Negotiating with a jerk

Frustrated divorced parents often ask: Can I really negotiate with a jerk? Should I even try?

Good questions. Particularly when the jerk is violent, has substance abuse problems, or lies, cheats, threatens and otherwise behaves badly.

The answers are a qualified yes. You should try. And there are ways to improve your chances of success. But when negotiating with a jerk, it is exceptionally important to *plan, plan,* and *plan* again <u>before</u> initiating any serious negotiations. In fact, when negotiating with a jerk, planning *how* you will negotiate is far more important than ***what*** you negotiate.

Plan a physical venue that is safe for you and the other parent.

Plan whether others should be present or represent you in your place.

Plan the agenda carefully before agreeing to start discussion. Insist upon an agreement about the agenda <u>before</u> starting to negotiate.

Plan how you will prevent unexpected issues brought up by the other parent to interfere with solving the problem at hand.

Plan a communication strategy that is safe, efficient, respectful and most likely to reinforce an effective dialogue. In lieu of direct conversation, consider alternatives: Email? Fax? Mail? Attorney-to-attorney communication? Phone calls?

Plan an "exit strategy." Know how you will break off discussion if it is going badly or if you just feel too rattled to continue.

Plan a negotiation process. Separate proposals with the aim of finding a compromise? Interest based brainstorming? Third party directed dialogue?

Plan on starting small. Log roll: Build momentum towards difficult issues by negotiating small ones that are likely to yield more readily to compromises or solutions.

Anticipate becoming anxious and frustrated – **Plan** how you will keep these "hot" emotions cooled off.

<u>**Most important of all, know your Plan B.**</u> If it is weak, improve it. If it is strong, let the other parent know that you have a good walk-away alternative.

See everything; overlook a great deal; correct a little.
                                                        Pope John XXIII