



# How to Defuse a High Conflict Situation Before it Blows Up

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Bar Association  
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## 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.**



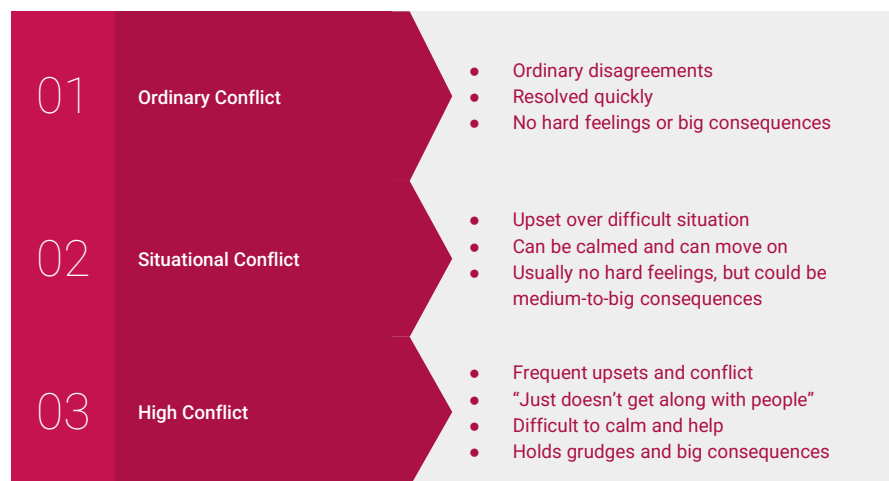
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Overarching principles  
of today's training:

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

# High Conflict Defined

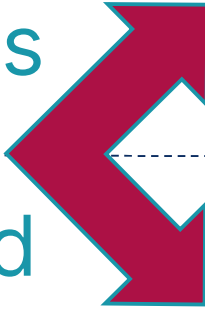




### Conflict Spectrum

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

When things  
don't go  
as expected



- **PROBLEM-SOLVE IT**
- **LET IT GO**
- **MOVE ON**

- **HAVE A MELTDOWN**
- **BLAME SOMEONE**
- **DO SOMETHING EXTREME**

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## 4 Defining Characteristics Of the High Conflict Personality

1. Automatic blaming thought

2. Unmanaged emotions

3. Extreme behaviors

4. All-or-nothing thinking

Conflict Spectrum

LOW MEDIUM HIGH

flexible / able to compromise high / uncompromising

self-reflect

empathy

responsibility

criticism

treatment

behaviors

anger/upsets

## High Conflict Personality Is NOT a Diagnosis

IT'S A DESCRIPTION OF A PATTERN OF CONFLICT BEHAVIOR

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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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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

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# 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

All-or-nothing thinking

All good/all bad; best/worst; winner/loser

# Therefore:

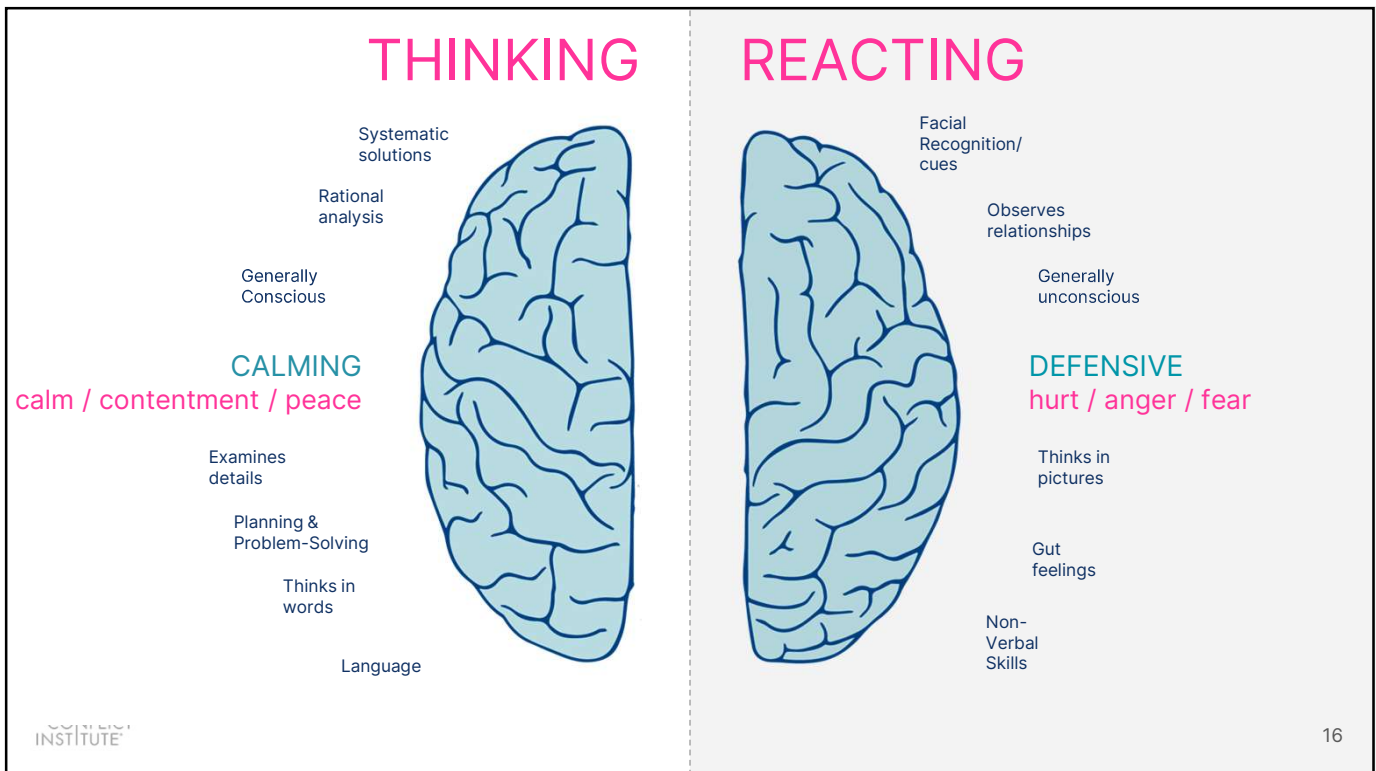
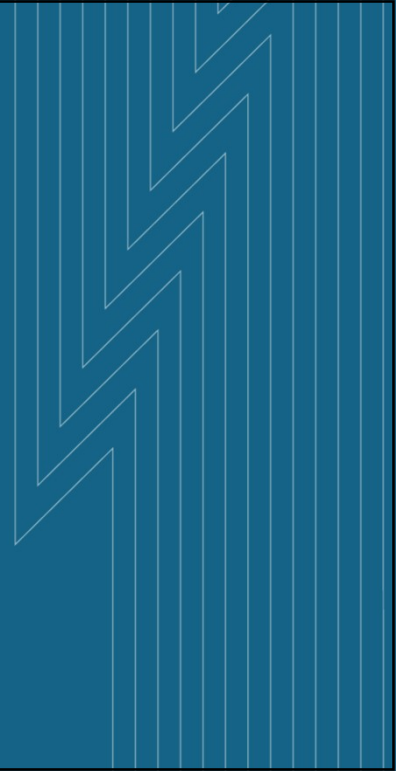
They do **not take responsibility** for own actions.

