



Navigating Emotional Currents In Collaborative Divorce

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Reading a book as an interdisciplinary practice group provides enhanced value and greater understanding of the material. I recently had this experience when our weekly practice group, Cypress Collaborative Solutions, read Kate Scharff and Lisa Herrick's book, *Navigating Emotional Currents In Collaborative Divorce*.

I am a Collaborative Attorney and Mediator and I read the book with that experience and training. Not having had extensive training in psychology or child development, those parts of the book that were based on that education, training and experience were not as easily accessible. The fact that I had people around me with that background, however, meant that by the end of the book I found all of the material accessible.

The organization of the book is one of its strengths. There is a building-block approach taken by the authors who begin with some of the basic, but unspoken, assumptions inherent in Collaborative work. This includes an understanding that we all operate with a conscious mind and an unconscious mind, and the ways our clients think, feel and behave are often driven by unconscious factors. During the Collaborative process, these unconscious factors can become problematic.

The inclusion of the word “*Navigating*” in the title provides the reader insight into what the authors want us to be conscious of as we involve ourselves in Collaborative work: that just like the river guide orchestrates the passengers of her raft to get down the river, it is only by developing and understanding the dynamics underlying our clients’, and our own, patterns of thinking, feeling, and behaving that we can help them to navigate the collaborative process.

The early part of *Navigating* provides an introduction into the psychology of early childhood development, the impact of good experiences and bad, our development of not just one pattern of relating to others but several, how humans develop emotional defenses, and the impact all this has on a Collaborative case.

When you take two individuals and a couple is created, a third entity is brought into existence. This means that in a collaborative case the relationship between the couple is as much of a client as each individual. Add to the mix that in both the relationship and each individual there are conscious and unconscious factors to be dealt with, such as projection, the health or ill health of a party or the couple, and the lock and key relationships in which our clients are involved, and you have what can appear to be a daunting task.

One of the first tasks in helping our clients navigate the collaborative process is to build the Collaborative Team, which is broken down into the macrocontainer and the microcontainer. The macrocontainer is described as the Team in its entirety, including clients, and the relationship between and among team members. The microcontainer is more concentrated, and describes the many different relationships inherent in a Collaborative Team. Both containers are essential as together they create two levels of containment to provide a safe psychological space in which the Team can manage the challenges that will arise.

A cohesive Team is essential for handling what arises during a Collaborative case. The authors introduce us to transference and countertransference, and to the idea of how to metabolize things that come up, absorbing them into the process and making it into something useful. Whether the issues arise between the clients, the professionals, or between a professional and client, each time the Team successfully deals with issues as they arise a transformation happens.

This book contains some brilliant insight that, I think, is more accessible to experienced practitioners than beginning ones. One of these is the belief of the authors that the structure of the collaborative process must be thoughtful and consistent, but not punitively inflexible. As I read this concept I felt a sense of freedom because early in my practice I kept thinking that it was important to stick to the outline of the collaborative case. Getting more experience and reading this book confirmed something I think is inherent in a quality collaborative practitioner: the skill to trust their instinct and communicate, with confidence, those feelings to the Team.

Another strength of the book, and one that may change over time as our community has more cases and collects more data on what works and what works better, is the section of the book about how to set the space for the Team and how to clearly communicate to the clients those things that require informed consent. Normalizing things from the start, like scheduling meetings, being up front about professional fees, and explaining the collaborative process are basic, but essential to a successful collaborative process.

The section of the book on creating the Macrocontainer and Microcontainer is a must-read in itself. In fact, my suggestion is that you assign that chapter, Chapter 3, for your next Practice Group meeting to discuss and see if what the authors identify as being important in that regard is already Best Practice in your area, or if you might want to reconsider how you establish your own containers.

Then there is the introduction to the rigidity / flexibility continuum. I actually was first introduced to this topic at the Pre-Forum presentation given by the authors in San Francisco in 2011. Admittedly I did not fully grasp its meaning then but at least I had a basic understanding of the concept prior to reading *Navigating*. Now I am aware of the need to be aware of this continuum in every collaborative case, from the initial interview / assessment with the client, to knowing where your Professional Team members fall on the continuum. Without restating every gem in this section, let me just refer to one lovely way the author's explain the importance of this area:

The important question is not “Do we act in irrational ways?” It is “How often?” and “How quickly are we able to recover?”

If you are looking for another Practice Group exercise, during a meeting go around the room and describe for everyone where you see yourself as falling on the continuum. Your answer may depend on what environment you find yourself in so pick a situation and then apply the continuum. For Cypress we used the topic of facilitating meetings, so we posed the questions as: Where do you fall on the continuum when it is your turn to facilitate our meetings (we rotate each month), and where do you fall on the continuum when someone else is facilitating?

The section of the book on the components of the collaborative process is guaranteed to improve any attorney's initial work with their client because rather than looking at that meeting with a legal eye, the authors are looking through a very different lens, the mental health professional lens. While the authors do not discount by any means the need to educate the client on the elements of the collaborative process, confidentiality, privileged communication and full disclosure, their focus is more on us understanding our clients at a deeper level. How does our client operate? Where do they fall on the flexibility / rigidity continuum? What is their cognitive style? Are they capable of insight? What are their emotional state, general mental health and interpersonal style?

Under the guidance of the authors the initial interview becomes less a fact-finding mission and more of the start of building a “collaborative alliance” with the client.

Another must-study section of the book is Chapter 6, the chapter on Collaborative Teams: Functions and Dysfunction. While this chapter will have more meaning to experienced collaborative practitioners, it is essential that new practitioners be introduced to Team Function and Dysfunction very early in their practice. As I wrote in my notes as I read *Navigating*:

It is the ability of the Team to process moments of tension and reach a shared understanding that sets a well-functioning team apart from those that struggle and flounder.

While in this chapter the authors lay out very clearly what they see as traits of functional and dysfunctional teams, my takeaway from reading this chapter is that working as collaborative practitioners we have to be willing to have hard discussions with each other. We each bring our own story to the practice, our own family of origin issues, our own fears and confidence. If we get tweaked during a case, or someone gets tweaked as a result of something I say or do, it is essential to talk about it. My experience is that a Practice Group may be a place to conduct one of these discussions as a learning exercise if a safe container can be created, these discussions are best done in person over tea or lunch. I can say that I have experienced the “transformative” change that the authors write about after one of the discussions because, if done correctly, you learn an incredible amount about the person you are talking to and about yourself.

While there is more to write about in this book I am going to stop here with a strong recommendation that you read this book either individually or as a practice group. Reading this book should be mandatory for every collaborative practitioner. I say this because reading *Navigating* has made me a better collaborative practitioner. I think that anyone who reads it will feel the same way.

Reviewed by: Kevin R. Scudder, J.D.

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Kate Scharff, MSW, LCSW-C, LICSW, Lisa Herrick, Ph.D.

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