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. <u>COACHING AND CONSULTING</u> 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. <u>TEAM</u> 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 *<u>actually</u>* 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)

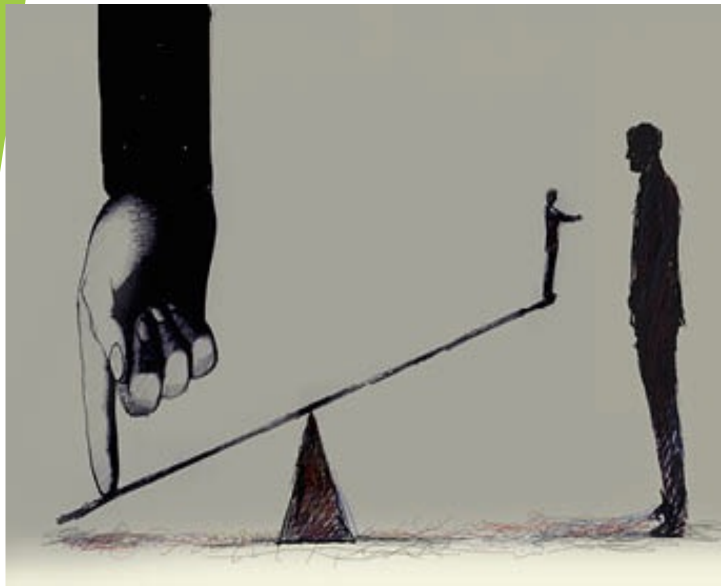
- **Debrief with Client:**
    - Obtain feedback from client (what worked and what didn't)
    - Provide feedback to client
    - Coach client (generate options, have difficult conversations)

- **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
    -

Working With POWER IMBALANCES IN THE COLLABORATIVE PRACTICE



Trish Bidgood, Debbie Hoffman, Annette Katchaluba
October 2023

Power Imbalance

Power Imbalance is any dynamic that gives one person a stronger negotiating position than another

- Power imbalances are always present (consciously and unconsciously)
- All negotiations can be impacted by issues of power or perceived power by clients and collaborative team members
- Couples bring power imbalances that existed in the marriage into the divorce process and “negotiate” the way they did in their marriages
- Collaborative teams have power imbalances that also impact the negotiation process

Power Imbalance in Couples

Power imbalances can be obvious or more subtle:

- financial disparity (more/less assets & earning potential)
- one parent has stronger relationship with the children
- current and/or history of IPV and coercive control
- readiness for separation process (One person wants reconciliation/still in love)
- how one responds to conflict, How conflict avoidance/ protective responses are activated (4F's)
- presence of trauma or mental health which is compromising functioning
- cognitive capacities & aptitudes, (rigid/flexible thinking styles, ADHD)
- social competencies (communication skills, capacity for empathy/perspective taking)
- temperament (passive, domineering, introvert/extravert tendencies, personality disorder)
- social location (cultural, gender, socioeconomic differences)

Power Imbalance in Collaborative Teams

How do power imbalances show up in collaborative teams:

- Lack of recognition of the impact of ones social location, clients and CP members engagement & participation
- lack of empathy/perspective taking (aligning with client)
- rigid versus flexible thinking styles
- differences in personality temperament
- lack of trust among team members
- taking positions, not following agreed protocols
- devaluing/minimizing various members contribution
- differences in how lawyers approached to interpretations of family law statutes interpretations
- team members respond to conflict (conflict avoidance/ protective responses are activated (4F's)
- lack of sensitivity to time: meeting times, length of time between meetings (PTO's & full team), not assessing client needs
- use of language (exclusionary; professional speak)
- speaking for your client (taking over negotiations for the client)

How Can Power Imbalances Impact the Collaborative Process

Power imbalance in the couple dynamic can contribute to:

- silencing client's voice
- triggering a trauma response
- impasses in negotiations
- inequitable settlements, detrimental & long lasting impact on family members
- post settlement breakdown in agreements
- increased expenditure of resources: costs, time, mental health
- perpetuation of IPV & coercive control post separation

Power imbalance within teams can also contribute to:

