



“THE WORLD OF CONFLICT COACHING: EXPLORING WHAT IT MEANS FOR MEDIATORS AND THEIR BUSINESSES”

Presented by

Patricia M. Porter, LCSW

at the

2009 Annual TAM Conference, Dallas, Texas

As a mediator of 15 years, and a dispute resolution practitioner in general, I have been a firm believer that one size does not fit all when it comes to offering intervention services to clients. Early on in my dispute resolution career, responses to inquiries about how to resolve a dispute usually met with an enthusiastic “do you know about mediation?” I would then launch into all the benefits of mediation hoping they would give me an opportunity to work with them through their conflict. Through the years, I have worked with all kinds of client bases including families, individuals, community groups, higher education, state and federal government agencies, small businesses and in general, the workplace. They often wanted to know their options for managing conflict or resolving disputes as they were not always ready or willing to participate in mediation.

There is a broad range of reasons for one to resist mediation. Certainly, we could all share war stories over the challenging cases we have had, and even reflect on some of the odd and often destructive behavior that shows up in mediation. Parties who are not mentally or emotionally prepared for a constructive dialogue can often demonstrate intense emotions, negative attitudes and behaviors not conducive to a successful or productive mediation. Mediators have learned techniques to deal with the intense emotions including the use of caucus sessions. Over the years, mediators and mediation programs have developed pre-mediation or convening sessions to help parties understand the process. These sessions were used to support parties to think clearly about their issues, identifying positions and their possible interests. Some might say that this was the early stages of pre-mediation coaching.

In the late 90's and early 2000's, I was a dispute resolution practitioner in an Employee Assistance Program (EAP) providing mediation services to all levels of staff. We utilized pre-mediation or convening sessions as a way to prepare and provide some coaching to the parties so that they could be most productive in the sessions. This often helped the parties get focused but there was a limit to the scope of what we could do in our roles as mediators so as to protect our neutrality. Through our case debriefs, we explored

other options for supporting the employees in the mediation process and discussed what other conflict resolution processes might be available to employees who were resistant to mediation.

Conflict coaching was becoming the new buzz word and it seemed like a viable option for clients. Cinnie Noble, a pioneer in the development of an evidence-based conflict coaching model, CINERGY®, defines conflict coaching as “a specialized one-on-one confidential process that integrates executive coaching and conflict management principles. The main objective of conflict coaching is to help people increase their knowledge, skills and abilities, to engage more effectively in their interpersonal disputes.”

The CINERGY® conflict coaching process is a structured process with a practical approach. Its focus is to bring about a deeper understanding of the self and to support a shift in thinking and feeling about conflict, whether it is related to a specific conflict or a general attitude about conflict.

After taking the initial basic conflict coaching course in 2004, I started to use the conflict coaching process both in mediation coaching and as a stand alone process for clients who wanted to develop their conflict management skills, address potential disputes, prepare for a difficult conversation, or address conflict behaviors, like conflict avoidance, that impacted their performance behaviors. Sometimes, we would also employ post-mediation coaching. To read more about post-mediation coaching, go to <http://www.mediate.com/articles/noble6.cfm>

In *Mediation Coaching: A Form of Conflict Coaching (2004)* (<http://www.mediate.com/articles/noble4.cfm>) Noble states “one of the functions of a mediation coach in preparing a party for mediation is to help the client anticipate possible reactions from the other side and engage him or her to practice effective ways to respond.” Coaches help individuals to rehearse the conversations or other choices they choose to consider. This strategy implies this function is outside of the mediator’s scope and relies on a conflict coach. In fact, at the EAP, the person providing conflict coaching did not serve as the mediator.

Case in point. We were working with a department who had an institutional partnership with an outside museum. The workplace cultures were very different supporting different values and rules often causing conflict between the professionals and scientists. The disputes had already escalated and people’s jobs and international reputations were at stake. We were called in to conduct mediation sessions. After our initial pre-mediation sessions, it became quickly apparent that we had two individuals highly resistant to the mediation process. However, when presented with the option of conflict coaching, they were amenable to discussing privately their disputes. This provided them a place to share their stories with a conflict coach who could support them in developing their goals for how to move forward. Most importantly, it helped the client understand their triggers, the motivation or intent behind their reactions, and how they might want to change their thinking and emotional response to the situation. After several conflict coaching sessions, the two individuals agreed upon a joint mediation session. At this

point, the conflict coach provided mediation coaching to help them prepare and practice their new behavioral responses to the triggers they anticipated in the mediation.

Over the last 5 years, Conflict Connections has included conflict coaching as a service option to clients. In fact, one client was a mediator who wanted to improve her conflict management competency and mediation skills. She found herself stifled in highly emotional mediation cases and wanted to explore her triggers and change her response in the mediation sessions. The range of possibilities is endless in how one can expand their business to include conflict coaching as a service option or as a support to their mediation practices.

In exploring what conflict coaching means to you as a mediator and your business, one thing to consider is the ethical challenges that may arise when you are both a mediator and a conflict coach. This issue is often discussed amongst other conflict coaches and mediators, that these are two separate roles and to serve as both a conflict coach and a mediator in the same case can cause ethical dilemmas especially as it relates to neutrality.

To learn more about conflict coaching and the developing field, people can join the International Coach Federation (ICF) Conflict Coaching Special Interest Group (SIG) which meets the last Tuesday of each month via telephone. To join this free group, please contact Cinnie Noble, SIG Host, at cinnie@cinergycoaching.com

Patricia "Pattie" Porter, LCSW is the President of Conflict Connections, Inc.TM. She is a certified CINERGY® Advanced Conflict Coach and holds the Credentialed Distinguished Mediator from the Texas Mediator Credentialing Association (TMCA). She can be reached at pmporter@conflictconnections.com or visit www.conflictconnections.com.

SUGGESTED READINGS

Participants coming to the TAM workshop on "The World of Conflict Coaching" might read the introductory article Conflict Coaching: A New ADR Technique by Cinnie Noble (*Published in the Ontario Bar Associations' Alternative Dispute Resolution Newsletter, Volume 17, No.1, December,2008*). You can read the article online at http://www.cinergycoaching.com/CC_New_ADR.pdf

Other conflict coaching articles can be found at <http://www.mediate.com/coaching/>

BOOKS

Jones, Tricia and Ross Brinkert (2008). Conflict Coaching: Conflict Management Strategies and Skills for the Individual. Sage Publications.

Runde, Craig and Tim Flanagan (2007). Becoming a Conflict Competent Leader: How You and Your Organization Can Manage Conflict Effectively. Jossey-Bass.

NOTES