



Managing and Mediating High Conflict Disputes

Heartland Dispute Resolution Association

April 3-4, 2025

Presenter: Bill Eddy, LCSW, Esq.

KU Edwards Campus

BEST Conference Center (use north entrance)

12600 Quivira Rd. Overland Park, KS 66213

(Edwards Campus is south of I-435 on the west side of Quivira., between 125th & 127th Streets)

CONFERENCE DESCRIPTION

High conflict disputes are different. They often involve one or more individuals with a pattern of high conflict behavior, characterized by all-or-nothing thinking, unmanaged emotions, extreme behavior, and preoccupation with blaming others. In this two-day training, Bill Eddy will provide a basic overview of the conflict patterns of five high conflict personality disorders, four approaches to avoid when working with them and four skills for managing their high conflict behavior individually in any setting. Then he will present his new approach to mediating such disputes, called *New Ways for Mediation*®, which includes several paradigm shifts, from ordinary mediation by not relying on insight, expression of emotions or discussions of the past.

Instead, this method focuses on teaching clients four simple skills to use within a simple structure that keeps them focused on problem-solving solutions and away from venting, re-working the past, extreme demands, rigid positions, and other self-defeating behaviors. The skills for mediators are also simple and less stressful, so that the mediator serves primarily as a guide in the parties' use of their skills and as source of information throughout the process. Some or all of the tips and tools of this method can be used with any mediation. Mr. Eddy has been developing and teaching this method over the past fifteen years to many mediators, lawyers and counselors around the United States and Canada, including 2-day trainings in this approach to over one hundred Family Court Services counselors throughout California, as well as court mediators in several other family court systems.

This training will include PowerPoint presentations, video clips, role-play practice exercises, and opportunity for questions and discussion of difficult situations throughout the training. There will be one hour focused on ethical issues, which are more likely with high conflict individuals.

AGENDA – DAY ONE

Thursday Afternoon: Understanding and Managing High Conflict Clients

- 12:00-1:30: There will be an overview of five high conflict personality disorders and their common behavior patterns. Some brain information will help understand how to shift clients from upsets to problem-solving. The role of negative advocates will be addressed. There will be four tips for what *not to do* with high conflict clients.
- 1:30-1:45: BREAK
- 1:45-3:15 Four key management skills will be explained for working with any individuals who may have high conflict behavior, known as the CARS Method® including: CONNECTING with statements that show *empathy, attention and respect* (EAR statements); ANALYZING options, including a 3-step method for making proposals and responding respectfully with questions; RESPONDING to hostility or misinformation by being *brief, informative, friendly, and firm* (BIFF responses); and SETTING LIMITS using policies and EAR statements.
- 3:15-3:45: Practice Exercise (in pairs): EAR Statements with a mediation client.
- 3:45-4:00: BREAK
- 4:00-5:30: The *New Ways for Families*® method of preparing parents for mediation will be presented. This is an interdisciplinary approach to managing the whole family in separation/divorce cases, which involves teaching both parents simple self-management skills for managing conflict, then each parent teaches their children these skills. This session will include video clips demonstrating the paradigm shifts in court hearings, meetings with individual parent counselors/coaches, meetings with parents teaching children the skills and meetings with a lawyer and parent to reinforce the skills.

AGENDA – DAY TWO

Morning

Friday: Structure of *New Ways for Mediation* Method and Client Tasks

8:30-10:30: The *New Ways for Mediation* structure and skills will be explained. The four client tasks will be emphasized, which the mediator will reinforce throughout the mediation process.

Stage 1: Establishing the Process – Client Skill: Asking Questions.
High conflict clients often try to dominate the mediation, so gaining control and overcoming client resistance to a future focus is essential.

Stage 2: Making the Agenda – Client Skill: Making their Agenda.
In this paradigm shift, the mediator guides the clients to make their own Agenda while redirecting blaming comments and focusing on the structure and future focused problem-solving.

Demonstration of Stages 1 and 2, and discussion.

