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As a mental health professional practicing marriage and family therapy, and later family mediation, when I first learned about Collaborative Practice (CP), I knew that this interdisciplinary process promised to be the "better way." I understood that when I worked to establish family law dispute outcomes with my clients, those outcomes were not durable when I was not partnered with the lawyers who represented my clients. I also knew that as a mediator, I lacked the legal and financial expertise to create sustainable solutions for families. The interdisciplinary brainstorming promised by CP seemed to me to afford the solution for families and an opportunity to blend the skill sets of all the professionals who help families in transition.

What I learned, as a member of the CP community and of the IACP Research Committee since 2005 was that the inclusion of mental health professionals in this fledgling interdisciplinary process was understood to be important but was not assured. It seemed to me that while lawyers spoke to the benefits of inclusion of Mental Health Professionals (hereafter, "MHPs") in the CP process, they could not uniformly define their role or explain it to their clients. Neither could the MHPs successfully define and convince other professionals of the ways in which their unique skill sets and training could benefit the process. I looked for a clearer understanding to better identify those roles in the established protocols of Texas, D.C. Metro Area and South Florida. I searched for those answers in the research and writings about CP and was left with many questions. Concurrently, I was working toward my Ph.D., and had the good fortune to be able to combine my passions as a MFT dedicated to helping families through the divorce process, and a researcher, intent on discovering the best way to do so. I began my inquiry into developing a greater understanding of the role of the MHP in this process. This article will review the dissertation research I conducted and the conclusions I have reached about the individual necessary skills, knowledge, and attitudes for MHPs to participate and integrate effectively into the collaborative team toward successful outcomes. It also identifies and discusses the expectations held by professional team members for MHPs working on teams in the CP process. The hope is that, armed with this information, all members of the Collaborative team will better understand the MHP role, assuring the increased effective participation of MHPs in CP matters and thus enhancing the effectiveness of their teams.

My Study

This qualitative research study employed a grounded theory methodology to gather information about the effective inclusion and utilization of the MHP on Collaborative teams, and aimed to develop a theory about the skills, knowledge, and attitudes—the core competencies—necessary for the MHP to effectively practice in CP. It further explored the intersection between the competencies that the team members (mental health, legal, and financial) deem important and their relationship to the core competencies identified by the American Association of Marriage and Family Therapy (AAMFT) task force[1] and those defined by Sperry.[2] Additionally, this inquiry investigated the connection between that relationship and the existing Protocols of Practice identified by Collaborative communities in Texas, South Florida, and the D.C. Metro Area. This article deals exclusively with the competencies and roles of the MHP in the process.

My research questions were as follows:

1. *What expectations do participants hold about the necessary competencies for MHPs to successfully do this work?*
2. *What other skills, knowledge, and attitudes will MHPs have to possess and exemplify in order to be considered competent to participate and integrate effectively into the Collaborative team?*

Characteristics of the Participants

The 29 (number) participants in this study were selected and recruited through their practice groups throughout the U.S. and Canada and met the inclusion criteria developed by this researcher, utilizing the standards for training and

practice established by the IACP. Several of the participants were trainers who also met the requirements for trainers set forth by the IACP [3].

These professionals varied in professional training, education, professional affiliation, and orientation; as well as geographic location, cultural and ethnic background, and age. They also differed in terms of their family backgrounds, years and experience in practice, and years working in Interdisciplinary CP.

Participants were interviewed by Skype and telephone. Each interview lasted approximately 11/2 hours.

Data Collection and Analysis, Emergent Categories, Core Categories and Themes

The interview questions focused on the professionals' background, education, training, models and methods of practice, and ideas about the competencies that were required of MHPs to effectively and efficiently do this work.

