



## Handling High-Conflict

**Presented to:**  
Utah Courts

**Presented by:**  
Megan Hunter, MBA  
Co-founder and CEO

**Date**  
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1

## Hello, We Are High Conflict Institute.

Founded in 2008 by **Bill Eddy**, LCSW, Esq. and **Megan Hunter**, MBA, we take a **skills approach** to **influencing** conflict in human interactions to help those who have a hard time in processes and systems.

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2

## Our Methods

We teach methods and skills for dealing with high-conflict situations and personalities.

Our background knowledge on **personality styles** helps people understand how to work more effectively with those who they otherwise may not have served.

Our goal is to support professionals to be able to engage everyone with **empathy, dignity and respect, free from labeling and discrimination.**

## Our Principles



**Trauma- & Entitlement-Informed and Solutions**



**Approached with No Shame & No Blame**



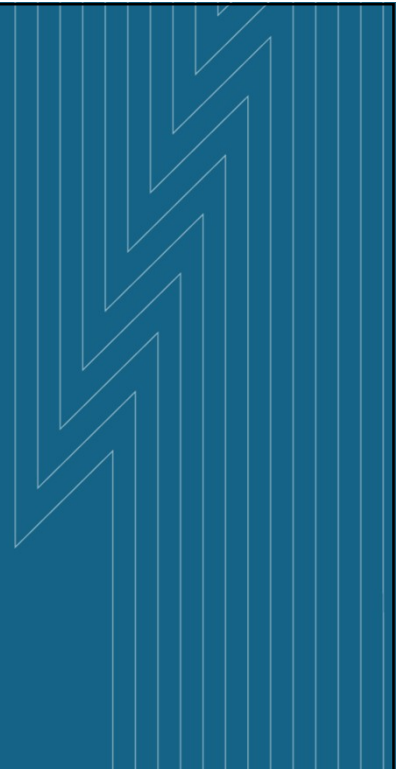
**Cultural Sensitivity**



**Mental Health Sensitivity**

# Part 1

## Why You Need to Flip Your Script in High-Conflict



# High Conflict Personalities

## 4

**PRIMARY TRAITS**  
of the High Conflict  
Personality

### BLAMING OTHERS

preoccupied  
with focusing  
on a Target  
of Blame

### ALL-OR- NOTHING

problem-solving  
dominated by  
all-or-nothing  
thinking

### UNMANAGED EMOTIONS

which are  
intense and can  
completely  
take over

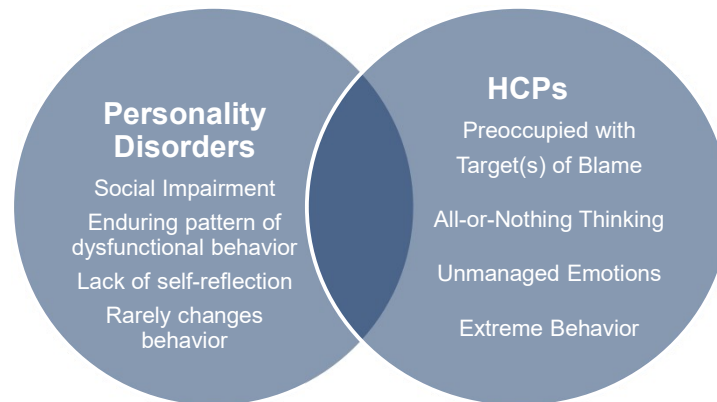
### EXTREME BEHAVIOR

or threats,  
which 90% of  
people would  
never do

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5

## Overlap with Personality Disorders



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## General Criteria for All Personality Disorders – DSM-5-TR

- A. Enduring pattern of inner experience and behavior;  
deviates from person's culture. Manifested in 2 or more of:
1. Cognition (ways of perceiving self, others, events)
  2. Affectivity (intensity, inappropriate emotional response)
  3. Interpersonal functioning
  4. Impulse control
- B. Inflexible and pervasive in range of personal & social settings.  
C. Leads to clinically significant distress or impairment in social functioning.  
D. Pattern is stable and of long duration.  
E & F. Not caused by something else (DSM-5-TR, pp. 734-735)

## Personality Disorders are Interpersonal Disorders

“[A] growing body of empirical research has also considered associations between personality disorders and the quality of functioning in specific interpersonal relationships, such as with **one's children, parents and siblings, peers, and romantic partners.**” (Emphasis added)

Wilson S., Stroud, C. and Durbin, C. Interpersonal Dysfunction in Personality Disorders: A Meta-Analytic Review, *Psychology Bulletin*, July 2017; 143(7): 677-734. doi: 10.1037/bul0000101.

