Exercise #1 Vertical and horizontal facilitation

Linda and Barry are entering their first Collaborative meeting. In the two weeks prior to this first meeting, both lawyers have been inundated with emails from Linda and Barry with complaints about how they are handling their finances. They are still living in the same house, which is listed for sale, and have, for the last two months, each been putting “an agreed upon” amount into the joint account to cover basic expenses. Barry complains that Linda keeps using the joint account for personal expenses (“I am not paying for her botox any more!”) and then there isn’t enough money left in the account to cover the joint expenses. Linda complains that she never agreed to how much they would each put in, and it is completely unfair, because Barry makes more than she does, and should be putting in more to the joint account. Barry says that because Linda is self-employed, he doesn’t REALLY know how much she makes.

Thankfully, both Barry and Linda have uploaded some of their financial documents into a joint dropbox, so you have their tax returns, that show that Barry’s take-home pay is $6,000 per month. You can also see from Linda’s financial statements and tax returns that her take home pay from her paycheck is $3,500 per month, and in addition she has received an average of $900 per month from dividends.

You are planning on getting a financial neutral involved as soon as possible, it is on your agenda for this first meeting. In the meantime, the two lawyers are faced with a dilemma – how to help Linda and Barry navigate their financials without increasing the conflict and also making sure that the bills are paid. Your next meeting is scheduled for 6 weeks away.

When discussing facilitation options, both vertical and horizontal, think specifically about these:

Benefits and risks of advocating and inquiring.

Benefits and risks of accompanying and directing.

It may be helpful to think of these questions, and how they are answered differently depending on horizontal or vertical approach:

1. How do we see our situation?
2. How do we define success?
3. How do we get from here to there?
4. How do we decide who does what?

Try to come up with at least two plans, a horizontal plan and a vertical plan.

Worksheet Exercise #1:

Plan #1 The horizontal plan:

Upsides:

Downsides:

If it doesn’t work, how and when would you toggle to vertical?

Plan #2 the vertical plan

Upsides:

Downsides:

If it doesn’t work, how and when would you toggle to horizontal?