10:30-10:45: BREAK

10:45-12:15: Stage 3: Making Proposals – Client Skill: Making their Proposals.
This is the 3-step proposal making process at the center of high conflict mediation (or any mediation). The mediator guides the parties to make realistic proposals, ask helpful questions (while redirecting unhelpful comments and arguments), and then respond constructively, rather than reacting and undermining the process.

Stage 4: Making Decisions - Client Skill: Making their Decisions.
By keeping the parties actively involved in detailed decision-making, they react less and contribute more. Address client ambivalence about reaching final agreements. Mediator guides the parties to consider and resolve the implementation issues of their agreements and what to do when breach of agreement occurs.

Demonstration of Stages 3 and 4, and discussion.

12:15-1:15: LUNCH

AGENDA – DAY TWO

Afternoon

1:15-2:45: Dealing with Domestic Violence: When these cases are and aren't appropriate for mediation. Video clips from series "Conversations on Domestic Violence in Family Court Cases with 16 Experts"

Dealing with Resistance and Refusal: Distinguishing realistic estrangement vs parental alienation issues. Kayden's federal law.

Pre-mediation coaching and screening for domestic violence and resistance issues. Demonstration of individual coaching session.

2:45-3:00: BREAK

3:00-4:00: *BIFF Communication* method for clients and professionals, including examples from the book *BIFF for Lawyers and Law Offices* (2024).
Practice exercise: Writing a BIFF Response and coaching a client

4:00-5:00: Ethical issues

Confidentiality, impartiality, neutrality, voluntariness, self-determination, ongoing assessment of safety issues, respectful communication, communicating with lawyers and other professionals, and avoidance of "professional splitting." Trainer will address issues in his Chapter 8, "Dealing with Difficult Parties," in the America Bar Association book *Mediation Ethics: A Practitioner's Guide* (2021).

Conference Pricing:

Full Conference = 14.5 hours	Thursday Only = 6 hours	Friday Only = 8.5 hours
Member: \$185	Member: \$100	Member: \$140
Non-member\$250	Non-member \$250	Non-member\$185
Full Time Student...\$85	Full Time Student\$55	Full Time Student. \$70

Who should attend this Conference:

Mediators, Social Workers, Business Managers, HR Professionals,
Conflict Managers, Religious Leaders, Parents, People interested in
or working in the field of Conflict Resolution

LEARNING OBJECTIVES

1. Identify the conflict dynamics of five types of high-conflict personalities.
2. Apply brain science to managing high-conflict people with empathy, attention and respect.
3. Reduce resistance to positive problem-solving with a 2-step mediator method.
4. Provide a structured mediation approach designed for high-conflict personalities.
5. Teach parties to make their agenda with the mediator's assistance, and to change their agenda by agreement as needed throughout the process.
6. Teach parties a 3-step method for making proposals, asking questions respectfully and thoughtfully giving a response.
7. Educate high conflict parties about choices and consequences in making their decisions.
8. Assist high conflict clients in addressing ambivalence about final agreements.

ABOUT BILL EDDY, LCSW, JD

Bill Eddy is a therapist (12 years as a Licensed Clinical Social Worker), lawyer (15 years as a Certified Family Law Specialist), and mediator (15 years as the Senior Family Mediator at the National Conflict Resolution Center in San Diego). He is the co-founder and Chief Innovation Officer of the High Conflict Institute based in California and Arizona. Mr. Eddy provides training worldwide on the subject of high-conflict personalities to lawyers, mediators, judges, mental health professionals, human resources, and others. He has presented in over 38 states and thirteen countries.

Mr. Eddy is the author of several books, including: *Mediating High Conflict Disputes*; *High Conflict People in Legal Disputes*; *BIFF for CoParent Communication*; *BIFF at Work*; and *BIFF for Lawyers and Law Offices*. He is the developer of the *New Ways for Families*® method for potentially high-conflict families going through separation or divorce, which is being implemented in several family court systems. He is also the developer of the *New Ways for Mediation*® method, which emphasizes more structure by the mediator and more negotiation skills for the parties. His blog on the Psychology Today website has over 6 million views. He provides a popular weekly podcast with Megan Hunter, CEO of High Conflict Institute, titled: *It's All Your Fault*. His website is: www.HighConflictInstitute.com.