## Personality Disorders are Interpersonal Disorders

“Antisocial, borderline, histrionic, and narcissistic personality disorders, historically classified as Cluster B (dramatic-emotional-erratic) personality disorders, all showed moderate-to-large and significant associations with **domineeringness, vindictiveness, and intrusiveness.**”

[and]

a commonality across the personality disorders in a tendency toward distrust and suspicion of others and an **inability to care about the needs of others.**”

(Emphasis added)

Wilson, et al (2017), *supra*.

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7

## Personality Disorders Can Be Blamers

“Personality-disordered patients will often see the difficulties that they encounter in dealing with other people or tasks as **external to them**, and generally independent of their behavior or input. They often describe **being victimized by others** or, more globally, by ‘the system.’ Such patients often have little idea about how they ... contribute to their own problems....” (Emphasis added)

Beck, et al, *Cognitive Therapy of Personality Disorders*. 1990. pp. 5-6.

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8

## Clusters of Personality Disorders

**Cluster A**

- **Paranoid**
- Schizoid
- Schizotypal

Tend to avoid people

**Cluster B**

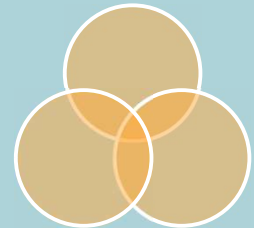
- **Borderline**
- **Narcissistic**
- **Antisocial**
- **Histrionic**

Tend to be high-conflict

**Cluster C**

- Avoidant
- Dependent
- Obsessive-Compulsive

Tend to avoid conflict



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## 5 High Conflict Types

### DEFAULT

**I need to be  
SUPERIOR**  
I'm Very Superior

**I need to be  
ATTACHED**  
Love You/Hate You

**I need to get  
ATTENTION**  
Always Dramatic

**I need to  
DOMINATE**  
Con Artist Types

**I need to be  
SUSPICIOUS**  
I'll Never Trust You

### PERSONALITY DISORDER

**NARCISSISTIC**

**BORDERLINE**

**HISTRIONIC**

**ANTISOCIAL**

**PARANOID**

**When fear triggered, reaction is automatic reaction (which leads back to default)**

- Demeaning
- Demanding
- Insulting
- Defensive
- Self-absorbed

LACK OF EMPATHY

- Mood swings
- Rage
- Intense anger
- Revenge
- Manipulation
- Vindictive

- Attention-seeking
- Dramatic
- Superficial & helpless
- Endless story-telling/talking
- Exaggerating

- Wants to destroy
- Breaks rules & laws
- Enjoys hurting people
- Reckless behavior
- Lying

LACK OF REMORSE

- Expect conspiracies
- Counter-attack first
- Always worried about being in danger
- Hyper-vigilant

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### FEAR

**INFERIOR**

**ABANDONED**

**IGNORED**

**DOMINATED**

**BETRAYED**

**When fear triggered, reaction is automatic reaction (which leads back to default)**

- Demeaning
- Demanding
- Insulting
- Defensive
- Self-absorbed

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*the missing peace*

## Disclaimer

- This seminar does not train you to diagnose personalities.
- It may be harmful to tell someone that you believe that they have personality problems or a high conflict personality.
- Just **recognize** potential patterns and **adapt** your approach accordingly.
- Just **develop your Private Working Theory**.

## Borderline – DSM-5-TR, 752-53

### “Love-You, Hate-You” Conflict Pattern

1. Fear of abandonment: clinging & manipulation
2. Unstable relationships: idealization & devaluation
3. Unstable self-image
4. Impulsive, risk-taking, self-destructive behaviors
5. Recurrent suicidal behavior, threats, self-mutilation
6. Dramatic mood swings, irritability, anxiety
7. Chronic feelings of emptiness
8. Sudden and intense anger, out of proportion
9. Stress-related paranoia or dissociative symptoms

## Specific Tips for “Love You – Hate You” Types

- Listen with empathy. Stay calm and matter-of-fact when they get angry (and they will).
- Keep an arms-length relationship: not too rejecting and not too close
- Have clear boundaries—when you’re available and when you’re not, etc.
- Be consistent and predictable.

