

Chicago Daily Law Bulletin®

Volume 160, No. 124

Assessing feedback helps manage conflict

Sometimes a book comes along that helps us look at familiar information in new ways and adds a layer of innovative and practical ideas. "Thanks for the Feedback: The Science and Art of Receiving Feedback Well" (Viking Adult, March 2014) is one of those books.

Authors Douglas Stone and Sheila Heen of the Harvard Negotiation Project, well-known for their previous book, "Difficult Conversations," are part of the group that gave us "Getting to Yes," the book used in business and law school negotiation classes across the country for the past several decades.

"Thanks for the Feedback" is described as a business and psychology book, but it touches on everything from neuroscience to behavioral economics. Replete with entertaining examples, it provides detailed advice on how to benefit from feedback.

The authors describe specific strategies for communicating well with someone who may have a different point of view — something lawyers find themselves doing regularly in negotiations, mediations, client meetings and, of course, performance reviews.

Stone and Heen define feedback as "any information you get about yourself whether small (you forgot to take out the garbage) or large (and therefore I am leaving you)." They explain that they wrote the book to teach people how to receive feedback because trying to teach people how to give feedback has had limited success. The book, however, really does both.

The book is chock-full of excellent ideas, too many to describe here, but the section on refereeing your own conversations is particularly helpful for lawyers.

The authors suggest making "process moves" during a

contentious conversation by occasionally offering an observation about what is happening in the conversation and making a suggestion about moving forward or problem-solving. The key is to do this without making a substantive argument at the same time. This description is particularly helpful for lawyers, who already think in terms of "procedural" versus "substantive."

The authors include examples of process moves:

"We're both making arguments, trying to persuade the other, but I don't think either of us is listening to, or fully understanding, the other. I know I'm not doing a good enough job of trying to understand what your concerns are. So tell me more about why this is so important to you and to [your client]."

"I see two issues here, and we're jumping back and forth between them. Let's focus on one at a time. The first is that you're upset because you think I did not tell you about [my client's ability to search its email prior to 2006] and I'm upset because I think I did. The other is that you are

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worried about [completing discovery before the cutoff]. Do you agree, and if so, which do you want to talk about first?"

Sounds awkward? In fact, these moves are so awkward they are actually effective in short-circuiting an escalating dispute. Stone and Heen note that in sports a "referee stops the flow of the game to make adjustments, and that's precisely the goal of a process move. You are pausing the action of the conversation to step back and



TERESA F. FRISBIE
Teresa F. Frisbie is the director of the Loyola University Chicago School of Law Dispute Resolution Program; a mediator and arbitrator at ADR Systems of America; a member of the National Academy of Distinguished Neutrals; and of counsel to DeGrand & Wolfe P.C.

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Many chapters are devoted to noticing our own default reactions to feedback as a successful navigation of a difficult conversation requires noticing things about our own reactions, including threats to identity and emotional triggers.

One of the best sections is the discussion of strategies for people with brains that habitually send self-defeating messages who may be particularly sensitive to feedback.

The authors note that when you receive feedback "and feel lousy about yourself, you are effectively Googling 'things that are wrong with me' in your brain. "You will pull up 8.4 million sites, and suddenly you are pathetic. You will see 'sponsored ads' from your exes, father and boss."

To illustrate this, the authors created a fake Google results page for a fictional person named Nedra with result summaries such as "Nedra insensitive to colleagues' concerns," "News — Nedra is aging, and not gracefully," and "Can Nedra get anything right?" referring to embarrassing events from first grade.

One strategy for someone whose brain is doing this is to create a "feedback containment chart" with two columns: "What is this about?" and "What isn't this about?" The first column might have an entry such as "Whether my first draft of the summary judgment motion was as good as I wanted it to be" while the second column might have entries such as, "Whether I am a smart lawyer, good writer, and have a future in law."

Many of the strategies offered in the book are effective because they help us manage our own emotional responses by engaging the prefrontal cortex part of our brains, rather than the primitive amygdala, a key part of the body's red alert fight-or-flight system activated in modern life by social threats.

One way to engage the prefrontal cortex is to notice your own emotional and physical reaction in the moment. For example, Stone and Heen write that you can calm down just by thinking about your reaction. One colleague found it helpful to quickly think, "OK, this is that thing I do, that triggered thought pattern I get into, and that sick feeling I get."

This makes sense because the act of noticing your own emotional response is something beyond the capabilities of the primitive amygdala, and you need to access your prefrontal cortex to do it.

Scientists such as Dr. Jeffrey M. Schwartz have shown that if you do this kind of noticing frequently enough, you will actually rewire your own brain and get better at handling the situations that cause the emotional response.

"Thanks for the Feedback" is an enjoyable read, and Stone and Heen have done an excellent job pulling together information from several fields and providing a very practical roadmap for dealing with feedback in any situation.