- divisiveness, mistrust among team members
- delays in the process and settlement
- positioning and impasses
- escalating costs for clients
- clients being disadvantaged in their negotiation
- inequitable settlements
- breakdown in the collaborative process

- Collaborative professionals are “responsible for the process, not the outcome” and as such its our responsibility to create a safe & effective negotiating environment so we can all bring our best selves to the table.
    - acknowledging & addressing power imbalances may prevent them from negatively and/or disproportionally effecting clients, team members, the process and the outcome

- People who are actively and meaningfully engaged in the decision making process have a greater understanding they agreed to & and a greater likelihood for compliance with those agreements

How can collaborative teams recognize & address power imbalances

- Collaborative team members having a baseline knowledge of:
  - Intimate Partner Violence & Coercive control, domestic violence/child abuse
  - Trauma & trauma informed practice
  - Social location and other concepts related to equity, diversity and inclusion
  - Family law
  - Family dynamics (families in transitions)
  - Conflict and negotiation
- Collaborative process protocol's/ best practices
- PACT (Preparation, Anticipate, Coaching & Team)
- Reflective Practice

Types of Reflection

- **Anticipatory reflection:** reflecting *before* the meeting? Asking yourself:
  - What do I think might happen? What are my goals? How am I feeling? What might be challenging? How do I want to respond? Why? What can I do to prepare?

- **Reflection-in-action:** reflecting *during* the meeting? Asking yourself:
  - What's currently happening? How am I feeling? Are things going as expected? How are others reacting? Is there's anything I should be doing differently?

- **Reflection-on-action.** reflecting *after* the meeting? Asking yourself:
  - What happened? How do I feel about the meeting? What went well? What was challenging? and what do I want to do differently, in the future? Is there any action I want to follow up on?

Reflexive Practice

Benefits of reflective practice:

- self awareness/understanding
- increased feelings of autonomy, competence & control (respond vs react)
- improved our performance thereby improve services to clients
- challenges our beliefs & habits
- acquire new knowledge & skills
- avoid missteps that may inadvertently cause harm to others
- practice with care and dignity
- helps prevent power imbalances

Ambivalence Towards Reflexive Practice

Why might we be reluctant to engage in reflexive practice:

- taps into our vulnerability/reluctance to change
- too busy (luxury vs important)
- not sure how to go about it
- fear of what might be discovered
- ignorance: “everything is working fine”
- arrogance: “ have 15, 20, 30 years of experience ” “I know what I’m doing” “I’ve seen it all”, “I stay informed”
- fear of conflict or how provide constructive feedback, or worry about will be received