I collected the data for this study between January 21, 2011 and March 25, 2011. After rigorously analyzing the data, core categories and various themes emerged within and across groups of professionals depicting the expectations that team members held for the MHPs practicing on interdisciplinary teams. These perspectives formed the foundation for the umbrella of Discipline–Specific Competencies identified as necessary for the MHP, which was incorporated into the emergent theory about competent practice of the MHP on the team. As a result of the data analysis, MHP competencies were defined as the necessary skills, knowledge, and attitudes required of an MHP to provide safe, effective quality care in CP. The competencies identified are discussed below.

Self of the therapist. Many of the respondents discussed the importance of the MHP being assertive, directive, and an active participant on the team. A Financial Professional (FP) said,

I like to work with a strong mental health practitioner who is calling timeouts, or will say, 'Hey, wait a minute we need to be here for our clients,' and gets us back on track.'"

A lawyer who was describing her expectation of an MHP with a strong sense of self on the team said,

I want somebody who is confident and assertive and will call me out and let me know when I am doing something that may not be productive. I want that kind of feedback."

"Many of the respondents discussed the importance of the MHP being assertive, directive, and an active participant on the team."

Assessment and evaluation. All participants interviewed agreed that it was critical for the MHP to be able to assess circumstances and provide an understanding of the family dynamics to the team. This attorney addresses how the *self of the therapist* is integral to their ability to appropriately identify issues:

I want to work with someone who's going to be objective, non–prejudicial; to not allow their personal preferences, their personal thinking, their personal values, their own sense judgment in any way interfere...so that they are able, and I am able to give everyone their best shot.

A MHP speaks to her perceived role in considering important issues in a case:

When I speak about dynamics, I am speaking about the emotional readiness of the parties, how they process information, how they communicate. I'm talking about communication skills on a different level—the meta–level. When it comes to personality, I'm not talking about diagnosis; I am talking about personality style. That has a lot to do with how they interact. I also think it's important to think about where they are in the mourning process. I think about divorce as the death of a marriage. Often one person is ready and the other one is not.

Communication. The participants also discussed the ways in which they expected the MHP to facilitate effective communication amongst the divorcing couples and the team.

One MHP said: *As a team member I have accountability, I have to communicate with them, I have to think with them, I need to ask them, we need to brainstorm together.*

An attorney concurred about the necessity of an effective MHP to speak directly. He said:

She is able to communicate to people, particularly clients in a way that you won't be offended by, and she'll be able to call you out and call you on the carpet in a way that's non-confrontational or in a way that you can accept it. I have heard from clients who have expressed that kind of idea that she doesn't mess around or mince words, but when she

speaks there is some sort of inherent authority about it... and so I also think that is the way that she views her role and she's very clear that she is there for the group.

Relationship building. All of the participants addressed the importance of developing personal and professional relationships with MHPs in order to have an indication of their level of competence. One attorney spoke about the confidence that he develops when interacting with a MHP outside of the Collaborative arena. He said:

Initially there has to be a level of confidence that the attorney has in the MHP that's built up outside of the Collaborative environment. It's not likely for an attorney to agree to use the MHP—someone who theoretically could have a devastating effect upon the process—without having confidence in that person. Part of that is the confidence in them professionally; part of it is the personality.

"The majority of professionals agreed that the MHPs need to have basic knowledge of both the law and finances so that they can contribute to conversations and assist clients in making decisions related to these matters."

It was also suggested that the MHP has a considerable impact on developing the working relationship between the divorcing parties and within the Collaborative team. To that point, one MHP stated,

I will also work with the client on self–identifying their parenting strengths and weakness, where they are in their co-parenting relationship, and what they are going to need to do to move that co–parenting relationship forward in a positive manner. I don't do the work to get them there, it's just an identification process.

Intervention planning and implementation. A MHP was asked about the way in which she intervenes as a Coach in the Collaborative process, and how that is different from what she does in the therapy room. She responded in this way:

I say any intervention is a therapeutic not destructive construct. That's where I am with that. So, whether we call it therapy or not, we are doing something. Surely we are intervening in these peoples' lives.

