



Managing High Conflict Personalities in Mediation

By Cheryl Cohen, Jack Mahler, and Gwen Jones

High Conflict Personality: Usually someone with the traits of a Cluster B Personality Disorder listed in the Diagnostic and Statistical Manual of the American Psychiatric Association – presently the DSM-IV. The Cluster B personality disorders are: Borderline, Narcissistic, Antisocial and Histrionic. The people diagnosed with these four disorders are known for their frequent and dramatic interpersonal conflicts and crises. Their personality characteristics often bring them into disputes which involve many others to resolve – including the courts.

At the workshop on High Conflict Personalities in June, we had an opportunity to meet William Eddy, the presenter, who is a very easy going, sociable guy. He is the author of several books including High Conflict People in legal disputes, (available in our mediation office) which is very helpful and easy to read. It explains the dynamics of working with high conflict people and offers useful advice. Some of his other books include Splitting: Protecting Yourself while Divorcing a Borderline or Narcissist and his latest one: Its All your Fault. 12 Tips for Managing People who blame others for everything. (What a title!)

Bill started his career as a Clinical Social Worker and found that personality disorders were common in his work with individuals and couples, and that as a mental health professional he needed both assessment and treatment tools. He then decided to change careers and go to Law School. As a lawyer, his caseload was primarily family divorces and he recognized a pattern of personality disorders in many clients. He was familiar with how to handle high emotions but he realized that most attorneys and court systems were not. He was drawn to mediation in 1975 when he began volunteering in the community handling a wide variety of disputes. He found that mediation combined all of his interests and skills and he became passionate about the process. In addition, he started writing articles and teaching courses on negotiation and mediation, including classes on dealing with potentially difficult clients and personality disorders. He is currently a family mediator in San Diego. He continues to write books about high conflict personalities. On a personal note, Bill is mar-



William Eddy, LCSW, Esq.

ried to a social worker whom he met in Seattle while he was a musician in a band. He is an avid hiker and mountain climber and is a social activist.

The workshop given by Bill Eddy focused on challenges in working with high conflict personalities. He began by discussing Axis II Personality Disorders (from the DSM-IV). All have common issues of lack of self-awareness and difficulty in adaptation. The four Cluster B personality disorders are: Borderline “Love you, hate you,” Narcissistic “I’m very superior,” Histrionic “Always dramatic,” and Antisocial “Con artists.” Some people who do not have a full personality disorder may have maladaptive personality “traits.” Bill stressed that it is not a good idea to try and diagnose people with these disorders, or to tell them that they have a disorder. Instead, just recognize potential patterns and adapt your approach accordingly. Also, there is no need to diagnose traits versus full-blown disorders, because the same issues and questions apply to both.

He listed seven techniques for working with clients who are high conflict people:

- When they feel anger, empathize with them.
- When they feel fear, reassure them. (Don’t ask them to make themselves more vulnerable.)
- When feelings are really stuck, focus on a task.
- When you feel like pushing, relax and back off.
- When you feel hopeless, reach out to the team.
- When you are in conflict, respect other’s view.
- When you feel impasse, let go of outcome.

Some other tips from Bill for working with high conflict people in mediation include the following: Don’t rush them, because they get exhausted. Use E.A.R.

(empathy, attention, respect). Have clients make process decisions by asking if they are ready to move on. For example, "Are you ready to make a list?" Ask "What do you think about that?" rather than "How do you feel about that?" to avoid opening up emotions. Avoid pressing them for agreement. Let them decide if things are working for them by checking in and asking "Is this working for you?" If they threaten to leave, suggest taking a five minute break, and follow with private meetings. Watch out for "splitting" – group members taking sides, not working together.

The most important thing to remember when working with high conflict people is that everything is about relationships for them, not about issues. Their behavior is mostly unconscious. They push professional boundaries out of desperation, not out of intent to be difficult. Direct confrontation brings resistance and escalation of blame, not insight for them. But there is hope. Most of them have problem-solving skills that can be accessed if you can calm their emotions.

Note: For those who were unable to attend Bill Eddy's presentation, come to the In-Service on Conflict Personalities in Mediation on Oct. 21st to hear more.

VOLUNTEER NEWS

New conciliators:

Barbara Barnes
Catherine Zimmerman
Debra Pinckney
Josh Sundt
Naryung Lee
Pam Womack

Moved into co-mediation phase:

Adrienne Keith
Henry Smilowicz

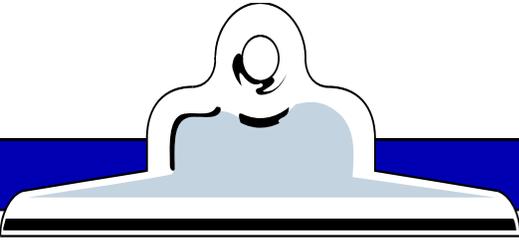
Moved into observation phase:

Dave Tallent
Gwen Jones

Tips on Mediating with Lawyers in the Room

*Adapted from Marilyn Endriss' presentation on 6/17/08
Bellevue Neighborhood Mediation Program*

