

Reducing High Conflict Communication in Child Welfare: Practical Tools for Professionals

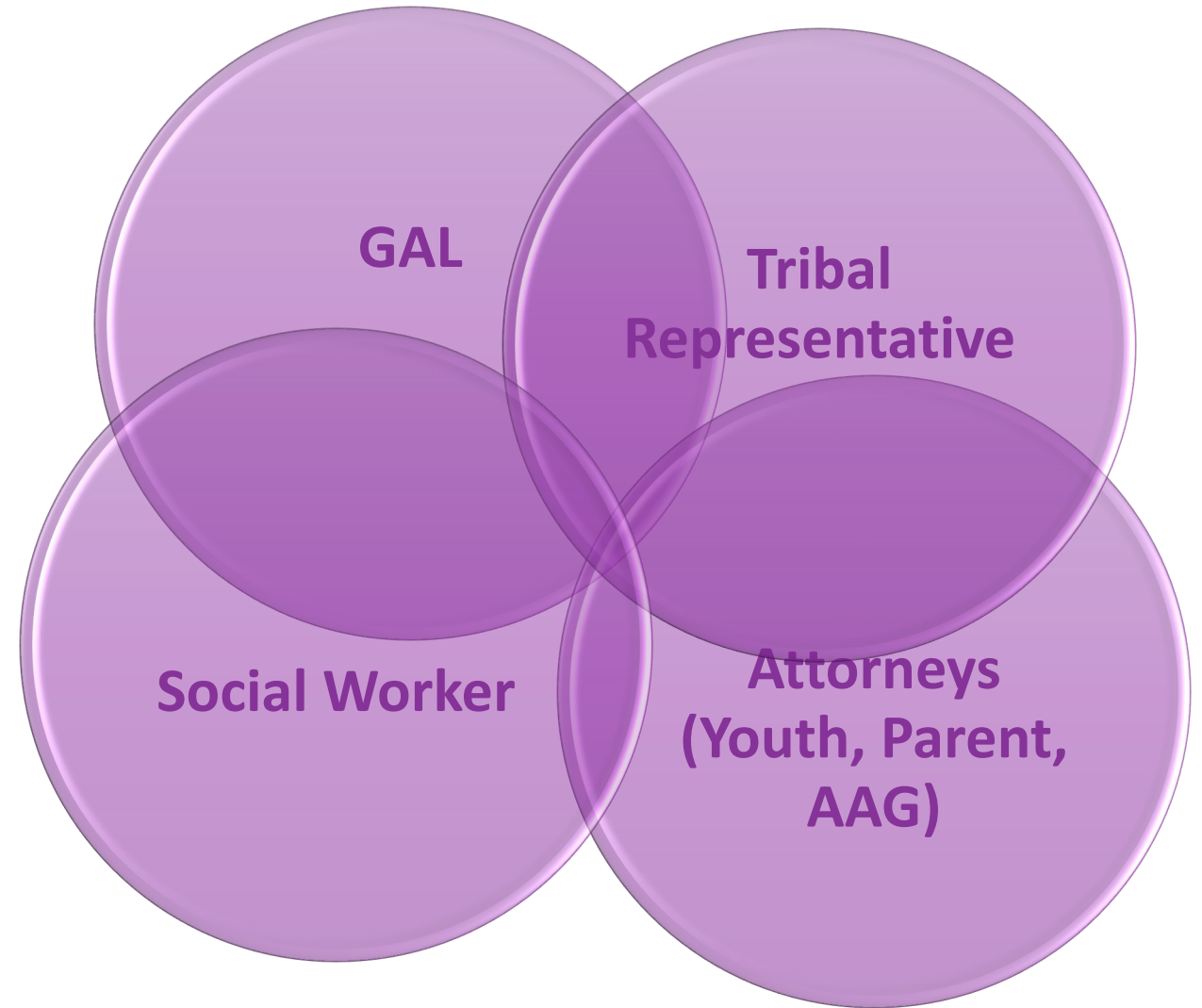
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Goals & Roles in the Dependency Process

- How do our goals & roles differ and how do they intersect?
- Does success look different for each role?
- Is there room for relationship building in this process?



Is the dependency process designed to be collaborative?

An illustration showing several stylized human figures in various colors (black, white, blue, purple) working together to assemble a large, multi-colored puzzle. The puzzle pieces are in shades of blue, purple, and orange. Some figures are standing on the puzzle, while others are on the ground. The background is a solid orange color.

What is Workplace Collaboration?

Collaboration entails working with someone else in order to create or produce something.