Opportunities for Reflexive Practice

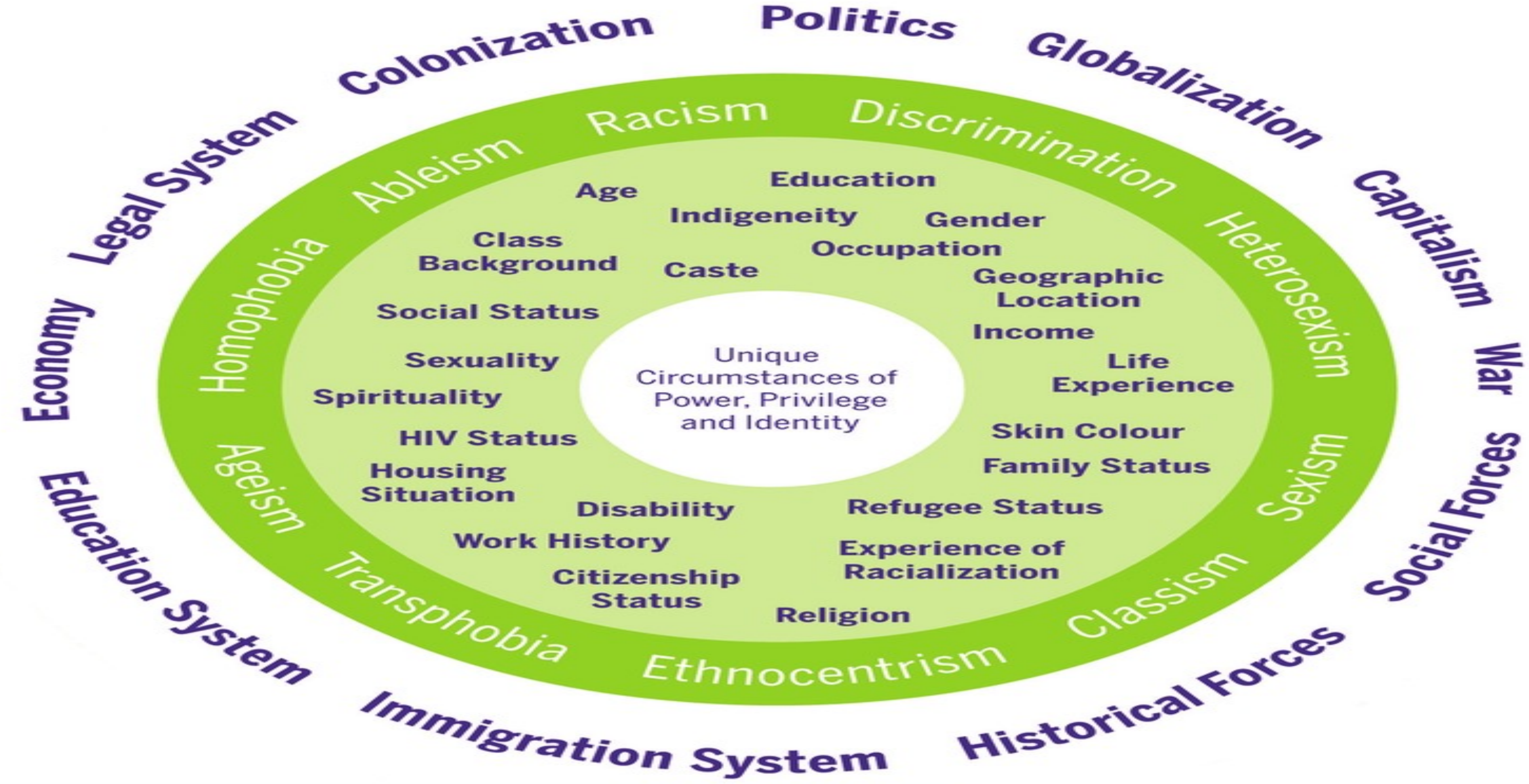
- Professional team meetings before collaborative meetings
- Debriefing after collaborative meetings & at the end of a case
- Join/create a peer consultation group
- Dedicate time at the beginning and after meetings for reflective writing: answer guiding questions, set goals, etc. (as little as 10 minutes)

Social Location

It is an intersectional framework for understanding our experiences as social beings.

- someone's social location is "the combination of factors including social identities including: gender, race, social class, age, ability, religion, sexual orientation, and geographic location" and the privilege/marginalization that come with them

- our social locations affects how we navigate in the world
  - how others perceive and treat us
  - how we perceive and act in the world, and
  - how we build relationships
  - how we provide services



Innermost Circle: unique circumstances

Second Circle: aspects of identity

Third Circle: types of discrimination impacting identity

Outermost Circle: larger forces and structures reinforcing exclusion

Note: it is impossible to name every discrimination, identity or structure. These are just examples to help give you a sense of what Intersectionality is.

Graphic adapted from CRIAW/ICREF's Intersectionality Wheel Diagram published in *Everyone Belongs. A Toolkit for Applying Intersectionality (2009, p. 6)*

Cultural Humility

Assuming a "not-knowing stance"

- acknowledges that looking through the lens of our own culture can limit our ability to understand what is really going on in another's culture
- approaching our interactions from a place of openness to learning and self critical reflection ("what's happening for you (other)", "what's that like for me hearing or seeing this")
- being committed to trying to level out power imbalances in our client/ provider, colleague to colleague relationships
- being curious, dropping our professional superiority
- repairing micro-aggressions: educate yourself, acknowledge, apologize & repair

Language Matters

- Language can calm and empower
- Language can shut people down, exclude, cause harm
- Narrows perspectives, can be binary often holds that there “only one truth”

