**THE KNOW IT ALLS AND THE NO CAN DOS:**

Recognizing & Working Effectively With Our Most Challenging Clients

|  |
| --- |
| **THE GENIUS**  |
| The smartest person in the room. Walks in knowing the outcome. Either unaware or doesn’t care that he comes across as trying to dominate. **THE BEST TEAMS:** * Allow The Genius to say his piece.
* Remind The Genius that his ideas may be great, but he won’t get an agreement unless spouse independently reaches her own conclusion.
* Remind The Genius that not everyone is a “cut to the chase” type.
 |
| **THE HYPERCOMPETENT** |
| Doesn’t need team or one specific team member: “We can figure this out without all these expensive people.”**THE BEST TEAMS:** * Manage expectations upfront regarding using the team process and all team members.
* Set limits on extent to which the team will modify the process.
* Allow an individual team member to concede in a straight-forward way.
 |
| **THE MORALIST**  |
| Has right on his side, based on, for example, religious or parenting philosophy. To The Moralist, any other conclusion is wrong.**THE BEST TEAMS:** * Validate perspective AND explain that process is not necessarily based on right v. wrong.
* Explore how a hardline approach (calling other spouse wrong) may send process and spouse in opposite direction
* Depersonalize matter by exploring what would happen under the law.
 |
| **THE RINGMASTER** |
| Controls: timing, information, options, fees, scope of work. Issues demands and ultimatums. **THE BEST TEAMS:** * Understand that under the control is fear: Fear of losing something, fear of being or looking wrong, fear of being found out, fear of being taken over, fear of being discounted or devalued.
* Assess expectations, try to meet those that are appropriate, and aren’t afraid to impasse.
* Encourage The Ringmaster’s attorney to ask The Ringmaster what he wants to achieve and the potential consequences of the current tactics.
* Emphasize only as fast as slowest client and why.
* Realize pressure on team increases likelihood of oversights.
* If team accommodates The Ringmaster’s deadlines, consider CYA letter: “Cannot properly represent you in this timeframe. Prefer to go ahead anyway despite significant risks.”
 |
| **THE DENIER** |
| Can’t accept this is happening. Losing family, home, job, friends, identity. **THE BEST TEAMS:** * Allow pauses in process so time can heal.
* Hire an outside MHP/PC/ GAL/Vocational Consultant to empower, guide the client.
* Consider providing extra reassurance: ie. for example, coordinate weekly calls from each team member.
* Prepare for The Denier’s allegations of being pushed or pressured.
 |
| **THE OVERWHELMED**  |
| Doesn’t understand. May commit, then change mind.**THE BEST TEAMS:** * Early on, identify level of true understanding. Try to identify dissembling. Would presenting information in other way(s) help her?
* Recruit outside financial expert and/or mental health therapist to increase understanding and ability to envision future.
* Remain patient. Meet offline. Repeat pros and cons of options or explanations as much as necessary.
* Only ask The Overwhelmed to focus on one task at a time.
 |
| **THE VICTIM** |
| Dwells on the perceived wrongs perpetrated against them, sometimes to the exclusion of all else.**THE BEST TEAMS:** * Validate The Victim’s anger and resentment while making clear the process cannot right the wrongs.
* Prepare for The Victim to feel that the more outgoing spouse is controlling or charming the team.
* Consider preparing both spouses for The Victim to share her feelings: ie., The Victim may read a letter to which the spouse is prepared to respond appropriately.
 |
| **THE OBSESSIVE**  |
| Chases every possibility to the point of analysis paralysis. Overreacts to errors and omissions. **THE BEST TEAMS:*** Feed the crazy. Let The Obsessive control what they can control to increase sense of control.
* Give The Obsessive time for analysis, even if it is more time than feels comfortable.
* Present ultracompetent personas. Pay extra attention to detail with zero room for error.
 |
| **THE YIELDER** |
| Cannot self-advocate. May not voice opposition to terms they later regret. **THE BEST TEAMS:** * Offer pros and cons; make it clear team will not make the decision for The Yielder.
* Support The Yielder’s attorney in speaking up for the Yielder when appropriate
* Make agreement crystal clear. Name specific dispute resolution experts to empower weaker spouse to resolve future issues (ie. real estate arbitrator, children’s issues).
* Engage family and friends, either as support system or to address the elephant in the room when they are not supporting The Yielder.
* Ensure The Yielder fully grasps the consequences of acquiescence.
 |

|  |
| --- |
| **UNIVERSAL TEAM STRATEGIES FOR WORKING WITH CHALLENGING CHARACTERS** |
| **PREPARE, PREPARE, PREPARE** |
| * Take an honest approach to each team member’s style and potentially address in meeting. (ie. No Can Do made worse with passive or seemingly passive attorney).
* Give neutrals the time they need to develop rapport and trust.
* Pay attention to MHP’s background briefing: they came to us this way. Recognize our limitations.
* Regularly review progress on Roadmap to Resolution.
 |
| **GET THE “S” OFF YOUR CHEST** |
| * Don’t attach to the outcome even if impasse.
* Don’t let outcome reflect on you personally as failure. Sometimes neutrals especially don’t want to disappoint attorneys.
 |
| **GET OUT OF YOUR BOAT AND INTO THEIRS** |
| * Control kneejerk reactions. Instinctive responses may not be helpful.
* Acknowledge and validate clients’ feelings. Walk alongside them. DO NOT MOVE ON.
 |
| **DON’T BE AFRAID TO ROCK THE BOAT** |
| * Facilitator may need a private conversation with client about shame, guilt, or addiction.
* Be clear about how you practice, why, and be willing to refer to another professional.
 |