

Hello, We Are High Conflict Institute.

Founded in 2008 by **Bill Eddy**, LCSW, Esq. and **Megan Hunter**, MBA, we take a **skills approach** to understanding and managing human interactions in a fair and respectful manner **to** help those who most often get stuck in our systems and processes.



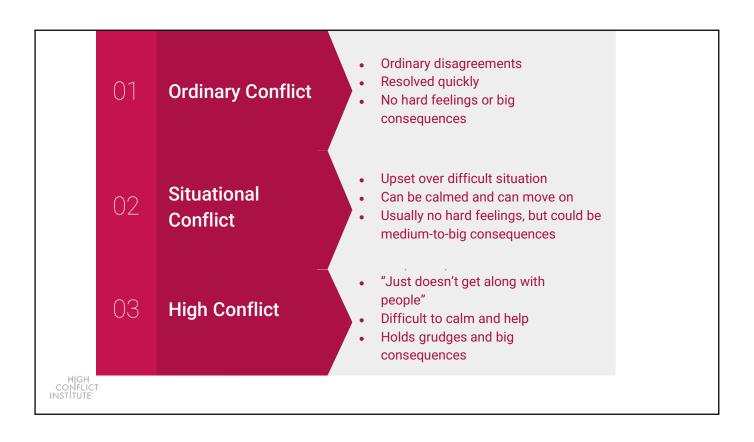


Overarching principles of today's training:

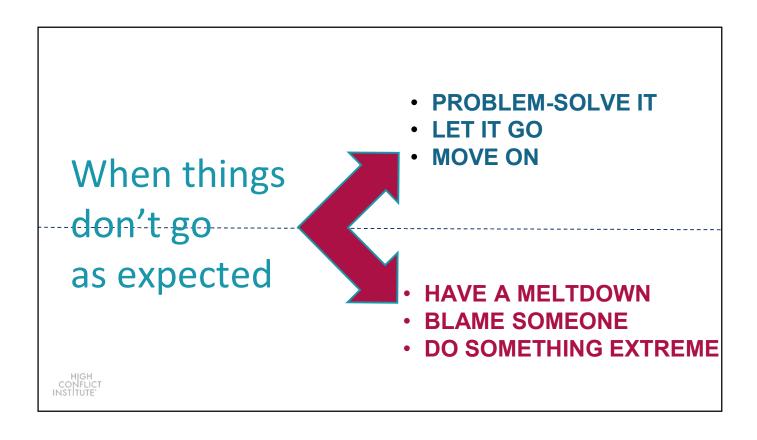
- Compassion
- Grace
- Empathy
- History for perspective
- Cultural sensitivity
- Mental health sensitivity
- People-first approach

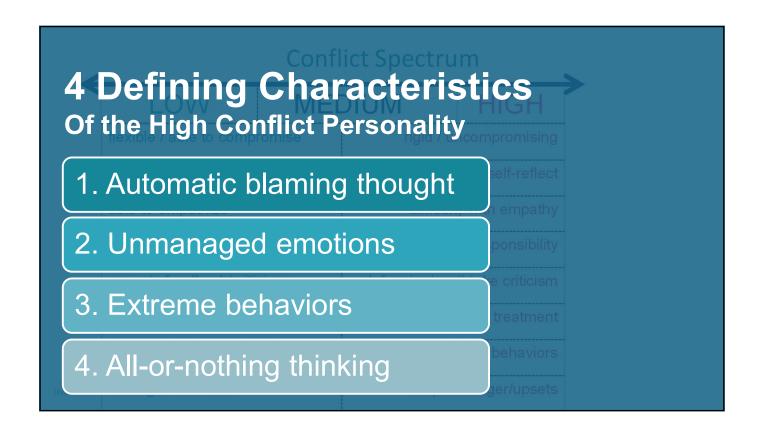
HIGH CONFLICT

High Conflict Defined



Conflict Spectrum		
LOW←	→ HIGH	
flexible / able to compromise	rigid / uncompromising	
able to self-reflect	unable to self-reflec	
able to empathize	difficulty with empathy	
takes responsibility	avoids responsibility	
accepts feedback/criticism	defensive/can't take criticism	
accepts place in society	demands special treatmen	
moderate behaviors	extreme behaviors	
manages emotions	frequent anger/upsets	





High Conflict Personality Is NOT a Diagnosis

IT'S A DESCRIPTION OF A PATTERN OF CONFLICT BEHAVIOR

All people have positive and negative characteristics.

"High Conflict" is a pattern of behavior that is often self-sabotaging and self-defeating

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9

High Conflict involves someone who is not Conflict Typical.

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satisfaction from conflict

natural, normal & necessary

victim-in-life

zero insight

unable to STOP themselves

Operating System (OS) High Conflict OS				
	Instant blamer	Automatic first thought is: "It's all your fault!". They focus on a specific group or person – their Target of Blame		
	Unmanaged emotions	Intense emotions, outside normal range of upset emotion		
	Extreme behaviors	Things that 90% of other people would never do		
HIGH CONFLICT INSTITUTE	All-or-nothing thinking	All good/all bad; best/worst; winner/loser		

Therefore:

They do **not take responsibility** for own actions.