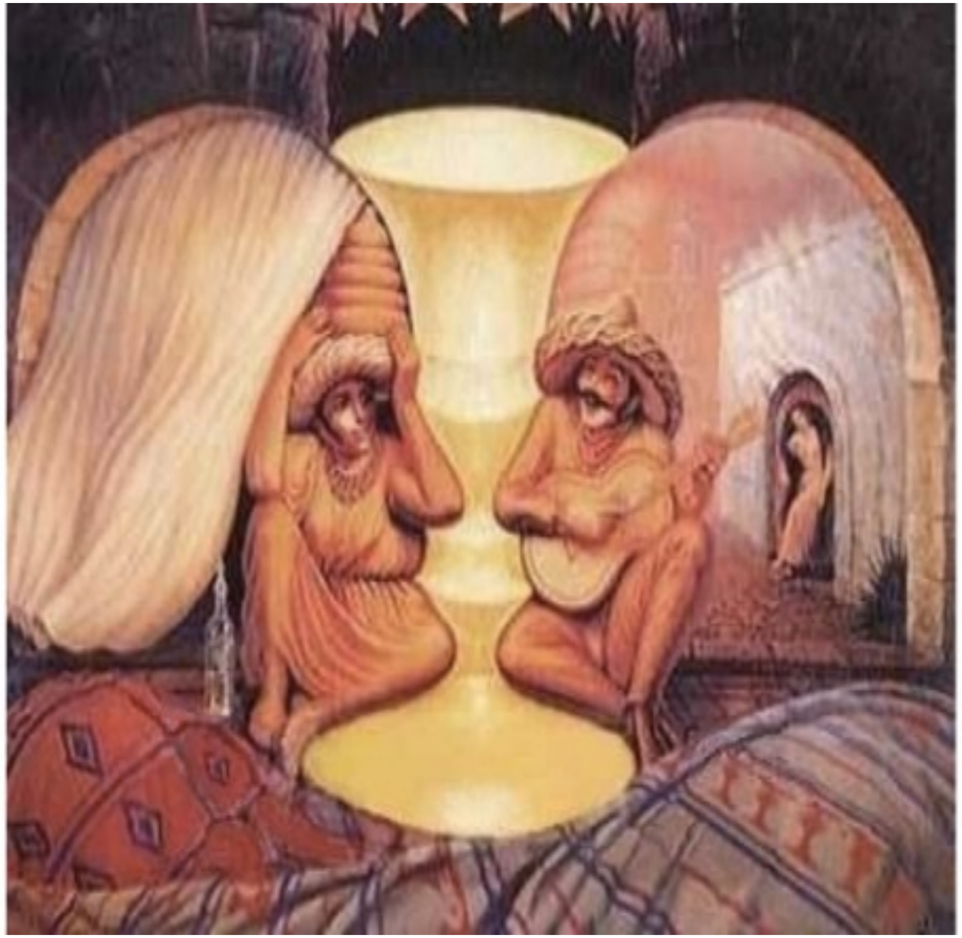
- Use of Language: inclusive, anti oppressive, trauma informed