Another MHP working as a neutral discussed what she perceives her role to be when intervening in a case. She said:

My role is predominantly as the team leader and facilitator of the process. I assist all team members to communicate with one another effectively. I assist clients in improving their negotiation and problem-solving skills...and in identifying their goals and interests as well as understanding the goals and interests of the other person.

Understanding legal/financial terminology. The interviews prompted interesting discussions about the expectations of the other professionals regarding MHPs' understanding of finances and the law. The majority of professionals agreed that the MHPs need to have basic knowledge of both the law and finances so that they can contribute to conversations and assist clients in making decisions related to these matters.

One MHP said:

I think it's an extremely important to have a good knowledge and understanding of the litigation process and of the law in divorce. I think it's helpful to understand what happens in the litigation model, what happens logistically and financially, the time frame, and how judges interact with families.

Shared/Integrated skills. It became evident from the data collection that mastery of Discipline–Specific Skills was not by itself sufficient to engage in competent and successful interdisciplinary practice. The data suggested the benefit of each professional integrating their Discipline–Specific Skills, and sharing their knowledge and attitudes on the team toward productive outcomes. One attorney stated,

The threshold requirement is for each member of the team to be very skilled at doing what you did before you started doing teamwork and then, committing to go beyond skill in your own discipline to become skillful at integrated team-based service delivery, which goes way beyond that."

Fit. Among the numerous categories depicting the significance of shared/integrated knowledge, skills and attitudes required for successful team practice were notions of a fit between team participants and each other, the implementation and modeling of effective communication skills, and the ability to be organized as a team.

A neutral MHP suggests that *fit* is about being attuned to what is being said and also what is not being said in meetings. She says:

Part of that of course comes from getting to know the clients and developing a relationship with them, and a big piece of it is really paying attention to the nonverbal... particularly in a joint meeting when all the professionals are together with the client. I'm super focused on what isn't being said. I really see that's a big part of what I am being paid for.

Team communication skills. One of the FPs discussed his expectation that the MHP be in tune with all participants and be able to identify the core issues so that a productive settlement meeting can take place. He said:

She explained what's going on to the whole team. For me, that's why they play such an important role, because they are able to decipher the information that's coming from the thought processes of each of those individuals and they are able to convey it...they are able to share that information, and dissect that information for the team so that the team now has an understanding of the thought process and the way each individual may or may not be in their lives, and why they're doing certain things. So that for me is why they play a critical part for both sides...managing the clients and the professionals.

Team organizational skills. The interview data suggested that the team members often looked to the MHP to provide direction for the development and flow of the meetings and the process.

An MHP working as a neutral in this process discussed her expectations of herself, as well as others' expectations of her, when working on the team. She said:

I take on sort of case management tasks, again I don't mind doing that, but think again by nature of our training we get case management training, and so, I think it fits very well for us to pay attention to the pacing of the process. I also pay attention to if we are ready for a meeting, are we having meetings too soon, too far apart, what is the proper agenda for this meeting and the addressing of issues between meetings.

Participants also discussed the value of learning from each other; in practice group settings, in case consultations, pre–conference meetings and de-briefings. An attorney shared his perspective about the benefits of the team being able to "debrief" about a meeting and learn from each other about what had transpired:

From a personal perspective that's the part I enjoy the most...that it's such a team setting and that the goal is to get these people together and settle. I like the debriefing...I think that's a very valuable process and solidifies the team. We can work on how to get better at our next meeting and add a better focus...and it's valuable for the team...This is all just an educational process. Just like lawyers have to learn by trial and error, we all have to learn by trial and error...

Additional topics that surfaced as influential under the category of Shared Learning were related to the MHPs background and education, experience working in the field of divorce and high conflict, levels of Collaborative training, and ability to be a team player.

"The interview data implied that in order for professionals to effectively and efficiently come together to assist divorcing couples, they must commit to attitudes and values that promote and maintain the integrity of the Collaborative process. Incorporated in this category were ideas about trust, professionalism, honesty and integrity, and ethics."