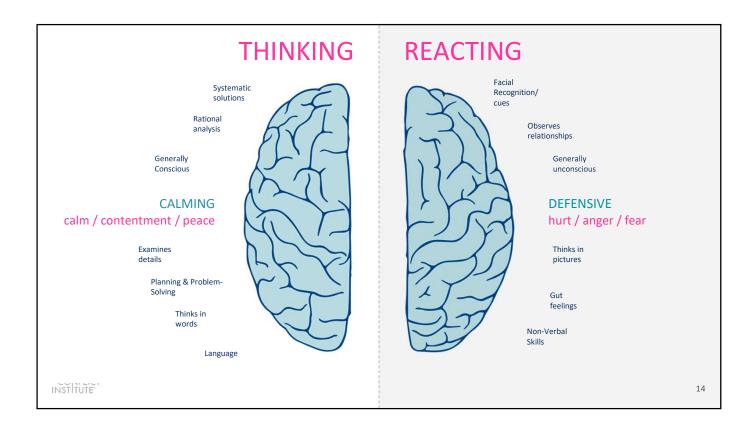
Most of us **absorb their distress** and become distressed and feel **stuck**.

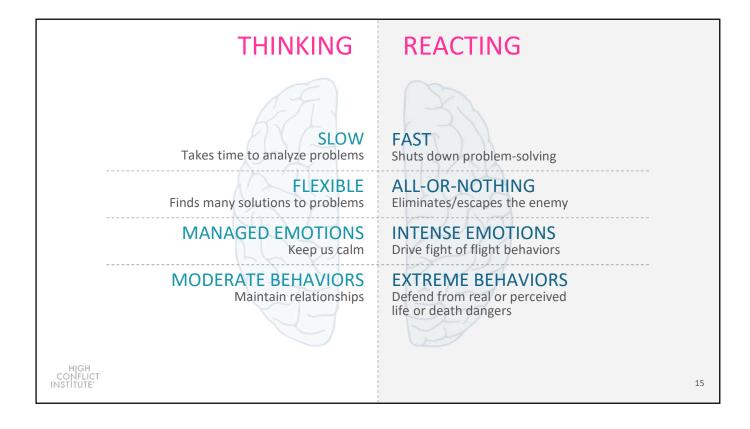
You will likely feel **responsible** for changing their behavior, yet you will feel **helpless**.

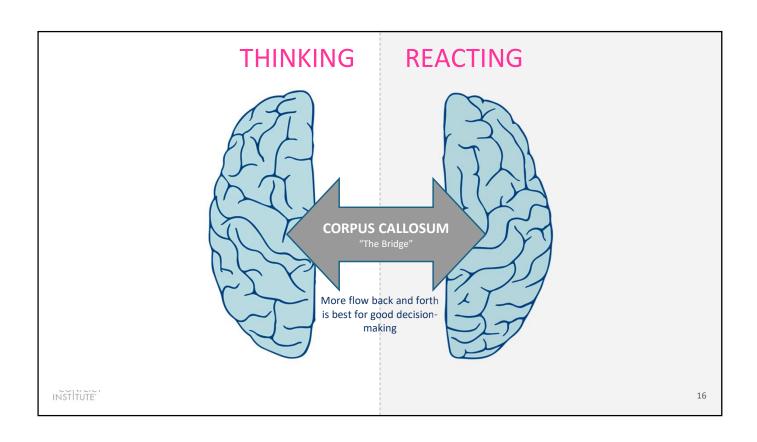
You will **feel** driven to emotionally **engage** with them and **argue** with them, yet it will only escalate the issue.

