

HIGH CONFLICT & DIFFICULT CLIENTS

Recognising, Responding, Managing

JD ROUSSETY
Family Dispute Resolution Practitioner





HIGH CONFLICT & DIFFICULT CLIENTS



RESPONDING to HIGH-CONFLICT CLIENTS

All of us have had to respond to "challenging" and/or "high-conflict" clients. We all have experiences, perspectives, strategies and tactics on how to manage these clients and ourselves in these situations.

These sessions will tap into our collective know-hows with the ultimate objective being that you hopefully leave the sessions with some new "tools" to add to your "toolbox".

The fact is, we are all experts! We can all learn from each other. Please come to the session ready to share some of your practice wisdom with the group. In preparation, could you please answer the questions below and send your responses to JD as soon as you can on jroussety@centrecare.com.au. Your input will be incorporated into the sessions' content for all to benefit from.

Thank you so much for your contribution and I look forward to learning with all of you on Friday, 9 November 2018.

1. What is your role?
2. Can you give me two (2) points on the differences between a "challenging" client and a "high conflict" client for you?
3. Managing these types of clients can involve a multipronged approach, please share two (2) approaches you have developed.
4. When do you reach "enough is enough"?

Would you be willing to share a "case study" with us? If so, could you give us some details that we will use in the smaller group session at 3pm.

Your contributions will remain anonymous.

What?

FRC Training
Day: Working
Together in
FDR

When?

Friday, 9th
November
2018
12:30pm
3pm sessions

Where?

Midland Family
Relationship
Centre,
45 Yelverton
Drive MIDLAND

Why?

Managing
High-Conflict
Clients

Who?

JD ROUSSETY
Family Dispute
Resolution
Practitioner

HIGH-CONFLICT CLIENTS WHAT ARE THE SIGNS?



- Seductiveness / over-friendliness / over complimenting
- Unreasonably upset/angry at you
- Exerting anger
- Attempt to manipulate you
- Continuously escalating behaviours
- Personality disorder?
- They are too emotional
- They are very quick to complain – how they present emotionally can often persuade others that they are a victim – this can be used against you as the worker
- They are not listening
- They are desperately trying to convince me
- They want me to waive my wand and make everything go away
- Not willing to listen / consider different perspectives
- The "issue" isn't the issue – their personality is the problem" (EDDY, 2011)
- Follow your gut – listen to your inner voice – pay attention to the hairs on the back of your neck
- They just want to win
- They want more than their fair share
- They will tell you everything bad about the person and nothing negative about them
- Body language
- They work in absolutes – they use exaggerated statements/claim – "she always speak down to me" "she never helped me with the children" "she is supported my decisions"
- They tell you their story for 60 minutes at the end of the appointment do they talk about it or not?
- They are being charged with criminal offences, them being charged with criminal offences

"The scars of others should teach us."

What are the signs?

HIGH-CONFLICT CLIENTS WHY ARE CLIENTS THAT WAY?



- All-or-nothing thinking – black and white
- It has to be someone else's fault
- Unmanaged emotions out of proportion to events
- Preoccupied with blaming others
- "Inability to control themselves and inability to solve the problem" (EDDY, 2011)
- Author of their own misfortunes
- "She makes me feel this way" "He made me do it"
- Sense of entitlement
- Can't see the connect between their actions & how others respond to them
- Very difficult to change, adjust, adapt
- Wants attention
- They have to get what they want
- Can't handle negative feedback
- They are just taking out their anger on you
- The client feels helpless
- Coming from a defensive stance
- They feel we don't believe or understand them
- They are resistant but soften when they feel you understand
- They want to persuade/convince everyone – their emotions often persuade others that they are a victim
- Clients are selective with the information they provide
- "The greater the menace the greater the mask" (WADE 2015)
- I need you to tell me I am being reasonable
- The client feels pressured by the process even though the process is not meant to pressure anyone
- Chaos may be a regular part of their world

"All anger stems from feeling hurt."

What are the signs



Why do clients challenge you?

How do I respond?



How do I respond?



"We will always encounter difficult people. Don't allow them to frustrate you or steal your joy."

HIGH-CONFLICT CLIENTS HOW ARE YOU CHALLENGED?