## Narcissistic – DSM-5-TR, 760

### “I’m Very Superior” Conflict Pattern

1. Grandiose sense of self-importance
2. Preoccupied with fantasies of unlimited success, power, brilliance, beauty or ideal love
3. Believes is special; seeks high-status people
4. Requires excessive admiration
5. Sense of entitlement; special treatment
6. Interpersonally exploitative
7. Lacks empathy
8. Envious of others; and others of him/her
9. Shows arrogant behaviors or attitudes

## Specific Tips for I’m Very Superior Types

- Be respectful and resist insulting them (even though you will be tempted because of their arrogance and insensitivity to others).
- Resist their efforts to receive special treatment. Reassure them they are important, but that you must follow the rules and policies.
- Praise them for some positive effort/skill.

## Antisocial (Sociopath) – p. 748

### “Con Artist” Conflict Pattern

1. Failure to conform to social norms, laws, rules
2. Deceitfulness (repeated lying and conning)
3. Impulsivity, failure to plan ahead
4. Irritability and aggressiveness; hx of fighting
5. Reckless disregard for safety of self or others
6. Irresponsibility, especially work, \$ and kids
7. Lack of remorse

Also: Evidence of conduct disorder *before age 15*

(In half of cases, by age 10; 95% by age 12; De Brito and Sheilagh, *Antisocial Personality Disorder*, 2015)

## Specific Tips for “Con Artist” Types

- Avoid trusting people who say “trust me” a lot. Maintain a healthy skepticism. Ask for documentation.
- Pay attention to your gut feelings—they often are the first to tell you to be wary.
- Sometimes they are dangerous. Don’t accept being bullied—get assistance.

## Histrionic – DSM-5-TR, 757

### “Always Dramatic” Types

1. Uncomfortable unless center of attention
2. Interactions inappropriately seductive or provocative
3. Rapidly shifting and shallow expression of emotions
4. Uses physical appearance to draw attention to self
5. Style of speech is impressionistic and lacks detail
6. Dramatization, theatricality, exaggerated emotions
7. Suggestible (easily influenced by others...)
8. Considers relationships more intimate than they are

## Specific tips for “Always Dramatic” Types

- Don't get hooked by their stories. You can always interrupt the drama by moving on to another important tasks.
- Plan to spend more time getting ordinary work done with them.
- Emphasize how they can help themselves. Give them a sense of empowerment.

## Paranoid – DSM-5-TR, 737-738

### “I’ll Never Trust You” Type

Pervasive distrust and suspiciousness of others in a variety of contexts:

1. Suspects, w/o basis, others are exploiting, harming or deceiving them
2. Preoccupied with unjustified doubts about trustworthiness of friends, etc.
3. Reluctant to confide in others because fears it will be used against them
4. Reads demeaning or threatening meanings in benign remarks or events
5. Persistently bears grudges (unforgiving of insults, injuries, or slights)
6. Perceives attacks on their character or reputation not apparent to others and is quick to react angrily or counterattack.
7. Has recurrent unjustified suspicions regarding fidelity of sexual partner.

## Specific Tips for “I’ll Never Trust You” Types

- Be as non-threatening as possible. Be reassuring, but don’t expect them to trust you.
- Don’t push them to open up about things. Respect their caution and desire to only reveal what they have to.
- Explain that policies require you to do certain things (so it feels less personal).

# CAUSES

- 1. Biological factors**, such as genetic tendencies and temperament at birth.
- 2. Early childhood factors**, such as early parenting “attachment” disruptions, child abuse or other trauma before age 5.
- 3. Social learning/Larger Culture:** Attention and rewards for Drama, Mood Swings, Narcissism & Violence

## 2 Hemispheres of Brain (Flexible)

<u>Left Hemisphere</u>	<u>Right Hemisphere</u>
“Logical Brain”	“Relationship Brain”
Generally Conscious	Generally Unconscious
Language	Observes relationships
Thinks in words	Thinks in pictures
Planning	Creativity, Art, Intuition
Examines Details	Non-verbal Skills
Rational analysis	Facial recognition & cues
Systematic Solutions	Gut feelings
Positive Emotions Calm, contentment, etc.	Negative Emotions Hurt, anger, fear, etc.