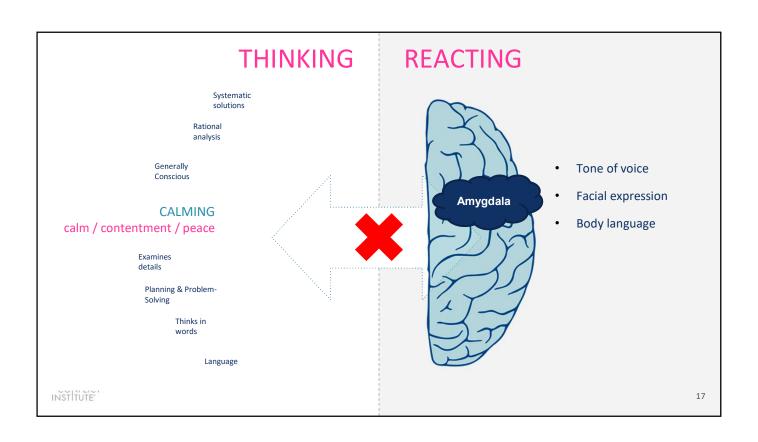
CONFLICT

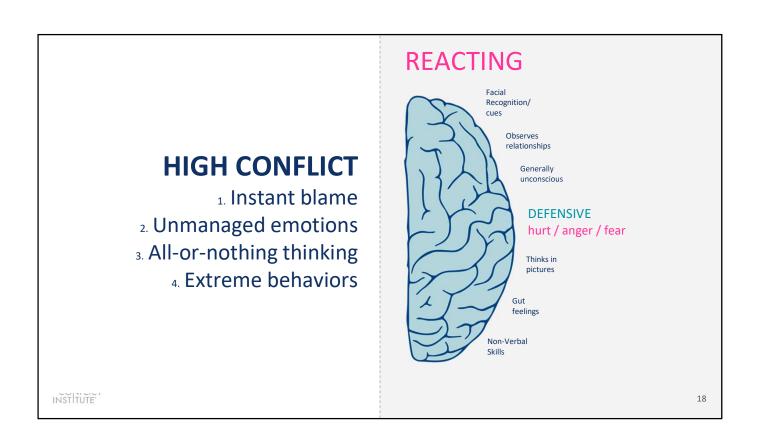


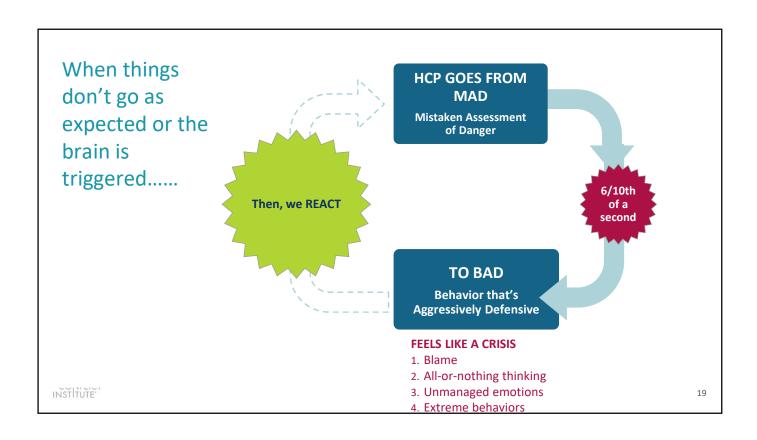


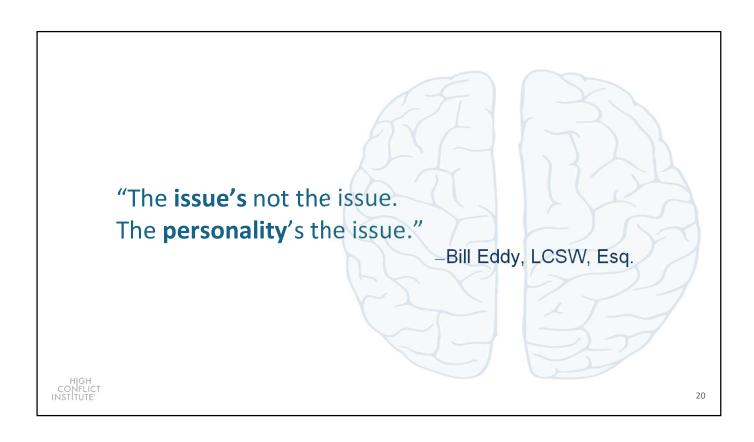














Clusters of Personality Disorders				
Cluster A	ParanoidSchizoidSchizotypal	Tend to avoid people		
Cluster B	BorderlineNarcissisticAntisocialHistrionic	Tend to be high-conflict		
Cluster C	AvoidantDependentObsessive- Compulsive	Tend to avoid conflict		
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Personality Disorders are Interpersonal Disorders

"Antisocial, borderline, histrionic, and narcissistic personality disorders, historically classified as Cluster B (dramatic-emotional-erratic) personality disorders, all showed moderate-to-large and significant associations with **domineeringness**, **vindictiveness**, **and intrusiveness**." (Emphasis added)

Wilson S., Stroud, C. and Durbin, C. Interpersonal Dysfunction in Personality Disorders: A Meta-Analytic Review, *Psychology Bulletin*, July 2017; 143(7): 677-734. doi: 10.1037/bul0000101.



7

Personality Disorders Can Be Blamers

"Personality-disordered patients will often see the difficulties that they encounter in **dealing with other people** or tasks as **external to them**, and generally independent of their behavior or input. They often describe **being victimized by others** or, more globally, **by 'the system**.' Such patients often have little idea about how they ... contribute to their own problems...." (Emphasis added)

Beck, et al, Cognitive Therapy of Personality Disorders. 1990. pp. 5-6.



