CADRE Webinar Transcript

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Mediating in the Context of Broken Trust

Cathy Fromme and Greg Abell

>> Hi, this is Anita Engiles, Dispute Resolution Specialist for CADRE. Welcome to today's webinar Mediating in the Context of Broken Trust. We're delighted you can join us today. This webinar continues a series that began in 2010 and is being presented today by Cathy Fromme and Greg Abell. Phone lines have been muted to minimize interruptions. You can enter any question or comment into the questions box on your screen, not the chat box on your control panel. The PowerPoint for this webinar is also available in the handouts box on your control panel and on the CADRE website. We're extremely fortunate to have Cathy and Greg with us today. Dr. Cathy Fromme began her journey as an educator 35 years ago as a 1st grade teacher in California and has held district, regional, and state department positions in Washington, Oregon, and California. Cathy developed Washington statewide special education mediation system and was also the diversity manager for Washington State Department of Natural Resources. Cathy's current work with the Washington State Charter School Commission focuses on the commission's charter school authorizing activities. Cathy has consulted, written, and presented extensively in the areas of workforce diversity, trust, relationship building, and transition and the change process designing and implementing strategies for employee, workforce diversity, and conflict engagement. She holds a BS in kinesthesiology and education from UCLA, an MS from San Jose State University, and a doctorate in educational leadership and policy studies from the University of Washington.

Greg Abell is the principal at Sound Options Group LLC, a conflict engagement firm and national consultant in the design and delivery of conflict engagement resources. He's spent 15 years in public education as a school psychologist and special services administrator. Since 1994 Sound Options has provided special education mediation services for the State of Washington. Greg works primarily in the context of education and social services systems and his particular expertise is in designing and implementing systems for more effectively engaging conflict and facilitating productive and collaborative work environments. As a professional mediator he has 25+ years' experience mediating highly contentious multi-party community and institutional disputes. Greg weaves this experience into his consulting and teaching as he assists individuals and organizations to collaboratively navigate conflict and change.

That was a lot but you can read more about Greg and Cathy on the CADRE website, and remember if you want to access the PowerPoint for this webinar it's available in the handouts box on your control panel

and on the CADRE website. The webinar will also be recorded and posted on the website. Now to the topic of today's webinar. Trust is a complex notion. In this webinar Cathy and Greg will help us think about our experiences and beliefs about trust, identify strategies for negotiating trust, and for reaching agreements on actions people can take that might rebuild trust. This sounds like a fascinating and challenging endeavor so let's get started. Greg?

>> Thank you, Anita, I appreciate the introduction. So again this is Greg Abell. I'm here with Cathy Fromme coming to you from Bainbridge Island, Washington. So welcoming you either good morning or good afternoon depending on the context. Real quickly Cathy and I actually started working together back in 1994 when she was working for the State Department and we contracted with them to design our state's special ed mediation system. So we've had a long history of working together in that context. Probably started working together 10+ years ago and sharing the work that Cathy was doing with trust and integrating with the work that I do in conflict. And so this is actually an opportunity for us to share probably a culmination of a 10 year conversation around this particular topic.

We've got a lot to cover and so let me just quickly go over the objectives of what we want to cover during our time together. Cathy's gonna start by really giving us a structure, a paradigm for understanding this notion of trust. As a mediator we often find ourselves in a conversation where there has been broken trust. I don't trust you, you don't trust me. Trust does not exist and we often get stymied because where do you go from there? And what we found is that we often don't even have the language that's sufficient to engage the conversation and unpack what is a complex notion.

So Cathy is gonna introduce a typology of trust which comes from her doctoral dissertation work which actually begins to give us language to understand on a more nuanced way what we're talking about when we're talking about trust, and we're then gonna move to looking at we can talk about types of trust, what manifests trust and we're gonna look at six attributes which are really behavioral, measurable attributes that indicate the presence and/or absence of trust and again gives us a way of engaging your conversation as to what's missing that creates the context of lack of trust, what do we need to build in as far as assets and/or attributes? We've used both those terms to begin to engage trust effectively. And then the final conversation really is where does this happen? It happens in the context of a conversation. As mediators what do we do? We facilitate conversations and so I want to end the presentation by looking at structures that we as mediators can facilitate conversations specifically around this topic of trust, questions that we can ask looking at in many cases a more narrative approach which we'll get to in a moment.

So we're gonna kick off with Cathy diving in here really introducing you to her research around trust and the typology.

>> Thanks, Greg, thanks, Anita good to be on with all of you today and to share this information. I'm gonna start with a little bit about social capital before we dive into trust and some of you may have been on a webinar that I did with CADRE years ago. So we will quickly go through that webinar but just know that in the interests of time we really want to get to attributes and that third objective, the entry points for creating a new narrative. And so today's goal is really to give you some tools--a variety of tools in the form of inquiry, and questions, and the demonstrable attributes that will allow you to engage in some new entry points in rebuilding trust.

So let's just quickly--and again I apologize for going through this at break-neck speed but we really want to get to some other things and we'd be happy to share some more information on trust types and the typology to anyone who might be interested in further information, but basically this whole notion around trust is centered all around a concept called social capital that most of you already know about. And social capital really is the motivations and the inclinations for people to do things for each other. That comes through loud and clear as a necessity in any kind of mediation. What are my motivations or my inclinations to bringing resolution or come to some kind of win/win. So what we talk about when we talk about trust, we talk about social capital and social networks, and who people know, and how we trust each other but more importantly what social capital gives us, it gives us these norms or these behaviors for reciprocity. and reciprocity not in the form of I'll scratch your back if you scratch mine which often is the case when you have conflict, I'll only give you information if you give me information and you can see this way out in any number of situations whether it's on a national level or I'm sure someplace in your work situation tit for tat reciprocity.