A financial professional suggested that he did not make his choice of an MHP based on their degree. He explained it this way when he said:

I am ignorant when it comes to being able to discern the credentialing of the mental health practitioner and their ability to function well on the team. What I do know is how well they communicate with people prior to going on a team, and how their interaction is in the team meetings... Someone can go to school and they can get a license as a mental health professional and even have a Ph.D. and that doesn't mean that they're prepared to do this work.

An attorney explained how the MHP can successfully utilize their clinical skills to be a "team player" and integrate with the team as well as the couple to be useful to all participants.

They must be willing to work with other people and have teambuilding skills. You can't be so independent...and you can listen to other people's opinions...that's really important to an attorney in order for them to be able to give up

the control that we've traditionally had...I want to see how that person is going to share the responsibilities and avoid stepping on toes-letting people express themselves...also, being able to rein in people when they're inappropriate.

Shared attitudes. The interview data implied that in order for professionals to effectively and efficiently come together to assist divorcing couples, they must commit to attitudes and values that promote and maintain the integrity of the Collaborative process. Incorporated in this category were ideas about trust, professionalism, honesty and integrity, and ethics.

Trust was a predominant topic throughout every interview. The establishment of trust was perceived to be the single most contributing factor to the successful functioning of the team.

An MHP spoke about the ways in which she is beginning to develop trust with other professionals by developing relationships with them. She stated:

I think team trust comes out of familiarity with each other first and foremost, and then respect and positive regard. It is very difficult and very challenging work. So for me I think we will be more effective and things will run smoother; we'll do a better job if we have a high level of trust in one another as professionals, and trust comes out of familiarity... if you're just getting familiar with each other at the beginning of the case that's harder...you don't know each other, you don't know each other's style, you don't know what to expect.

Thoughts About Future Research

Future research efforts might be geared toward an exploration of the various service delivery models and the development of a clearer understanding about the appropriate use of these models with diverse populations. It is also suggested that research be focused on CP which includes participants who are involved in Domestic Violence. The intention of this research would be to understand what needs to be in place to provide quality assistance to clients in the process, not to standardize practice or define one model as superior to another.

Notes

[1] As interdisciplinary training programs are refined or developed and implemented, process research might be considered to determine the correlation between strengthening interdisciplinary teams and successful outcomes. Additionally, process research may aid in discovering if professionals' practice actually reflects what say they are doing in the Collaborative process to ensure successful outcomes. Outcome research may also be considered to test this theory in a more controlled design to determine if this theory of successful practice in Interdisciplinary CP could predict positive outcomes. To that end, longitudinal research with couples and their children who have experienced a Collaborative divorce utilizing an interdisciplinary team might be employed to study their perspectives of how family functioning and relationships are benefitted by the process. Follow-up studies should select different populations to provide a wider sample by engaging different groups that offer different experiences. These research endeavors ought to be expanded to countries outside of the United States such as England, Ireland, and Australia, where CP is widely practiced. This research study is only beginning the dialogue in these directions. Nelson, T. S., Chenail, R. J., Alexander, J. F., Crane, D. R., Johnson, S. M., Schwallie, L. (2007). The development of core competencies for the practice of marriage and family therapy. *Journal of Marital and Family Therapy*, 33(4), 417-438.

[2] Sperry, 2010. Core competencies in counseling and psychotherapy: Becoming a highly competent and effective therapist. New York, NY: Rutledge.