5 High Conflict Personality Types				
	THEIR DEFAULT			
I need to be SUPERIOR & SEEN AS POWERFUL I'm Very Superior Narcissistic	I need to be ATTACHED Love You/Hate You Borderline	I need to be the CENTER OF ATTENTION Always Dramatic Histrionic	I need to DOMINATE Con Artist Types Antisocial	I need to be SUSPICIOUS I'll Never Trust You Paranoid
THEIR FEAR				
INFERIOR	ABANDONED	IGNORED	DOMINATED	BETRAYED
WHEN FEAR TRIGGERED, THEY REACT WITH/BY BEING:				
DemeaningDemandingInsultingDefensiveSelf-absorbed	Mood swings Rage Intense anger Revenge Manipulation	Attention-seeking Dramatic Superficial & helpless Endless story-telling/talking Exaggerating	Wants to destroy Breaks rules & laws Enjoys hurting people Reckless behavior Lying	 Expect conspiracies Counter-attack first Always worried about being in danger Hyper-vigilant

Fear Type

"I'm Very Superior" Types

Fear of being inferior or powerless

- Believes in a very superior self-image
- Absorbed in self, own needs, own viewpoint
- Feels entitled to special treatment
- Lacks empathy for others
- Uses others to get what they want or get things done

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Specific Tips for "I'm very Superior" Types

- Be respectful and resist insulting them (even though you will be tempted because of their arrogance and insensitivity to others).
- Resist their efforts to receive special treatment. Reassure them they are important, but that you have to follow the rules and policies.
- Praise them for some positive efforts/skills.



Fear Types

"Love You – Hate You" Types

Fear of being abandoned

- Drive to be connected/attached
- Wide mood swings
- Feel intense pain but it comes out as anger with ferocity
- Can have lots of empathy, but not during reactive mode



Specific tips for "Love-You, Hate You" Types

- Listen with empathy. Stay calm and matter-of-fact when they get angry (and they will).
- Keep an arms-length relationship: not too rejecting and not too close
- Have clear boundaries—when you're available and when you're not, etc.
- Be consistent and predictable.



Fear Type

"Always Dramatic" Types

Fears being ignored and left out

- Drive to be center of attention
- Constantly dramatic and theatrical
- Exaggerates and may make up stories
- Difficulty focusing on tasks or making decisions



Specific tips for "Always Dramatic" Types

- Don't get hooked by their stories. You can always interrupt the drama by moving on to another important tasks.
- Plan to spend more time getting ordinary work done with them.
- Emphasize how they can help themselves. Give them a sense of empowerment.



Fear Type

"Con Artist" Types

Fear of being dominated

- Drive to dominate others in weaker positions
- Disregard for social rules and laws
- Constant lying and deception, even when easily caught (they don't keep track of lies)
- Lack of remorse; Some enjoy hurting people



Specific tips for "Con Artist" Types

- Avoid trusting people who say "trust me" a lot. Maintain a healthy skepticism. Ask for documentation.
- Pay attention to your gut feelings—they often are the first to tell you to be wary.
- Sometimes they are dangerous. Don't accept being bullied—get assistance.



Fear Type

"I'll Never Trust You" Types

Fear of being exploited

- Endless doubts about friends, professionals, etc.
- Misinterprets ordinary events or comments as demeaning or threatening
- Bears long-term grudges
- Misperceives others as attacking his/her character, so "counter-attacks" first



Specific tips for "I'll Never Trust You" Types

- Be as non-threatening as possible. Be reassuring, but don't expect them to trust you.
- Don't push them to open up about things. Respect their caution and desire to only reveal what they have to.
- Explain that policies require you to do certain things (so it feels less personal).

