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The Digital Natives are Restless: Engaging High Conflict Parents through Technology

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2 Sheets—Sheet 1.

J. M. FOSTER.
PRESSURE REGULATOR.

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FIG.2.

FIG.1.

INVENTOR
John M. Foster
BY
Howson and Howson
ATTORNEYS

WITNESSES:
P. W. Wright
A. C. Connor
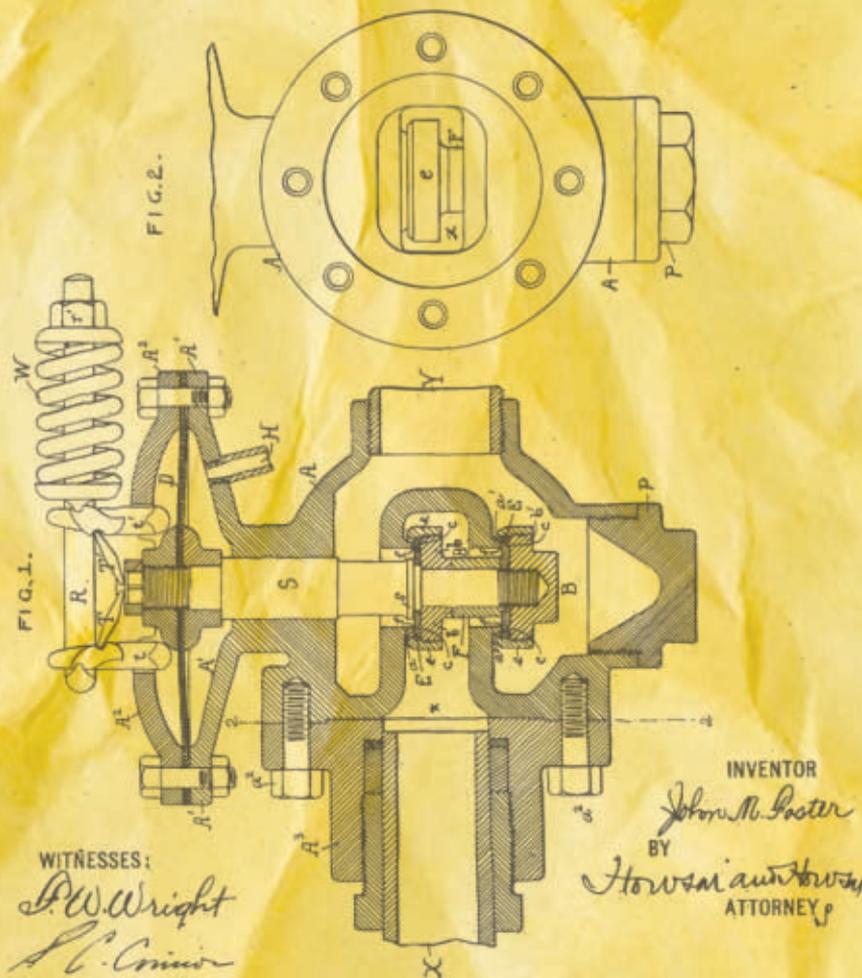
The Digital Natives are Restless:

Engaging High Conflict Parents Through Technology

By Sherrill W. Hayes, Ph.D.

When I started working as a parenting coordinator (PC) in 2006, I envisioned a practice filled with uncomfortable and heated conversations around a table. But while there have been plenty of heated conversations, they have taken a different form than I expected. I have spent a lot of time, and had some of my most challenging experiences, not in meetings or other face-to-face encounters but rather in listening to lengthy unfocused voicemails, reading and editing inflammatory emails, and teaching the fundamentals of netiquette to parents who had forgotten their e-manners.

I have found that many parents have little or no face-to-face contact, but engage with each other electronically quite frequently. For these parents, co-parenting is a virtual activity. Parents in high conflict disputes use technology to avoid direct contact while maintaining a high degree of communication. Sometimes they turn this communication into a cyberwar, using voicemail, email, text messaging, and social media as the weapons, but often enough it works. Traditional face-to-face sessions rarely result in any progress and in some cases are counterproductive. Reasonable, articulate and even conciliatory individuals become irrational, incommunicative, and intransigent with the prospect of being in the same building with a co-parent, much less the same room. In effect, the thoughtful application of communication technology may be what allows these co-parents to parent at all.

