

Gender Bias: Exploring How It Impacts You and Your Participation in the Collaborative Process

2019 IACP Annual Networking and Education Forum

October 26, 2019 – 9:00 AM – 10:30 AM

10 min – Identifying Exercise

30 min – Fishbowl Demo – Alimony Fact Pattern

20 min – Small Group Exercises

- Fishbowl Reaction Worksheet Review & Discussion
- Discuss Comparison to initial exercise.

30 min – Large Group Discussion

- Report on Small Group Discussions
- Tools, Tips, & Questions

Resources:

<https://implicit.harvard.edu/implicit/takeatest.html> - **Project Implicit** is a non-profit organization and international collaboration between researchers who are interested in implicit social cognition - thoughts and feelings outside of conscious awareness and control. The goal of the organization is to educate the public about hidden biases and to provide a “virtual laboratory” for collecting data on the Internet.

<https://www.usip.org/public-education/conflict-styles-assessment> - **Conflict Styles Assessment**

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WORKSHEET

Part 1:

Choose one of the tests at Project Implicit and take it.

Link for tests: <https://implicit.harvard.edu/implicit/takeatest.html>

Write down the result of your test: _____

Were you surprised by the results of your test: ____ Yes ____ No

Explain why: _____

Comments / Questions: _____

Part 2 (during the small group breakouts):

Think about a time when a client said something in a case that triggered a strong emotional response from you. What was the issue that you reacted to & why did you have a strong emotional response? _____

How did you react? _____

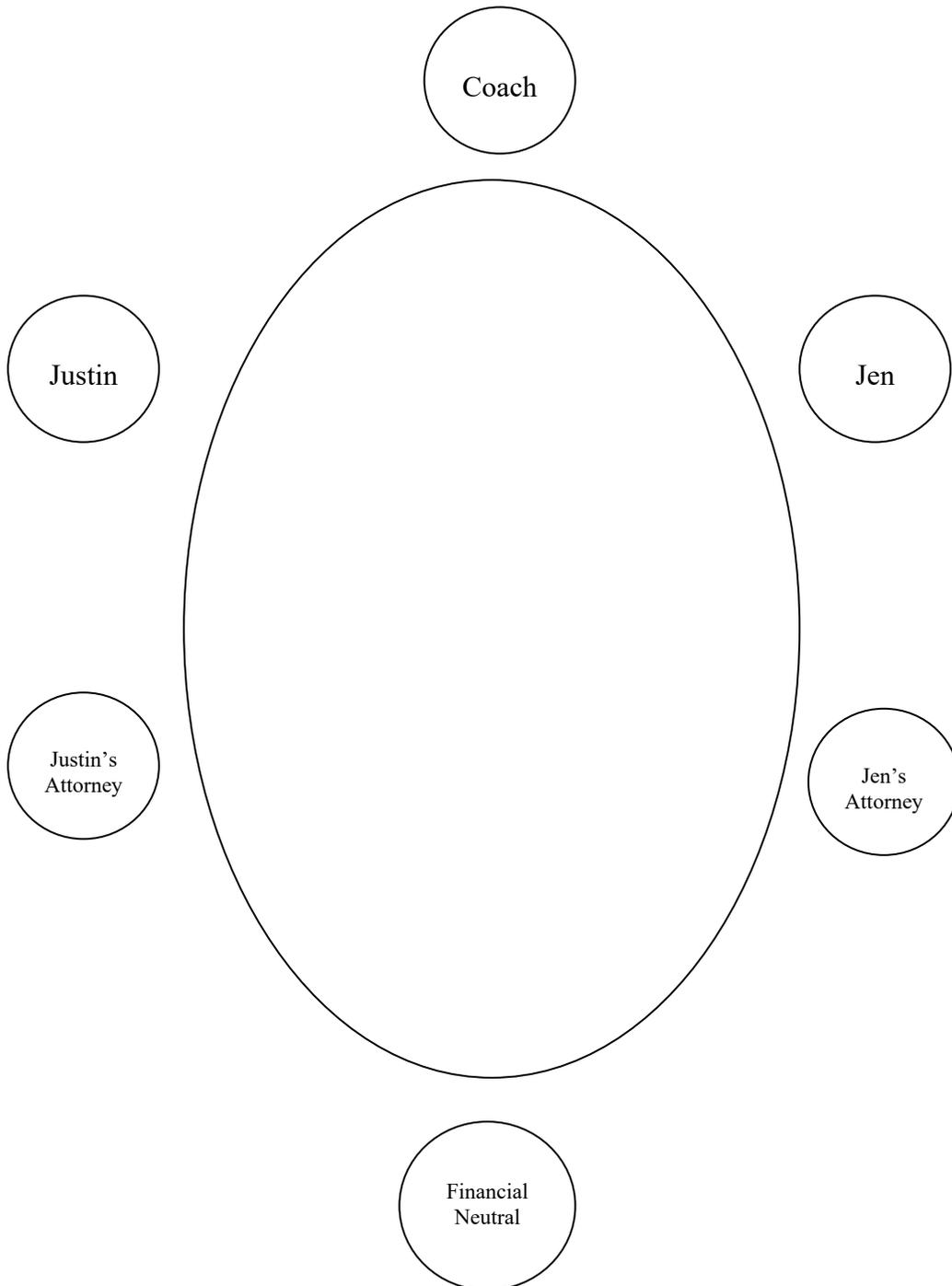
What tools could you have used in the Collaborative Process to help you with your reaction?

