is amazingly important: Calm, confident, firm
- Avoid personal attacks: these escalate the defensiveness of HCPs and bad behavior
- Avoid threats: these escalate the HCP
- Avoid logical arguments in times of stress
- Avoid giving (focusing on) Negative Feedback: (focusing on past behavior, whole person, neg tone)

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The Brain and Motivation to Change

Coaching for Compliance

(“How are you doing with your assignments? With your deadlines? Etc.”)

- Triggers stress responses and defensiveness
- Shuts down interest in behaviour change
- Yet this is most common approach by teachers, managers and helping professionals

Compassionate Coaching

(“What would you like to be doing in 10 years? What’s your vision? Your dream?”)

- Truly paying attention to the other person with empathy and respect
- Truly connecting with the person’s own goals and vision for their future
- Triggers creative responses and openness to new ideas
- Activates parts of brain associated with change

Boyatkis, Smith & Oosten. *Helping People Change*. (2019)

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**3 Changes Affected by
Compassionate Coaching**

1. Client will find or reaffirm and articulate their personal vision, including dreams, passion, purpose, and values.
2. They will experience changes in behavior, thoughts and/or feelings that will move them closer to realizing their personal vision.
3. They will build or maintain a stronger relationship with the coach, professional and/or other supportive people in their lives.

Helping People Change, pp. 47-48.

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Discussing Your Goals - Exercise

It helps in our work together for me to know some of your larger goals for yourself. Where would you like to be in 5 or 10 years?

There seems to be four big skills for managing all relationships. Do you have any goals for strengthening your skills in any of these areas:

1. Flexible thinking?
2. Managed emotions?
3. Moderate behavior?
4. Checking myself from time to time?

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<p>4 Key Skills for Managing HCPs</p>	<p style="text-align: center;">C.A.R.S. Method</p> <ol style="list-style-type: none"> 1. CONNECTING with E.A.R. 2. ANALYZING options and dilemmas 3. RESPONDING to misinformation 4. SETTING LIMITS on behavior
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1. Connect with E.A.R. Statements

Statements that show empathy, attention and respect:

Example: "I can **understand** your frustration – this is a very important decision in your life. Don't worry, I will pay full **attention** to your concerns about this issue and any proposals you want to make. I have a lot of **respect** for your commitment to solving this problem, and I look forward to solving it too.

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Fears and EARs for HCPs

Their Fear

For any of these:

- Being abandoned
- Being seen as inferior
- Being ignored
- Being dominated
- Being taken advantage

Your EAR Response

Use any of these:

- I want to help you
- I respect your efforts
- I'll pay attention
- I'll listen
- Its just rules we all have to follow
- I understand this can be frustrating
- I'll work with you on this
- I know this can be confusing

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Cautions about E.A.R.

- Avoid believing or agreeing with content.
- Avoid volunteering to "fix it" for them (in an effort to calm down their emotions).
- Be honest about empathy and respect (find something you truly believe)
- Keep an arms-length relationship.
- You don't have to listen forever.
- You don't have to use words or these words.

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<h2 style="margin: 0;">4 Key Skills for Managing HCPs</h2>	<h3 style="margin: 0;">C.A.R.S. Method</h3> <ol style="list-style-type: none"> 1. CONNECTING with E.A.R. 2. ANALYZING options and dilemmas 3. RESPONDING to misinformation 4. SETTING LIMITS on behavior
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2. ANALYZING Options (Give them a Choice)

- **In high-conflict situations, don't focus on feelings.** You won't resolve their emotional issues. Just acknowledge their frustrations. Talk to the right brain.
- Instead, focus upset person on a choice:
- The goal is to get the upset person focused on problem-solving, away from his or her emotions.
- This puts responsibility on the person to help solve the problem; puts responsibility on the person for making the choice.
- It gives them some power, when they feel powerless.

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2. Analyzing Options (Make a Proposal)

Teach clients to Make Proposals:
Any concern about the past can be turned into a proposal about the future.

Proposals usually contain:

WHO does

WHAT,

WHEN and

WHERE.

If they get stuck blaming each other or talking too much about the past, then simply ask:
"So, what's your proposal?"

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3-Steps for Making Proposals

1. **Propose:** WHO will do WHAT, WHEN and WHERE.
2. **Ask questions:** The other person then asks questions about the proposal, such as: "What's your picture of what this would look like, if I agreed to do it?" "What to you see me doing in more detail?" "When would we start doing that, in your proposal?"
3. **Respond:** Other person then responds with: "Yes." "No." Or: "I'll think about it."

And if you say "No," then you make a new proposal.

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Avoid "Why" Questions

Why questions easily turn into a criticism of the other person's proposal.

Why questions start up defensiveness. If someone's defensiveness is triggered, then it makes it hard for them to think of solutions to problems.