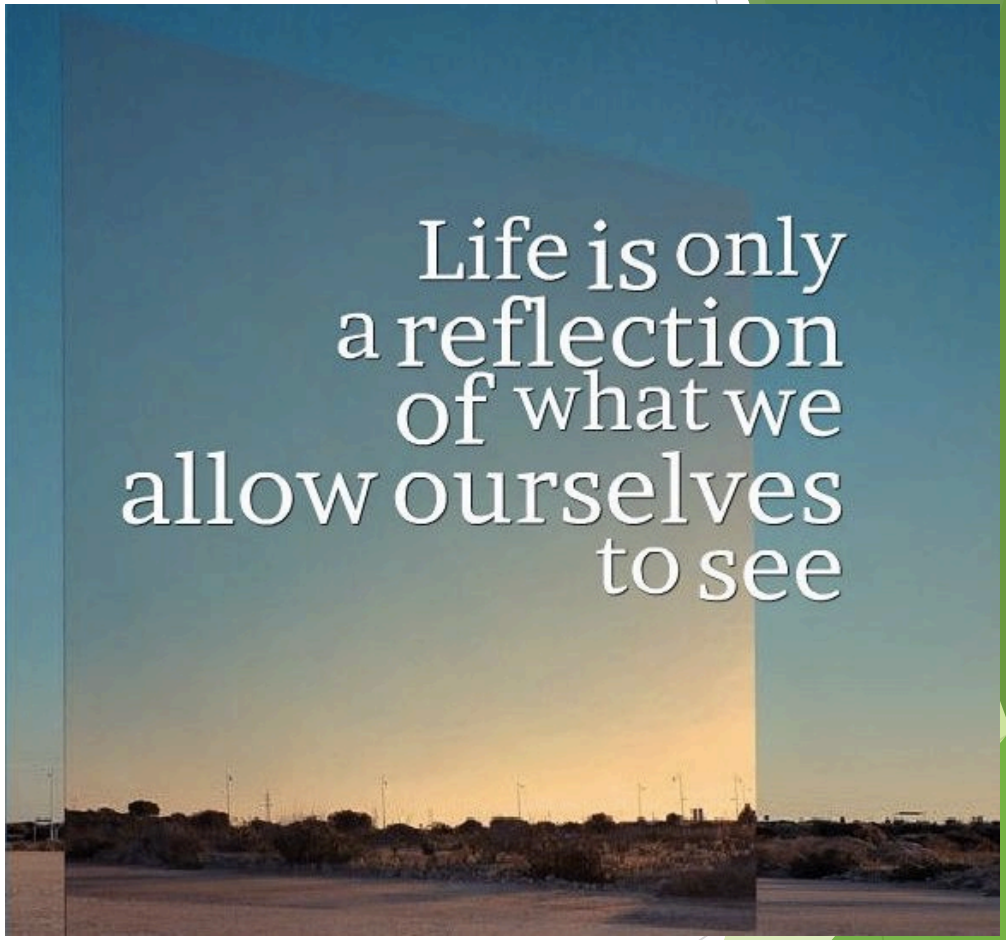
Microaggressions - Repair

1. Acknowledge it. Say what you did.
2. Apologize.
3. Repair harm if needed.
4. Prevent yourself from doing it again:
   - Self-education
   - Changing conditions that allowed it
5. Know that ongoing learning is required.
   Like language, EDI is a practice, not a destination

Reflexive Questions: understanding "why we do what we do and what we can do better"

- How did I feel during the meeting? Did my feelings change? What happened that might explain these changes?
- What did I noticed about how I communicated with others (professionals/clients)?
- What were/are my goals? What was I trying to accomplish? Did I get there?
- What went well? What went badly?
- What will I continue to do the same next time? What will I try to do differently next time ?
- How did others respond to me? How did I respond to others in the meeting?
- Where did I notice biases arise? How did my biases get triggered?
- What triggered me in the meeting? How did I react? How did others respond?
- Did I notice oppressive or exclusionary language?
- What did I notice about how others reacted? Who do I want to check in with? What might have been going on with them? How will I explore this?
- How might this impact future meetings, the process, outcomes? What could I do about it?
- Do I need some more training in….. (IPV, cultural competence, trauma)




Life is only
a reflection
of what we
allow ourselves
to see

Trauma

Can loosely be referred to as an event/s that poses as a threat to an individual/s which may over-whelm their ability to cope and possibly result in symptom development and physical and psychological distress.