## Corpus Callosum

- The main wiring between the hemispheres of the brain, that aids in the flow of information back and forth. More flow is better.
- Some people get stuck in the upset emotions of the right hemisphere and can't access their left hemisphere to help resolve negative emotions.
- It's damaged or smaller in children repeatedly exposed to abuse, as well as in some adults with personality problems.

-- Martin Teicher, *Scientific American*,  
March 2002, Vol. 286, Issue 3, p. 68+

## Amygdala in Non-Verbal Communication

Amygdala of the brain:

- Alarm center; "Smoke Detector" of brain
- "Hijacks" brain for fast, unconscious defensive responses -- faster than "thinking"
- Shuts down logical, analytical thought processes
  - Daniel Goleman  
*Emotional Intelligence* (1995)
- Attentive to facial expressions, specifically Rt. Amygdala:
  - fear and anger** (not other neg. emotions)
  - Allan Schore  
*Affect Regulation and the Repair of the Self* (2003)

## Mirror Neurons

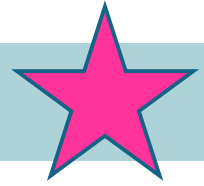
- More recent discovery in brain research
- Neurons in our brains automatically “mirror” activities we watch, to prepare to do the same
- Emotions are mirrored: smiles, sadness, anger
- Empathy may be a mirroring activity
- You can over-ride mirroring and act opposite (respond to anger with empathy; sadness with hope; upset emotions with problem-solving)

-- *Mirroring People: The New Science of How We Connect with Others*,  
Iaconboni (2008)

In high conflict,  
the **Issue's Not the Issue.**

# CONFLICT TOLERANCE

What is your normal response to conflict?



CONFLICT AVOIDER	CONFLICT COMFORTABLE	CONFLICT ASSERTIVE
<b>FLEE (RUN FROM) THE CONFLICT</b> <ul style="list-style-type: none"> <li>• fly, freeze</li> <li>• people pleaser</li> <li>• easily rolled over</li> <li>• ignore negative behaviors</li> <li>• Walk on eggshells</li> </ul>	<b>STAY (OR RUN INTO) THE CONFLICT</b> <ul style="list-style-type: none"> <li>• Argue/explain</li> <li>• right fighter</li> <li>• easily hooked</li> <li>• Defensive</li> </ul>	<b>HOLD</b> <ul style="list-style-type: none"> <li>• problem-solver</li> <li>• objective</li> <li>• emotionally <b>unhooked</b></li> <li>• information-seeker</li> <li>• calm</li> <li>• matter-of-fact</li> </ul>
<b>RESULT:</b> <b>Emboldens aggression</b>	<b>RESULT:</b> <b>Escalates conflict</b>	<b>RESULT:</b> <b>Manages and influences the conflict.</b>

31

## The Art of Self-care in high-conflict

Remind yourself often:

- **Don't take their attacks personally**
- It's NOT about me
- I'm on a journey alongside them
  - Stay with them—don't fix them
- Keep arms-length relationship
- Manage your own anxiety:
  - Avoid becoming too directive
  - Avoid becoming too passive
- Take No Blame—No Shame approach
- Avoid being a hero—or too guilty
- Remember: it's about the BRAIN

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32

# Part 2

## How to Flip Your Script

### 3 Theories of the Case

**If Person A says Person B is acting badly, 3 theories must always be considered:**

1. **It's true:** Person B is acting badly, may be high conflict personality
2. **It's not true:** Person B is not acting badly and Person A is acting badly (may be high conflict personality)

**Caveat:** Or, Person B gives the appearance of high conflict but in actuality is being intentionally triggered by Person A.

