



4 Tips to Resist the Fight on the Way to the Negotiating Table

You finally recognize that your adversarial battle isn't resolving your dispute. You're draining your resources both financially and emotionally. You don't believe your former partner would ever negotiate a truce, let alone a settlement. Mediation is discussed and one person says they'll go but also says they won't budge on their position. You may feel firm about your position too. What do you do?

Go!

There's the often told story of two chefs fighting over a dozen lemons which they both need for their respective dishes that night. As their fight escalates throughout the kitchen, the dishwasher approaches to ask what they are fighting about. The dishwasher innocently asks each chef what they are making with the dozen lemons they each need.

The first chef explains that the rind from a dozen lemons is required for a special chicken dish. The second chef explains how the juice from a dozen lemons is needed for a lemon pie.

The solution is self evident. Had the two chefs explored their interests in the lemons, they would have known they could share and both get their needs met from a single dozen lemons.

Granted, that while the issues underlying your situation is likely for more complex, when underlying interests and concerns are addressed, solutions may emerge. Anger, animosity and hurt feelings make those conversations all the more difficult. The mediator however helps facilitate those discussions, just as the dishwasher had.

It is totally common that in the run up to mediation, people actually entrench themselves further in their positions. Persons are afraid about loss and lose sight of finding mutually satisfactory outcomes. In their fear of losing, bully tactics may emerge; people may even seek to bolster their position by bringing in others to support their cause.

Don't let the run up to the negotiating table scare you. Find your way to the table. Only at the table can the potential of mediation unfold. Once there, and although no guarantees, the mediator, like that dishwasher may just help you find your joint solution.

In the context of separated parents fighting over their children, while the loss of lemons is pretty insignificant, the harm that may be imposed upon children by parental conflict can be very serious and life-long.

The challenge is to not get inducted in the fight on the way to the negotiating table. Just get there. Tips to resist the fight on the way to the negotiating table include:

1. Avoid engaging in banter or conflict once mediation has been agreed to;
2. Respond to demands by advising that issues raised can be addressed in mediation;
3. Manage your own emotions and/or behavior as effectively as possible;
4. Consider coaching to prepare yourself for the negotiating process.

Coaching itself can be a valuable and powerful benefit to those entering challenging negotiations. Coaching can help you clearly state your issues and concerns as well as the goals you seek to achieve. [Coaching](#) can also help you manage your own emotions and behavior when at the negotiation table so that you maintain your composure and ability to think clearly.

Gary Direnfeld, MSW, RSW
(905) 628-4847

gary@yoursocialworker.com
<http://www.yoursocialworker.com>

Gary Direnfeld is a social worker. Courts in Ontario, Canada, consider him an expert in social work, marital and family therapy, child development, parent-child relations and custody and access matters. Gary is the host of the TV reality show, *Newlywed, Nearly Dead*, parenting columnist for the *Hamilton Spectator* and author of *Marriage Rescue: Overcoming the ten deadly sins in failing relationships*. Gary maintains a private practice in Dundas Ontario, providing a range of services for people in distress. He speaks at conferences and workshops throughout North America and was the first social worker to sit on the Ontario Board for Collaborative Family Law.