Successful collaboration includes:

- A willingness to find solutions to problems
- Recognizing collaborators' strengths and weaknesses
- Taking responsibility for mistakes
- Giving credit to others for contributions
- Actively listening to other team members' concerns

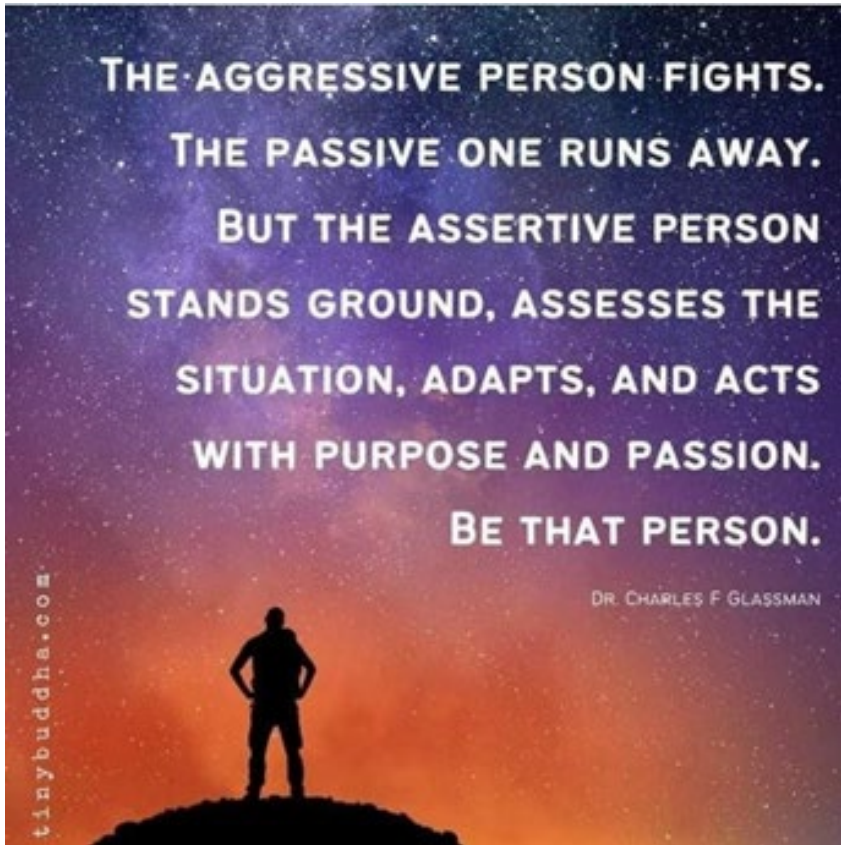
- Courts use confusing language like “teaming” and “collaboration.”
- Parties have competing and/or conflicting priorities and processes.
- At the end of the day, it’s still a court process that was designed to be adversarial.



What are reasons for conflict in our communication?

- Our work environment is emotionally charged
- We work under the pressure of time
- We have inharmonious communication styles
- We're blaming, not problem-solving
- We aren't assuming positive intent
- We don't build/maintain relationships with court partners





Part II:

Addressing challenging or hostile
written communication.

Introducing the BIFF Response[®].



Would LOVE to know why you haven't mentioned this before. Would love to know.

I am not pleased with the way you are handling this process. What a horrible way to practice.


This is clearly in the best interest of child. I don't understand why you are fighting so hard.

These aren't really "shared planning" meetings even when they're supposed to be; I **CERTAINLY** am not going to waste my time on one that isn't!

I can't help but think that if my client was the mother, DCYF would have rolled out the red carpet for them.







**We see the world through the lens of all
our experiences; that is a fundamental
part of the human condition.**

Madeleine M. Kunin



What type of message is it?

- Attacking the person
- Generically rude/snarky
- Making false statements
- Defensive
- Delayed information sharing
- Filled with assumptions
- “Normal” attorney correspondence



What is the sender trying to communicate?

What are they seeking through their correspondence?

Email from a youth's attorney to the YFM facilitator:

“I understand that maybe I’m the only one not available today at 3pm however, I have an appointment that I cannot cancel. I do not have any coverage. This was extremely last minute. I am Daria’s attorney. My schedule should be put above some of the other people schedules, I am sorry, but her attorney is more important to be present. And if everyone is going to move forward and have this meeting without me and deny Daria her ability to have an attorney then go ahead. I will let the court know that you are denying Daria her ability to have counsel present at these meetings especially a meeting to remove her.”




~~I understand that maybe I'm the only one not available today at 3 PM however, I have an appointment that I cannot cancel. I do not have any coverage. This was extremely last minute. I am Daria's attorney. My schedule should be put above some of the other people schedules, I am sorry, but her attorney is more important to be present. And if everyone is going to move forward and have this meeting without me and deny Daria her ability to have an attorney then go ahead. I will let the court know that you are denying Daria her ability to have Counsel present at these meetings especially a meeting to remove her.~~



When should you ignore it?