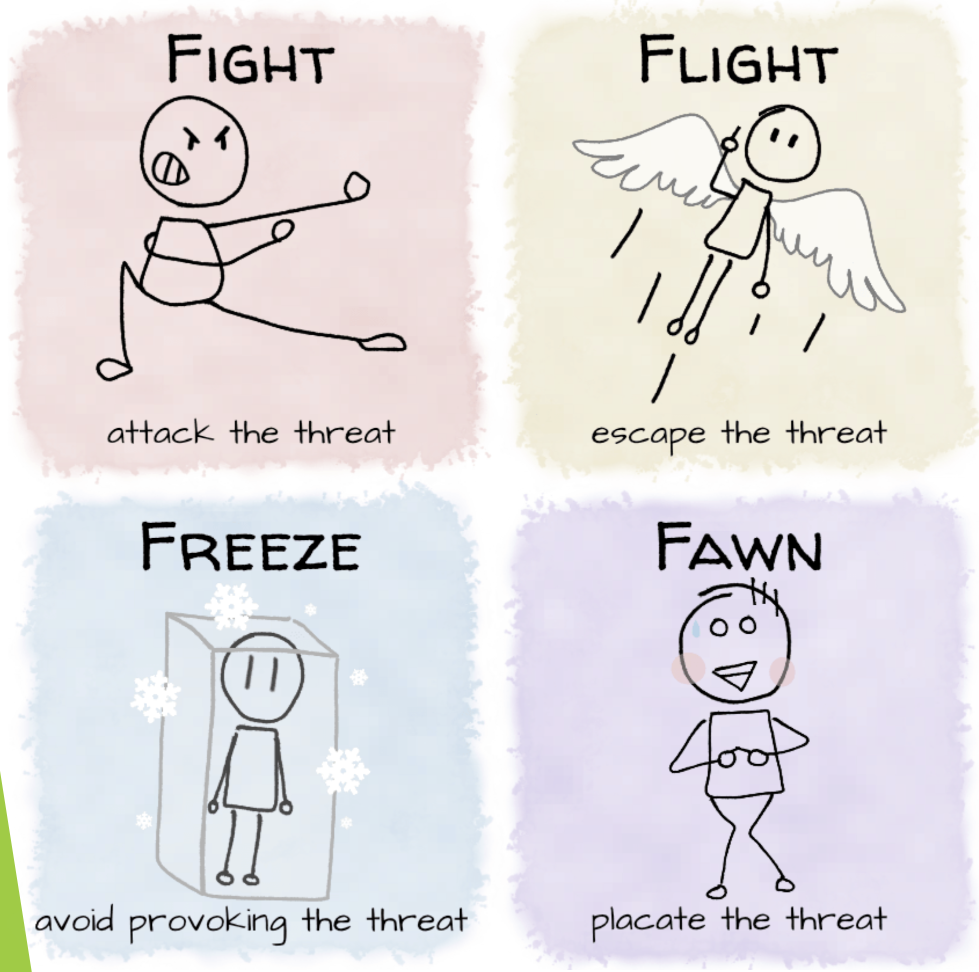
- The 3 E's of trauma:
  - Events/circumstances that caused the trauma
  - Each person's experience of a trauma is unique
  - Effects of trauma can be complex and include adverse physical, emotional, social, cognitive, spiritual

Trauma Informed Practice

Trauma-informed work doesn't ask, "what's wrong with you?" They ask, "what happened to you." (Sandra Bloom)

- Trauma informed practices recognized the central role that trauma can play in one's life
- Trauma can alter one's worldview and schema
  - views about trust, safety, intimacy, vulnerability, hope, etc.
- One can be frequently re-triggering in their environment. (Bannick, F, 2008)
- Misperception of sense of danger/threat can occur when there is no real threat

Acute Stress Response



When we feel or threatened (physically or psychologically), the body and the mind rapidly responds to perceived imminent danger.

Conflict avoidance and protective responses are activated.

THE 4F's:

- Fight: facing any perceived threat aggressively.
- Flight: running away from the danger.
- Freeze: unable to move or act against a threat.
- Fawn: immediately acting to try to please to avoid any conflict.

Hyperarousal– Anxious, Angry, out of control, overwhelmed
Your body wants to run away or fight
this reaction seems to just take over

Stress and trauma cause the window to **shrink**

Window of Tolerance

You feel that you can deal with life. You might feel stress, but it doesn't bother you that much.

You feel calm, connected and your reaction is controlled.

