**Power, Privilege and Entitlement: Cross-currents of gender, race and money.**

By Lisa Herrick, PhD, Barbara Burr, Esquire and Brandes Ash, Esquire

9:00 – 9:30 **Welcome, Opening Exercise and Overview**

**Learning Objective:** Participants will gain awareness about the role and impact of power, privilege and entitlement in our work as Collaborative Professionals. Participants will begin to increase insight into their own conscious and unconscious relationship and responses to differences in power.

**Exercise:** Demonstration (fishbowl) of a professionals-only Collaborative meeting with obvious (conscious) and not-so-obvious power differentials between the clients, and between the professionals, at play.

**Set-Up Instructions:** This is Collaborative divorce of Riley and Taylor. Collaborative professionals debrief a team meeting that just took place where the big issue was Riley’s request for significant alimony for a significant period of time. Taylor has been the breadwinner during the marriage. Riley also worked, but did so at a non-profit. Riley earned modest income but spear-headed a new program that helped recovering addicts find jobs. The program was incredibly successful, and Riley has obtained a lot of accolades for the work. But not much pay. Taylor has the ability to pay alimony, but doesn’t feel it’s fair given that Riley is the one who asked for the divorce. It’s a ten-year marriage. They have one child, who is 6.

Insert script. [During the professional meeting, Riley’s lawyer acknowledges that Riely seems to have a sense of entitlement/expectation to alimony, and at the same time expresses how it seems reasonable that Taylor pay alimony for a period of time so that Taylor and Riley have comparable standards of living until Riley can obtain a new position, at a comparable salary to Taylor. Taylor’s attorney makes cutting remarks about how the attorney does not find the request reasonable; how the attorney can’t understand how someone like Riley doesn’t have more dignity than to ask for alimony (“Has Riley no shame? Isn’t Riley embarrassed to be asking for alimony? Doesn’t Riley want to be self-supporting, independent and contribute to the care for the child? What kind of parent is Riley anyway?”]

**Process:**

* What reactions are you having to this debrief?
* Are you aware of any feelings/thoughts about alimony that you may bring to the table before you even meet Riley and Taylor?
* Who here is imagining that Riley is female? Male? Not sure?
* Who here is imagining that Taylor is male? Female? Not sure?
* Imagine for a minute that Riley is female. Now shift and imagine that Riley is male and Taylor is female. Does that make the conversation about Riley’s request/expectation for alimony feel different?

9:30 – 10:30 **Discussion of theory and research regarding power, privilege and entitlement**

**Learning Objective:** Participants will learn a general overview of the main social theories and perspectives on power, privilege and entitlement.

**Powerpoint and didactic presentation.**

* The presentation will include brief descriptions of the most significant contributors to the field and will include voices from a variety of perspectives, including feminist social theory and critical race theory.
* Participants will also learn how power and privilege differentials work in the context of relationships and group settings.
* Discussion of bullying.
* Discussion of the interlocking nature of entitlement and dependency.
* Trainers will share diagrams depicting various relationships, some reflecting balance and equity, others reflecting power imbalances and social/relationship inequities.
* Discuss *White Privilege: Unpacking the Invisible Knapsack,* by Peggy McIntosh. On Point 50, “I will feel welcomed and “normal” in the usual walks of public life, institutional and social.” Shout out regarding what happens when our clients do not feel “welcome” or “normal” in the process of getting divorced?

**Question and answer period.**

10:30-10:45 Break

10:45-noon **Increasing Awareness of Power and Privilege**

**Learning Objective:** Participants will practice identifying differentials in power and privilege (in wealth, gender, race and personality) in interpersonal relationships and in collaborative settings.

**Exercise:** Series of fish-bowl demonstrations of interactions in a variety of settings designed to reveal the exercise of power, privilege and entitlement. The scenarios will show both obvious and subtle forms of power and privilege, as well as settings were multiple aspects of power and privilege operate simultaneously, in sometimes complicated and conflicting directions. Participants will review the demonstration, then be asked to share observations of power, privilege and entitlement in the vignettes.