- When there is clearly no real issue being discussed
- When it is simply the other person's opinion about your behavior
- When is it clear you will not change the other person's point of view
- When you have already responded sufficiently on the same subject

A photograph of a person in silhouette, seen from behind, releasing a bird into the sky. The bird is in flight, and several other birds are visible in the distance. The sky is filled with soft, white clouds, and the overall lighting suggests a sunset or sunrise. The text 'sometimes we just have to let things go' is overlaid on the image in a serif font.

sometimes we just have to
let things go

Dear social worker,

You need desperately need to work on your ability to communicate with parents. Once the GAL explained why their visits were being canceled, they understood. Something you originally failed to do when you texted the parents.

It is not my client's job to meet you where you are, it is YOUR JOB to meet them where they are. You are being paid to help parents. Issues should not come up just because you don't know how to communicate effectively.

Signed, attorney



BIFF Response[®]

- BRIEF
- INFORMATIVE
- FRIENDLY
- FIRM



BRIEF

A brief response indicates you are not interested in continuous dialogue.

You don't have to respond to everything.

Be clear on the goal of your response.

INFORMATIVE

Present neutral, accurate information.

Focus on stating what is correct, not correcting the inaccurate statements.

Understand the goals of the other person to address concerns or questions.

FRIENDLY

You can still set boundaries with a friendly, or neutral, tone.

May include an invitation to raise any concerns in a phone call, or with a supervisor or the AA.

It's okay to acknowledge their concerns.

FIRM

The point of your email is to end the conversation.

Reply with confidence and do not emotionally engage.

If you get additional emails, ignore them. If you need to respond, keep it briefer and repeat key information.

What if you did screw up?

Acknowledge the error.

Explain how the problem occurred and that you will address it.

Use the opportunity to improve relationships.

Before you write a reply and hit “send”

Brief

- Informative

Friendly

- Firm

Is a response
necessary?



Can you reply
or should this
be elevated?



Are you sure?
Then, take a
breath.



Is it necessary
to respond
now?



~~I understand that maybe I'm the only one not available today at 3 PM however, I have an appointment that I cannot cancel. I do not have any coverage. This was extremely last minute. I am Daria's attorney. My schedule should be put above some of the other people schedules, I am sorry, but her attorney is more important to be present. And if everyone is going to move forward and have this meeting without me and deny Daria her ability to have an attorney then go ahead. I will let the court know that you are denying Daria her ability to have Counsel present at these meetings especially a meeting to remove her.~~



REPLY #1:

Your client is the one requesting to move which is why we are scheduling this meeting with little notice. It's important the current caregiver and potential next caregiver are in attendance so they can discuss Daria and her needs in order to work towards the most successful handoff. They are arguably the most important attendees of this meeting. No one is trying to ice you out, but we can't always make a meeting work for everyone. If you feel the need to address this with the court that's your choice. I don't know why you are always threatening to take matters up with the judge instead of focusing on collaborating with the department for what is best for Daria.

Regards,
YFM Facilitator



Reply #2

It is challenging to set a meeting under time constraints and include everyone. I agree that as her attorney, your presence is important.

To respond to your client's request to move placement immediately, we have to proceed this afternoon with the YFM. I will ensure that Daria is supported by writing down any questions she has for you and that you receive a copy of the action plan by end of day.

Kind regards,
YFM Facilitator

Dear father's counsel,

I met with Mr. Father today and he said he can never reach you. He said he leaves voice messages that aren't returned and at court you don't even speak to him until he sits down for his case.

This is greatly impacting our ability to move the case forward and achieve permanency. Mr. Father says he's willing to sign a guardianship, but we are waiting on you to meet with him. Please let me know when you have met with him so we can submit the GAP paperwork.

Signed, social worker



Dear social worker,

I want to remind you that for a change of placement a GAL has to agree to it. I am not pleased with the way you are handling this process.

Signed, GAL

Dear GAL,

DCYF does not need the permission of any party to move the child from foster home to foster home.

Signed, attorney for mom

If that is so, what a horrible way to practice.

Signed, GAL



Takeaways

- What lens am I looking through when I view this communication?
- Do I know what the sender intends to communicate?
- Has this communication triggered an emotional response in me?
- Is a written reply required?
- Keep it Brief, Informative, Friendly, Firm
- Does your response achieve your goal and address the issue?
- Draft your BIFF Response[®]
- Can someone review your response?



Elephants are powerful.

What type of elephant do you want to be?

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