[3] International Academy of Collaborative Professionals. (2011). International Academy of Collaborative Professionals: Resolving disputes respectfully. Retrieved from http://www.collaborativepractice.com

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What Language Do You Speak? Strengthening the Lawyer–Mental Health Professional Relationship

Gerald Monk, PhD and Linda Solomon, LPC, LMFT

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Introduction

With the increasing involvement of mental health professionals (MHPs) in the Collaborative movement as coaches, child specialists or neutrals, there are greater opportunities for lawyers and mental health professionals to work effectively in Collaborative teams. Research on Collaborative Practice and Collaborative Divorce has demonstrated that Collaborative teams that include financial specialists and MHPs along with the lawyers can be exceedingly effective as they introduce a diverse range of complementary skills that will be helpful to a divorcing couple. Lawyers and MHPs report that they appreciate the contributions (and unique skill set) of their fellow professionals as they engage with their mutual clients. They feel that they are learning from each other as they unite to guide clients through the rough waters of divorce.

While most Collaborative practitioners are enthusiastic about the value of lawyers, MHPs and financial specialists working together, Julie McFarlane's 2005 preliminary research on the working relationships between lawyers and mental health professionals showed that there were also challenges, misunderstandings and misgivings about how lawyers and MHPs can effectively help clients collaborate. Her research describes examples of how lawyers and MHPs can participate in the same meetings with clients and not hear or understand the same messages. Many Collaborative professionals also reported that MHPs and lawyers tend to "talk past" each other – make statements and offer opinions without listening or putting ideas into the context of the ongoing conversation. It is possible that this very type of miscommunication may be a problem in some marital relationships, and this is why Collaborative team members must work hard to develop and model effective communication.

Purpose

This article explores how lawyers and MHPs are trained to speak and process information in different languages. We have two (and three, if we include the financial professional) different pairs of glasses looking at the same information and the same situation. While hearing different points of view can be helpful to clients as they explore options and enter uncharted territory, if communication differences among Collaborative professionals are not acknowledged and effectively handled, they can become an obstacle to a successful Collaborative experience for all concerned.

This article also explores strategies that may help to ameliorate some of the problematic tensions produced by previous training and professional experience. By identifying the obstacles that impede effective working relationships between MHPs and lawyers, and by identifying resources that strengthen those relationships, the two disciplines will be able to understand each other better and productively co-exist. It should be noted that financial professionals are trained to speak yet another "language" from that used by lawyers and/or MHPs. Bridging those differences will have to be the subject of another article.

Open vs. Closed Communication

Mental health professionals and lawyers are trained in principles and practices that are, in many ways, in complete contrast and contradiction to one another. In fact, if lawyers and MHPs were in direct alignment with their original training, it is sometimes hard to imagine that these two professional groups could effectively work together at all. Many lawyers report that their training taught them to be "closed" and mistrustful of the intentions of colleagues. Living in the presence of imminent litigation, lawyers are taught to practice conservatively and use communication techniques designed to reduce vulnerability and risk. In most professional environments, they are trained either to go on the offensive or to prepare to defend against those who do not support the goals of their clients.

In contrast to the confrontational style taught to lawyers, mental health professionals are often taught that they should have an open posture in order to communicate effectively with others. Client-centered therapists in particular are trained to seek to establish trust with clients and colleagues by being empathic, vulnerable, understanding and appropriately disclosing. Neutral MHPs working in the Collaborative process must find a way to demonstrate all these important characteristics while keeping the clients and the rest of the Collaborative team focused on moving forward. Lawyers have reported that sometimes MHPs seem too focused on doing therapy with the clients instead of coaching them to use skills that will move them closer to having their interests satisfied.

A lawyer reported the following: An MHP who was new to the Collaborative process attended a Collaborative meeting with lawyers and clients. When asked if the meeting went well, the lawyer (who had worked with several different coaches) responded, "The MHP spent 10-12 minutes helping the wife identify what her anger was about and whom she was reminded of from her past. The rest of the group was all sitting there, not knowing what to say. It seems like a lot of money was spent pay-

ing all the professionals' fees while the client figured out why she was angry." This example clearly speaks to the need for all Collaborative professionals to have a paradigm shift if they are going to be successful in Collaborative Practice. The lawyers are working on how to be advocates while not being as directive as may be required in litigation; the MHPs continue to work on how to use all of their skills while guiding the clients toward a concrete solution.