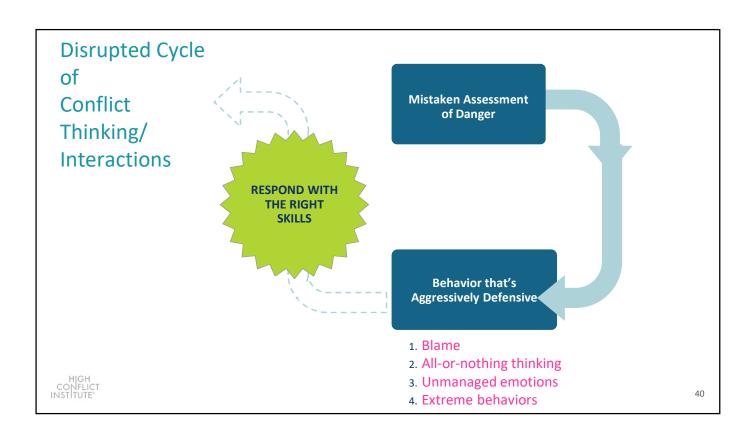


All about you Identifying your conflict style

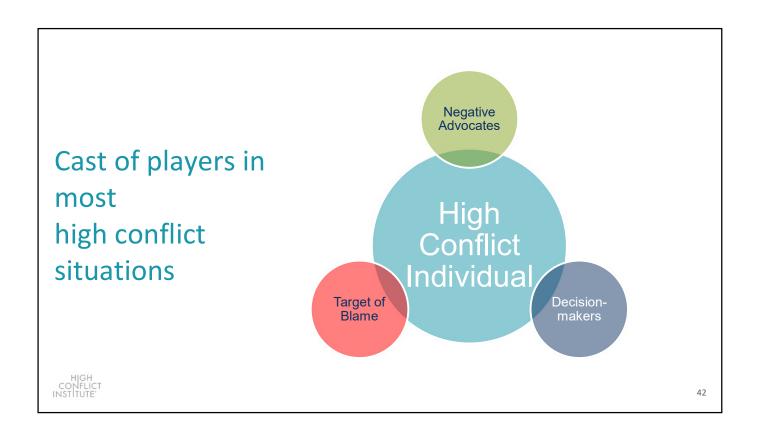


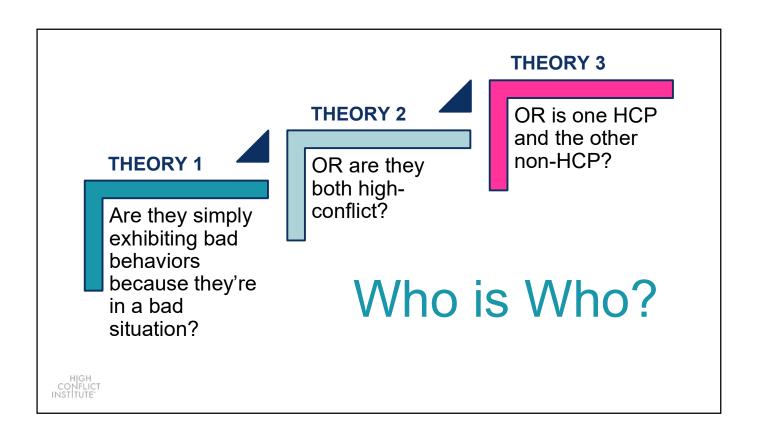
What is your normal response to conflict?			
CONFLICT AVOIDER	CONFLICT COMFORTABLE	ASSERTIVE	
PASSIVE • fly, freeze • people pleaser • easily rolled over • ignore negative behaviors	FIGHTER/EXPLAINER • fight • right fighter • easily hooked • defensive	REASONABLE • problem-solving • objective • information-seeker • calm • emotionally unhooked	
RESULT: Emboldens aggression	RESULT: Escalates conflict	RESULT: Diverts and contains the conflict and makes the person feel safe.	
		When people feel safe, they ³⁸	

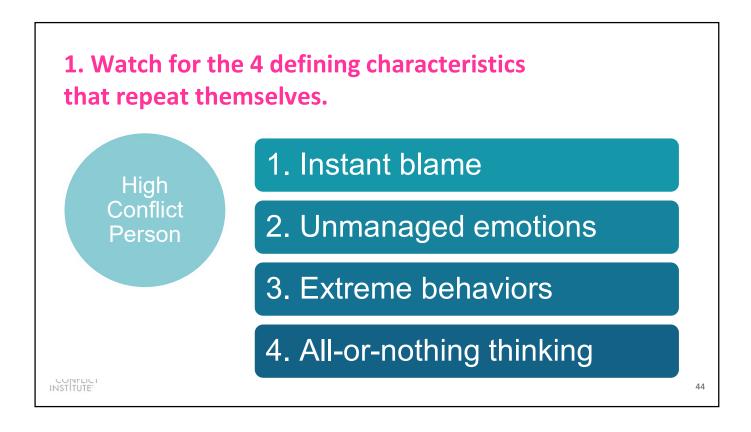












2. Identify high conflict

The WEB Method®

High Conflict Person

THEIR : WORDS :

- all-or-nothing
- targets of blame (blaming everyone)
- make personal attacks against others
- use words like "destroy", "acknowledge", "abandoned", "don't care", "respect/disrespect"

FMOTIONS

- DO YOU HAVE A STRONG EMOTION?
- Do you feel danger or anger?
- Do you feel extreme like/dislike?
- Do you feel confused? Attacked?

THEIR • BEHAVIOR

- Do they do things 90% of people would never do?
 - Lie, cheat, blame, project, make threats, destruct
- Do they give lots of excuses for bad behaviors?
- Are they extremely charming until they get what they want? And then flip.
- Do they lack empathy? Remorse?

45

3. Tells

High Conflict Person

- · Large case file
- Long emails and text strings
- Long filings
- Long stories
- HCP takes 0% of blame and places 100% on other person (Target of Blame)
- Claims to know things definitively
- Allegations of sexual abuse
- Words don't match emotions
- Actions don't match words

INSTITUTE"

Success in High Conflict Situations



Your focus needs to be on **your interactions** with the individual, rather than the outcome.

The Paradox

When you focus on the interactions rather than the outcome, you are more likely to get good outcomes.



2 Important Things to Remember

- 1. Must do the opposite of what you *feel* like doing and what you're *used* to doing.
- 2. When confronted with conflict, build a team against the problem instead of you against me.



