

**A Court/Community Collaborative
Dispute Resolution Model for
Addressing Opioids & More**

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Hon. Denise McColley

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Introductions & Objectives

- Exploring the problem
- Lessons from sociology and neurobiology
- Practice exercises
- Key elements of successful dialogue
- How structured dialogue builds constructive engagement

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David Rock's SCARF

Status: Where do I stand with this group?
Certainty: What's gonna happen next?
Autonomy/Agency: How much choice do I have?
Relatedness: Am I/will I be 'in' or 'out'?
Fairness: Why is the facilitator giving HIM so much time?

Adapted from Rock, D. (2008). *Brain-based strategies for collaborative work and learning*. San Francisco, CA: Jossey-Bass.

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Reducing "Avoid" and Enhancing "Approach" Response in Groups

STATUS: Connect in advance (e.g., interviews, invitations), greet everyone personally, timed go-rounds
CERTAINTY: Agenda in advance; review in room
AUTONOMY/AGENCY: Get input in advance (e.g. ground rules), shape design to evolving needs
RELATEDNESS: Questions and activities that evoke recognition and connection
FAIRNESS: Start with timed go-rounds, Assess your biases, avoid "thank you for speaking"

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Questions of Persuasion


- Person A: Make the statement
- Person B: Ask questions designed to convince person A that she is mistaken and should change her mind
- Person A: Respond to the questions honestly
- Continue for the full two minutes. If you find that you agree with the statement, imagine arguments against the position, play the devil's advocate.
- Switch

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Questions of Understanding


- Person A: Repeat the same statement of truth.
- Person B: Ask questions designed to better understand Person A's thinking, feeling, and perspective on the issue.
- Continue for the full two minutes
- Switch roles






Threat
How the brain responds in crisis



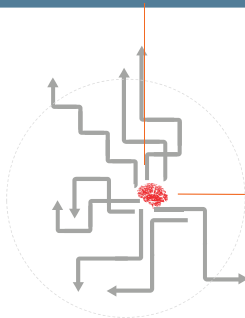


The Brain
Our brains have evolved to help us survive and strongly govern how we communicate across difference







When the brain focuses us on responding to threat...

It has limited capacity to do anything except protect us.




International Autism 19
Diagnosis Conference

The threat affects our

 PERCEPTION	 THINKING
 AWARENESS	 FEELINGS

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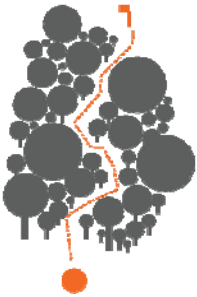
Communication

How the brain impacts interpersonal relationships.


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If we're being chased in the woods,
fast thinking is helpful and keeps us
alive.

IN RELATIONSHIPS WE GET STUCK




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TRIGGER

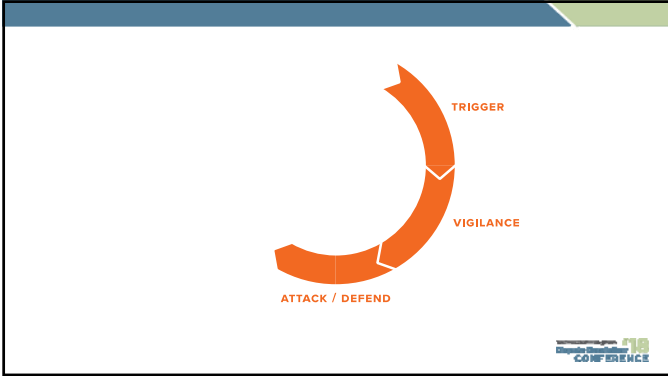
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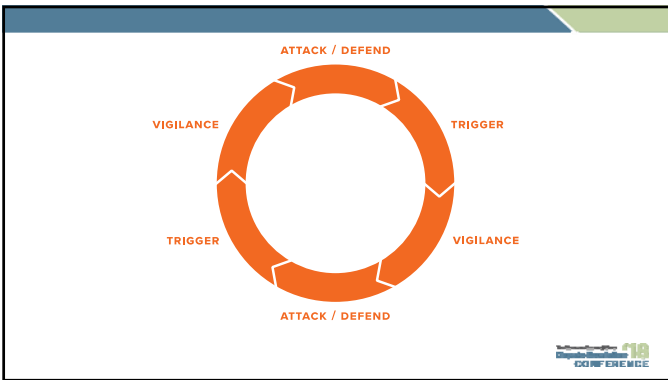


TRIGGER

VIGILANCE


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There are infinite pieces of data.

We cannot pay attention to them all.





A logo for '19 CONFERENCE' is in the bottom right corner.


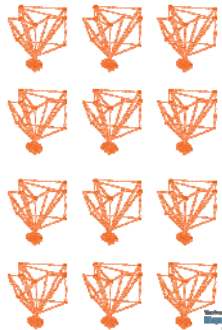
The brain focuses our attention...
on what it thinks matters.



We then act on what we notice.



We think everyone chooses to pay attention to the same things...






But they don't.

We all choose data based on what our brains perceive as new and important, based on our context, values and experiences. And based on that data, we act.

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The Ladder of Inference



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Polarization: A self-perpetuating system




Created by Maggie Herrig

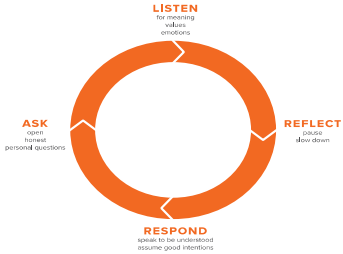

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Dialogue helps communities get unstuck.



The Constructive Cycle





How it works: A Story From the Field

From...
Should we put this sculpture in our park?


To...
What do we want in our public art?
What do we value and how should it be decided?



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From...
With limited funds, much money should we spend on combatting opioids in our city?

To...
How is opiate use affecting our lives and our community? How do we want to respond to it?



Components of Reflective Structured Dialogue

- Preparation
- Questions
- Reflection
- Facilitation
- Structure



Identity and Safety

- What conditions would need to be present in this group that would enable you to speak about this part of yourself?
- What agreements would need to be present in the group to allow for this type of sharing?



Agreements


- Pass/ pass for now
- Speak one at a time (no interrupting, side conversations)
- Move up/ Move back
- Check assumptions/ Ask questions
- Speak for ourselves ("I" not "we")
- Respect requests for confidentiality




The Six P's


	
Purpose	People
	
Promote	Prevent
	
Plan	Prepare






WHAT WE DO
When faced with anything that threatens to divide us, groups can devolve into silence, heated disagreement, or sometimes even violent conflict. That's where we come in.





HOW WE WORK
We offer an established model for engaging difference constructively, and partner with participants to develop their own blueprint for long-term community resilience.





WHAT DIALOGUE DOES
As people experience a new way of connecting across difference, they become better equipped and committed to building relationships and exploring new possibilities together.






WHAT DIALOGUE CHANGES

Communities that remain constructively engaged across difference contribute to a stronger civil society.




Civic Engagement Through Dialogue

- Builds social cohesion, even when disagreement remains
- Creates a climate of trust and understanding
- Allows for creative solutions where fear has boxed us in
- Builds leadership capacity & restores trust in public process





Foundations of our work

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