True social capital and trust comes from what we call unbalanced reciprocity where I'll do for you in the unknown event that sometime in the future you'll do for me if I need that. It's a situation of interdependent action for mutual benefit. And you can actually see that played out very well in the unfortunate instance of these last two hurricanes Harvey and Irma where people are helping each other just because it helps us all when we're all healthy and well, and safe, and in a good space.

So this whole notion of social capital is essential to collective problem solving whether that's with two parties and a mediator or 30 parties in a mediation and a mediator. What we're looking for is collective problem solving. And Greg and I in our individual work have engaged in this 10, 12 year conversation about how what happens in mediation, and conflict resolution is intricately tied to what we know about trust. So let's go down that pike and talk a little bit about that.

What we know for sure is that there's a strong correlation between the quality of the relationships between adults in the system and the outcomes of the system. This is critically important to the work we do in education and specifically special education. So thus comes the trust typology, and some of you have seen this before. Gonna just give you the four big types right now in the interest of moving on to the attributed because this is where this mapping out of trust is where we often see the breakdown in conflict, and some of the rationale and the reasons behind conflict. Not always, but often.

So let's start with this notion of particularized trusts. Before I do that though all of these types of trust are critical to any interaction, or any entity, or any organization. One is not more important than another. One doesn't take priority over another. They all overlap in this ven diagram because they are all critically important and that critical overlap space in the middle is where we have strong social capital and strong trust. But let's go through these types and then we'll get to the management stations or the actionable behaviors that demonstrate trustworthiness. There are in the research generally four types of trust. There are a couple of sub-types and they go by different names but for the typology I've chosen these names, and the first type of trust of this trust is called particularized trust and it really just is a trust about solidarity. It's I trust you because you look like me, you dress like me, you believe the same things I believe in, and you behave like me. It's us against them. Typically if you see a particularized trust you can see it manifested in religious groups, gangs, the mafia is another good example, ethnic groups where people again you look like me, you dress like me, you believe the same things I believe ion. And particularized trust is too important to an organization or to a group of people or to a team because it represents belonging and solidarity. Out of all of the trust types though particularized trust has a very dark side that I call the dark side. It also manifests itself in what we often times call cliques and isolation. Strong particularized trust groups only allow their members to learn, and gain from people in their group. Again it's an us versus them, don't talk to them, they don't know anything and they have very obligatory behaviors. They have an authoritarian who tells folks what to do. So there's the very plus side to solidarity belongingness notion, and then there's this dark side, the clique side that we could talk more about at another time.

What happens in particularized trust is that there are social sanctions for misbehavior or breaching trust. Social sanctions in the terms of I'll ostracize you, kick you out of the group. I can kill you if I'm in the mafia. I can beat you up if you're in my gang and you break trust. So there are social sanctions to breaking trust when we talk about particularized trust.

If you jump over to the other circle across the way there is an institutional system trust, that's a kind of trust that is based on conditions that larger groups of people must rely on. So conditions such as rules, laws, regulations, certification, licensures, anything that says these systems or conditions are in place

legal most times, legal systems are in place to insure that you can trust what I'm gonna do, the contract I'm gonna give you is gonna work. And then an institutional system trust people trust because of those rules, and regulations, and systems. In the world of education specifically special education we have a number of rules and regulations that tell schools and districts these are the appropriate ways to insure and hold you accountable to make sure that students are receiving services. And it also tells parents these are in place to make sure your child gets the services that your child was entitled to.

So institutional system trust is a trust that says when I believe that all these conditions are properly working then I'll trust the system. Again we're having lots of breakdowns in our institutional systems these days and so we get what happens when you break trust in an institutional system. Unlike particularized trust where there are social sanctions, in institutional system trust there are legal sanctions. So if you break your contract with me I can sue you, or you could sue me. So the sanctions are much stronger, much more accountable when they're in place. As of late I find that there is a breakdown in the accountability for institutional system trust which is making it even more hard for people to trust in institutions. Used to be in a day and time where you would just trust that when the institution or your government said that this is what's happening it was happening. So--

>> If I can just weigh in here, I think institutional trust is again where we're seeing we spent a tremendous amount of time drafting it in IEPs, a document which is a contract, which is legal, which articulates what we've agreed to and committed to. I think where we're seeing conflicts--and I'm sure this is true for many of you is that there's a breakdown in the implementation of that institution which then has people questioning can I trust the institution 'cause even though we've reached this document, we've reached this articulation of what we've agreed to implementation is not meeting my expectations. And so is that because we haven't done sufficient clarity in articulating what those expectations are. I think we do see again that our focus on compliance I think is in many ways an attempt to build institutional systems trust.

>> Yes, but you can't just have institutional system trust. Again, you need all of these trust types.

>> Absolutely.

So the third trust type is a generalized social trust and that's just a trust in most people for the public good. People trust in a generalized way, and you have voluntary associations with other people. It's the general sense of trust in another person, or another entity, or others. Very different than particularized trust but some of the same aspects. The difference between generalized and particularized is

particularized trust only those in their own particular group. Generalized trust is that you trust beyond your particularized group. So it's a trust in other members of your group, or outside of your group and it's generalized across all members of society. It's not tied to reputation of individualized but it's more as I spoke earlier of this balanced reciprocity. It's a simultaneous if you will--an equal exchange between individuals and it's more of a continuous relationship, and it can be as simple as myself trusting my neighborhood kid to water the lawn and feed the cats when I'm away, and giving them my house key to trusting the education system, or your government, or your banking system. So it's a generalized trust which it's a rational gamble for most people and most of us take that generalized social gamble. We trust others because we trust the systems and in some cases because we trust our particularized groups. I know I'm running through these but I want to get to the other matters at hand here.