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

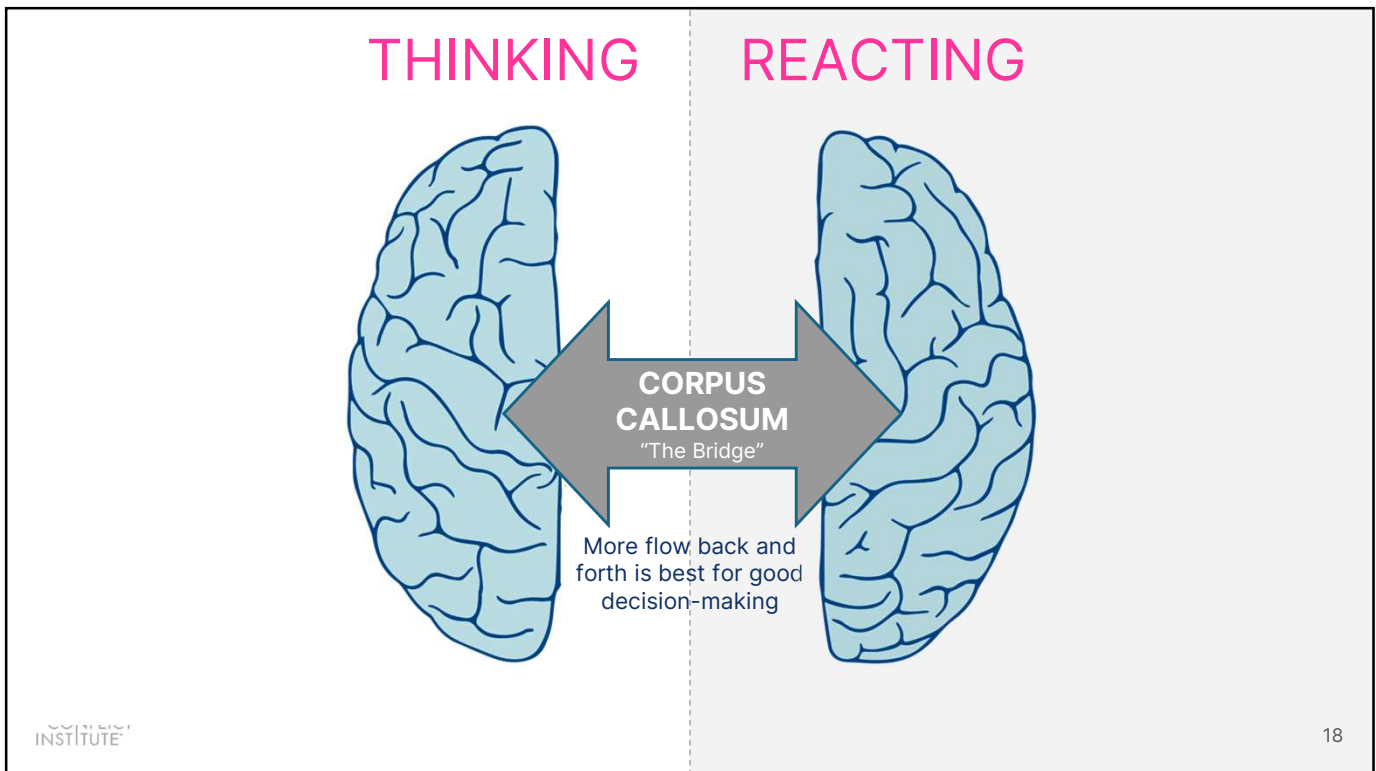
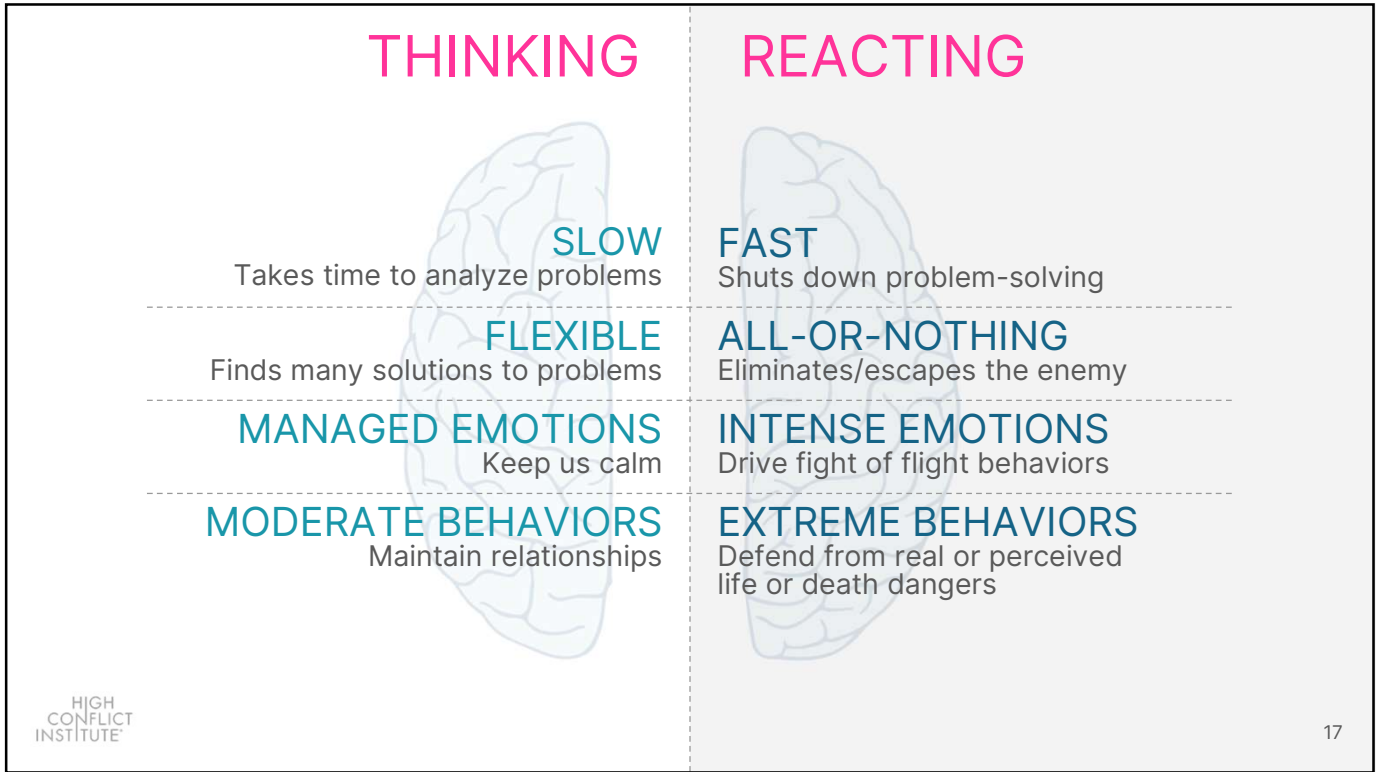
You will likely feel **responsible** for changing their behavior, yet you will feel **helpless**.