Expert Knowing vs. Curious Exploration

Visualize the divorce process as a football game. The lawyers are experts in offense and defense. They call the plays, avoid penalties, and strategically manipulate the ball down the field until ... Divorce Decree ... TOUCHDOWN! By contrast, the MHP therapist is trained to sit down on the 22-yard line with an upset quarterback, Kleenex in hand, and facilitate a safe place for him to feel all the feelings bubbling around after that intercepted pass. The therapist's goal line is not necessarily that place way down the field. The therapist's "goal" lies in helping the client to learn something about what he is experiencing at that moment and why it is touching on so many emotions. Yet it is probably not the most effective use of clients' time, money and energy in a Collaborative case to pay several professionals' fees while the MHP "processes" with the client on the 22-yard line – judgment is required about when to sit and for how long. The completed, signed divorce decree is the pre-defined goal line in the Collaborative process. Collaborative lawyers must learn to get the clients there without bullying and artful deception; MHPs must redirect their people skills to move clients closer to a final divorce.

Lawyers trade on their knowledge and application of the law. Thorough legal analysis and intellectual rigor in law school encourages lawyers to place "the law" and a client's "legal rights" before all else. This emphasis on knowledge of the law puts the lawyer in the position of being an expert in lawyer-client interactions. Training as a courtroom advocate can reinforce the lawyer's sense of being center stage in a drama of conflict – of being responsible for producing a result that meets the client's needs. Courtroom lawyers need to speak with conviction, certainty and a persuasive authority. In Collaborative cases, that same strength can significantly impact client and collegial interactions. If the lawyer's need to control the flow of information and the outcome of a case is allowed to dominate a team, it can alienate team members or cause a premature push to resolution without grappling with important hidden issues.

McFarlane's 2005 research showed that lawyers making a shift from the courtroom to the Collaborative process may struggle with allowing clients to generate their own ideas. They find it difficult to restrain themselves from giving advice on occasions when the clients are asked to brainstorm ideas about how to address a particular situation. And while this characteristic might be most obvious among the lawyers, all of the professionals must remember that they are there to empower the clients to brainstorm options, not tell them what to do. The professionals must gently remind each other that their words and their actions should always put responsibility for the outcome of a case in the hands of the clients.

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In a meeting with lawyers, clients, MHPs and an FP, the wife requested that, during the pendency of the divorce, she have access to money to fund a new business venture. The husband's lawyer looked at her and asked, "Do you have a business plan? What is it?" While this may be information that the husband and his lawyer needed, the tone of voice was quite direct and carried a subtle message that the wife might not be informed or smart enough to start her own business. The wife reported to her lawyer that she felt insulted by the lawyer's question. When asked to give feedback to the team, the MHP asked the lawyers to remember the difference between open-ended and closed-ended questions. She suggested that open-ended questions are often more useful in Collaborative meetings. The lawyer could have said something like, "Tell me more about your business. If your business is a success in five years, what will it look like?" By doing this, he would have gotten the information he requested without offending the wife and creating the potential that the wife's feelings about the husband's lawyer would make future negotiations more difficult.

Many therapists are trained in models that presume that clients have the necessary (if underused) resources to solve their own problems. Therapists are taught to avoid giving too much explicit advice and focus on high-quality listening to ensure that they understand the clients' issues and allow them to feel heard. Open questioning and curiosity are strengths, and the ability to track how clients are processing information is vital to a meaningful therapeutic relationship. Thus, MHPs trained as therapists may view "content" knowledge of the law as being less important than the "process" knowledge required to attend to the nuances of the case at hand. But if the MHP ignores too much of the content in Collaborative cases, he or she can miss information that can be important in order for the clients to reach a settlement.

