

COLLABORATIVE Practice Tips

A monthly bulletin from the CP Cal Practice Excellence Committee

The Practice Excellence Committee is pleased to offer tips to help you increase your Collaborative cases and achieve *practice excellence*.



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Tips to Help Your High Conflict Clients Communicate More Effectively

The professionals involved in a Collaborative divorce have an opportunity to help each party take a fresh look at his or her own perspective and that of the other party. Start by establishing trust with your clients. If clients trust you, you can help them consider new perspectives and approaches. Do this by giving your clients **EAR** and teaching them **BIFF**--techniques developed by Bill Eddy of the High Conflict Institute.

Tip #1

Use EAR.

EAR stands for Empathy, Attention and Respect.

- **Empathy:** Let your clients know you understand this is hard for them. You don't have to be a therapist to make this work; you don't have to be able to identify the precise emotion they are experiencing. Use words like, "hard, difficult, frustrating, or challenging." Saying to your clients "I can see this is hard for you" or "I know this is challenging" will help them feel you care and you get it.
- **Attention:** Your clients may feel ignored or disrespected by their spouse, but they need to feel they are not ignored by you. Showing them you are willing to give them your attention will build that trust and calm them down. Simply say "I will listen as carefully as I can" or "I will pay attention to your concerns." This does not mean you will always be there for them, but in the moment you are present and paying attention.

- **Respect:** Finally, find something about your clients you respect and recognize that quality. For example, "I respect that you're willing to work this out in the collaborative setting."

Now you can help them think of a different way to express their thoughts and requests. Being aware of their words and behaviors are the first step. Remember, their feelings are theirs, they are what they are, but how they manage their feelings and what they say--out loud or in writing--is up to them. Have them consider how their spouse reacts to them when they state their feelings or make a request in their customary manner. If the reaction is generally negative, encourage them to try a new approach. It may be as simple as trying a more neutral tone or asking a question instead of stating a demand.

Tip #2

Use BIFF.

Teach your clients to use the **BIFF Response**^(sm) method as their guide in meetings and in emails.

Brief, **I**nformative, **F**riendly and **F**irm. This can be used for emails, texts or with verbal communication.

- Be brief; keep it short. Their ex probably tunes them out fairly quickly. If they can keep it brief they are more likely to be heard.
- Be informative but stick to the facts and limit the emotional content. The emotional content can be the distracter, the thing that makes their partner tune out and miss the actual point.
- Be friendly, even if they may not feel that way. Their approach can go a long way in determining whether their communication is successful or not. They don't need to be overly accommodating, just polite.
- Be firm, the object is to bring the conversation to a close and not open the door to more issues, especially unimportant ones.

Encourage your clients to try a new approach; the standard one doesn't work, so what do they have to lose?



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