These next we kind of trusts really have a moral component which is why they're groups together. Equally important to the work we do with education though and society at large. There's this notion of fiduciary trust which is really based on a moral obligation to those of us who have more power and more resources to care for those in our stead. So a board member would have more power and resources, and has a moral obligation to care for the staff and students in their school district. A parent or teacher has more power and more resources, and has a moral obligation, a sacred trust some people call this to care for those in their stead. A parent could care for their children, and to have their best interest at heart. A teacher to care for the students in their classroom and have their best interests at heart. Again there are serious breaches of fiduciary trust in our world today and I won't even go into the long, long list of those but the difference--this in all of the work that I do, and all of the years that I've worked around trust, and relationship building in groups is the one type of trust that almost to a T every group will say we need to work harder in this area. And all you have to do is read the newspaper to know that to be the case. And it's again the most sacred of trusts because it's a moral obligation to care for those who cannot care for themselves or do not have the same power and resources to do so.

Very different is altruistic trust which is not a moral obligation. Altruistic trust is a gift. It's from altruism. It's a gift I give you. It's got a moral component to it in that I give you that gift and this is an important trust for conflict, and one that I myself have not had to struggle with so I know what I'm saying here when IO tell people what it's about. Altruistic trust is a gift for the good of the whole. I will trust you when I have no absolute reason to trust you at all. No track record, no reason. In fact I have every reason not to trust you based on experience and behavior but I will trust you for the gift of the good. And that is a very hard trust these days for us to get past, though one that's very important. So we want to get to the attributes in a minute because we think we have stumbled on in our research and in our work some wonderful behaviors and ways that we can be demonstrative about these types of trusts to change the narrative around broken trust.

And lastly dispositional trust is really a person's disposition to trust or not to trust. it's a consistent tendency over time that individuals have for a variety of reasons to be a trusting person or to not trust and this kind of breaks down into two different kinds of trust, two different types of people I guess if you will or responses to trust. In dispositional trust some people generally trust because they have a belief that people are generally trustworthy.

So if you have a strong disposition to trust you walk in the work with this belief that most people are good and they're trustworthy so I'm always gonna trust them. Unless there's a reason not to. A big reason not to. Another way of looking at trust is that there are some people with less of a disposition to trust but will still trust regardless of whether people are good or bad. They believe that they'll obtain better outcomes by trusting, and so they trust.

And so we have in this moral component all of these three are I believe critical in the work that we do in education and especially mediation in special ed because there are obligatory kinds of trust that we must pay attention to. There are gifts of trust that make a huge difference in the life of kids and there is this generic disposition of trust which is the stronger your disposition of trust the more open you are to the options that are presented to you.

So that's very quickly the typology we're gonna now talk a little bit about trust in general. And this is where that typology starts to become action oriented and then we start to get into the attributes. Here's the thing to remember about trust. It's highly contextual, it's very situational, depends on the people, the context, the situation. That has many elements. It's a multi-faceted construct, and it can change over time in a snap. In a conversation, in an action, and in a behavior. It's very dynamic so I always say as if you were gambling you can lose all of your chips in one hand. But really when you get down to trust, it's relationship based. You have to have at least one other party to have a trusting relationship. Often times it's more than one. And the bottom line the research will tell us is that trust is based on one's expectations or beliefs that the other party or the other person is gonna act in a specific way.

Now the way I look at this is I have expectations and belief about how Greg will do his part in this webinar and I think we're aligned to that, and I believe we're aligned to that. But what happens in most cases is people have different expectations and so if Greg doesn't perform the way we're going, or I don't perform the way Greg is expecting me to perform then that begins to erode trust. It's not the only reason, but that begins to erode trust. It's not the only reason but it begins to erode trust. The other things that add up on that is that we often times--and we need to in places of work and in the work that we do--have mutual understandings about our own roles and expectations. So again in obligations if I'm expecting Greg to behave in a certain way, and if I believe he has certain obligations to the work that

we're doing together and that he has a certain role, and his definition of those obligation and roles are different than mine, until we've had a conversation every time he doesn't meet those obligation in my mind's eye we start to erode trust. And so it's really about the expectations and the obligations that we hold the other party to and most times we find that the other party has a different understanding of those expectations, obligations, and roles.

Well I think that what resonates for us as mediators is that for many of us as mediators we often can go down to so what's at the heart of so many of the conflicts we experience? It's an unclear or an unmet expectation and I entered the relationship assuming that you operated with the same expectations that I have. And again the word assumption. We often don't clarify those. You violate that expectations and my obvious interpretation is well there's something fundamentally wrong with you. We [INAUDIBLE] that fundamental attribution error. And that then becomes the seed which we'll come back to it. The story, well then are you a trustworthy person? and so again this idea of trust, and expectations, and conflict becomes so woven together because if we get to the point where we determine at some point you're an untrustworthy person one of the reasons we wanted to do this webinar is we often get stuck and so then go well then what do we do? And we don't even have the language to talk about well, where was trust broken? How was trust broken? What does that look like? How does trust exist? And so that correlation, that connection between expectations, unmet expectations, conflict and trust are all tightly woven together here.

And so what we often experience is that we get called in, and we get called in for any number of reasons to assist or facilitate conversations in a group and really it comes down to trust. And what we know about broken trust is that by the time we get called in it's already taken over. Broken trust, it's difficult to know if in fact over time there really was a factual reason for that broken trust to happen. But here's what happened, this trust has the capacity to be self-fulfilling. It justified itself and so it often is based on people's by the time we get in emotions, or generalized responses to past interactions. And so there may be past interactions that individuals have encountered that they bring to current interactions and something reminds them of that, then there's--excuse me--a belief that an expectation or an obligation was broken, or violated and then that person begins to distrust. And then the story just keeps building on itself and the distrust just continues to build.