- I want to help them
- Why won't they listen to my reason?
- I feel so frustrated
- They are too emotional
- I am not a counsellor
- Hard to work with them when they are so rigid
- There must be something I am not doing because they are not budging
- I can't seem to do anything right
- So much pressure – I am expected to know the answers, to get everything right, to make everything right, and if anything goes wrong the finger is pointed at me
- Always having to be on my guard that once they are not happy they will make my life hell
- Something said or done has triggered a response in me
- I have to check my own prejudices
- I find their language offensive
- I really feel intimidated by how the client is treating me
- Hard to set firm boundaries
- Hard to stay calm – I get angry
- Why are you angry at me? I'm trying to help you!
- I get defensive if they are being hostile or directing rage toward me
- Don't know what I should/shouldn't tolerate
- Remember your role and function
- eg: I am not a counsellor
- Remember the function of the forum
- eg: this isn't a counselling session

Why do the challenge you?



How do I respond?



What are the signs?



Why do clients challenge you?



Why do the challenge you?



How do I respond?



HIGH-CONFLICT CLIENTS HOW DO YOU RESPOND?



- Change your own behaviour / change how you react – changes the interaction & relationship dynamic
- Is it about you? – Try not to take it personally
- Sometimes nothing you say will change their perspective or opinion
- You don't need to convince them
- Are you overreacting?
- Let it go
- You have already said what you had to say, there is nothing more that needs to be said
- Is there a real issue or is just their personality?
- Do I need to give the situation my attention – we are wired to pay the most attention to emergencies
- Is a response even needed?
- Manage the client better – don't let the client dictate
- See past the behaviour – look at the "why"
- Do I fight fire with fire? Doesn't always work.
 - Aggravates the client
 - You might look unprofessional and inappropriate
- "B.I.F.F." – Be brief, Informative, Friendly, Firm (EDDY, 2014)
- Choose your words carefully
- Respond quickly v's pause before you respond
- Refer to their qualifications/occupation/expertise by way of example to explain a point/perspective
- What type of relationship do you need to have with them?
 - Manage the relationship
 - Reduce the relationship
 - End the relationship

"Attitude is everything. 10% what happens to you and 90% how you react to it."

What are the signs?



Why are clients that way?



Why do they challenge you?



How do I respond?



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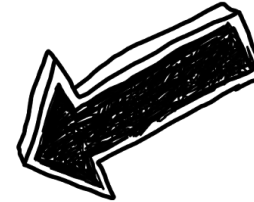
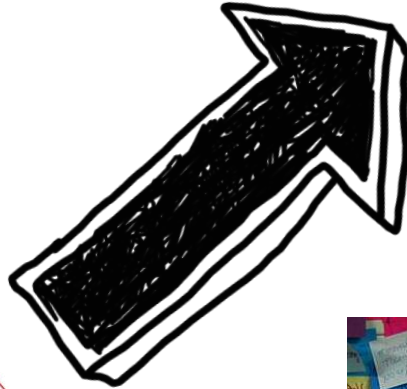
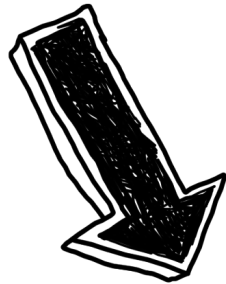


- What is your role?
- What are the tell-tale signs?
- Why are they that way?
- Are they challenging to you? Why?
- How do you respond?
- When *"Enough is enough"*?

OBJECTIVE



INSTRUCTIONS



PHASE 1: WHAT DO YOU DO?

FDRPs

Family Advisors

Volunteers

Front counter reception

Lawyers

Community Engagement Workers

Child Consultants

Family Support Workers

Supervisors

Counsellors



Community-based organisations

Community Legal Centres

Not-for-profits

Practice FDR/Mediation practice

Mums & Dads Forever Programme

Private Law Firms

LEGAL AID WA

Adult maximum security prison

PHASE 1: WHAT DO YOU DO?



FDRP



PHASE 2: WHAT ARE THE SIGNS?



- Has had different lawyers
- Very significant allegations
- Fight is more important to them
- Complaints have been made to various bodies
- Hate each other more than they love their children

PHASE 2: WHAT ARE THE SIGNS?



*They have complained
about everyone to
everyone!*



PHASE 3: WHY ARE THEY THAT WAY?

