PACT OVERVIEW
The 4 Keys to Collaboration
Preparation, Anticipation, Coaching and Team

1. **PREPARATION:**
   a) Me (Gather Information)
   b) Team (Gather and Share Information – what is solely for the PTO?)
   c) Clients (Gather and Share Information)

2. **ANTICIPATION:** Based on Information Gathered by Team, Anticipate
   a) Safety concerns
   b) Communication challenges
   c) Coaching/Consulting needs
   d) Supports required to assist with power imbalance
   e) Potential Roadblocks and Impasses
   f) Triggers/Patterned Responses/Trauma-Based Responses

3. **COACHING AND CONSULTING:** Based on Debriefs Consider Needs
   a) My needs (open mind, detach from outcome, identify biases and triggers)
   b) Clients' needs (safety plan, neutral communications, brainstorm options, triggers)
   c) Team's needs (debrief, constructive feedback, need for expansion)

4. **TEAM** Good Communication and Trust Handles Most Challenges
   a) Cultivate communication and trust on the team
   b) Set Aside Time for Team Building (Pre-meetings, Debriefs, Client Prep and Coaching/Consulting)
   c) Using Team During Meetings (Identify and Manage)
   d) Identifying How to Use Team Most Effectively (Dyads, Triads, Ongoing Discussions, Consultants)
   e) What to Do When There's Not a Full Team

PACT PROTOCOL
4 Keys to Effective Collaboration
Preparation, Anticipation, Coaching/Consulting, Team

1. **PREPARATION** Me, Team, Clients:

   a) Prepare Me (Gather Information)
      - Inform myself about the client, the relationship, the narratives
      - Perform a preliminary screening
      - Identify if I have personal biases
      - Consider my unconscious biases
      - Identify underlying interests
      - Move clients who arrive with a list of demands from their positions

   b) Prepare Team (Gather and Share Information)
      PTO – Professional Team Only Meeting
      - Share information about clients, the relationship, the narrative
      - Set up full screening with a family professional (screening is ongoing)
      - Discuss process design (IPV, power imbalance, mental health)
      - Identify where clients may get stuck
      - Identify potential biases/triggers on the team and with clients
      - Lawyers discuss interpretation(s) of the law (ongoing)

   c) Prepare Clients (Gather and Share Information)
      - Preview meeting setup and provide an overview of roles
      - Provide coaching (by lawyer/family professional/financial professional)
      - Prepare client to express hopes, interests, and generate options
      - Move clients with demands from positions to interests

2. **ANTICIPATION** Based on Information Gathered by Team, Anticipate:

   a) Safety concerns: Team members are all responsible for:
      - Conducting ongoing IPV and power imbalance screening
      - Looking for and sharing mental health concerns with the PTO

   b) Communication challenges:
      - How do the clients process information?
         - Do they need time to process before making decisions?
         - Can they hear what is being communicated?

- How do the clients make decisions?
    - Do they consult with family and friends?
    - How does decision making affect the dynamic?

c) Coaching/Consulting needs:
- Family, legal, financial
- Consult with other collaborative professionals
- Consult with community resources

d) Supports required to assist with power imbalance:
- Payment of expenses including professional team during the process
- Emotional and mental health supports
- Counselling/therapeutic supports
- Safety planning

e) Roadblocks
- Where might the clients get stuck?
- What can we do ahead of time to prevent the roadblock?

f) Triggers/Patterned Responses/Trauma-Based Responses

3. COACHING AND CONSULTING Based on Debriefs Consider:

a) Me:
- Am I coming with an open mind?
- Am I detached from the outcome?
- Legals – Am I detached from the legal model?
- Do I have personal or hidden biases?
- Am I being triggered?
- Am I aligning?

b) Clients:
- Do we need to prepare a safety plan to be used outside the process?
- Coach how to neutralize communications during and outside of meetings
- Brainstorm options and bring forward interests instead of positions
- Ask questions and plan strategy:
    - When you're triggered, what does that look like?
    - What happens for you? (fight, flight, freeze, fawn, fold….)
    - What will be helpful to you when you are triggered (signals, breakout rooms, walk, breathing exercises….)