So what we find in the work that we've been engaged in as of late is that broken trust needs a new narrative. We need to clarify the narrative, or recreate a new narrative. And we believe that, that can happen through conversation. Conversation is the relationship, and we know that trust is very embedded in relationships, and the reference to those relationships whether equal reference, whether there's a power structure in those reference, or a fiduciary obligation in those reference does make a difference in terms of how people respond to that conversation. So what we've done in our work is that we've taken what I had identified years ago as demonstrable, actionable, observable behaviors of

trustworthy behavior and we've done further research and incorporated what we know from the work that we do and we have what Greg and I call our six attributed of our better self and we're going to take all of these but just give you one or two examples for each as we go through and we believe that these are entry points to begin a new narrative and to reconstruct where trust has broken down and where we might begin to rebuild.

A few slides ago when I was talking about what trust is under expectations and obligations the very last bullet was trust requires risk and vulnerability. And so when you have broken trust you have people who feel violated, who feel that they are not understood, that expectations and obligations have been broken and we believe that these actionable behaviors begin to demonstrate. So here's the part, these are very important words. Demonstrable behavior, demonstrations of trustworthiness. We're gonna talk about these but you can't just say I'm honest, and I have integrity, and I'm benevolent, and caring. In order to rebuild trust you have to demonstrate that behavior on a pretty consistent daily basis, or whatever your interactions allow you to interact with the other party.

So let's start with benevolence and caring. There are more examples but we are just taking a few here and so in terms of mediation and entry points we want to talk about what does demonstrable action look like? And so if you think about a mediation situation you have two parties--or a number of parties and typically a mediator or sometimes even two mediators. What's important to demonstrate in these actual situations if you want to start to even consider to recreate the narrative is demonstrably demonstrating with behavior your extension of good will, your positive intentions, and that you are going to hold confidential what's in that mediation, and mostly that you're putting another person's wellbeing in front of yours.

So again you have individuals who are going into a mediation who are risking a lot, seeming very vulnerable, and not having any reason to trust s this is a good example of where altruistic trust comes in to place. And again I don't think Greg and I would propose anything that we haven't already ourselves struggled with. These are what look to be very easy things to do, and they're very difficult in the context of broken trust.

So what does extending good will look like in the mediation?

>> I think in mediation a classic commitment in mediation is I'm committed to mutual purpose which means when I enter into mediation particularly in mediation in the way that we practice it in special education is that I'm committed to achieving my objectives and I'm equally committed to helping you

achieve your objectives. and so I'm putting energy, I'm caring about your need in this situation and I'm committed to if we're gonna achieve mutual purpose for mutual benefits integrate my thinking and me energy into us sharing our ability to meet our objectives around whatever the issue is.

>> So another attribute would be honesty and integrity and again I know these are words that we toss around all the time and we hear them but demonstrable honesty and integrity, and what it looks like, and what I can see when I'm with people who have honesty and integrity is that they walk their talk. They tell the truth and they keep their word. And we know that in mediation being authentic, and ebbing real also keeping promises to resolutions and honoring agreements--so in terms of mediation and mediators not only--these are behaviors that we look to find, and look to see that they're happening but they're a clue and they're a flag for a mediator if you're seeing that they're not being demonstrated. For you as a mediator those are opportunities for you to then go in and assist because you're not going to recreate a narrative unless you've helped individuals begin with honesty, and integrity, and benevolence, and caring. So if you see that necessarily, or get the notion that you're back in a second mediation because someone hadn't honored the original agreement that could be an entry point.

I think the other thing to look at, each of these attributes have applications in an individual and a collective context. SO we often talk about honesty, integrity. Is that person an honest person? Does that person have integrity? But we often deal with a lot of disputes where again the system is not being honest. The system is not operating with integrity. The system is making commitments. It is not following through on those commitments. The system is not demonstrating care and compassion for me, for my family from the needs that I have, or that individual. So again if we're looking at these attributes I want to be very clear that we're looking at them and we're assessing them both at an individual and at a collective context because both cases are going to serve to either build, or enhance trust, or break trust.

>> Right.

>> The next one we're going to move to is openness. Openness, again I think another word that we use as synonymous with openness is transparency. Are we negating an open communication? Are we talking, are we listening, are we being candid? I think a term that we often use in mediation is are we engaging in good faith? Are we sharing sufficient information? Are we sharing decision making? Are we helping people understand why we're doing what we're doing? Are we sharing power? And so openness really is this--and I think openness comes back to the ability to be vulnerable, the ability for many to say I'm not sure I know. The ability to be open with the complexity of the situations we're dealing with. I think that am I a system that is open for others to engage, to inquire, to ask questions of or am I a

system or an individual which does not invite engagement. And I think particularly working in educations we can look at this clearly between the system and families we work with this is equally an issue within system and among specials as we're working together.

>> Mindfulness out of all of the attributes I think it's one of the neatest ones and one of the hardest ones. Mindfulness is really about individual self-awareness and self-reflection. And we could spend a lot of time on this but really what self-awareness and self-reflection is about is am I aware of who I am as I engage this challenge of conflict? Am I aware of my impact versus the intent of what I'm saying? We talked about transparency before and openness and some of these overlap but being transparent in who you are and the other part of that is that self-awareness and self-reflection comes up in my own alignment to my values. Are the words that I'm speaking and the actions that I'm taking aligning to the values that I say are important? Or to the organization I represent? And mostly as am I aware of that? And once I'm aware of that what am I going to do about that?