"*Why* did you say that?" usually really means "I think that's a stupid idea and I want to force you to admit it." Instead, if you think the other person's proposal is a bad idea, then the best thing to do is to just make another proposal – until you can both agree on something.

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3. Responding to Misinformation (Maintain a Healthy Skepticism)

- Remain skeptical of the accuracy of the person's information. There may be many cognitive distortions.
- Let them know that you will never know the full story. It is *possible* the extreme statements they are making are true.
- “**You might be right!**” And *possibly* not true.
- But next steps can still be taken and decisions can still be made about the future.

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It's Their Dilemma

- Keep the burden of solving problems on the client. No matter how badly they want you to do it.
- Tell them “**You have a dilemma. How do YOU want to resolve it?**”
- Then, if they can't think of options, you could suggest several, based on your knowledge.
- Be a role model of comfort with ambivalence.

See article: *Dealing with Dilemmas in Collaborative Divorce*

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Teach B.I.F.F Responses®

- B**rief: Keep it brief. Long explanations and arguments trigger upsets for HCPs.
- I**nformative: Focus on straight information, not arguments, opinions, emotions or defending yourself (you don't need to)
- F**riendly: Friendly greeting, friendly close. Give some empathy, attention or respect (EAR statement)
- F**irm: Just end the hostile conversation. If needed, ask for a Yes or No response to a question, with a deadline date and time.

See article: *How to Write a BIFF Response*

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Coaching for a BIFF Response®: 10 Questions

1. Is it Brief?
 2. Is it Informative?
 3. Is it Friendly?
 4. Is it Firm?
 5. Does it contain any Advice?
 6. Does it contain any Admonishments?
 7. Does it contain any Apologies?
 8. How do you think the other person will respond?
 9. Is there anything you would take out, add or change?
 10. Would you like to hear my thoughts about it?
- See article: *Coaching for a BIFF Response*

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There's no "1 right way" to write a BIFF Response®

It depends on:

1. The BIFF writer
2. The BIFF reader
3. The Situation

Different responses could be good BIFF responses, even though they may be quite different – as long as they are **Brief, Informative, Friendly** and **Firm**.

Once you've given any ideas you have (Question #10), always tell the BIFF writer: "*But it's up to you!*"

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4 Key Skills for Managing HCPs

C.A.R.S. Method

1. CONNECTING with E.A.R.
2. ANALYZING options and dilemmas
3. RESPONDING to misinformation
4. **SETTING LIMITS** on behavior

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4. Setting Limits on High Conflict Behavior

- HCPs need limits because they can't stop themselves
- With HCPs, focus on **external reasons** for new behavior (rather than focusing on negative feedback about past behavior):
- "Our policies require us to ..."
- "The law requires me to ..."
- "It might appear better to _____ if you..."
- "I understand, but someone else might misunderstand your intentions with that action..."
- "Let's take the high road..."
- "Choose your battles..."

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4. Setting Limits (con't) Educate About Consequences

- HCPs do not connect realistic CONSEQUENCES to their own ACTIONS, especially fear-based actions.
- They feel like they are in a fight for survival, which blinds them to realities.
- Their life experiences may have taught them different consequences than most.
- They can be educated by a caring person.

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Summary of Key HCP Skills

1. **CONNECTING:** Listen closely (briefly), then respond with Empathy, Attention and/or Respect (EAR statement)
2. **ANALYZING:** Get client to make a list of problems/options and choose a task
3. **RESPONDING:** Be Brief, Informative, Friendly and Firm (BIFF response)
4. **SETTING LIMITS:** Don't make it personal. Use "Indirect Confrontations" by helping client deal with policies and procedures.

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New Ways for Families®

- Skills training for parents & children in separation/divorce
- A New Method in San Diego Courts starting in 2009.
- In 2011, 2 funded programs in Alberta, Canada
- Judges in six or more counties are ordering it
- Orange Cty, Calif. over 1,000 parents done online NWFF
- Trained counselors and lawyers in over 30 cities to date

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Check Yourself!

- √ **Flexible** Thinking
- √ **Managed** Emotions
- √ **Moderate** Behaviors

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New Ways for Families

- Individual judges order it (or by agreement of parties).
- Designed for high conflict families and high conflict issues, including D.V., Child Abuse & Alienation
- Triggered when one parent requests restricted parenting for the other party (supervised, no contact, few hours).
- A short-term program of *front-end* counseling *before* big decisions are made.
- Often a *gateway* to accepting further treatment.

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New Ways for Families

Four Steps, 6 -16 weeks:

Step 1: Getting Started (Court order usually)
Step 2: Individual Counseling
Step 3: Parent-Child Counseling
Step 4: Family (or Court) Decision-Making

Or: Online program ("Parenting Without Conflict")

www.NewWays4Families.com

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THANK YOU!

For more information and articles, visit:
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