OVERARCHING PRINCIPLES

For Dealing with Aggression and High Conflict Situations

C.A.R.S. Method®

- 1. CONNECT
- 2. ANALYZE
- 3. RESPOND
- 4. SET LIMITS

49

Connect

Connect with the reactive brain to calm the person, by using statements that show:

Empathy
Attention
Respect

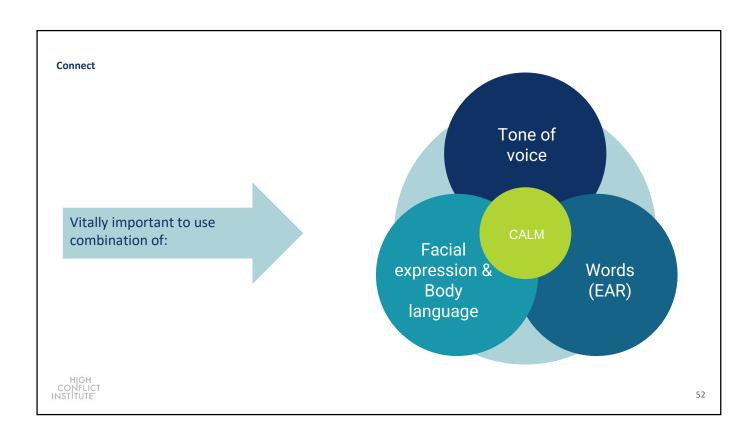


Calm_{B4Think}

EXAMPLE of an EAR Statement:

"I can appreciate your frustration – this is a very impactful thing in your life. Don't worry, I will pay full attention to your concerns about this issue. I have a lot of respect for your commitment to solving this problem."





Connect



Use EAR to calm FEAR

WORDS	TONE OF VOICE	BODY & FACE	
WHEN YOU HEAR: "I'm being treated differently", respond with EAR: I respect what you're saying I'm paying attention I hear you That certainly sounds difficult Tell me more Let's see if we can figure this out	calmmatter-of-factconfidentkind	 eye contact (when culturally appropropriate) non-threatening posture attention cock head to one side/lean in smile 	
Avoid: • interrupting • making it too long • dishonesty	Avoid: escalating volume sarcastic /dismissive tone condescending tone	Avoid: • rolling your eyes • smacking your forehead • turning away	
TIP: If you can't think of something, just SSN (Smile/Shut-up/Nod) until you can			

What to say (EAR Statements)				
SUPERIOR ****** INFERIOR	ATTACHED ******* ABANDONED	ATTENTION ******* IGNORED	DOMINATING ******* DOMINATED	HYPERVIGILANT ****** BETRAYED
WHEN THE PERSON SAYS:				
I don't deserve this treatment! Do you know who I am? You disrespected me! You're a moron! I AM NOT A BULLY!	You don't care! Ilove you! I hate you! You abandoned me! Ifeel so alone/ disconnected/ abandoned You are soooo amazing! I can hear it in your tone of voice!	You've ignored my requests! No one pays attention to me. Ifeel completely lost. I can't decide. Quit being so dramatic!	Isent it in. You figure it out. You are clearly a loser. Prove it!! You never sent me anything. Who me? I would NEVER do that!	I know you've deleted my records so I can't prove my case. The look on your face tells me everything. You've taken advantage of me. You betrayed me.
		YOU SAY AN EAR STATEMENT:		
SHOWS RESPECT I respect your efforts to It doesn't feel good to feel disrespected, so let's I'd like to hear about your experience / perspective. Tell me more.	IS CONNECTING Ah, it'll be okay I can acknowledge That must be difficult I do care about helping you I want to helplet's see how I can do that for you. Would that be okay?	GIVES ATTENTION I'm paying attention I'll make this a priority I'm listening What you have to say is important That sounds really interesting	DOESN'T FEEL DOMINATING Ah look, we may never know the full story without evidence but let's see what we can do I respect how much you want to get this wrapped up / your commitment	NOT TOO PRYING I see what you're sayinglet's take look. Help me understand what you think I should know. I don't want to pryl just want to help.
WHICH CALMS THE PERSON				

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55

Analyze

Shift to the **thinking** brain to get the person thinking by:

- analyzing options
- asking questions to focus the person on a choice
- asking for proposals or giving them propopals
- Providing information



CalmB4Think

EXAMPLE of a Shift:

"Let's think about this for a moment. Do you have a pen and paper? If you do, let's go through the **options** for going forward."

Analyze

Focus the person choices

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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.

57

Analyze

Focus the person on analyzing options.

CALMEAR Statement

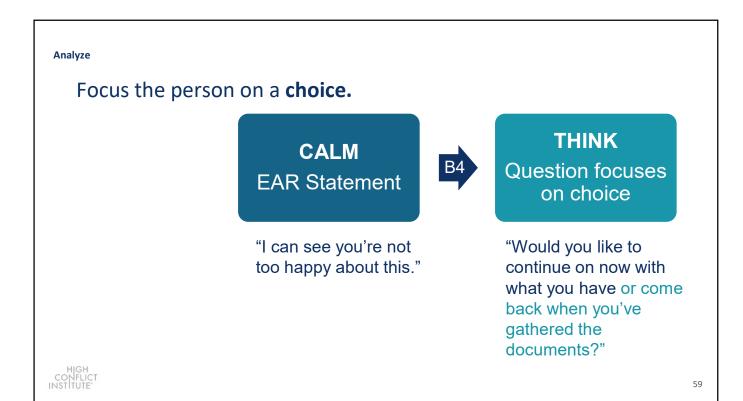
"Oh wow, that does sound challenging."



THINK Options

"Let's go through the options here. What options can you think of for going forward?"