Insert scripts. Scripts may include:

* Team meeting where Husband is asking for alimony. Wife’s attorney questions Husband, “How is it that you are comfortable asking your Wife for alimony?”
* Professional’s power to express her own bias about gender roles?
* What role is played by Husband’s entitled to be taken care of? Does Husband’s entitlement in this vignette feel different than Wife’s entitlement in the first vignette? Why?
* What obligation do we have to address the professional’s question to the Husband? What power do we have to do so? What impact does the exercise of that power have on the clients?
* Do the clients feel welcome and “normal” to express their needs, desires, goals?
* African-American, female professional is meeting one-on-one with a white, female client: Client is discussing the argument she and her husband (whom she has noted earlier is from Mexico and has a large extended family who live locally) have been having prior to entering Collaborative process about custody and parenting time. Client describes, with distress, the history of husband’s mother and sisters behaving intrusively since her child was born, and now, husband wants something in the custody agreement that will say whenever he travels for work, the child will stay with his extended family, rather than with the client, the child’s mother. The professional listens attentively, and then makes a comment wondering about cultural differences, and the idea that husband’s culture may be influencing his feelings. Client appears miffed, and does not feel heard.
  + - * Is there any aspect of the exchange that may reveal expectations, bias or stereotyping by the professional?
      * What possible threads of privilege, entitlement or bias might the client be experiencing?
      * How might the professional respond next, when she realizes her client does not feel heard?
      * What factors may influence whether this interaction will go as well as possible or cause hurt or offense?
      * How might the professional act so as to ensure that the client, and the client’s husband, both feel “welcome” and “normal” throughout this process?
* White professional/white client: White professional discusses housing options for client that client might be able to afford. Client expresses a distaste for a particular area of town that has a much more diverse population. Client wants to “stay in her own neighborhood.”
* Client’s expression of white privilege?
* Does this client feel welcome and “normal” to express her needs, desires and goals (without judgment)?
* What if you happen to live that particular part of town, so that her expression of preference/privilege hits you personally?

Noon-1:00 pm Lunch

1:00 – 2:00 **Professional’s role when facing power, privilege and entitlement in our work**

**Learning Objective:** Participants will gain understanding about choices to be made when facing exercises of power, privilege or entitlement. Learning will focus on using curiosity, respect, empathy and constant self-awareness, rather than a specific toolbox on technique. Learners will practice making choice in moments of power, privilege and entitlement.

**Didactic/Interactive discussion (20 mins):** Drill down into the “Essential” tools to be used when a client or professional expresses or uses power, privilege or entitlement. Define them and discuss what they look like in the context of facing power, privilege and entitlement. (PowerPoint with video snippets.)

* Curiosity. (Refer to Sharon Ellison’s work on Powerful Non-Defensive Communication)
* Respect.
* Empathy.
* Self-awareness

**Exercise #1 (20 mins):** Small group discussion, followed by full group process, of a team meeting in the face of a moment/micro-aggression.

**Set up:** Child specialist is debriefing with the coaches. Husband/father had an affair that lead to the decision to divorce, although marriage had been difficult and unhappy for a long time. Child specialist in sharing information with the coaches repeated refers to Husband’s extra-marital activities in pejorative manner: “Dad actually is pretty involved with the kids’ activities, when he’s not flitting about with the home-wrecker.” “Well, if Dad can keep his head focused on the family (and his you-know-what in his pants, ha ha ha), then it seems they can make decisions together without much conflict.”

Small group instructions:

1. Identify threads of power/privilege/entitlement.

* Professional’s power to express her own bias?
* Gender power/imbalance?
* Is this a micro-aggression? Does it matter?
* Does anyone get hurt when the clients are not present?
* Even when clients are not present, do they feel “welcome” and “normal” to participate with honesty and transparency in this process?

2. Talk through what you might say in the face of this moment/micro-aggression?

* Curiosity: What can you be curious about here? How do you express curiosity here?
* Respect: Respect for who? How can you express respect here?
* Empathy: What is being expressed under the sarcasm?
* Self-Awareness: How am I affected? Triggered?

**Exercise #2 (20 mins):** Small group discussion, followed by full group process, of a team meeting in the face of a micro-aggression.