- Notice and be Curious:
    - "I noticed when this was said, you did that….if it happens again, how do you want to deal with it? How can I help? Will you want a break?"
    - Provide constructive feedback and game plan strategies

c) Team:
- Create time and space to debrief
- Provide constructive feedback to teammates
- Create an environment where everyone (including the clients) can do their best work
- Consult experienced CP practitioners when the team needs a fresh perspective
- Consult with experienced community resources when we don't have a full team

4. TEAM Good Communication and Trust are the Basis:

a) Cultivate communication and trust on the team:
- How do we communicate?
    - PTO (professional team only) – what does PTO *actually* mean?
    - Do PTO discussions ever go back to the clients?
    - When do we use group emails that include clients?
    - What happens when a teammate is not responding? (Establish how this will be addressed right from the beginning)

- What are our roles when communicating within team and back to clients?
    - Do we alternate responsibility for group email communications?
    - Legals: Who explains the law in team meetings with clients?
    - How do we keep clients and legals on an equal playing field with one another and maintain balance?

b) Set Aside Time for Team Building:
- Pre-meetings:
    - Legals: discuss when, how and who presents the law (joint presentation or presenting two different scenarios)?
    - Legals: discuss when, how and who presents the math on division of assets (Together? Net family property statement?)
    - Team: set aside time for process design (and tweaks)
    - Team: how do we hold and manage space for client needs?

- Debriefs:
  - Team: what worked and what didn't?
  - Use curious questioning approaches
    - Avoid motive questioning: ie "why did you…."
    - Instead try: "I noticed when you said X, your client/my client did Y – what do you think is going on there?.."
    - "When you asked X, what were you looking for?"
    - "Here's something I noticed….."
    - "I wonder if we tried…..next time…."
    - "How can we get at that information?"

  - Do we need to expand the team?
    - Add a family or financial professional?
    - Add a mediator?
    - Consult with someone in the community?
    - Consult with other collaborative professionals (inside and outside our practice group)?

- Client Prep and Coaching:
  - How can I (we) best support both clients?
    - Additional information
    - Additional time to process
    - Role plays
    - Debriefs
    - Therapy and counselling
    - Time between meetings to access supports (neutrals and others)

c) Using Team During Meetings:
- Identify and manage patterned responses and triggers
- Identify and manage processing and decision making challenges
- Perform ongoing IPV and power imbalance screening
- Assess need for frequent breaks and breakout rooms, shorter meetings, less time between meetings, more time between meetings

d) Identifying How to Use Team Most Effectively:
- Dyads
- Triads
- Ongoing pre-meeting discussions to prepare, anticipate and coach
- Bring in consultants

e) What to Do When There's Not a Full Team:

- Create/expand the team to help expand perspective:
  - Add community resource people
  - Pursue consultations with other professionals including professionals from other practice groups
  - Obtain mentorship inside or outside your practice group
  - Obtain a voice of the child report
  - Add a mediator

PACT was developed in conjunction with: "Thinking Outside the Collaborative Box" (CPD with A. Katchaluba and D. McInnis)
And IPV Screening "Beyond the Basics" (CPD with T. Bidgood and A. Katchaluba)

Neutral Language for Collaborative Professionals and Client Coaching

INSTEAD OF THIS	TRY THAT
Opposing counsel/Opponent	(Person's name), my counterpart, the other lawyer, my teammate
Opposing party	(Person's name), your partner, your spouse, the other parent
Parties/party	(Person's name)
My client	(Person's name)
My client's position is …..not to pay spousal support …..to keep the house …..nothing less than 50/50 parenting time	**(Person's name) is worried about *or* (Person's name) is interested in** …..having adequate cashflow …..the children staying at their current school …..spending quality time with the children
My client is entitled to …..spousal support …..deducting the DOM house value …..not equalizing assets in individual names because they were common law	**(Person's name) would like to discuss** …..cash flow …..what each person brought into the marriage …..how assets and debts are dealt with under the legal model to see if they are on the same page (and if they aren't – can we also talk about joint family venture, unjust enrichment and constructive trust?)
I'll provide you with my client's disclosure brief	Let's talk about how we will gather and exchange financial disclosure in the first team meeting
I'll take that under advisement	Let me think about that

Perpetrator, Offender, Abuser, Accused	Person who has used violence
Victim, Survivor	Person who has experienced violence
Alienating Parent	Aligned Parent
Alienated Parent	Disconnected Parent
Issue	Topic, Question, Disagreement,
Dispute, Problem, Conflict	Concern, Different Point of View, Different Perspective
I have a problem with that, it's not reasonable	That's one option – are there other options? What about …….. (propose one or more options)
Position	Interest, Worry, Concern, Question
Settle/Settlement (suggests "settling" which can mean "less than" rather than "resolving")	Resolve/Resolution
Generally, using "you" statements e.g. "you never drop the kids on time"	Using "I" statements can sound less accusatory – maybe outline how the action impacts me and suggest a way to resolve it "Can we agree to text each other when we're running late?"
That's fair	Agreeable/workable Meets (person's name)'s needs, interests, or goals It may be helpful to ask what "fair" means to each person if they are both using that word
That's unfair	Can we generate some options that could help meet this (need/interest/goal)?

