

Expectations of Professionals and Clients in Co-Parenting, Divorce Mediation or a Collaborative Divorce Process

In every communication, aside from the actual content of the message, each message has two parts: Behavior and Attitude. Your behavior refers to the verbal and nonverbal actions you take. It is said that 93% of what we convey is conveyed nonverbally. Your attitudes are extensions of your feelings, intentions and belief systems. Your attitudes are reflected in both your verbal and nonverbal behavior when you communicate. Any exchange with your partner/co-parent will reflect your underlying attitude about yourself, as well as your partner. We ask all participants to prepare to be their highest and best selves during meetings. Expect Team/Mediation/Co-parenting Professionals to help you, as well as each other to hold this high standard. To keep communication constructive, and the process moving forward, we ask participants to use the following 10 ways to discuss topics in Co-Parenting, Mediation or Collaborative Meetings:

WHAT TO EXPECT OF YOURSELF:

1. Be Respectful. Be respectful to *everyone* in meetings. Use first names for everyone - avoid using “he” or “she” to talk about someone that’s in front of you.

2. Focus on Problem-Solving & Skills Building. Consider all options without being attached to your own favorite idea for resolution. Be willing to hear other possibilities from your spouse/co-parent/professionals. Solicit feedback (e.g. “What do you think?”) and avoid hammering your view over and over. Some examples of how to honor your experience while still being respectful and focused on problem-solving:
“I want to do right by you and by us. I’d like to discuss this further before we make decisions.”
“I feel resistant to what you’re saying, but I’m willing to hear you out and think about what you’ve said.”
“Let’s work to come up with a solution. Here’s one idea about what could work. What do you think?”

3. Be Responsible: Speak For and About Yourself. Use “I” statements. As you speak for or about yourself, use “I,” “me” or “my.” Avoid “getting into your partner’s head” – avoid describing your partner’s feelings, motivations, etc. Focus on *your* thoughts, feelings and behaviors. When you speak for yourself, *take responsibility for your own statements* – for what you say and how you say it. Taking responsibility for your feelings, needs and choices gives *you* control over your life in every meaningful situation. When you speak clearly for and about *yourself*, your message is easier for others to hear and accept, and they are less likely to be provoked, defensive or otherwise discount your thoughts, feelings and desires. Blame sabotages healing and moving forward.

4. Listen without Interruption. You will hear more options and be less reactive to what’s said, if you *focus on what’s actually being said*, instead of thinking about how you’ll respond while the other person is speaking. Take notes, to help you stay focused. Listen with the intention of understanding, and prepare to convey that understanding *before* you submit your own personal response. Summarize what the person says, or ask questions about what’s said to avoid your getting defensive or reactive during meetings. *If you feel yourself getting reactive, SPEAK SLOWLY* – it’s very hard to be upset if you slow your speech down. 99% of the time, if your mind flips to judging the person or his/her message, you *will* get angry. Once you’re reactive, it’s biologically impossible to reason and carefully consider the options, so *you will no longer be an effective advocate for yourself*. Professionals will intervene to help you regulate your emotions if this happens. Each of you will have time to say what you need to say. This is one of the benefits of Mediation, the Collaborative Process, and Co-parenting work.

5. Avoid Judging, Accusing, Blaming, Criticizing, Sarcasm, Complaining or Inflammatory Language about Your Partner. All of the former can be conveyed in tone and nonverbally – you needn’t judge directly, to judge. The minute you use such communication, you make it impossible for your partner or co-parent to validate or affirm your interests, and extremely difficult for your Team to do anything but help you clean up the mess and redirect you to get the process on back on track. Judgmental language will provoke resistance and defensiveness. Avoid “you” statements – they indicate you’re speaking for another, instead of asking or allowing the person to speak for him/herself. Avoid “always” and “never” statements – they tend to be global judgments about a person (e.g. “You *never* listen.” “You’re *always* condescending.”). If you find yourself being **judgmental**, here are some **remedies**:

- **Avoid engaging or focusing on whatever you imagine is in the other’s head.** e.g. You see your partner scowl when you’re talking, and start feeling hurt, sad and then mad as you imagine all the ways s/he’s been disrespectful. “Turn your mind” immediately to deliberately focus on the problem you’re both trying to solve. **ONLY** engage the *content* of what’s at hand.

