

## How to Deal with Difficult Litigants

22nd Annual AB 1058  
Child Support  
Training Conference  
November 2018

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### Presentation Objectives

- Define different “difficult” personality types
- Understand ways to help
- Develop coping mechanisms
- Enlist “Anger Management” skills
- Find ways to debrief



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### Difficult Litigant Types

- ANGRY
- IMPATIENT
- INTIMIDATING
- TALKATIVE
- DEMANDING
- INDECISIVE



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## FACTS

You cannot control anyone else's behaviour

You can influence how litigants respond to you

- Speak calmly and slowly
- Lower your voice
- Speaking in a quieter tone, the litigant will have to listen more, thus quieting them and allowing them the chance to calm down

You have control over your own actions

- Never argue with a litigant
- If you let them push your "buttons" you've lost control of the situation
- You can lose a good litigant if you show boredom, irritation, disdain or displeasure

QUICK FACTS



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## LISTEN

- Everyone wants to feel heard
- Acknowledge what the other person is feeling
- Focus on what the other person is saying, not what you want to say next

  
**KEEP CALM AND LISTEN TO THE CUSTOMER**



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## STAY CALM

- When a situation is emotionally charged, it's easy to get caught up in the moment
- Monitor your breathing
- Take slow, deep breaths



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## RESPECT & DIGNITY

- Reflect respect and dignity
- No matter how a person is treating you, showing contempt will not help productively resolve the situation

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## Video

Advanced Customer Service – CJERS

### ACTIVITY ONE

Difficult Customer Service Situations  
Page 1 - handout

- Have you found yourself in a difficult customer service situation lately?
- How did you handle the situation?

### ACTIVITY TWO

Strategies to Keep Your Cool - Video  
Page 3 – handout

- What strategies do you use when a litigant comes to you with strong negative emotions?
- Are there any strategies or tips that you would like to practice in the future?

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## DEMANDING COMPLIANCE

- Don't demand compliance
- Telling someone to be quiet or calm down will escalate the situation
- What are they really upset about
- Allow them to vent

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# "I UNDERSTAND"

- Saying "I understand" usually makes the situation worse
- Instead say "Tell me more so that I can understand better"



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## Video

Advanced Customer Service - CJERS

### ACTIVITY THREE


How would you handle this? - Video

- Have you been in this situation before?
- How did you handle it?

### ACTIVITY FOUR

How would you handle this? - Video

- What strategies or tips would you apply in this situation?
- What other resources can you think of to provide to persons needing ADA or Mental Health assistance?



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## SMILING

- Avoid smiling
- This may look like you are mocking the person
- Avoid humor
- More often than not, it will backfire



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## DON'T RETURN WITH ANGER

- Raising your voice or being disrespectful adds fuel
- Use a low, even monotone voice
- Do not talk over the person – wait until they are finished, then speak



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## 12 Tips to Keep Your Cool

**Tips 1-6**

1. Take a breath
2. Stick to standards
3. Keep your expression and your tone of voice neutral
4. Don't take it personally
5. Practice listening with empathy
6. Fake it till you make it

**Tips 7-12**

7. Give them something to take with them
8. Use the foggy method
9. Take a time out
10. Repeat your answer
11. Change your mind-set
12. Watch and model others



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## DON'T BLAME THE LITIGANT OR THE COURT

- Explain the Court's policies
- Use an indirect approach
- Use "I" statements
- Repeat back what is being said



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**ONE RESPONSE DOES NOT FIT ALL**

- Be assertive
- Saying "I'm sorry" or "I'm going to try and fix this" goes a long way
- Remain flexible
- Every person is unique and may respond differently

**CUSTOMER SERVICE**  
IS NOT A DEPARTMENT.  
IT IS AN ATTITUDE.

-UNKNOWN




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**DON'T TAKE IT PERSONALLY**

- Helping litigants is your job
- Make sure your attitude is always: "I am here to help as best as I can"
- Anger comes from fear
- Fear uses anger to gain control


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**Video**  
Advanced Customer Service – CJERS

**ACTIVITY FIVE**  
How would you handle this? - Video  
Page 5 - handout

- How do you stay positive and treat every litigant as if he or she is your first?
- What strategies or tips would you apply in this situation?

**ACTIVITY SIX**  
How would you handle this? - Video  
Page 8 - handout

- What are your triggers (situations) that make you tend to react even when you don't want to?
- What strategies or tips would you apply in this situation?

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# DEBRIEF

- Talk to someone
- Discharge your own stress
- Give yourself credit for getting through a stressful situation
- Learn from the experience



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# Questions & Comments



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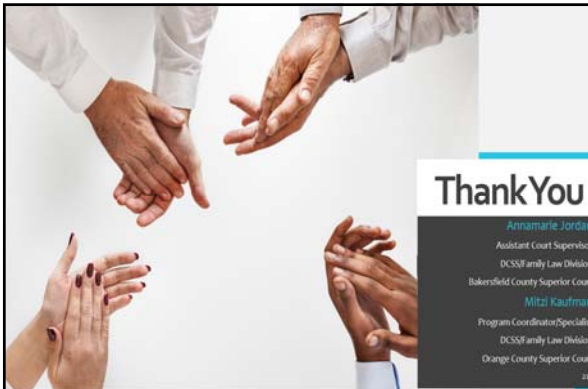
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