Healthy coping and connection Cause the window to **expand**

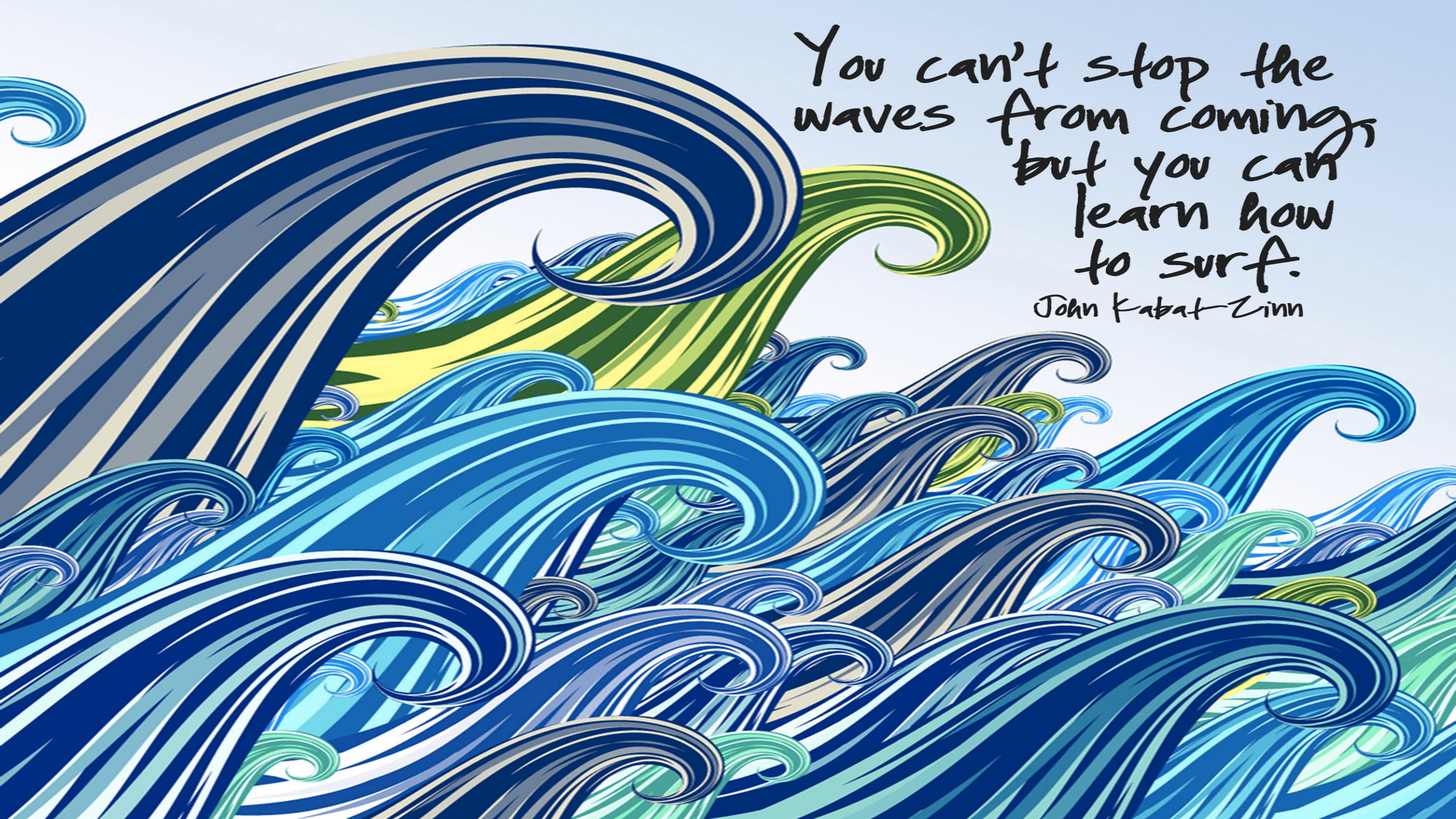
Hypoarousal– spacy, zoned out, numb, frozen, depressed
Your body wants to shut down or freeze
this reaction seems to just takes over

Reformulating triggers as the “drama of trauma”

- When someone behaves in ways that are unexpected and seem irrational or extreme, they may be experiencing a trauma trigger.
- A trigger is some aspect of a traumatic event that occurs in a completely different situation but reminds the party of the original event.
  - Examples may be sounds, smells, feelings, places, postures, tones of voice, or even emotions.
- Those who have experienced traumatic events may re-enact past patterns when they feel unsafe or encounter a trigger.
- The stress response may be activated and an individual may react as though they are experiencing the previous traumatic event as though it is happening in the “here and now”.
- Common Triggers include:
  - Unpredictability
  - Sensory overload
  - Feeling vulnerable or frustrated
  - During a perceived confrontation