And then the other part of mindfulness is I think often times we forget this in times of challenge or conflict is that we always have choice. And often times people feel backed into a corner, or that they don't have a choice but there is always, always a choice as to how to respond to what's being presented to us however ugly, however difficult, however challenging. We have a choice as to how we will come forth and respond to that challenge that's presented to us and often times taking the high road is a choice that we don't see when we feel like we just are being attacked and we need to react.

>> I would add that, Michael, this is probably of the list of six that's been added to the list most recently and it really has come from our awareness that our ability to assess our own trustworthiness they said that we are engaging as trustworthy individuals to the extent that we are engaging in ways that are manifesting what we consider these critical attributes is build on our ability to be mindful. And again I think what's also important about the notion of mindfulness, it's self-awareness without judgment. So being aware that I'm not being very open, I can beat myself up about that and say I'm not being very open and what do I need to do to adjust that, to move forward. I think my problem also again inter-relates from many of us would recognize it's just a whole area of emotional intelligence that's required to really be self-aware as it relates to these area because when we're talking about trust and ebbing trustworthy we're really talking about not just what we're doing but who are we being? Who are we committed to being? And much of our work has gone back and forth between assessing who were committed to being, and what do we do that aligns with that commitment of being and where does it keep us at integrity and alignment with our commitment to be trustworthy. And so mindfulness just had to come onto the list because it's just essential attribute of ebbing aware in service of this commitment to being trustworthy.

Reliability, a big one I think in many ways you can almost say duh on this one. I trust you because you're reliable. You show up when you're gonna show up. You produce what you're gonna produce, do what you're gonna do, you demonstrate your commitments. You're dedicated to the work the relationship and the work that we're doing. There's a sense of diligence there. It really is that I trust you because-- what's the classic sort of trust exercise? The trust fall. I'm gonna fall off backwards because we're gonna rely on the fact that you're going to be there to catch me. So I think reliability really had to do with this ability, this willingness to be who you say you're going to be, do what you say you're going to do in the ways in which you're going to do it and in fact if for some reason you're not going to be able to fall, throw in your commitment you're reliable to tell me that you're not. To be open and honest about that and for us to continue to work through that process.

>> Right, so again each of these attributes are attributes for a mediator to pay attention to in themselves but also entry points for a mediator to look at the various parties where they may have a struggle with that attribute, or not demonstrating it. That would be an entry point for a mediator to work with that party to build capacity in the party so that once you have reliability, once you have mindfulness and openness then you can begin to recreate the narrative and know that there'll be follow through on it so...

The last attribute we want to talk about is competence and this one is critically important too. You can be...competence is about having the skills and the knowledge to perform the task at hand, but it's also about being flexible enough when the task changes or when the context changes to change with the context and the task. Competence is important in terms of trustworthiness because I would then if you're competent I can believe in your ability and your willingness to fulfill your responsibilities, or expectations, or obligations effectively. If I don't have a belief that you're capable and confident of doing something that you just agreed to do then there is gonna be an erosion of trust. And so then in terms of mediation or even in terms of the work that you do, or interactions you have with others if you don't believe that another has the ability and the willingness to respond effectively then we have to change the expectation.

So often is what happens, and again it erodes trust at a devastating rate. We make commitments, we make goals, we say we're gonna do this, this, and this and it doesn't happen and so you have people with expectations of someone's behavior and that expectation will never be fulfilled because the person or the entity doesn't have the capacity or the ability, or the willingness to do that yet the expectation is there.

>> Of all the attributes this is the one that I find actually quite fascinating because I think it really takes a dimension of trust and it moves it away from this idea of personal integrity. You can be a totally trustworthy person. I'm not questioning your trustworthiness. I'm not questioning some core attribute of who you are. I'm questioning that you have the knowledge to do what you say you're going to do and I think that's a fundamentally different thing and I think in the context of special education particularly when we're dealing with kids with complex needs, you know, a parent may say that I don't trust the system, we may take that as a personal attack where you're questioning my integrity. No, I'm questioning your ability to meet the needs of my child or that you are up to speed with current best practice around this, and I think in many ways it depersonalizes the question that you're not questioning me, you're questioning my abilities or my knowledge or expertise around a specific issue. and I find this interesting and in a lot of cases I mediate both in a workplace context when you really unpack it the trust has become particularly around I see between employers and leaders this leader is a great person, this leaders got great integrity. The leader does not know how to be a leader. So it's a lack of leadership competence as opposed to trustworthiness, but I don't trust that you have the ability to lead this organization well.

>> Right, again this all gets back to expectations and obligations.

>> Also it gets back to context, yeah.

>> Right.

>> So we've got this quote up here, real change begins with the simple act of people talking about what they really care about from Margret Wheatley and we're gonna really shift I think our conversation a bit really now to what we do as mediators and conflict engagement professionals was that we facilitate conversations. Now our hope is that what we've done so far in this presentation is to give you language in which to enrich the conversation that you have about trust. So we're not necessarily just talking about trust as a singular, ill-defined construct. We're talking about trust that we can actually unpack and we can actually assess where is there trust? Where is there not trust? Well we can also look at what's the evidence that trust exists or doesn't exist? And that evidence is in many ways evidenced through those particular attributes.

So now what? Deconstructing a story. I'm gonna make an assumption that many of you are familiar as mediators for those of you who are engaged at work, that context of a narrative approach to mediation. And I find that trust in the context of trust really the narrative approach is a very useful model for which

to engage in the conversation. So Cathy used the concept earlier that when trust becomes broken the narrative becomes you're an untrustworthy person. This is a relationship where trust does not exist. and I think that we more often than not--90% of the time you're getting called because people find themselves in a stuck conflict story, and the stuck story is we don't trust each other and that defines our relationship. Can you help us in that context, okay? So in many ways the role of a narrative approach to the conversation is really a couple ways we can look at this. One we can look at it in a responsive and a reactive way okay? We can recognize that we or the parties find themselves in a narrative that is defined by lack of trust and that we need to create a conversation that allows them to in essence deconstruct that broken trust narrative and reconstruct a narrative of trust.