Avoidance and Technology-Facilitated Parenting

My opening question for new parenting coordination clients is now "In what manner do you typically communicate with the other parent?" Most parents answer "email", "phone", or "text." A

Table 1: Parents' Methods of Communication with Each Other (N = 51)				
Method of Communication	Never	Rarely	Sometimes/ Weekly	Routinely/ Daily
Telephone	3 (6%)	8 (16%)	27 (53%)	6 (12%)
Email	—	—	17 (33%)	29 (57%)
Text Messaging	6 (12%)	4 (8%)	22 (43%)	11 (22%)
On-line Calendars	7 (14%)	13 (25%)	17 (33%)	—
Formal Websites, e.g.	12 (24%)	15 (29%)	10 (20%)	3 (6%)
Instant Messenger	19 (37%)	9 (18%)	7 (14%)	—
Twitter	24 (47%)	6 (12%)	3 (6%)	—
Other	2 (4%)	—	1 (2%)	—

Source: Hayes, S., Grady, M., & Brantley, H. (2012). Emails, statutes, and personality disorders: A contextual examination of the processes, interventions, and perspectives of parenting coordinators. *Family Court Review, 50 (3)*

survey my colleagues and I conducted found that 90% of parenting coordination clients use email and 65% use text messaging to communicate with each other once a week or more. By contrast, only 64% of PC clients communicate by telephone once a week or more, with only 12% doing so routinely/daily (see Table 1 for additional information).

Here is a composite example of an exchange with a two parents on an otherwise quiet Friday afternoon:

Friday 5:15 PM: A voicemail to me from Mom: *Hi Dr. Hayes, it's 5:15. The kids are hungry and restless, he was supposed to be here at 4:50. I texted him at 4:50 and he's never responded, so typical.* [muffled discussion in background, then she hangs up].

Friday 5:17 PM: I listen to her voicemail and call Dad. He doesn't answer my call either, so I leave a voicemail for him, *"Hi there, it's Sherrill Hayes, just checking in to see how the exchange went this afternoon. Call me if there were any issues that you want to discuss. Otherwise, have a great weekend with your children. Thanks."*

Friday 5:30 PM: A voicemail to me from Mom: *"Hi Sherrill, he got here right as I was leaving you that message so that's why I hung up earlier. He said he got stuck in traffic and he got my text but since he was driving he couldn't text me back. I told him he could have called. Then he saw you were calling, that made him pretty mad... Mad at me, not you! So then he threw it up in my face that I don't answer his calls anyway. Well, you know it's true, I don't. We just can't talk on the phone, we discussed that with you, but it's like we agreed when he leaves voicemails, I always text him a response. Anyway, he wasn't late because of traffic or work or whatever, he was late because he's still mad about that email from Rachel's teacher. I forwarded it to him, just like you said, but I should have left out all that, what do you call it "editorializing?" Anyway, I thought I would leave you this message. He probably won't call you back since he has the kids now. No need to call me back. I will email him the schedule for next week and copy you since I didn't get that done last night. Thanks, bye."*

In effect, the thoughtful application of communication technology may be what allows high-conflict parents to parent at all.

Friday 9:00 PM: Dad emails me this message: *"Dr. Hayes sorry I missed your call, I was picking up the kids as you were calling. I'm sure she's already told you that by now. I was late because I couldn't leave work until 4:30 and that meant getting caught in that construction traffic and it's a Friday afternoon. If she would just meet me halfway on Fridays we wouldn't have to go through this every time! Can't you convince her that it's not out of her way and that me being there on time just isn't a reality? I would like to get that on an agenda as soon as possible. I'm also forwarding you that email she forwarded from Rachel's teacher (see attachment). I want to make the IEP meeting, but I'm not sure if she'll blow up at me like she did in the email. Please let me know when you would be available to meet us next week, preferably after 4:30. p.s. I still don't have the schedule for next week."*

Friday 10:00 PM: Text message from Mom: *"Schedule emailed to him. No call from kids tonight BTW."*

Embedded in this exchange are some aspects of technology-facilitated parenting that should be highlighted.