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Analyze

Provide some information.

CALMEAR Statement

"I get that you'd like to not have to deal with all this paperwork and reporting."



THINK

Provide Information

"Maybe this info can help. The way our laws are set up, we have to submit these reports to the agency annually. They set the rules and we do our best to abide by them so we can help helping as many people as possible."



6

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Responding to Conflicted Information

Rather than criticize or dispute inaccurate information, simply state the accurate information and focus on that.

Example:

"Actually, the laws and tribunal procedures are designed to treat everyone fairly and we make every effort to do so."

Acknowledge respect for each party's point of view.

Example:

"You might be right: What you are saying may be truthful and accurate, and the other party may be inaccurate or misleading. I will never know for sure. At this point the other party's information appears to me to be more credible and I am required to make these orders."



63

Respond

- 1. Decide if you need to respond.
- 2. If yes, then write your response.
- 3. BIFF it.
- 4. Check for the 3 A's.
- 5. BIFF it again.
- 6. Send it.





Respond

Brief

Keep it brief

- 2-5 sentences
- Avoid giving too many words for them to react to
- Long responses open the door to more back-and-forth exchanges and trigger more upsets and blame

65

Respond

nformative

Stick to the facts

- Straight, useful, neutral information
- Avoid:
 - opinions
 - blame
 - trying to give them insight about their attitude
 - defending yourself
 - arguments
- Start second sentence with:
 - "I've provided some information below."

Respond

C riendly

Think "civil"

Hard to do when you're feeling attacked

- Friendly greeting
 - Good morning/afternoon
 - Dear _____,
 - · Hi .
- Friendly first sentence that makes it about them:
 - Thanks for your feedback.
 - Thanks for your email/information.
 - Thanks for bringing this to my attention.
- Friendly closing
 - Best wishes,
 - Have a good weekend,
 - Kind regards,

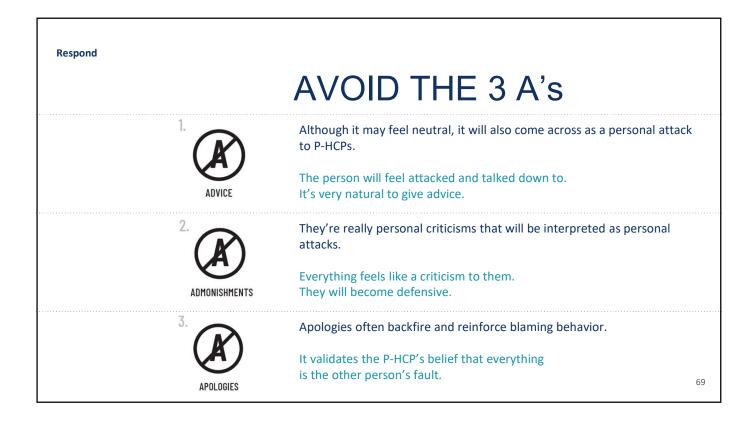
67

Respond

F irm

Resolve the issue and remove the hooks.

- Option 1: when you don't need a response:
 - Close it firmly in the last sentence with something like "have a nice weekend."
- Option 2: when you need a response
 - Last sentence should be a question that focuses them on a choice (instead of an open-ended question)



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

It depends on:

- 1. The BIFF writer
- The BIFF reader
- 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**.



Lawyer & Client

Dear Mr. Smith:

I still have not received my copy of the settlement proposal that my wife's attorney sent you last week. She has had it and you have had it, but NEVER A COPY TO ME!!! You are irresponsible and unethical. And don't try to tell me you were busy with more important clients!

You have not been protecting me at all from my wife's lawyer's manipulations. She's running circles around you. I'm starting to wonder who wears the pants in your family! Are you competent or not!

Your disgruntled client



Lawyer & Client

Dear Client:

Thank you for calling my attention to this oversight. My assistant was out sick on Friday. Here is a copy of the settlement proposal attached.

Let me know when you have read it and are ready to discuss it.

Best wishes, Mr. Smith



Is this a BIFF Response?

Lawyer to Lawyer

Hey Bill!

Do you know what your client did this weekend???

He cut off my client's cell phone service!! On the weekend when the office was closed for re-instating service. It's outrageous that you cover up for him and defend him. Unless you do something about this right away, I'm going back to court for an emergency order. You need to do something about this NOW!!!

Fred Jones, Esq.



Lawyer to Lawyer

Hi Fred:

I checked with my client. He said that he sent your client an email two weeks ago stating that he was no longer paying for her cell phone service, effective the 1st of the month, because he has begun paying her \$3000 per month support according to the court order. I have attached a copy of his email.

Please check things out before you hysterically jump to conclusions that my client is always doing something wrong.



Is this a BIFF Response?

Lawyer to Lawyer

Hi Fred:

I checked with my client. He said that he sent your client an email two weeks ago stating that he was no longer paying for her cell phone service, effective the 1st of the month, because he has begun paying her \$3000 per month support according to the court order. I have attached a copy of his email.

Very truly yours, Bill



Is this a BIFF Response?