An example I did, this is not a special example but this would be an example at the school district where the union and the district were getting ready to bargain their contract. I came in said we're gonna bargain our contract. The only thing that we agree on right now is if we bargain at this point in time we're gonna be on strike. And so when we got into the conversation realized that they were stuck in a story that said there is no trust between union and management. It does not exist. And we explored and unpacked where that story had come from. So I had to laugh. I said where did you get that story? And they said we wrote it the last two times we bargained. And in that sense is that the last few times they'd bargained their conflict and engaged they had eroded and used all social capital by engaging in untrustworthy ways and taking what had been a very trustworthy narrative and moving into a narrative of no trust.

And so in that context we really began using a narrative approach and began to externalize the problem and the problem is not managed that the problem is not the association of the union. The problem is we are in a context where we lack trust and respect for each other. And we could name that. We could also assess the cost of that particular story. The cost of that story that they all agreed on is we're gonna be on strike, and they could look at that okay we could look at the effects of the problem and look at what is this current dynamic, this trust story was not making it possible for us to go forward and engage the issues that we need to engage as a union bargaining team and to make a choice. And the choice they made clearly was to deconstruct this conflict story and reconstruct a reconciliation story.

I'm gonna look at questions we used for framing that but they began moving towards a resolution story. So one way of approaching the whole narrative of trust or lack of trust I think as conflict engagement professionals we are often asked to step into a story where trust has been broken, people don't know what to do with that. They don't have language with which to engage it, and as the title of our seminar says what we sometimes say is how do I talk to you about trust when I'm not sure I trust you enough to talk to you about the fact that I don't trust you, okay? So engaging--another way of building trust is in a proactive way. I spend a lot of time working with teams who are performing for the first time and who are saying we want to build trust and a trusting relationship.

We're forming together as an organization and we want to go into that building trust and so the conversation becomes okay, it's not that we're having a conversation about the fact that trust is inappropriate. We're talking about conversation where you want to engage in trust, with trust and you're not sure what that looks like. You have differential expectations and assumptions about what that looks like so we're gonna have a conversation where we're gonna unpack those assumptions and those expectations, and create a set of shared expectations that will allow you to create a structure for moving forward to do so. Quick comment at this point? Okay.

So I've added some questions that often I think the conversations that we have are often driven by the questions we ask, and so I'm just gonna look at some questions that I know I've used in many ways to facilitate this conversation as you consider the different types of trust what types of trust are evident in this relationship? This is something that Cathy's actually done with her work around the trust typologies to actually go into a group or organization and map trust. Where does trust exist? Where is trust showing up in strength? And where is trust showing up as a weakness? Assessing the attributes. So people begin to have a sense of well, we have trust here but we don't have trust there and so we actually look at a map for doing that.

As you consider the different types of trust where are you experiencing a breakdown in trust? Is it an institutional trust issue? Is it an unwillingness to give or grant trust?

>> Or fiduciary trust issues. And the other part of the typology and the attributes is that it now gives people a common language to talk about it as opposed to just saying there is no trust and it's a nebulous sort of concept. Now there is a language to have that conversation and to recreate the new narrative based on here's where we're really strong, here's where we need to get stronger. And they can be specific down to actionable items for that specific group or individual.

What is the cost of the current situation? What is not possible? And again that's really inviting people to make a judgment about what is, and invite them to recognize that you have a choice. You can be at the effect of what is or you can be a cause to create something different. And again for us as mediators, we're not therapists. We're saying you have a situation where you're not experiencing trust. Can we facilitate a conversation that would begin moving you into a shared understanding of what trust is and how it's gonna be manifested in that relationship?

Describe a time when you experienced trust in this context. What changed? One of the things I found interesting with this union contract issue was that both sides had worked together in that district for 25 years. They had deep relationship connections with each other. They could also talk about this fact and they used this language. We used to be a family. We used to be a family. And so really actually bringing into their conversation their story about trust those times in their past where they had collectively and individually across relationships experienced trust with each other--went the wrong way, sorry about that. When you envision a relationship in which trust is evident what did you assume would be different? How would trust be manifesting itself? And this is again where we begin looking at what are the attributes that would show up? And how do we take those attributes that are somewhat generic: Benevolence, and caring and say but what does that really look like? How do we as mediators move from a general concept well, we'd be caring about each other? Let's dive deeper, what would that look like? What would be present now that's not present? And I think that part of our job as mediators and facilitators of these conversations is how do we take this construct and operationalize it for our situation and our context such that we can assess the presence and/or the absence of that attribute so that we can continue to build it?

What attributes of trust might be developed so as to rebuild trust and social capital? So in contexts where trust has been broken what do we need to do? Where are we gonna focus our energy to create steps that would move us towards building trust? Trust does not go form 0-60 in one step. Trust is often broken quickly, trust as we've built over time. And so how do we make using baby steps ideas to begin rebuilding trust? What will we commit to doing? How will we commit to being in the relationship to move forward? How are we gonna hold ourselves accountable to those commitments?

>> And so often times when we talk about the attributes and we are digging deep into them with a group of folks they usually come out in a negative form, what is not there, what they don't like and it's often difficult but the way you want to do that is to frame the attribute in a positive. So if this is what you're feeling now what would that look like if that were not the case? And moving people in a direction of articulating a positive behavior to replace if you will the negative attribute.