First, technology can be used to facilitate basic information exchange while maintaining avoidance. In his book *Staying with Conflict* Bernard Mayer proposes that one of the key elements of ongoing disputes is an "avoidant stance." He states that "the decision to avoid or engage is one that will be made over and over," and that the challenge for conflict specialists is to help participants deal with the various forms of avoidance and learn mechanisms to engage sustainably with the enduring aspects of conflict. As a way of understanding avoidant clients, Mayer recommends three questions:

"What are the disputants specifically avoiding and why?"

"What are the immediate and long-term consequences of staying in direct contact and also of avoiding direct contact?"

"Is there an approach to staying in conflict...that can encourage a step in the direction of constructive communication?"

It seems that the long-term avoidant stance in cases like the one above goes along with parents' reliance on multiple forms of technology to communicate important messages. What is interesting is that this apparently dysfunctional technological adaptation may be exactly what these parents need. It is important to recognize that the context and desired outcomes for parenting coordination are different than mediation. Authors in this area have referred to parenting coordinators as "custody police" or "peacekeepers," emphasizing that their primary role is to enforce existing orders rather than to mediate new ones. Many scholars and practitioners who work with high-conflict parenting disputes suggest that "parallel parenting" is optimal in these cases and should be the objective of interventions like parenting coordination.

Technology-Facilitated Parenting and Parenting Coordination

In some respects, it is the PC's role as to act as an "accountability conduit," making sure that parents are responsible for their children and to each other, almost as if the PC is a telephone line connecting them. In contrast to mediation, where emails, phone calls, and text messages are typically a means to facilitate the real process (e.g. face-to-face sessions), in parenting coordination these interactions

are the real process. That makes it especially important for conflict specialists to normalize, embrace, and use technology-facilitated communication as a tool for positive conflict engagement in these ongoing parenting disputes.

Bernard Mayer discusses the importance of identifying effective communication avenues and "finding the right fit" for conflict specialists engaging in enduring conflicts. He outlines criteria for identifying effective communication avenues including safety, durability, predictability, mutuality, efficiency, timeliness, depth, flexibility, accessibility, and cultural appropriateness.

Many experienced PCs seem to have reached the conclusion that technology-facilitated communication fulfills Mayer's criteria. The

Table 2: Parenting Coordinators Methods of Communication with Their Clients (N = 51)				
Method of Communication	Never	Rarely	Sometimes/ Weekly	Routinely/ Daily
Telephone	—	12 (24%)	27 (53%)	10 (20%)
Email	1 (2%)	2 (4%)	13 (27%)	32 (63%)
Text Messaging	41 (80%)	6 (12%)	1 (2%)	0 (0%)
On-line Calendars	20 (43%)	12 (26%)	13 (25%)	2 (4%)
Formal Websites, e.g.	23 (48%)	13 (25%)	10 (20%)	2 (4%)
Instant Messenger	48 (94%)	—	—	—
Twitter	47 (92%)	—	—	—
Other	3 (6%)	—	4 (8%)	—

Source: Hayes, S., Grady, M., & Brantley, H. (2012). Emails, statutes, and personality disorders: A contextual examination of the processes, interventions, and perspectives of parenting coordinators. *Family Court Review*, 50 (3)

research evidence summarized in Table 2 suggests that email and telephone are the primary means by which PCs maintain contact with their clients. Almost all PCs report using email at least weekly, and most PCs speak to their clients on the telephone at least sometimes/weekly. Few PCs reported using on-line calendars or formal websites and none of the PCs surveyed used IM or Twitter.

PCs also reported that email was an effective (57%) and efficient (75%) method of communicating with their clients. In contrast, 18% of PCs identified the telephone as effective and 75% reported the telephone as efficient. Only 6% of PCs reported that face-to-face meetings were most effective and none reported that they were efficient.