**Set up:** Divorce case between two professionals who have two children. Dad is in finance and has had several entrepreneurial ventures historically, some of been successful and some not so much. Cashflow is tricky though, and there are a few tax liabilities from prior years. Now Dad is on the verge of security what he describes will be a very lucrative consulting contract with a wealthy individual located in the Middle East. The details are a bit murky. Mom is a W-2 employee earning a salary, and is not self-supporting. Mom also does the lion’s share of caring for the children, although they will have a roughly 50-50 schedule upon separation. Mom is highly disdainful of Dad, but does not seemed inclined to peer deeply into his professional associations in the Middle East. Mom essentially doesn’t care what Dad is doing, so long as he promises to pay enough in support, share the proceeds of the sale of the house that he inherited from his own father and take on all of the debts (several personal loans and the tax liabilities). Mom is impatient with the team’s desire to conduct full financial disclosure. Dad is slow to provide financial disclosure, explaining that if Mom is just going to pick him apart for every expenditure reflected on the credit card and bank statements. After going around and around for a bit, the financial neutral insists that Dad provide an employment contract so that we can confirm the nature of his employment; Dad and Mom are both irked by this.

Small group instructions:

1. Identify threads of power/privilege/entitlement.

* Professional’s power to express her own bias?
* Gender power/imbalance?
* Gender entitlement?
* Is there a micro-aggression? Does it matter?
* If you feel the financial neutral’s insistence may be triggered in part by the geography of Dad’s business, do you say something?

2. Talk through what you might say in the face of this moment/micro-aggression?

* Curiosity: What can you be curious about here? How do you express curiosity here?
* Respect: Respect for who? How can you express respect here?
* Empathy: What is being expressed under the sarcasm?
* Self-Awareness: How am I affected? Triggered?

2:00- 2:45 **Difficult conversations about power, privilege and entitlement in our work**

**Learning Objective:** Participants and trainers will discuss and practice using curiosity, respect, empathy and constant self-awareness to address difficult moments—that is, micro-aggressions—that arise in the wake of imbalances and/or expressions of power, privilege and entitlement.

**Didactic/Interactive Discussion regarding the challenges of difficult discussions. (20 mins)**

* Why are difficult discussions so difficult? What gets in the way?
* Underlying expectations and hopes? Fears and feelings?
* The role of shame and defense mechanisms.
* How do we keep from being defensive and triggering other defensiveness?
* The duty as a professional versus moral duty.

**Exercise (25 mins):** Small group discussion, followed by full group process, of a team meeting in the face of a micro-aggression.

**Set up:** Clients are a White couple with one child, age 8, who are getting a divorce. They live in a suburb of a metropolitan area. Wife is a fully-employed attorney; Husband is an Uber driver. Shortly after wedding, Husband quit his job as Office Manager due to conflict with his boss, never really worked again. He obtained two certifications – one in HVAC services and the other in a technical writing program—but never obtained employment in either area. Husband wants support; Wife feels she has given his support for 10 years and is ending the marriage because she “is done.” In a team meeting, Wife is very frustrated and shares that her mom sent her job listings showing that Walmart is hiring. Husband is irked and spouts back, “I can’t work at Walmart, I’m white.”

1. Identify threads of power/privilege/entitlement.

* Race privilege?
* Gender power/imbalance?
* Is this a micro-aggression?
* Does it feel different if the entire team is white?
* Does everyone in the room feel “welcome” and “normal” to participate with honesty and transparency in this process?

2. Talk through what you might say in the face of these comments?

* Curiosity: What can you be curious about here? How do you express curiosity here?
* Respect: Respect for who? How can you express respect here?
* Empathy: What is being expressed under the sarcasm?
* Self-Awareness: How am I affected? Triggered?
* Do you have a duty to ignore what feels offensive to you personally for the sake of professional responsibility to your client/the matter?
* Do you have a moral/other duty to speak up when something is said that offends or hurts you?
* What if one team member is a person of color? Does your sense of duty shift? How so? Why?

**For large group**: What if one of the team members, in response, states: “Well, sometimes you have to do what you have to do. I have another client who took a job at Whole Foods; she’s white, even though none of her co-workers are. They have good benefits.”

* If you speak to this moment, what do you say? When do you say it? Who is present?
* How do you stay in a non-defensive stance?
* How do you address the moment without triggering defensiveness in your teammate?

2:45-3:00 Closing, Evaluations