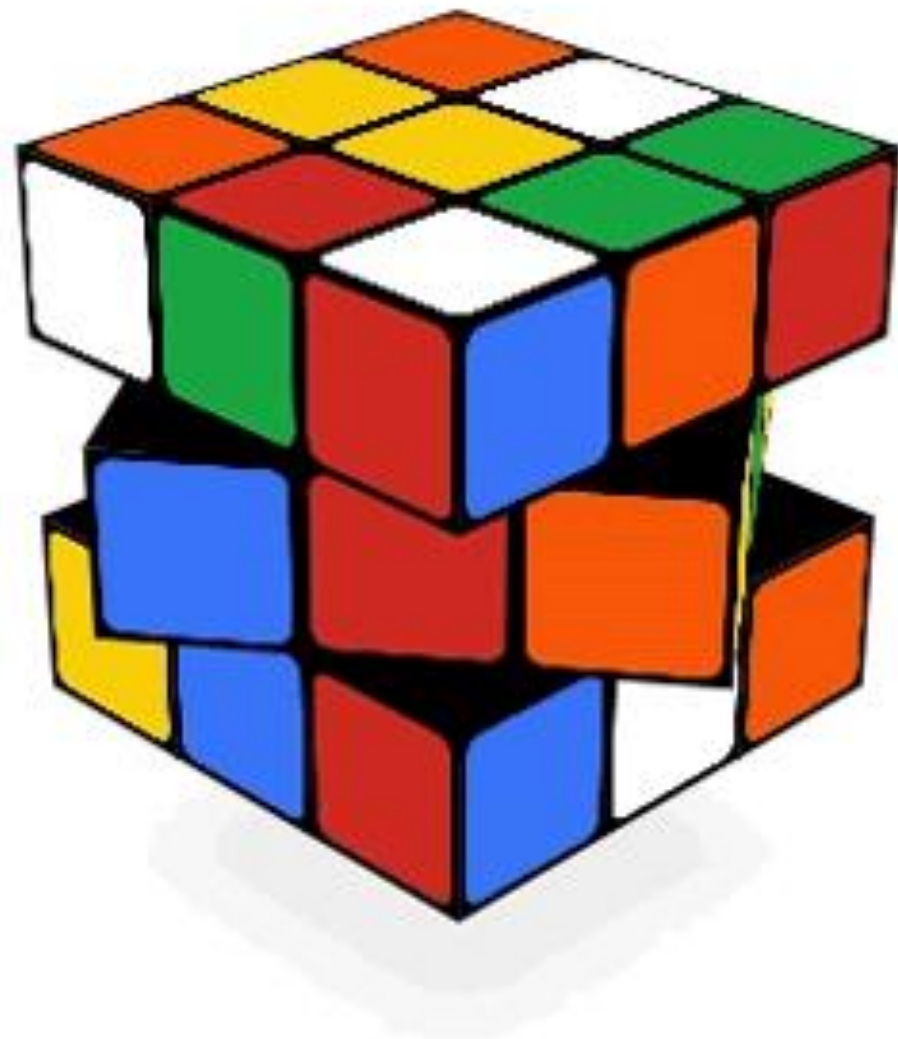


- All or nothing
- It's everyone else's fault - they are the victim
- Can't connect their actions vs other's responses
- Personality disorder? Borderline / Narcissistic / Histrionic / Anti-Social

PHASE 3: WHY ARE THEY THAT WAY?

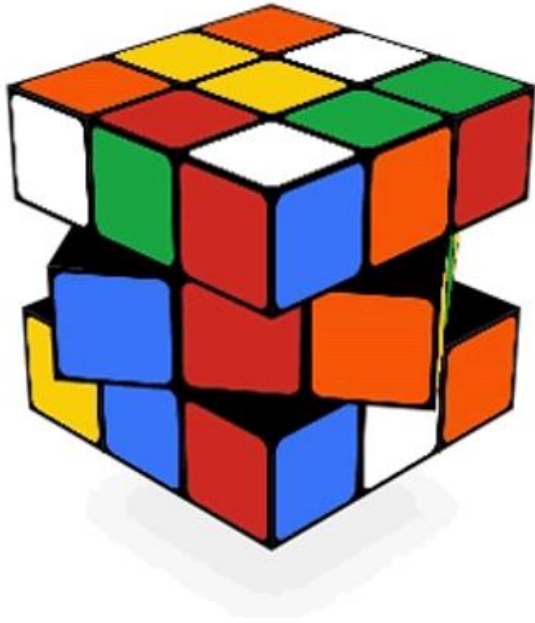


*It's everyone
else's fault.*



IT'S OKAY TO BE SMART

PHASE 4: ARE THEY A CHALLENGE? HOW? WHY?



