




How to Deal with Difficult Litigants

23rd Annual AB 1058
Child Support
Training Conference
August 29, 2019

JUDICIAL COUNCIL OF CALIFORNIA

Presentation Objectives

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



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Difficult Litigant Types

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



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FACTS

You cannot control anyone else's behaviour

You can influence how litigants respond to you

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

You have control over your own actions

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

QUICK FACTS



LISTEN

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



KEEP CALM AND LISTEN TO THE CUSTOMER



STAY CALM

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



RESPECT & DIGNITY

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



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Video

Managing Emotionally Charged Interactions With Court Customers – CJERS

ACTIVITY ONE

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

ACTIVITY TWO

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



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Managing Emotionally Charged Interactions With Court Customers
#A - 2014-2103 #S49-27000

DEMANDING COMPLIANCE

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



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"I UNDERSTAND"

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



Video

Customer Service By Phone – CJERS

ACTIVITY THREE

- Look at the Self-Assessment Worksheet. Check off the most appropriate answer for each question.
- Then score your Self-Assessment as follows:
 - Always = 10 pts
 - Usually = 5 pts
 - Rarely/Never = 0 points

ACTIVITY FOUR

- Look at the Difficult Callers Worksheet. Write an example of what you would say to an angry or emotional customer using each tip.
- In the blank space, write other tips you would have for handling a difficult caller?



Customer Service by Phone

#3 – 810-1654
#4 – 309-3920

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SMILING

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



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DON'T RETURN WITH ANGER

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



12 Tips to Keep Your Cool

Tips 1-6

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

Tips 7-12

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



DON'T BLAME THE LITIGANT OR THE COURT

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



ONE RESPONSE DOES NOT FIT ALL

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

CUSTOMER SERVICE
IS NOT A DEPARTMENT.
It IS AN ATTITUDE.

-UNKNOWN



DON'T TAKE IT PERSONALLY

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



Video

[Advanced Customer Service - CJERS](#)

ACTIVITY FIVE

- What are your triggers that make you tend to react even when you don't want to?
- What is the automatic reaction that comes up for you when you feel triggered? (For example, if a customer starts to argue with you, do you feel like arguing back?)

ACTIVITY SIX

- What strategies or tips would you apply in this situation where a customer seems to be going on about things that are not relevant to why they came to court?
- Could you draw her focus back even if something she said sounds offensive to you?



Advanced Customer Service
#5 - 24108 - 28220 & 29112 - 29143
#6 - 39220-4809

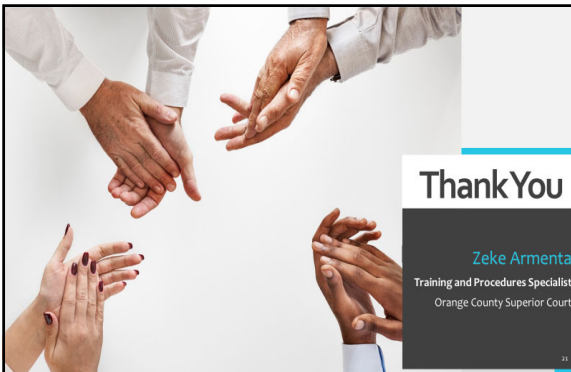
DEBRIEF

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



Questions & Comments





Thank You

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