1. **Both are acting badly**, maybe both have high conflict personality

## 4 Fuhgeddaboudits

**1** Trying to give them **insight into themselves**

**INSTEAD**  
focus them on choices

**2** Focusing on the **past**

**INSTEAD**  
focus on the future

**3** Emotional confrontations or **asking about emotions**

**INSTEAD**  
focus on thinking and doing

**4** Telling them they have a **high conflict personality or personality disorder**

**Just fuhgeddaboudit!**

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35

## Cast of Players in Most High-Conflict Situations



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36

## Identifying High-Conflict Early WEB Method®

<b>THEIR WORDS</b>	<ul style="list-style-type: none"> <li>▪ all-or-nothing</li> <li>▪ make personal attacks against others</li> <li>▪ use words like “destroy”, “acknowledge”, “abandoned”, “don’t care”, “respect/disrespect”, “insulted”</li> <li>▪ <b>takes 0% of blame and places 100% on other party (target of blame)</b></li> </ul>
<b>YOUR EMOTIONS</b>	<ul style="list-style-type: none"> <li>▪ <b>DO YOU HAVE A STRONG EMOTION?</b></li> <li>▪ <b>Do you feel danger or anger?</b></li> <li>▪ <b>Do you feel extreme like/dislike?</b></li> <li>▪ <b>Do you feel confused? Attacked?</b></li> </ul>
<b>THEIR BEHAVIOR</b>	<ul style="list-style-type: none"> <li>▪ Do they do things 90% of people would never do? Followed by excuses for the behavior?</li> <li>▪ Are they extremely charming until they get what they want (or until they’re held accountable) and then flip.</li> </ul>

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37

## 4 Key Skills for Managing HCPs

### C.A.R.S. Method®

1. **CONNECTING WITH E.A.R.**
2. ANALYZING Options
3. RESPONDING to Misinformation
4. SETTING LIMITS on Misbehavior

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38

## Connect with EAR Statements (Empathy, Attention & Respect)

Example: “I **understand** these are big decisions in your lives and your children’s lives. (Empathy)

I will pay full **attention** to your concerns about this issue and any proposed orders you want to request. (Attention)

I have a lot of **respect** for your commitment to your children and your efforts to resolve this issue. (Respect)

See article: Calming Upset People with EAR

## Fears and EARS for HCPs

### THEIR FEAR

For any of these:

Being ignored  
Being inferior  
Being dominated  
Being abandoned  
Being betrayed

### YOUR EAR RESPONSE

Use any of these:

- I want to help you
- I respect your efforts
- I’ll pay attention
- I’ll listen
- Its just rules we all have to follow
- I understand this can be frustrating
- I’ll work with you on this
- I know this can be confusing

## Communicating with EAR

- Tone of voice and body language are amazingly important: Calm, confident, firm
- Avoid personal criticisms: these increase the defensiveness of HCPs and bad behavior
- Avoid threats: these escalate the HCP
- Avoid logical arguments in times of stress
- Avoid focusing too much on Negative Feedback:
  - (focusing on past behavior, whole person, neg tone)
- Focus on future and what they should do now

### Skill 1: Connect

## Cautions about EAR

## Cautions:

- Avoid believing or agreeing with content.
- Avoid volunteering to “fix it” for them (in an effort to calm down their emotions).
- Be honest about EAR (find something you truly believe)
- Maintain healthy boundaries.
- Don’t do special favors or bend the rules when pressured to do so.
- You don’t have to listen forever.
- You don’t have to use words or these words. Use the EAR Statements that work for you.

## 4 Key Skills for Managing HCPs

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### C.A.R.S. Method®

1. CONNECTING with E.A.R.
2. **ANALYZING** options and dilemmas
3. RESPONDING to misinformation
4. SETTING LIMITS on behavior

#### Skill 2: Analyzing

## Analyzing options Give them a choice

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**In high-conflict situations, don't focus on feelings.** You won't resolve their emotional issues. Just acknowledge their frustrations. Talk to the right brain.

**Instead, focus upset person on a **choice**.**

- The goal is to get the upset person focused on problem-solving, away from his or her emotions.
- This puts responsibility on the person to help solve the problem; puts responsibility on the person for making the choice.
- It gives them some power, when they feel powerless.

44

## Skill 2: Analyzing

## Analyzing Options Making Proposals

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Any concern about the **past** can be turned into a proposal about the **future**.

**Proposals usually contain:**

WHO does  
WHAT,  
WHEN, and  
WHERE.

**When they get stuck or go back to the past or come up with new complaint, just ask:**

**"So, what's your proposal?"**

45

## Skill 2: Analyzing

## 3 Steps for Making Proposals in Negotiations

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**1. Propose:** WHO will do WHAT, WHEN, HOW and WHERE.

**2. Ask questions:** The other person then asks questions about the proposal, such as:

- "What's your picture of what this would look like/how it would play out?"
- "What do you see me doing in more detail?"
- "When would that start, in your proposal?"
- "How many weeks seems reasonable to you?"