Practice Tips for Using Technology

In mediation, when we encounter high levels of conflict we try to work through it to get a significant, substantial agreement. Over the years, scholars and professionals have developed a toolkit to assist this process. In parenting coordination, the time frame is much longer, the outcome less straightforward, and the toolkit less well developed.

Here are some suggestions from my practice and research that I have found to be helpful.

1. "Let them leave voicemail." Letting clients leave a voicemail

makes them pause to think about the issue and allows them to decide if it is really important enough to leave a message. If it is and they do, then it allows you some time to think about strategies for how best to address the issue and prepare yourself for handling it most effectively. "Let them leave voicemail" works best if you let the clients know that this is your policy so they are neither surprised nor frustrated that you do not answer the phone when they call, and if you respond promptly to a client's voicemails.

2. Consider an email plan or form. I ask clients to copy me on all email communications, at least initially, to understand what and how they communicate with each other. Providing written structure or guidelines for email communication can often dramatically improve the quality of written communication for parents.

For example, after being copied on 87 email exchanges within a 6–day period, I suggested an "email diet." Each parent was allowed one email a day to the other parent; all questions asked by the parent in the previous email must be answered succinctly; any questions must be asked succinctly; all emails would be civil, with no "editorializing," judging, or sidebar comments about the other parent's activities. For the first few days, I asked them to send the email to me first to allow me to edit it, make suggestions, and approve it before it was sent to the other parent. After only a few days, their emails required few edits or suggestions. Within two weeks, they were so accustomed to this process that when I took them off their "diet" the original email avalanche never reappeared. Basically, if parents are going to communicate primarily in writing, then it is our responsibility to help them improve their writing and this is one way to do it. Having forms or plans for emails will reduce the likelihood of email overload or critical pieces of information being lost in chapter-length messages.

3. Occasionally summarize the on-going technology facilitated dialogue. Most PCs are good about offering written summaries of major points covered during face-to-face meetings, but not every email, voicemail, or text conversation requires a written summary. What should trigger a summary will vary case by case; it may be a decision that has been made or an issue that requires additional engagement with other professionals, or it could be as simple as a monthly report.

This strategy also helps PCs keep track of their time, for both accountability and billing purposes. Most PCs report that they do not fully keep track of billable hours associated with reading and responding to emails, listening to voicemails, and other non-face-to-face time spent on cases. There are a range of computer programs and smartphone apps that conflict specialists can use to help them track and record this time and even use them to generate reports.

4. Always keep it professional. You should always model appropriate behavior for your clients in your own technology-facilitated communication. Make sure you read up on writing effective emails, mind your e-manners, and use a polite professional tone in telephone conversations. Although it sounds like common sense, many of us need to be reminded to resist the urge to be curt or sarcastic with clients verbally or in writing. The long-term engagement with these often-difficult personalities over what can appear to us as relatively insignificant and recurrent issues can create a sense of familiarity that is useful for rapport and trust, but that can cause even the most professional practitioner to drop his or her guard. Just as parents can use technology to inflame each other, PCs can find themselves tempted into the same traps.

As conflict specialists engage in long-term parenting disputes, it is crucial that we consider our practice knowledge as hypotheses in need of testing, which we record and share among ourselves.

As conflict specialists engage in long-term parenting disputes, it is crucial that we consider our practice knowledge as hypotheses in need of testing, which we record and share among ourselves. Technology-facilitated communication continues to infuse itself throughout the culture and more "digital natives" are becoming parents. Conflict specialists will need to be actively engaged in thinking about and developing appropriate methods that respond to these major alterations in human communication and parenting.

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About The Author

Sherrill Hayes, Dr. Sherrill W. Hayes is Associate Professor and Director of the Master of Science in Conflict Management at Kennesaw State University, just outside Atlanta, Georgia. He joined the Academy of Family Mediators in 1999 and has been a member of ACR since its inception. Dr. Hayes worked as an all-issues family mediator in England while completing his PhD at Newcastle University. He also served as the Child Custody and Visitation Mediator for the 18th Judicial District in North Carolina and began practicing parenting coordination in 2006. He was a founding member and past president of (now defunct) ACR-NC.