McFarlane's data evidences Collaborative team members' power struggle around who has control of the process. This emphasizes the need for the professionals to understand the other's language, motivation and training as well as their stated role on the team. It is very important for team members to consider the following questions as one of their first acts as a Collaborative

VIGNETTE

In a Collaborative meeting with lawyers, MHP, and clients, the MHP saw the wife's lawyer point her pen at the husband and say, "Sir, I am asking you to give me specific information on the accounts. You are not complying. I will ask you the question again." The MHP, working as a neutral in the process, immediately felt as if she were watching someone being cross-examined in court. She decided that immediate feedback was necessary because ongoing questioning in that manner and tone of voice could destroy the process. The MHP was challenged to find an appropriate way to communicate with the lawyer in this situation. The information must be offered in a way that gets the point across and gets the lawyer to change her behavior, yet allows the lawyer to hear constructive criticism. The MHP asked for a break and had a private discussion with both lawyers, respectfully sharing that the last comments appeared to be in "litigation language and tone of voice." The lawyer appeared to be grateful for the feedback.

team: Is there one team member in control of meetings? What should happen if one team member is using language or behaving in a way that indicates he or she wants to control the process, and what is the responsibility of other team members in that case? Is it really necessary for any team member to be in control? What message is this giving to the clients? What are the professionals modeling for the clients? The issue of who, if anyone, is in control is one that can have a negative impact on the case if it is not addressed constructively.

Obstacles to Effective Teamwork

The different forms of training and experience that shape the Collaborative professionals' behavior do produce some systematic patterns of relating that may diminish the impact of the Collaborative team's work. For some lawyers, it can be a challenge to let go of the power, prestige, expert knowing, and safety of the hierarchical structure that accompanies court advocacy. The adversarial environment also puts tremendous pressure on lawyers to compete and practice defensively to win cases. Thus, lawyers who have worked very hard to be effective advocates in the litigation process have the potential to verbally "push" other members of the Collaborative team to prove that their client's interests and concerns are more valid than his spouse's and those of other family members.

It should be noted that the potential to vouch for clients is there for all professionals. Any team member has the potential to forget that what clients tell the team is just their story about what happened (not necessarily the objective truth or the whole truth) and become aligned with that client. Effectiveness in a team member, however, is gained by moving away from a competitive, defensive, protective orientation and toward an open, wise, synergetic, risk-taking attitude. It is incumbent on the Collaborative professionals to debrief meetings and learn how to talk about issues like control of meetings so that "the issue" – or the fact that the team is or is not talking about "the issue" – does not have a negative impact on the clients or their process. If Collaborative teams are going to function effectively, it is crucial that team members continually communicate (often in different languages) to keep the process – and themselves – open. The challenge is to continue to honor the important role that knowledge in a particular area has in informing the team member's interactions with the clients and the team while at the same time being aware of and willing to adjust to the changing nuances of the divorcing couple's needs.

Many MHPs have obstacles that limit their effectiveness as members of a Collaborative team, as well. Newly-trained MHPs can have a naive expectation of quickly gaining mutual empathy, openness and trust with and between Collaborative team members and the clients. But just because a particular couple is wise enough to choose the Collaborative model to help them through the divorce process does not necessarily mean that they are pleasant and easy to work with. When the expectation that the clients (or the team members) are going to be enlightened beings willing to deal with conflict in a healthy way is not realized, it can leave MHPs feeling disheartened and even betrayed by the process, leading them to become silent and disengaged.

Mental health professionals can also struggle with the distinctions between doing therapy and acting as divorce coach as they transition from individual counseling to a structured setting focused on redefining relationships as the clients complete their divorce. MHPs may be so locked into client-centered practice that they can fail to attend to the organization, goals and standards required by Collaborative Practice to move the process along. But perhaps the biggest challenge for MHPs to confront if they are to be productive team members is to overcome the urge to be intimidated by lawyers who behave in authoritative, assertive and directive ways. Lawyers often say they need MHPs to be more assertive with clients and other team members rather than focused on therapy. Many coaches, going into unfamiliar territory seen as the lawyers' purview, state that they are uncomfortable and threatened by the lawyers, either because of previous interactions with the same lawyers as litigators or because of the lawyers' behavior toward clients and other team members in the Collaborative process.