- Frustrating! They won't listen to reason
- Uncomfortable with inappropriate comments
- I feel I don't have the answer
- I freeze when they get angry

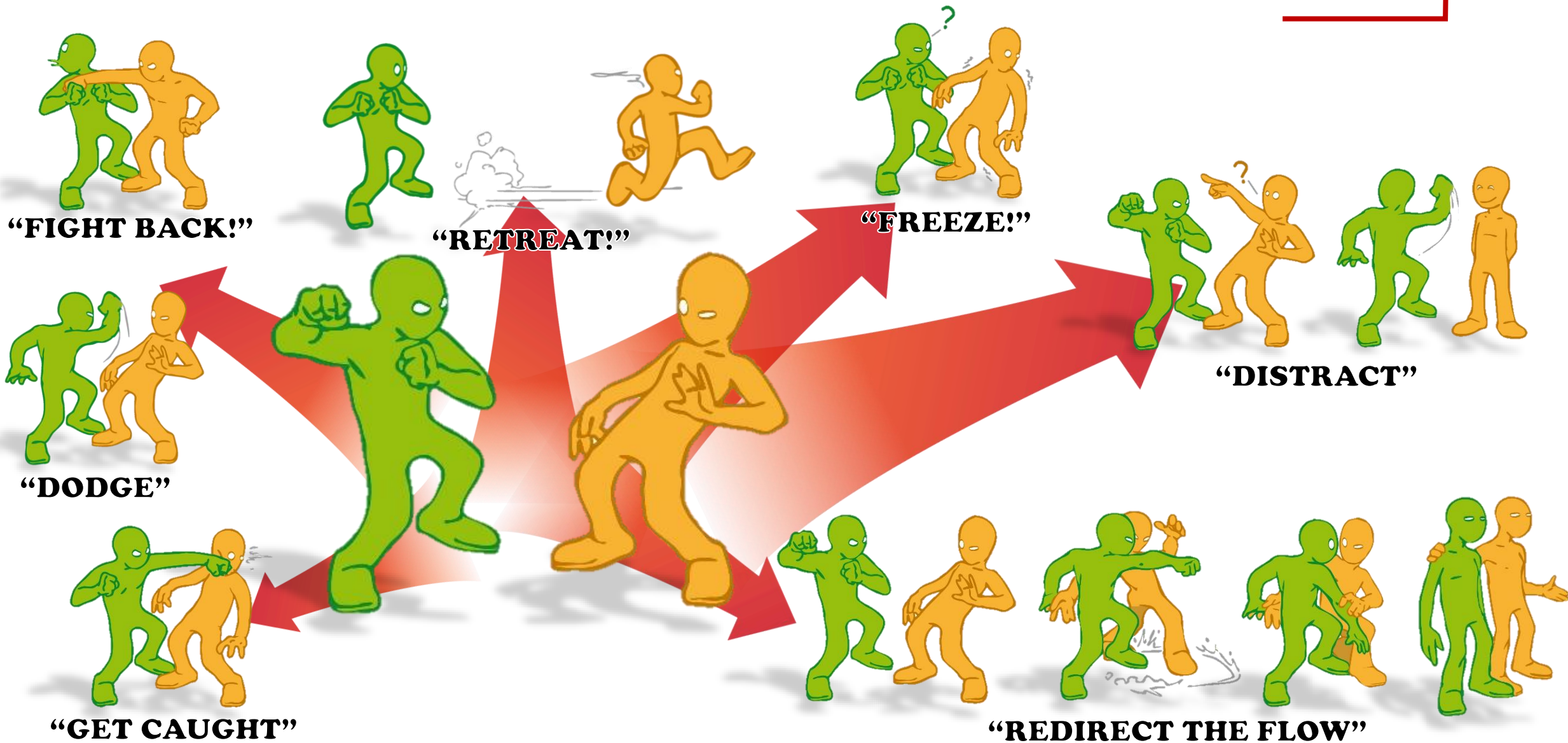
PHASE 4: ARE THEY A CHALLENGE? HOW? WHY?



*YES! They won't
listen to my
reason!*



PHASE 5: HOW DO YOU RESPOND?



PHASE 5: HOW DO YOU RESPOND?



Verbal Aikido!!

WRAP UP