**3. Structured response:**

- **Yes**
- **No**
- **I'll think about it**

**If it's a "No," just make a new proposal.**

46

## 4 Key Skills for Managing HCPs

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### C.A.R.S. Method®

1. CONNECTING WITH E.A.R.
2. ANALYZING Options
3. **RESPONDING to Misinformation**
4. SETTING LIMITS on Misbehavior

47

#### Skill 3: Responding

## Responding to misinformation Maintain a healthy skepticism

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- Remain skeptical of the accuracy of the person's information. There may be many cognitive distortions.
- Let them know that you will never know the full story. It is *possible* the extreme statements they are making are true.
- **"You might be right!"** And *possibly* not true.
- But next steps can still be taken and decisions can still be made about the future.

48

## Teach BIFF Responses®

**Brief:** Keep it brief. Long explanations and arguments trigger upsets for HCPs.

**Informative:** Focus on straight information, not arguments, opinions, emotions or defending yourself (you don't need to)

**Friendly:** Have a friendly greeting (such as "Thanks for responding to my request"); close with a friendly comment (such as "Have a good weekend").

**Firm:** Have your response end the conversation. Or give two choices on an issue and ask for a reply by a certain date.

## Lawyer to Lawyer

Hey Bill!

Do you know what your client did this weekend???

He cut off my client's cell phone service!! On the weekend when the office was closed for re-instating service. It's outrageous that you cover up for him and defend him. Unless you do something about this right away, I'm going back to court for an emergency order. You need to do something about this NOW!!!

Fred Jones, Esq.

## Response: Lawyer to Lawyer

Hi Fred:

I checked with my client. He said that he sent your client an email two weeks ago stating that he was no longer paying for her cell phone service, effective the 1st of the month, because he has begun paying her \$3000 per month support according to the court order. I have attached a copy of his email.

Please check things out before you hysterically jump to conclusions that my client is always doing something wrong.

Bill

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## BIFF Response: Lawyer to Lawyer

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Kind regards,  
Bill

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## Use BIFF in Orders

**Brief:** Keep it brief to avoid triggering an upset

**Informative:** Focus on straight information, not arguments, opinions, emotions or defending yourself (you don't need to)

**Friendly:** Just a friendly (threat-free) tone

**Firm:** Focused on pure facts; lots of specificity/detail; leave no loose ends; explain consequences for breaches.

## 4 Key Skills for Managing HCPs

### C.A.R.S. Method®

1. CONNECTING WITH E.A.R.
2. ANALYZING Options
3. RESPONDING to Misinformation
4. **SETTING LIMITS on Misbehavior**

Skill 4: **Setting limits**

## Setting limits on High Conflict Behavior

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- HCPs need limits because they can't stop themselves
- With HCPs, focus on external reasons for new behavior (rather than focusing on negative feedback about past behavior):
  - "The **court's policies** require us to ..."
  - "The **law** requires me to ..."
  - "**The Rules of Court prevent me from....**"
  - "I understand, but someone else might misunderstand your intentions with that action..."
  - "Let's take the high road..."
  - "Choose your battles..."

Skill 4: **Setting limits**

## Imposing Consequences

Educate about consequences

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HCPs do not connect **realistic consequences** to their **own actions**, especially fear-based actions.

- They feel like they are in a fight for survival, which blinds them to realities.
- Their life experiences may have taught them different consequences than most.
- Many are in survival mode.
- They can be educated and helped by a caring person—YOU!
- Imposing consequences is appropriate and necessary for many people to learn.

56

## Summary of Key HCP Skills

1. **CONNECTING:** Listen closely (briefly), then respond with Empathy, Attention and/or Respect (EAR statement)
2. **ANALYZING:** Talk about choices, options, make a proposal
3. **RESPONDING:** Be Brief, Informative, Friendly and Firm (BIFF Response®)
4. **SETTING LIMITS:** Don't make it personal. Use "Indirect Confrontations" by helping client deal with policies and procedures.

# TOOLS

~~NOT  
RULES~~

“

Conflict is inevitable.

A safe culture of managing conflict is created by continuing to use empathy, attention and respect *while* assertively setting limits and providing consequences.

—Bill Eddy, LCSW, Esq.

THANK YOU