>> I think I'm gonna go back to something, and I've used this term before. I think one of our roles as conflict engagement specialists or mediators ion this context is to push for specificity. What are people committed to doing? What are institutions committed to doing? How are we gonna know what that commitment looks like? The who, what, when, where, and how. How are we gonna assess that? What are we gonna do? And we often ask these questions, what are we gonna do if for some reason we're unable to follow through and commit to meet our commitment, what are we going to do? So again a way of again looking at the role of the mediator in that context.

>> Be specific and concrete, and whatever you come up with you have to be able to hold each other accountable to, but everyone has to be able to see it when it happens and see when it doesn't happen.

>> So we're gonna wrap up here. Couple of quotes. You wanna go with that one?

>> Yeah, so being honest and walking with integrity means that we confront the challenges before us. So over the course of many years come to find out working in the areas that we do that most people look at confrontation as a negative thing. Confrontation doesn't have to be adversarial. It just means that we're gonna face this issue together instead of putting our heads in the sand and ignoring it we're gonna attack it together. So when we have a challenge, looking at that challenge or that conflict as you and I against that challenge as opposed to you and I against each other. I'm sure a lot of you have heard the quote before conflict is like fire. It can burn, it can give light. And so conflict, confrontation, you have a choice. You can let it destroy, you can let it burn things down, or you can use the light and the warmth to create new narrative, new relationship, and build on it. And so we just really want to try to move from this adversarial notion to more productive outcomes.

>> And in that light whereas our role as mediators is to create a safe space for that conversation. Years ago I asked one of my first mediation instructors what are the key attributes or characteristics of a good mediator? And he shared optimism and perseverance. I think people often engage a broken trust with a level of pessimism. This broken trust is broken therefor the relationship is broken, therefore there's really no possibilities for moving forward. And in this presentation our hope is that you have language to say well let's not go there too quickly. I have a belief and hope that we can engage this conversation jointly and create a context where there can be a safe engagement of that particular conversation.

The next quote I want to put out there is probably one of my favorite quotes. This comes from an article called Relationships in the Schoolhouse by Rolland Barth. Came out of Ed Leadership in 2006. And I think that what's important here is that we often look at this and say okay well what does this have to do with students and student learning? I mean really, we're talking about education and when I read this quote it just did me heart [INAUDIBLE] I think I would say in many ways.

He starts his article, he says one incontrovertible finding emerges from my career spent working in and around schools. The nature of relationships among the adults within a system which includes teachers, administrators, and parents has a greater influence on the character and quality of that school--and I added that bullet there--and on the student accomplishment than anything else. And again we know this and we've experienced this but when trust becomes broken among the adults within a system our

ability to have the conversations that we need to have in service of our primary function, the needs of children is compromised. And if trust is an issue that has gone unaddressed will compromise our ability to be effective at the work we're doing. We can have all kinds of other conversations but if I don't trust you enough that's an underlying dynamic of the relationship, our ability to be effective is gonna be compromised. And I think that what's needed here is courage among us as mediators to invite people into this place that they may not want to go. And also to invite people to a place that we may not want to go as mediators because we've got our own issues here, and yet it's an [INAUDIBLE] issue.

So we're gonna end with this last quote and I think it's indicative of sometimes a feeling of being lost when we're in challenge and in conflict. Not being lost is not a matter of getting back to where you started from. It's a decision not to be lost wherever you happen to find yourself. It's simply saying I'm not lost. I'm right here. And I see this quote as a way of looking at challenges and conflict are an opportunity to move forth and find, and create new narratives, new space, new contexts for a different kind of relationship. And when we're able to let go of being in a specific place or going back to something as opposed to being open to what is possible the opportunities are unlimited. And so with that I personally want to thank you for the time you've taken to be with us today and sorry for the rush in going through some of that and just wish you all the best and if you're a person who happened to be in one of those hurricane areas we wish you all the best as well. Greg?

>> Yeah, thank you for being here. This has been a fascinating and fun conversation for Cathy and I as we continue to do this work and this opportunity to share with our colleagues is delightful so thank you. I think we're gonna go to our last slide here and actually turn it back to Anita.

>> We have a question. Do you actually have the conversation and talk about the elephant in the room, trust. For example do you say I understand there might be some broken trust here?

>> So as a mediator I would say absolutely. I think that if I just put it in sort of a very traditional mediation agenda if in the client's opening statements there becomes an issue that trust is a factor then we would have the conversation is trust something you want to talk about? And if that's something that they want to talk about then it goes on the agenda and we begin to engage it. Now our ability to engage it has been significantly enhanced by having language with which to unpack a really complex notion. I'm just gonna throw this one out there just for your own interest because the other conversation that we've found ourselves having in relationship to broken trust is a conversation around forgiveness, and we could do a whole presentation on that one also but I have had conversations with groups in joint session about 1, broken trust and 2, a need for forgiveness and move forward.

>> A new narrative, a new resolution story to move forward together with?

>> Yeah, and I think, Anita, that's a great distinction there. We're not gonna wallow in the fact that we don't have trust. We're gonna acknowledge, in the last quote I think Cathy acknowledged we're gonna acknowledge that we are currently in a place where we're not experiencing trust and we're feeling a bit lost in there and so okay, in order to get lost we need to create a shared vision of what being out of that space would look like.

And so we would spend some time looking at what's contributed maybe or how broken trust is manifesting itself, but we're also gonna move very quickly to okay, what would it look like if we did trust each other? What steps would we take to move forward? And I think in the context of mediations we're very quickly saying where we are now with broken trust, our goal is to move forward to create a different narrative. And I think that's where people feel safer in that conversation than spending two or three hours talking about the fact as to why we don't trust each other. So it is very much acknowledging we are in a stuck narrative. Let's acknowledge that. Let's very quickly move to having a proactive conversation to produce a different narrative.