That's unfair (continued)	Are there options that meet your goal of X and (the other person)'s goal of Y?
Extremes like "always", "never", "must"	Instead of generalizing – state the specific point and offer one or more options e.g. Instead of: "You always talk to the kids before you talk to me." Try: "When you make plans with the kids before discussing it with me, it can lead to disappointments. Can we agree to share information and plans with each other first before discussing those plans with the kids?"
I will (or will not) recommend this to my client	Let's present the legal information together at the next team meeting and provide (participants' names) with some time to make decisions after they have been fully informed. If we disagree about the law, we can present (participants' names) with the interpretations in a neutral way so they can consider their options.
It's the client's process	The professional team designs and controls the process, the participants control the outcome and make decisions after they have been fully informed
Go back to the 4 Agreements don Miguel Ruiz	Be impeccable with your word Don't make assumptions Don't take anything personally Always do your best

*Created by Debbie Hoffman in Conjunction with "Supporting Excellence in Collaborative Team Practice" a *Collaborative Divorce of Waterloo Region BBL* presented by Annette Katchaluba, Diane McInnis, Kirsty Katul, and Debbie Hoffman

COLLABORATIVE TEAM PROCESS DESIGN TOOL (IPV)

Schedule time to do the work outside of full team meetings

- **Legal Professional Pre-meetings with Client:**
  - Conduct a pre-screen for IPV and power imbalance
  - Obtain consents from client (Protocol 3)
  - Explain mandatory full screen (Protocol 2)
  - Prepare client to express goals, hopes, worries and concerns
  - Prepare client to listen to goals, hopes, worries and concerns
  - Coach client to generate options, express the narrative, have difficult conversations

- **Pre-meetings with PTO** (professional team only)
  - **Pre-IPV Screening**

    Results of legal professionals' pre-screen:
    - IPV
    - Power imbalances including readiness (financial, emotional)
    - Triggers and traumas
    - Additional feedback to help the team design a good process
  - **Team processes**
    - Pro Active Tool (Victoria Smith, Deborah Graham, Vivian Alterman, 2019)

  - **Post-IPV Screening**

    Results of family professional's full screen:
    - Screening Confirmation Sheet (Waterloo's Protocol 10)
    - Readiness of each client to separate and negotiate
    - Frequency and length of meetings (identify specific timing issues such as sale of the home)
    - IPV and power imbalance red flags
    - Mental health/ substance use concerns in the family
    - Differences in client narratives
    - Places where clients may get stuck (creating tension, anger, frustration, cyber abuse)
    - How will collaborative professional fees be paid?

    Actions items following full screen:
    - Identify client's individual need for team support (inside supports)
    - Identify client's individual need for additional supports (outside supports)
    - Explore process design options, (including frequency and length of meetings)
    - Articulate the process design plan
    - Plan how to deal with abusive and controlling behaviour in meetings and outside of meetings
    - Plan how to safely terminate the process

        - Discuss the need for a safety plan (inside and outside of meetings)
        - Discuss client communication (inside and outside of meetings)

- **Full Team Meetings with Clients**
    - Team members share responsibility for ongoing assessment of IPV and power imbalance (Protocol 4)
    - Team re-evaluates strategies and re-designs the process based on their ongoing experience with the family and with the clients individually
    - Team assesses the need for breakouts (triads, dyads, shuttle)
    - Know when to stop (clients' window of tolerance)

- **Debrief with Client:**
    - Obtain feedback from client (what worked and what didn't)
    - Provide feedback to client
    - Coach client (generate options, have difficult conversations)

- **Debrief with PTO:**
    - Provide feedback (what worked and what didn't work)
    - Identify triggers
    - Re-assess for IPV and power imbalance
    - Re-assess process design

- **Additional Process Design Options:**
    - Dyad: family professional and client
    - Triads: family professional, legal professional and client
    - Neutral takes a mediative role between dyads (shuttle mediation)
    - Voice of the Child Interviews

- **Additional Ways to Support Clients:**
    - Encourage clients to time their therapy sessions around full team meetings
    - Encourage clients to book the entire day away from work if possible
    - Ongoing pre-meetings to prepare and coach clients
    - Ongoing assessment by PTO
    - Neutral takes a mediative role
    - Seek community supports (DV police units, counselling centres, tech experts, realtors, vocational/career consultants, parenting coach/supervised parenting time supports)
    - Care for the children on meeting days
    - Plan in the event of restraining, trespassing orders
    - Secure separate housing for each person
    - Have emergency funds set aside for litigation lawyer (especially for individual experiencing IPV/coercive control)
    - Arrange for a litigation lawyer to be available if necessary
    -