- **Observe and describe *observable* “facts”** as a video camera would, without interpretation e.g. “I noticed you just frowned. Is there something you’d like to say?”
- **Ask for *genuine* clarification about anything you literally “see” or “hear.”** e.g. “You’re saying I’m arrogant and selfish. Does that mean you don’t like my idea and that you’d like to offer another that considers us both?”
- **Transform your judgment/complaint into a neutral “wondering” out loud, and/or a respectful request for the *specific behavior you want to see* .** e.g. You *think*: “You have no intention of doing that. You never do what you say.” You actually say: “I wonder what it would look like for either of us to follow through with that. What would the steps be? Conditions?”

6. Be Effective. Before you say or do anything, *learn to ask yourself*: “Will this be effective in *the long run* to advance my goals and desires?” Intense emotions (especially those fueled by negative judgments) may drive you to show your hurt, anger, pain to/against the other. Consider that such expressions will *not be effective in the long run to further your objectives*.

WHAT TO EXPECT FROM THE PROCESS

7. The Co-Parenting & Collaborative/Mediation Process is Voluntary. If something is not working for you: a) respectfully raise it as *your* concern (“I” statement), b) offer a constructive solution, c) make a respectful, specific request and d) solicit feedback (e.g. “What do you think?”). PLEASE ask your Collaborative/Mediation Professional(s) for help doing so if you can’t on your own, for any reason. Ask your Professionals to ensure your concern is addressed. Ask for clarification, *whenever you need it*. Each partner is empowered to impact the outcome by having the right to have different ideas about anything that isn’t acceptable to him/her. If you say you “disagree” it tends to polarize you from the other. It’s more effective to actually say: “*I have a different idea about that . . .*”

8. Commit and Recommit to the Co-Parenting &/or Collaborative/Mediation Process. Be willing to commit to meet regularly, and to prepare fully for meetings by completing tasks. You will likely often *not feel like it*. Some of the tasks are tedious. Others may evoke difficult emotions. *Be willing to plow ahead anyway*. Remind yourself that a litigated divorce is *much more stressful and expensive!*

9. Be Patient with Each Other & Collaborative/Mediation Professionals. Delays may happen even with everyone acting optimally and in good faith. Be willing to *assume that everyone is doing the best they can* - If not because “it’s factually true,” then because it’s simply more effective for you in the long run. When results don’t happen quickly enough for someone, partners are tempted to jump to their own assumptions/conclusions. This doesn’t work. If it did, you wouldn’t need professionals.

10. Trust the Co-Parenting & Collaborative/Mediation Process. The strength of Mediation and the Collaborative Process is that they typically follow clear, containing stages and steps: Commitment, Information, Interests & Priorities, Choices, and *only then*, Resolution. Sticking to this process is what facilitates mutually acceptable, high quality solutions that amicably sustain restructured family relationships. Clients and Professionals alike are tempted to think they “know best.” Professionals stay in charge of what works for the process. Clients decide what works best for their lives. **Coming back to the process is what will get us all to the finish line.**

At some fundamental level, *fear* and *faith* are nothing more than *choices*. During a divorce/separation, *fear* is rampant. There is so much a couple can’t know, especially at the beginning of a divorce, about the future. As humans, we tend to act as if fear will somehow help us anticipate or prepare more effectively – we have the illusion that being afraid gives us some measure of control over unknown outcomes. The reality: *we suffer* in anticipation of what we cannot know. *Faith* is a state of being – it doesn’t mean that you “*know*” or completely “believe” that the unforeseeable future will be as you hope it will be. *Faith* has to do with accepting what you can’t change, changing what you can and practicing “turning your mind” to envision clearly a viable, serene, satisfying future. Given that you have no crystal ball, you might as well celebrate what’s possible (*faith*), rather than dwell in fearful anticipation, while also obviously ensuring wellbeing wherever that’s possible. *Courage* is being afraid and doing what there is to do anyhow. It takes courage to trust, to have “*faith*” while keeping your eye on what’s effective and most aligned with your values, in the long run.

I understand and agree to the above expectations.

Client Name (Print) _____ Signature _____ Date _____