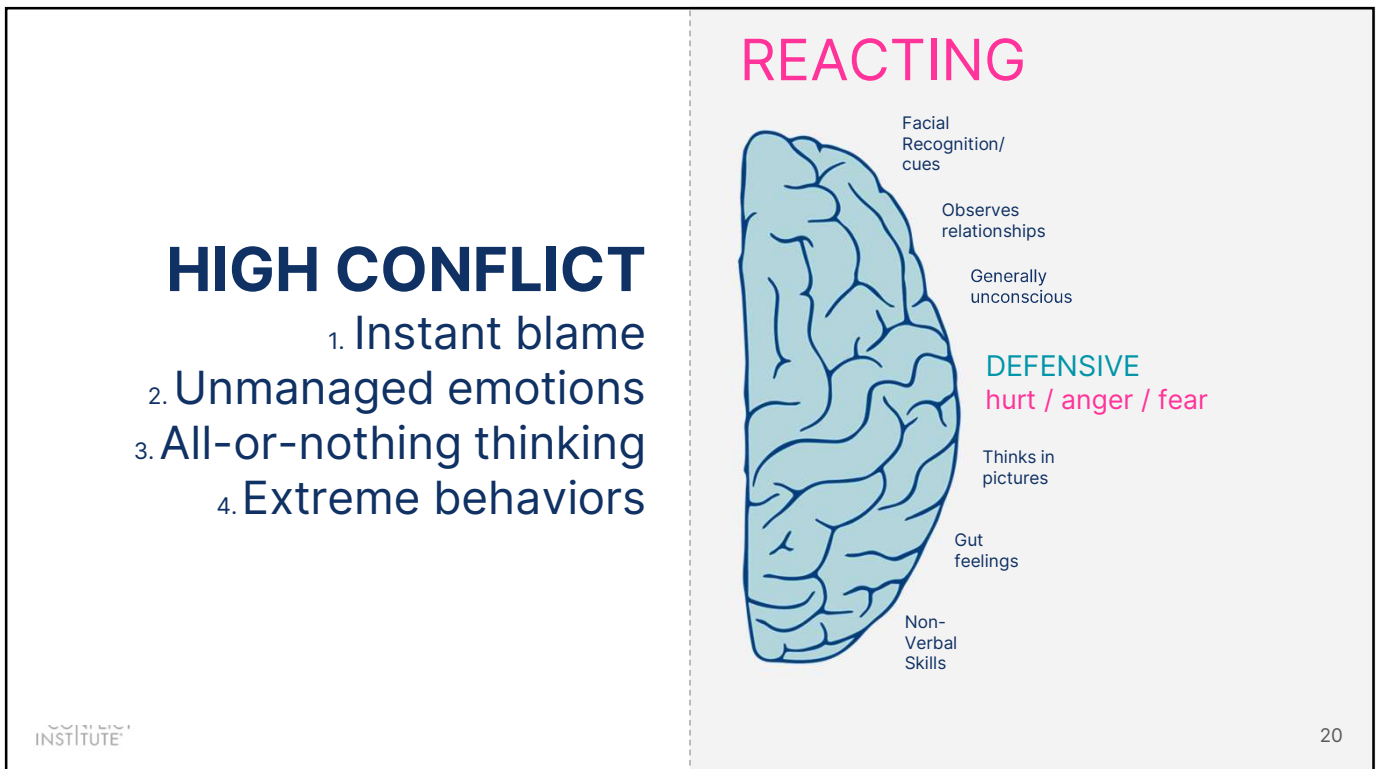
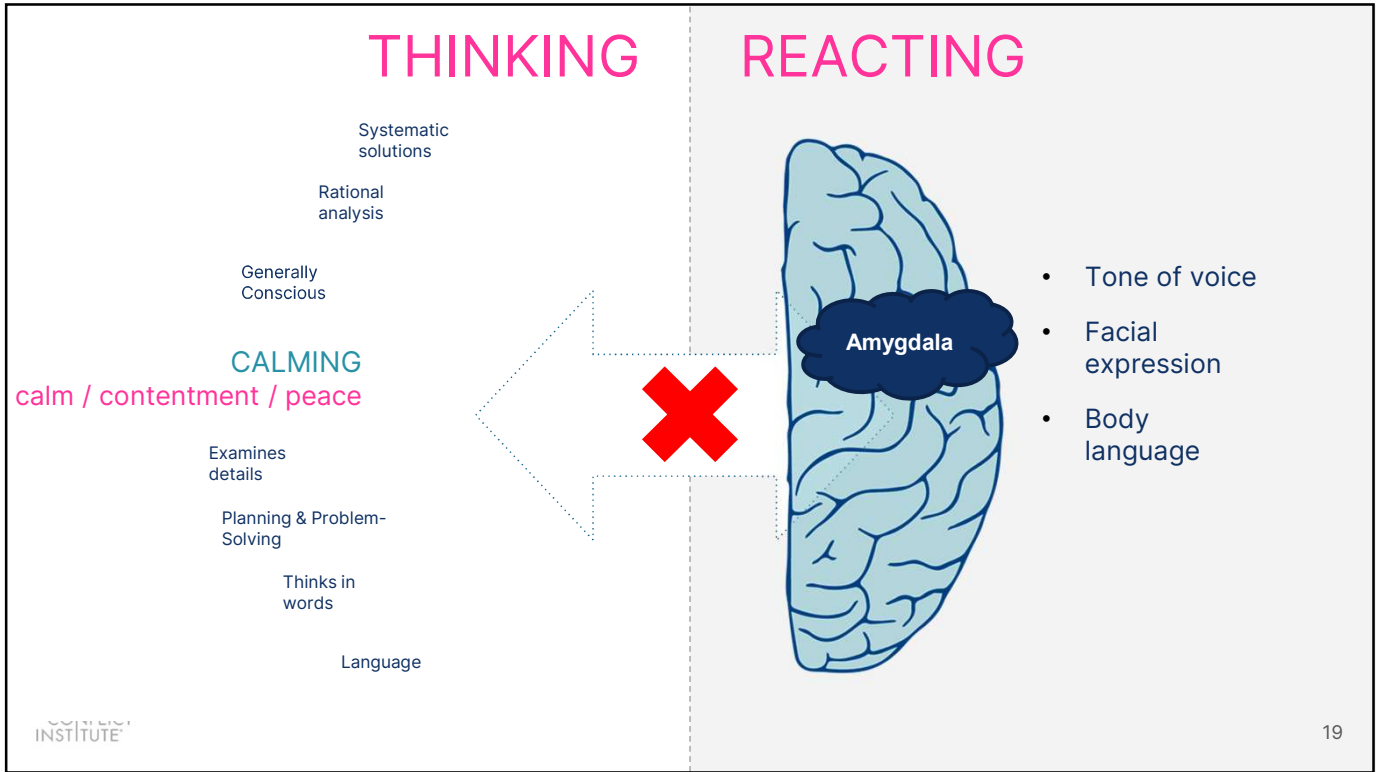
You will **feel** driven to emotionally **engage** with them and **argue** with them, yet it will only escalate the issue.