Principles of a trauma informed approach

	Safety	Choice	Collaboration	Trustworthiness	Empowerment
Definitions	Ensuring physical and emotional safety	Individual has choice and control	Making decisions with the individual and sharing power	Task clarity, consistency, and Interpersonal Boundaries	Prioritizing empowerment and skill building
Principles in Practice	Common areas are welcoming and privacy is respected	Individuals are provided a clear and appropriate message about their rights and responsibilities	Individuals are provided a significant role in planning and evaluating services	Respectful and professional boundaries are maintained	Providing an atmosphere that allows individuals to feel validated and affirmed with each and every contact at the agency


You can't stop the waves from coming, but you can learn how to surf.
John Kabat-Zinn

Considerations for IPV screening:

As we screen for IPV and Coercive Control we must keep in mind a complexity of factors:

Be prepared: safe client engagement:

- Frontend load: inform the client what to expect, why you want the information, what you will do with the information, limits of confidentiality, give clients choice
- Check you biases, notice your reactions
- Importance of building trust and rapport
- Demonstrating respect and an willingness to listen to understand
- Make sure you have time; allow the client to set the pace
- Check in for clients trauma reactions, have grounding techniques handy
- Be prepared for safety planning, referral resources etc
- Be sure meeting ends with self care strategies (explore and predict how client may respond)

Considerations for IPV screening:

Barriers to disclosure: individuals may be reluctant to disclose IPV for a variety of reasons including:

- fear of not being believed
- feelings of embarrassment or shame
- fear of threat or further violence
- fear of being reported to child protection services, immigration services
- fear of re-traumatization if disclose again

Considerations for screening for IPV

Level of Fear

- The level of fear by person who experiences violence is "one of the most dependable predictors of continuing risk of physical violence." Need to assess level of risk and focus on creating safety. Nielsen, 2017

Trauma

- woman's trauma and its impact on mental health may compromise her ability to fully participate in legal proceedings, such as collaborative law. Symptoms may include:
  - difficulty with concentration and memory
  - difficulty understanding and processing legal terms and concepts
  - difficulty making important decision regarding family law matters

- Trauma survivors many "either under-or-over report risk of harm

Considerations for screening for IPV

Interviewing person who has used violence:

- check your biases (notice your own reactions)
- listen for understanding (empathy)
- work to build rapport and trust
- trauma informed mindset “what happened to you”
- notice trauma reactions and respond appropriately
- respectfully set limits, correct cognitive distortions
- communicate expectation for accountability and non violence
- assess motivation for change
- seek consultation

Considerations for screening for IPV

<u>Intersectionality of IPV</u>

- depending on client social location, there could be additional challenges due to culture, language, religion, sex and sexual orientation or socioeconomic status. Clients may experience the IPV in culturally specific ways. We need to explore client needs

- May explore cultural beliefs, values, practices etc. in relations to IPV through some of questions:
  - Who else has been impacted by the abuse in your family? Extended family? Friends?
  - How have they impacted ?
  - Does anyone in your extended family or among your friends and community know about the abuse? Doctor?
  - Does anyone at know at work?
  - What made you decide to share? Or not share?
  - Who has been supportive and understanding?

Exploring the potential impact of IPV on collaborative processes

- How do you think your experience of abuse may affect how you are in the collaborative meetings?
  - What kinds of words, actions, gestures may your partner express that might trigger a reaction in you?
  - How might you react if you are triggered? (thoughts, feelings, possible fight-flight-freeze reactions)
- What kinds of things can you do that will help you to feel calm, less distressed?
- How do you think your experience of abuse may affect the kinds of decisions you will make in the collaborative process?
- How might your partner react if they thought you were disclosing this abuse to me? Are you worried about any of these reactions?
- What are you comfortable with me sharing with your lawyer, both lawyers?
- What kinds of concerns might you have about me sharing this information with the team ?
- What kinds of things do you do to keep yourself and the children feeling safe? (resilience)

Ongoing risk assessment throughout the Collaborative process

The risk for violence can be influenced by context and can rapidly increase or decrease according to the change of circumstances. Imperative to a safe collaborative process that IPV is reassessed through out the entire process.

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