Strive for Common Understanding

In a few short years, lawyers and MHPs on Collaborative teams have made considerable progress toward understanding each other's language and working together more effectively. As the disciplines continue to work together, the effort to understand

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When Collaborative professionals in Texas were just beginning to move from the lawyer-only model to the neutral MHP model, a lawyer in a joint meeting instructed the MHP to take the meeting notes. This function is clearly not one for an MHP to handle in a meeting, since he or she needs to observe the group's communication – non-verbal as well as verbal – rather than take notes. The MHP had to make a quick decision. Should she stay quiet and accept the task to avoid a confrontation? Should she call a break and talk to the lawyers outside the room? In other words, is this a big deal that can affect the function of the team or something to let go? The MHP was able to recognize that what felt like curt dismissal could be a very innocent request arising from the lawyer's inexperience and lack of confidence about the Collaborative process. She realized that being told (rather than asked) to do this job did not necessarily mean that the lawyer had no regard for her or her role on the team. But she also recognized the need to respond assertively, clearly, and respectfully. The MHP responded that she would be glad to find one of the lawyer's legal assistants to help with the meeting notes if that was needed.

the other's language grows into an appreciation and respect for the other's communication style, strengths and contribution as team members. Most legal and mental health professionals who are drawn to Collaborative Practice desire to understand their colleague's role in and contribution to the process. They participate in team debriefs and ask for direct feedback on their effectiveness as a team member. Lawyers are making sincere efforts to move from being authoritative advice-givers to being curious about relevant issues, while MHPs strive to be more directive and conscious that the clients' therapeutic needs will need to be addressed in another environment. Successful Collaborative MHPs and attorneys are willing to stretch themselves to learn about and work with other disciplines in order to offer a quality process to clients and their families. In support of this commitment, here are some basic – but important – suggestions for creating a common Collaborative language:

1. **Listen, listen, listen.** Be present and ensure that clients and team members know they are heard. This can be accomplished with something as simple as asking that no one interrupt in a meeting or asking someone if he feels he has been heard. Team debriefs are crucial to determine if all team members feel heard and that they are contributing to the success of the Collaborative process.
2. **Reach out.** Build relationships with all participants to facilitate change. The most effective Collaborative meetings are those in which all team members and clients communicate with ease.
3. **Encourage independence and insight.** Avoid advice and answers. It can be easy for experienced professionals to tell the clients what to do. But the professionals will only spend a short time with the clients and will not be handy when the first post-divorce crisis occurs. Team members help clients most by empowering them to generate their own options and answers. Clients have unused resources to solve their own problems. Helping them develop their problem-solving skills will help them for a lifetime, while telling them what to do cripples them by making them dependent on others.
4. **Be the change you want to see.** Be empathic, open, and willing to share information. This will also serve as effective modeling for the communication skills the team hopes the couple will use in their future relationships with each other and their children (and with future partners).
5. **Trust your team members.** When you trust someone, you can tell the truth without offending them, and you can hear the truth from them without being offended. Learn to comfortably confront and challenge team members whose behavior could stand improvement, and learn to listen without defensiveness when they have constructive criticism. Debrief with team members consistently and immediately after meetings to assure that hurt feelings or resentments do not develop into problems for the team and the clients.

Conclusion

Lawyers and MHPs should not be surprised that they come to Collaborative Practice speaking different languages. Until now, the two professions operated in different spheres with little constructive interaction. This work is complex, and if Collaborative professionals wish to offer the best possible service to clients they must craft a common language that gives a consistent message to clients and professionals alike. Ask for feedback from other team members about how to be more effective. That involves a risk, but it also brings the reward of being a skilled Collaborative team member with the ability positively to affect the way divorce impacts families.

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