# The Conflict Brain

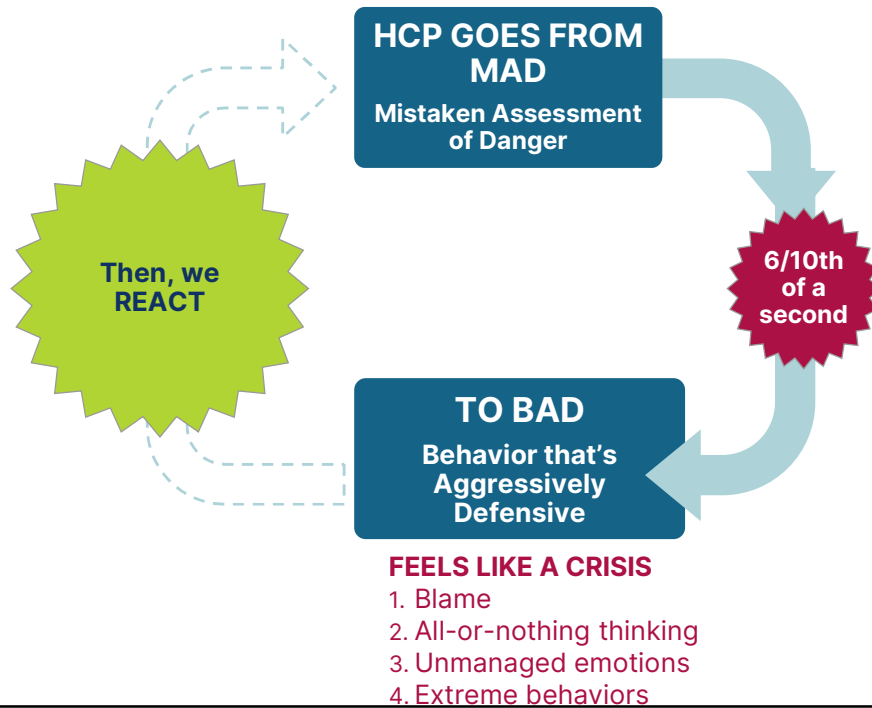








When things don't go as expected or the brain is triggered.....



Therefore,  
those with  
high conflict  
personalities (and  
some situationally  
upset people):

Do **not** take responsibility  
for own actions.

Get **satisfaction** from conflict

Approach situations as a **victim** and  
have zero insight into their behavior

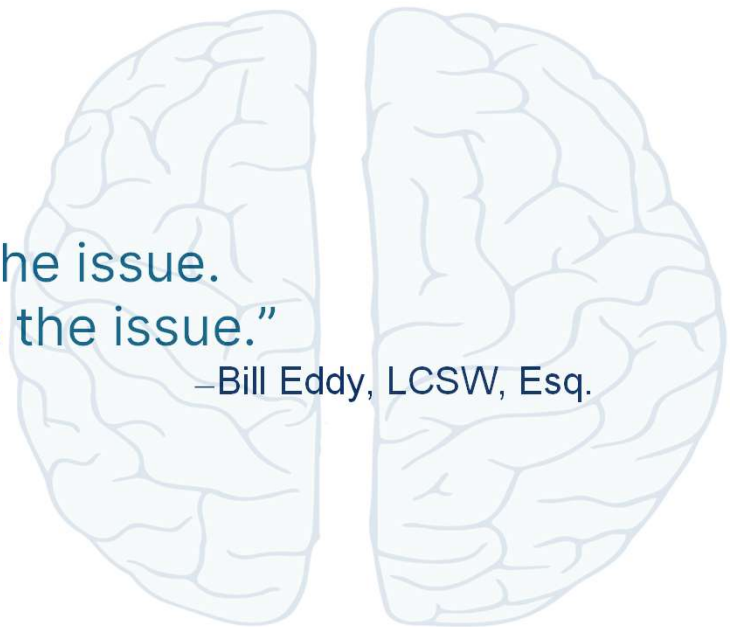
Don't **stop** themselves.

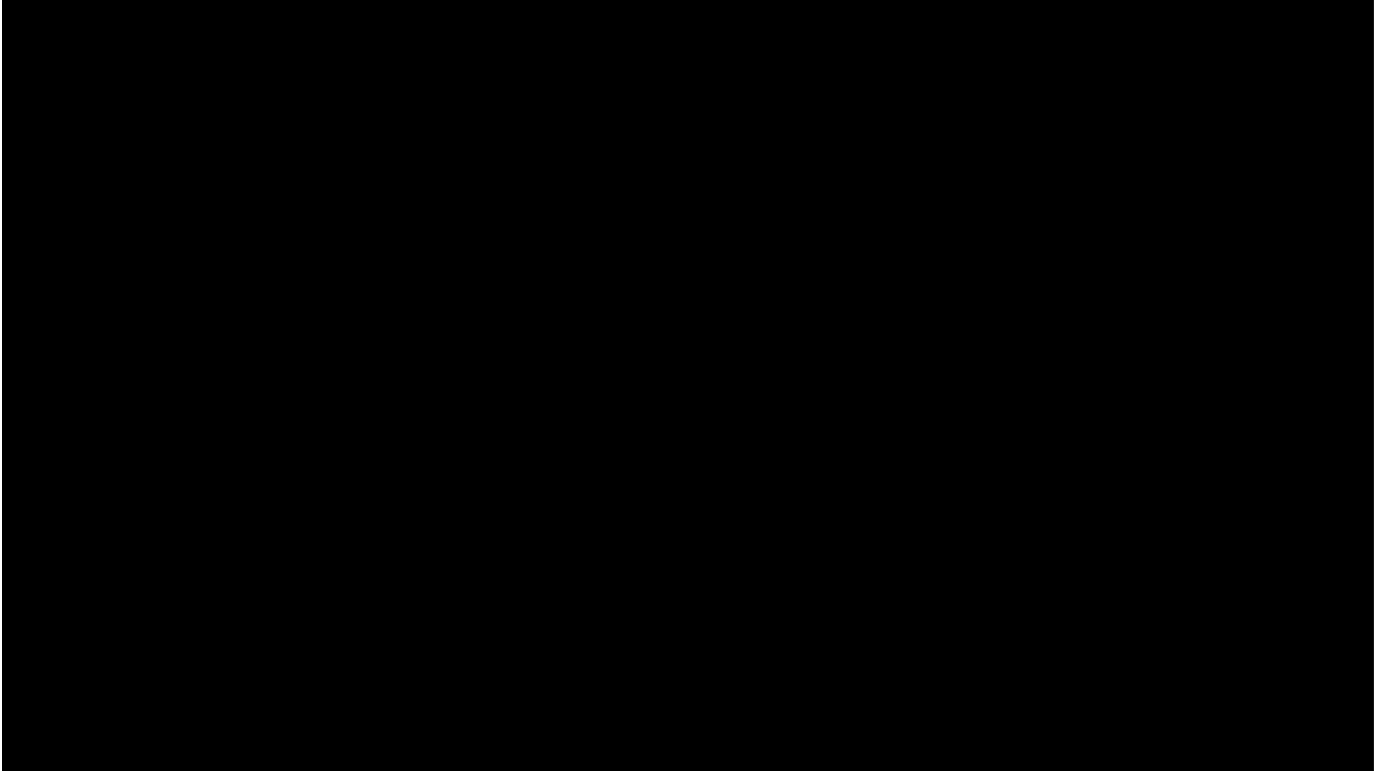
And, we may:

- **absorb their distress** and become distressed and feel **stuck**.
- feel **responsible** for changing their behavior, yet you will feel **helpless**.
- feel driven to emotionally **engage** with them and **argue** with them, yet it will only escalate the issue.

“The **issue’s** not the issue.  
The **personality’s** the issue.”

–Bill Eddy, LCSW, Esq.





# 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:

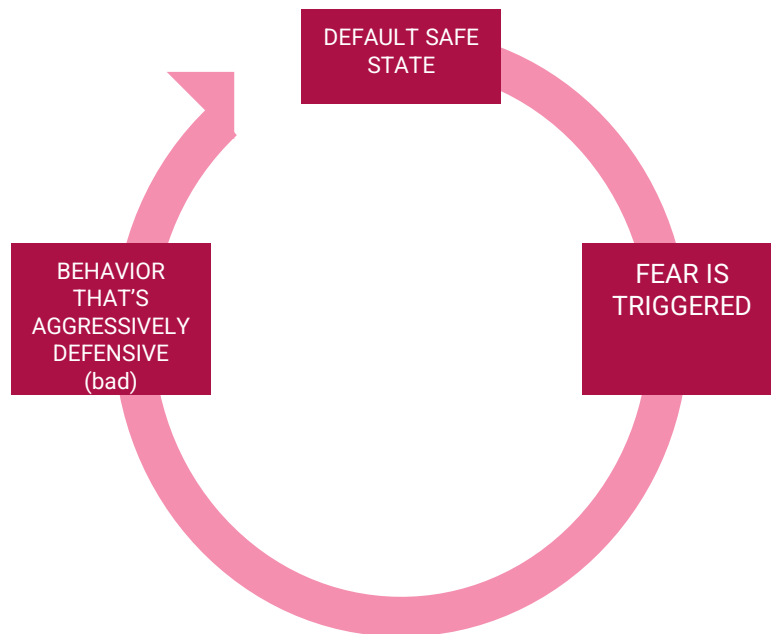
- Demeaning
- Demanding
- Insulting
- Defensive
- Self-absorbed

- Mood swings
- Rage
- Intense anger
- Revenge
- Manipulation

- Attention-seeking
- Dramatic
- Superficial & helpless
- Endless story-telling/talking

- 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



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## Fear Type

“I’m Very Superior” Types

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### 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

## 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.

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## Fear Types

“Love You – Hate You” Types

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### 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.

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## Fear Type

“Always Dramatic” Types

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### 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.

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## Fear Type

“Con Artist” Types

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### 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.

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## Fear Type

“I’ll Never Trust You” Types

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### 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).

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# All about you

## Identifying your conflict style

Easy to get emotionally hooked in high conflict situations.



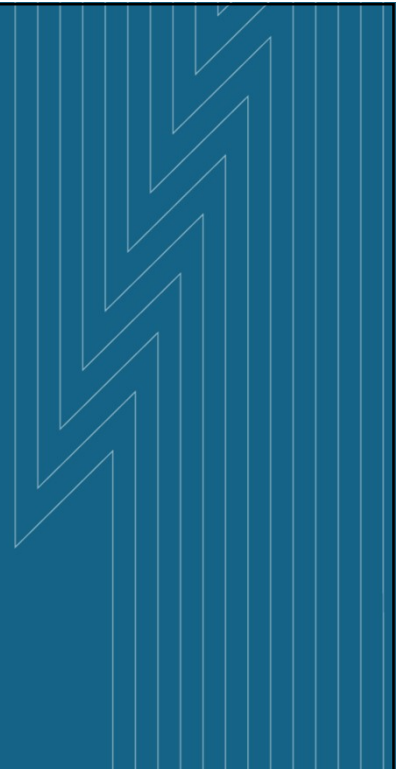
## What is your normal response to conflict?