- Many attorneys are familiar with a shuttle-style, evaluative mediation model (also know as a "settlement conference"). They may not be familiar with our facilitative mediation model. Describe our facilitative process -- emphasize that it is "client centered" and explain the benefits of client engagement and face-to-face discussion for promoting good durable solutions.
- In pre-mediation discussions with lawyers explain that their role in a facilitative mediation is to help their clients meet their goals.
- In describing the process, don't call the client's opening statement an "Opening Statement" (this is a term of art for trial attorneys); instead call them "initial snapshots," "client's perspectives," or whatever feels right to you.
- After clients have given initial perspectives and you have given them feed back, ask the attorneys if they have anything to contribute to the mediators' understanding.
- Invite attorneys to add to agenda building: legal concerns, non-legal concerns, material terms (e.g., confidentiality of settlement terms).
- If a contentious legal issue emerges, invite the attorneys to be teachers and explain the law "in a nutshell."
- Because attorneys are familiar with shuttle style settlement conference they may advocate that you shift your method and adopt that model. Reassure them that the facilitative model is effective, and that you have training and experience in using it.
- Some attorneys may be zealous and forceful advocates for their clients. In response, stay centered and remember that you are guardians of the process.
- Be transparent, explain the reasoning behind your process decisions.
- Use caucus creatively to get at the real underlying issues.
- Be aware of the conflict triangle (princess / helpless victim --- prince / savior hero --- dragon / the other party or the conflict). Attorneys and clients can be drawn into playing these roles. You may want to caucus with the attorney alone, to probe if this dynamic is helping the resolution process.



Parent—Teen Update

By
Cathy Goldman

I just completed the 40 hour parent-teen mediation training. Once again, it was an amazing experience to be the trainer for such capable and enthusiastic participants.



It was a joy to teach them the mediation skills! I could not have done it without the help of my volunteer mediators and colleagues who helped with coaching, presenting and role-playing. THANK YOU so much to those who helped with the training. Your support is truly appreciated.

I will continue to email everyone when there is an opportunity to observe mediations. We may be slow in the summer months, but as we schedule mediations, (I offer two observation spots), I will let you know.

I hope you all have a wonderful summer! The weather is great now so I hope you are out and about and enjoying our beautiful city. Please look at the calendar of events in this issue for upcoming in-service training.

BNMP Training Opportunities For Mediators and Conciliators

Neighborhood In-services:

Elder Mediation

Tues. Sept. 9th, from 6-8:30 PM in Room 1E-121
6:00 refreshments, 6:30-8:30 program

Conflict Personalities in Mediation

Pam Weiss, King County Employee Assistance
Program Coordinator
Tues. Oct. 21st, from 6-8 PM in Room 1E-112

Parent-Teen In-Services:

Parent-Teen Advanced Mediation Training

Tues. Sept 16th, from 6-8 PM Room 1E-112

Nuts & Bolts of the Intake Process

Wed. Sept 17th, from 6-8 PM Room 1E-121

Parent Night for Teen Volunteers

Thurs. Oct. 2nd, from 6-8 PM Room 1E-120

Becca Bill and Beyond

Tues. Oct. 7th, from 6-8 PM Room 1E-112

Joint Neighborhood Parent-Teen In-Service:

Cross Cultural Issues

Wed. Nov. 12th, from 6-8:30 PM Room 1E-121

Book Group:

Wednesday, September 10 at 5:30 p.m. at City Hall. We will be reading Dan Ariely's book *Predictable Irrationality*.

Con/Med Consultation Group:

Join us to discuss your current conciliations/ mediations or questions. Great networking and learning opportunity. Open to all volunteers.

Wed. Sept. 24th at 5:30 in Room 1E-118.

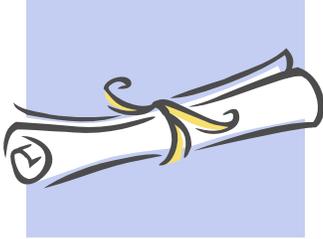
Program Staff:

Program Co-Manager:	Cheryl Cohen	-	452-5222
Program Co-Manager:	Andrew Kidde	-	452-5288
Program Assistant	Gwen Jones	-	452-2897
Parent-Teen Coordinator:	Cathy Goldman	-	452-4091

City of Bellevue website: <http://www.bellevuewa.gov>
(Look for the Mediation Program under "Neighborhood Information")

Parent/Teen Mediation Training

Class of 2008



Congratulations to the graduates of the 2008 Parent/Teen Mediation Training:

Duncan Hamilton, Ted Griffke, Michele Stanelun, Sam Margolis, Ellen Burd, Weina Chen, Yasin Hegazy, James Wheelwright, Kaylie Gray, Cathy Goldman, Maya Uzunow, Aisha McKee, Madison Whitney, Madison Hagen, Sabine Whitney, Benjamin Trnka, Yael Horwitz, Gwen Jones, Emilie Docter, Betsy Donworth, Ilana Vayman, and Jillian Hostenske (not pictured).



City of Bellevue Department of Planning and Community Development
P.O. Box 90012 Bellevue, WA 98009-9012