>> Greg and Cathy, we have another question. Many people coming to special education mediation have lost institutional trust and we are asking them to trust another institution in a mediation system. Do you have any suggestions on how to help these people have trust in a new institution to try the mediation process?

>> That's an interesting question.

>> Great question. Great question.

>> As someone who runs a mediation system--

>> And she does.

>> Yeah, I kind of get that take. I'd love to have a face to face conversation. As someone who runs a mediation system we have a strong commitment to operating a system that is trustworthy. And how we will deal with confidentiality is trustworthy. Our responsiveness and that we will provide a service that we describe in a way that we provided it. That our mediators are competent. I have over 25 years let some mediators go because they did not commit to maintaining their competence as mediators. And so I'm looking at in many ways, and I've shared with my mediators in training, actually had Cathy come and do training for my mediators around those attributes. So as a mediator how do I demonstrate trustworthiness as a mediator at the table, caring and benevolence, competence, openness, integrity? So I think that all of those attributes we are committed to, I am committed to as a provider of a service that we will provide services that are at integrity with those attributes.

>> Right, and so I think that the key part of this is not just saying that you have an organization that does that, but demonstrating those actions so that if you have parties who are not trusting of the institutions and in many cases there are reasons not to be, because sometimes institutions don't get the rules and regulations, or the certifications right. First thing I do is I'd be clear about where that distrust comes. You can't just say I don't trust special education or I don't trust that mediation group. You have to help parties get very specific about where that trust is broken. Then you go to the attributes to help that system build capacity in the attributes. So first it's identified where the trust is broken specifically even if it's institutional trust. Where? What is it? You're not doing IEPs on time, you're not following that specific thing? Or what? There's so much that can be broken and so many little places where you can really just enter and fix that or places that require a whole lot more building capacity. But you have to know where that's at first and then you focus on those attributes.

>> The other thing from the system's perspective again for many of us who run systems is we do evaluations and we're evaluating, we're asking parents, school districts to evaluate did this process meet the expectations with which you entered the process. If in some way it did not me the expectation I'm gonna have a conversation to find out in what ways did that not meet your expectations? In what ways could we improve our systems so as to better meet those expectations? And that may mean what we're doing in our intake process, what we're communicating, what we're communicating in written form also it's feedback form our mediators and that goes then into the professional development that I do with our mediators on an annual basis is built off of those evaluations.

>> Right, and so the other thing to remember about institutional trust is too, it's about capacity too. Often times I find that when institutional trust is broken it's not always from mal-intent. It's something that fell through the cracks. I'm not making an excuse, but it's over-worked people, or people who didn't know something and once we bring that to their attention sometimes it's an easy fix. Oh, didn't know that. Sometimes it's much harder, much more complicated and much more of a task of capacity building. But again I can't emphasize enough first you have to figure out what specifically as it were, was

the ball dropped and where was trust broken? Which is why we hope and believe that mapping out trust and having attributes gives people a language to focus in on then as opposed to an emotive kind of you're not doing this response to what's happening.

>> It sounds like you're also referring back to if you were doing an intake process you could be asking about expectations that hadn't been met, not necessarily naming that it's a broken trust situation but recognizing that when expectations are not met the result is that erosion of trust.

You have another question here, based on your experience what indicates to you there's a trust issue from the parent's side?

>> They tell you. I mean, many cases it's articulated very clearly. We don't trust the district. I mean, it often shows up in the intake process with a statement that we're not trusting the district. We're not trusting that because they're not doing what they said they were going to do on the IEP. And I'm not here to bash districts. I'm just putting that out as an indicator that that's a problem.

We're not trusting the district because I've left a phone message with them six times and no one's returned my call. And so I would say that in many cases I'd be interested to get a sense from my colleagues across the state is that we are being called by a parent because they've lost trust in their ability to engage that system for multiple reasons and that's why they're engaging us because trust has been broken in some way. So at the risk of creating an anticipation it's almost a given to me when that intake comes in that there is a trust issue that's going to be there, to what extent that we're going to have to engage it or not will be a question that's gonna come out of the intake process.

>> Right, and again getting as specific as you can with inquiry, and even having a knowledge of the attributes framing the question. Don't say they're not being honest or is there no integrity? But use those in framing a question. What specifically is it that you believe they've dropped the ball on? And then you frame it in terms of an attribute there.

>> What is indicating to you the trust? How is broken trust manifesting itself in this context? More questions you can ask, yes.

>> Right, well thank you so much. I know a lot of your language as Greg and Cathy ya'll have been talking about being mediators and mediation and I want to kind of broaden out and say facilitators, case managers, administrators, anybody who's having a conversation where there's indications of expectations that haven't been met and this sort of ephemeral concept of trust can apply this language that you're giving us and questions that you've provided for us to think about where have things broken down? And how can we begin to engage in a way that would rebuild working relationships with those good attributes of what did you call it? Our better selves? We can begin to climb back up the trust pyramid and do some good work for the benefit of kids.

>> Yeah I guess the only thing I would add to that, Anita, is that we often talk about broken trust. I think that we need to look at this conversation as both a proactive and a reactive conversation. And my goal particularly for I think as educators we can enter into a relationship and say let's talk about how we're going to build a relationship that is characterized by trust? What are our expectations? I'm a firm believer in having that conversation at the front end as a proactive conversation that doesn't have to come from us as the mediators coming in and fixing trust when it's been broken, so.

>> All right, well we really appreciate everybody joining us today and staying with us and as I said the webinar's recorded so if you want to go back and check out, refresh. If you can click on the link in the chat box and fill out a very brief survey monkey to evaluate today's webinar we really appreciate your taking a few minutes to do this. It helps--

>> Thanks so much for the opportunity to share.