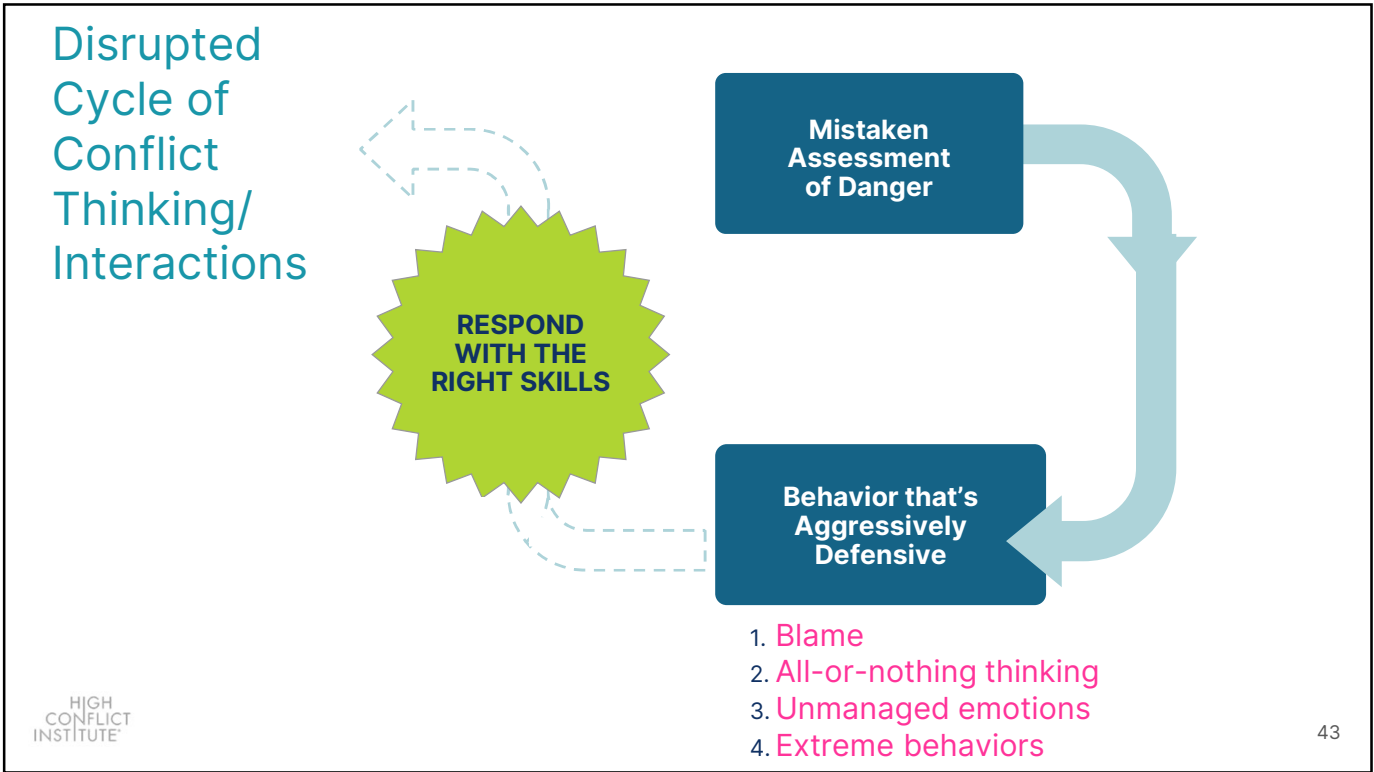


PASSIVE	AGGRESSIVE	ASSERTIVE
<p><b>CONFLICT AVOIDER</b></p> <ul style="list-style-type: none"> <li>• fly, freeze</li> <li>• people pleaser</li> <li>• easily rolled over</li> <li>• ignore negative behaviors</li> </ul>	<p><b>FIGHTER/EXPLAINER</b></p> <ul style="list-style-type: none"> <li>• fight</li> <li>• right fighter</li> <li>• easily hooked</li> <li>• defensive</li> </ul>	<p><b>REASONABLE</b></p> <ul style="list-style-type: none"> <li>• problem-solving</li> <li>• objective</li> <li>• information-seeker</li> <li>• calm</li> <li>• emotionally unhooked</li> </ul>
<p>RESULT: Emboldens aggression</p>	<p>RESULT: Escalates conflict</p>	<p>RESULT: Diverts and contains the conflict and makes the person feel safe.</p> <p>When people feel safe, they develop trust.</p>

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# High-Conflict Strategies





### What to avoid

<b>1</b> Trying to give them insight	<b>Instead,</b> adapt your approach
<b>2</b> Focusing on the past	<b>Instead,</b> focus on the future
<b>3</b> Emotional confrontations or asking about emotions	<b>Instead,</b> stay matter-of-fact
<b>4</b> Telling them they have a high conflict conflict personality	<b>Instead,</b> focus on what to do

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# Cast of players in most high conflict situations



## THEORY 1

Are they simply exhibiting bad behaviors because they're in a bad situation?

## THEORY 2

OR are they both high-conflict?

## THEORY 3

OR is one HCP and the other non-HCP?

# Who is Who?

# 1. Watch for the 4 defining characteristics that repeat themselves.



- 1. Instant blame
- 2. Unmanaged emotions
- 3. Extreme behaviors
- 4. All-or-nothing thinking

# 2. Identify high conflict



## The WEB Method®

<b>THEIR WORDS</b>	<ul style="list-style-type: none"> <li>▪ all-or-nothing</li> <li>▪ targets of blame (blaming everyone)</li> <li>▪ make personal attacks against others</li> <li>▪ use words like “destroy”, “acknowledge”, “abandoned”, “don’t care”, “respect/disrespect”</li> </ul>
<b>YOUR EMOTIONS</b>	<ul style="list-style-type: none"> <li>▪ <b>DO YOU HAVE A STRONG EMOTION?</b></li> <li>▪ <b>Do you feel danger or anger?</b></li> <li>▪ <b>Do you feel extreme like/dislike?</b></li> <li>▪ <b>Do you feel confused? Attacked?</b></li> </ul>
<b>THEIR BEHAVIOR</b>	<ul style="list-style-type: none"> <li>▪ Do they do things 90% of people would never do? <b>Lie, cheat, blame, project, make threats, destruct</b></li> <li>▪ Do they give lots of excuses for bad behaviors?</li> <li>▪ Are they extremely charming until they get what they want? And then flip.</li> <li>▪ Do they lack empathy? Remorse?</li> </ul>



### 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

## 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**

Connect

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

**Empathy**  
**Attention**  
**Respect**

# CalmB4Think

**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

## THEIR FEAR

Feeling *inferior*

Feeling *abandoned*

Feeling *ignored*

Feeling *dominated*

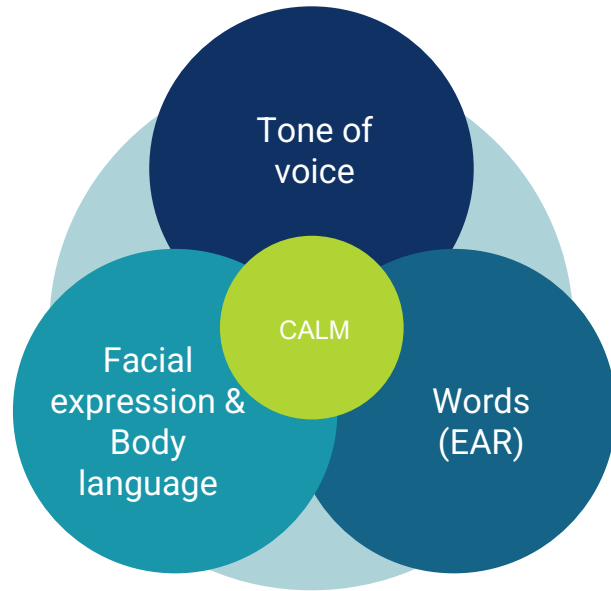
Feeling *betrayed*

## YOUR EAR RESPONSE

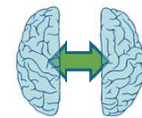
- I want to help you
- I respect your efforts
- I’ll pay attention
- I’ll listen
- Let’s see what we can do here
- I understand this can be frustrating
- I’ll work with you on this
- I know this can be confusing
- Tell me more

Connect

Vitally important to use combination of:



Connect



## Use EAR to calm FEAR

WORDS	TONE OF VOICE	BODY & FACE
<p><b>WHEN YOU HEAR: "I'm being treated differently", respond with EAR:</b></p> <ul style="list-style-type: none"> <li>• I respect what you're saying</li> <li>• I'm paying attention</li> <li>• I hear you</li> <li>• That certainly sounds difficult</li> <li>• Tell me more</li> <li>• Let's see if we can figure this out</li> </ul>	<ul style="list-style-type: none"> <li>• calm</li> <li>• matter-of-fact</li> <li>• confident</li> <li>• kind</li> </ul>	<ul style="list-style-type: none"> <li>• eye contact (when culturally appropriate)</li> <li>• non-threatening posture</li> <li>• attention</li> <li>• cock head to one side/lean in</li> <li>• smile</li> </ul>
<p>Avoid:</p> <ul style="list-style-type: none"> <li>• interrupting</li> <li>• making it too long</li> <li>• dishonesty</li> </ul>	<p>Avoid:</p> <ul style="list-style-type: none"> <li>• escalating volume</li> <li>• sarcastic /dismissive tone</li> <li>• condescending tone</li> </ul>	<p>Avoid:</p> <ul style="list-style-type: none"> <li>• rolling your eyes</li> <li>• smacking your forehead</li> <li>• turning away</li> </ul>