Mediator & Disgruntled Client

Dear Mediator,

You met with us on Sept. 9th for our divorce mediation and we scheduled another meeting for Oct. 15th. We are now cancelling that meeting, because both my wife and I (and my attorney) believe that you did not govern our mediation properly. You allowed many criticizing and blaming comments to be made and we accomplished nothing. I paid for the mediation session and I would like my money back. Please respond promptly. We have found another mediator who does it correctly.

Sincerely, Very disgruntled client



Mediator & Disgruntled Client: Draft Mediator Response

Dear Client:

Thank you for letting me know how upset you were about our mediation session and that you are cancelling the next session.

Please read my policy that there are no refunds for services rendered. It's in my contract you signed. You should be attentive to what you sign and keep a copy.

Good luck with your new mediator.

Sincerely, Mediator



Is this a BIFF Response?

Mediator & Disgruntled Client: 2nd Mediator Response

Dear Client:

Thank you for your letter expressing your concerns about our mediation session. After doing about a thousand mediation cases, I have learned that people have different styles. I am glad that you have found a mediator that fits you. Best wishes in completing your divorce.

Sincerely, Mediator



Is this a BIFF Response?

Email from constituent/stakeholder

Haven't you punished me enough. Your evil as the system. Don't know how you sleep at night. I've jumped through your hoops for nothing and now you want to punish me even more. I'm tempted to report you to the governing authorities. Why can't you sort out my situation with the agency. Now you insist on more proof and more nonsense that I have to provide. I shouldn't have to keep providing proof—I've provided plenty. Do your job. I don't trust anything you send or say or do. I'm no threat to you I wish you no harm but you make me sick.



Practice

Write it BIFF it

Is it a BIFF Response?

- √ Is a response necessary?
- √ Is it Brief?
 - 2-5 sentences
- √ Is it Informative?
 - blame, opinions, defensiveness, argument
- √ Is it Friendly?
 - friendly greeting
 - friendly tone
 - friendly close
- √ Is it Firm?
 - if reply required, does it end with focusing on a choice?
 - if no reply required, does it close firmly?
- ✓ Advice? Admonishments? Apologies?

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BOOK: BIFF for Lawyers and Law Firms Coming January 2024





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Set limits

High Conflict People don't stop themselves, so you have to.

The approach you use will largely determine whether you remain a Target of Blame.

They can't **stop** themselves due to the **internal distress** that feels life or death. It feels like a **crisis** that must be handled *right now*.

Little self-control, more impulsive and **less aware** of the impact of their behavior on others.

They do not connect **realistic consequences** to their own actions, especially fear-based actions.

The approach you use will largely determine whether you remain a Target of Blame.

83

Set limits

What to avoid

Avoid:

- making it personal
- negative feedback
- past behaviors

Avoid:

- threats
- criticisms
- challenges

Set limits

Focus on external reasons instead of focusing on negative feedback.

Focus on <u>external reasons</u> instead of focusing on negative feedback.

- "[EAR] I hear what you're saying and I wish it could be different—I really do;
 [LIMIT] however, we're bound by the regulations set up by the federal government."
- [LIMIT] "The laws that govern our agency state that ..."
- "[EAR] As much as I'd like to help, [LIMIT]
 per our policies, I cannot backdate the
 document"

85

Set limits

How to set limits

Three ways

Set the limit with EAR by:

- 1. Telling them what **you** are going to do
- 2. Tell them what they should not do
 - -make the reason for the limit something **external** instead of personal
- 3. Educate them about consequences

CONFLICT

Set limits

Setting limits

Also means providing Structure



Structure

- Your interactions
- Your meetings
- Have simple but clear policies

Example" "We're only going to have 30 minutes and I want to get as much done for you in that time, so here's how it'll go best. Give me a 5-minute rundown of your story, and then I'll walk us through the steps. I'll have some questions for you, and then I'll leave the last 5 minutes for questions.

Set limits

Setting limits

Also means providing Structure

Structure

- Your "formal" meetings
 - Have an agenda and review it with them at beginning
 - When they go off track, bring them back to the agenda item you're actually on.
 - Provide some encouragement and praise along the way like, "we're almost there".
 - o Give them some hope.

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Conflict is inevitable. A safe culture of managing conflict is created by continuing to use empathy, attention and respect *while* assertively setting limits and providing consequences.

-Bill Eddy, LCSW, Esq.



89

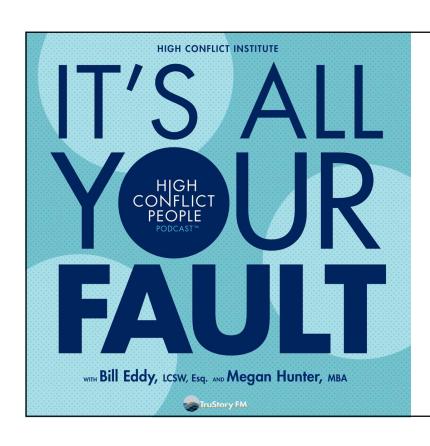
Training for Professionals in New Ways methods to use with your clients.







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