Fishbowl Reaction Worksheet

Use stickies (provided) to write down strong reactions during the fishbowl. Include:

1. Who are you reacting to? _____
2. What did they say or do? _____
3. What was your reaction? _____

Put a + next to each person when you feel yourself having a positive reaction to that person and a – next to each person when you feel yourself having a negative reaction to that person.



Fishbowl Reaction Small Group Discussion Questions

Were your reactions grouped in any way that seems relevant to you?

Which client would you want to represent and why?

The whole team is female. Do you think it would make a difference in the way the meeting played out if any of the professionals were men? Why do you think that?

Do you have control over the gender makeup of your team or are there limited resources in your area? Is it an issue you discuss or address in your practice groups?

Did you react to any of Jen's or Justin's specific statements? Why?

Would you have reacted the same if the other person had made the same statement? Why?

If you had been in a meeting like this, what would you raise in the debrief and what feedback would you give to the other team members?

**ALIMONY FACT PATTERN (5-Way Meeting)
for IACP 2019 Gender Bias Workshop**

Justin and Jen are getting divorced. They got married 23 years ago but have been together for 25 years.

They have **2 twin children (age 21), John & Jane, who have graduated from college.** John is working and Jane is attending law school.

Justin: (age 48) worked in the financial industry for the first 10 years of their relationship and was earning approximately \$90,000 per year when he left that job. He had always hated his job. Jen's income began to rise when the children entered school and they agreed that Justin would take a lesser paying job and help out with more of the children's needs. Justin loves golf and got a job at a pro shop at the local golf course where he averages \$25,000 per year. He has had the same job for the past 13 years. The job has always been very flexible and allowed Justin to help out with all of the children's activities and schooling.

Jen: (age 47) was working in the financial industry as well when they met but decided to go to law school, which Justin supported. The twins were born right when she finished and she waited two years to take the bar exam. When the children were two years old, Jen passed the bar and began working at a medium sized law firm. After a few years she found a job as in-house counsel at a small manufacturing firm. She's worked at the same company for the last 15 years and she loves her job. The company has done well with her help and the owners and Jen have a great relationship. Jen earns \$250,000 per year and has been granted stock over the years. The stock will only have value if the business is sold or ever goes public, which Jen feels is unlikely.

Jen has a 401(k) with \$300,000 and Justin has no retirement. They are savers and live modestly. They have paid off their home which has a fair market value of \$350,000. Their children have some small loans from undergraduate study and Jen wants to help with Jane's loans and law school costs.

Jen has moved out of the house into an apartment. Justin would like to keep the house, but is unsure if he can afford to do so. They have agreed to split the equity in the house equally, and they have also agreed to split Jen's retirement equally. Jen feels that this is generous since Justin never started his own retirement account and has not contributed to the mortgage from his income for the last fifteen years.

The Issue: Justin and Jen are at the third (and hopefully final) 5-way meeting with their respective attorneys, their financial neutral, and their coach/facilitator. Justin is asking for alimony, and Jen doesn't think she should have to support Justin any longer. She is prioritizing paying for some of Jane's living expenses and law school tuition.

The financial neutral has run financial scenarios requested by both parties and their counsel and they have been forwarded prior to the meeting.