TIP: If you can't think of something, just SSN (Smile/Shut-up/Nod) until you can

What to say (EAR Statements)				
<b>SUPERIOR</b> ***** <b>INFERIOR</b>	<b>ATTACHED</b> ***** <b>ABANDONED</b>	<b>ATTENTION</b> ***** <b>IGNORED</b>	<b>DOMINATING</b> ***** <b>DOMINATED</b>	<b>HYPERVIGILANT</b> ***** <b>BETRAYED</b>
<b>WHEN THE PERSON SAYS:</b>				
<ul style="list-style-type: none"> <li>I don't deserve this treatment!</li> <li>Do you know who I am?</li> <li>You disrespected me!</li> <li>You're a moron!</li> <li>I AM NOT A BULLY!</li> </ul>	<ul style="list-style-type: none"> <li>You don't care!</li> <li>I love you! I hate you!</li> <li>You abandoned me!</li> <li>I feel so alone/ disconnected/ abandoned</li> <li>You are soooo amazing!</li> <li>I can hear it in your tone of voice!</li> </ul>	<ul style="list-style-type: none"> <li>You've ignored my requests!</li> <li>No one pays attention to me.</li> <li>I feel completely lost.</li> <li>I can't decide.</li> <li>Quit being so dramatic!</li> </ul>	<ul style="list-style-type: none"> <li>I sent it in. You figure it out.</li> <li>You are clearly a loser. Prove it!!</li> <li>You never sent me anything.</li> <li>Who me? I would NEVER do that!</li> </ul>	<ul style="list-style-type: none"> <li>I know you've deleted my records so I can't prove my case.</li> <li>The look on your face tells me everything.</li> <li>You've taken advantage of me.</li> <li>You betrayed me.</li> </ul>
<b>YOU SAY AN EAR STATEMENT:</b>				
<b>SHOWS RESPECT</b> <ul style="list-style-type: none"> <li>I respect your efforts to...</li> <li>It doesn't feel good to feel disrespected, so let's...</li> <li>I'd like to hear about your experience / perspective.</li> <li>Tell me more.</li> </ul>	<b>IS CONNECTING</b> <ul style="list-style-type: none"> <li>Ah, it'll be okay..</li> <li>I can acknowledge ...</li> <li>That must be difficult...</li> <li>I do care about helping you...</li> <li>I want to help...let's see how I can do that for you. Would that be okay?</li> </ul>	<b>GIVES ATTENTION</b> <ul style="list-style-type: none"> <li>I'm paying attention</li> <li>I'll make this a priority</li> <li>I'm listening</li> <li>What you have to say is important</li> <li>That sounds really interesting</li> </ul>	<b>DOESN'T FEEL DOMINATING</b> <ul style="list-style-type: none"> <li>Ah look, we may never know the full story without evidence but let's see what we can do...</li> <li>I respect how much you want to get this wrapped up / your commitment....</li> </ul>	<b>NOT TOO PRYING</b> <ul style="list-style-type: none"> <li>I see what you're saying...let's take a look.</li> <li>Help me understand what you think I should know.</li> <li>I don't want to pry...I just want to help.</li> </ul>
<b>WHICH CALMS THE PERSON</b>				

<p><b>OVERARCHING PRINCIPLES</b></p> <p>For Dealing with Aggression and High Conflict Situations</p>	<p><b>C.A.R.S. Method®</b></p> <ol style="list-style-type: none"> <li>1. CONNECT</li> <li>2. ANALYZE</li> <li>3. RESPOND</li> <li>4. SET LIMITS</li> </ol>
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### 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 proposals**
- Providing **information**

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## CalmB4**Think**

### 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.”

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## Analyze

# Focus the person on choices

**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.

## Analyze

Focus the person on **analyzing options.**

**CALM  
EAR  
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?”

## Analyze

Focus the person on a **choice**.

**CALM**  
EAR Statement

“I can see you’re not too happy about this.”



**THINK**  
Question focuses on choice

“Would you like to continue on now with what you have or come back when you’ve gathered the documents?”

## Analyze

Ask for a **proposal**.

**CALM**  
EAR  
Statement

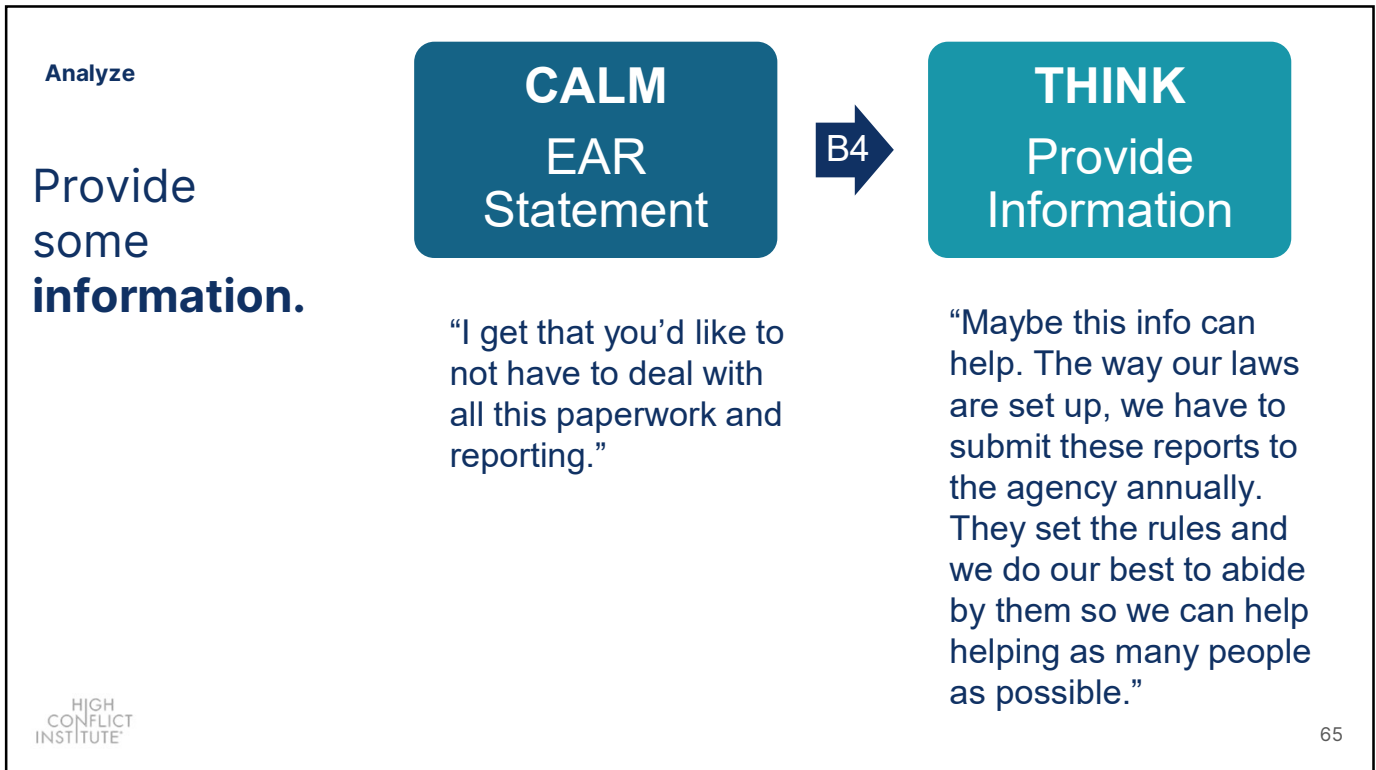
“I understand that this can be a challenging ordeal.”



**THINK**  
Proposal

“Do you have a proposal?”





## Analyzing Choices and Proposals

**Example:**

*“You have a **choice** here. You can give me the information I need or I can make the decision without it. You’ll need to decide quickly so we can proceed.”*

**Or:** *“I cannot make this decision without your information. So you have a **choice**: We can take a break for a few minutes while you obtain the information, or we will have to reschedule this hearing for several weeks.”*

*“I understand that you do not like this court order and that I cannot control your behaviour. But I can control the **consequences** for your behaviour at a future hearing, so I hope that you will **choose** to follow this order.”*

*“You have a choice here. It’s up to you.”*

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## OVERARCHING PRINCIPLES

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and High Conflict Situations

### C.A.R.S. Method®

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

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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:**

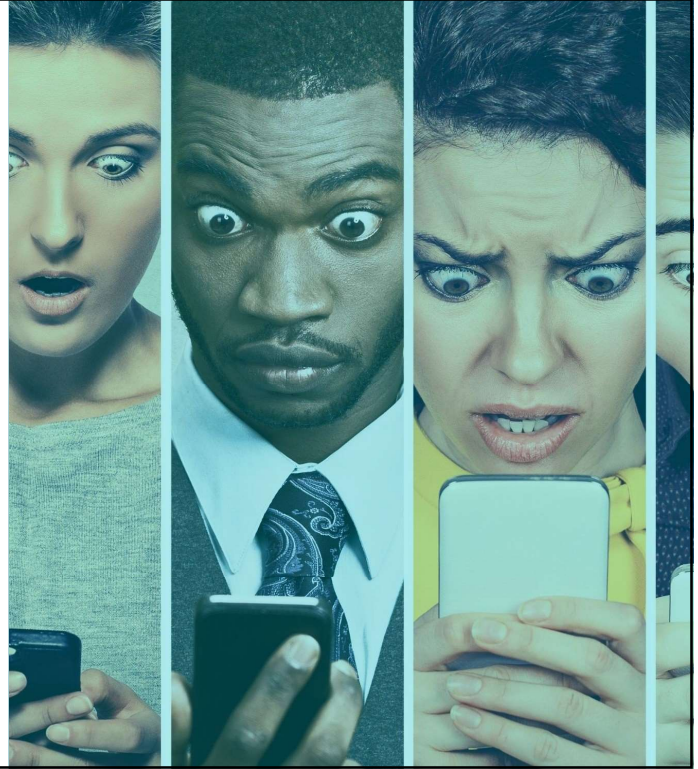
*"**You might be right:** What you are saying may be truthful and accurate, and the other party may be inaccurate or misleading. I will never know for sure. At this point the other party's information appears to me to be more credible and I am required to make these orders."*

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## 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.

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## 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

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Respond

# I 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.”

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Respond

# F 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,

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## Respond

# Firm

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)

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## Respond

## AVOID THE 3 A's

1.



ADVICE

Although it may feel neutral, it will also come across as a personal attack to P-HCPs.

The person will feel attacked and talked down to.  
It's very natural to give advice.

2.



ADMONISHMENTS

They're really personal criticisms that will be interpreted as personal attacks.

Everything feels like a criticism to them.  
They will become defensive.

3.



APOLOGIES

Apologies often backfire and reinforce blaming behavior.

It validates the P-HCP's belief that everything is the other person's fault.

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## Team Member to Practice Manager

**Hey Tracy!**

I just wanted to make you aware **once again** that Kyla is late for every team meeting and then has the audacity to demand that we fill her in on everything.

This costs all of us a tremendous amount of time and it's simply unfair. This isn't the first time I've brought it to your attention and I have to say that all of us are extremely frustrated with your lack of action. I guess this is what I've come to expect of you. It's time to take action or you'll be losing all of us. You need to do something about this NOW!

**Demanda**

HIGH  
CONFLICT  
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## Practice Manager to Team Member

Demanda - I'd say sorry but I'm not sorry. It's a bit disconcerting to receive an attacking, blaming email and I'd advise that you reconsider before writing such emails.

As to the matter at hand, I have a practice to run with our clients as **the** priority, so I need the team and you to figure this out. I'm certain you can all act like adults and make this work.

Tracy

HIGH  
CONFLICT  
INSTITUTE

**Is this a BIFF Response?**

## Practice Manager to Team Member

~~Demanda - I'd say sorry but I'm not sorry. It's a bit disconcerting to receive an attacking, blaming email and I'd advise that you reconsider before writing such emails.~~

~~As to the matter at hand, I have a practice to run with our clients as **the** priority, so I need the team and you to figure this out. I'm certain you can all act like adults and make this work.~~

Tracy

HIGH  
CONFLICT  
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**Is this a BIFF Response?**

## Practice Manager to Team Member

Hi Demanda – Thanks for updating me on the situation. Timeliness is important to the entire office. I'll meet with each of you next week so we can find a solution together.

Have a good weekend,  
Tracy

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**Is this a BIFF Response?**

## 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.**

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## 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.

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## 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

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**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.

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CONFLICT  
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## 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.

HIGH  
CONFLICT  
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**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

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**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

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## 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

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**Is this a BIFF Response?**

## Mediator & Disgruntled Client: 2<sup>nd</sup> 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

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**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.

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## Practice

# Write it BIFF it

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## 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?**

## OVERARCHING PRINCIPLES

For Dealing with Aggression  
and High Conflict Situations

## C.A.R.S. Method®

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

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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.

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## Set limits

## What to avoid

### Avoid:

- making it personal
- negative feedback
- past behaviors

### Avoid:

- threats
- criticisms
- challenges

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## Set limits

**Focus on external reasons instead of focusing on negative feedback.**

**Focus on external reasons 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 ....”

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## 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

Set limits

## Setting limits

Also means providing Structure

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### Structure

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

Set limits

## Setting limits

Also means providing Structure

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### Structure

- Your interactions
  - “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

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### 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”.
  - Give them some hope.

“

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.

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



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# IT'S ALL YOUR FAULT

HIGH CONFLICT PEOPLE PODCAST™

WITH **Bill Eddy, LCSW, Esq.** AND **Megan Hunter, MBA**



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