

Beyond Collaborative Problem-Solving: Questions That Promote Insight, Growth, and Resolution

Collaborative Practice* continues to grow within the area of Family Law and Dispute Resolution as a constructive and respectful way of supporting couples and families going through separation and divorce. A collaborative approach to this life transition creates a window of opportunity for practitioners involved with mediation and collaboration to provide more than practical support, legal counsel, and problem-solving strategies. When asking specific types of questions that deepen the dialogue and address the psychological aspects of challenging and difficult moments, clients are more likely to feel better understood, encouraged to express themselves, and able to grow and learn from ‘underneath’ the conflict.

Therapeutic questions (questions that promote positive or transformative change) may be divided into different categories depending on the type of psychological change that they encourage and inspire. Categories include, questions that deepen the dialogue to address emotional aspects of separation and divorce, questions that lead to an acknowledgement of inner strengths, and questions that lead to insights or ‘lessons’ that can be learned through separation and the mediation or collaboration process. When asked with sensitivity and empathy by lawyers, divorce coaches, mediators, or financial divorce specialists these questions bring authenticity and compassion into the collaborative proceedings and promote a dialogue based on a deeper understanding of the shared needs, interests, and concerns of both clients.

Questions that address emotional aspects:

Questions that validate feelings of fear, anxiety, and pain associated with grief (such as occur during separation) allow clients to access and express the feelings that underlie communication efforts. Old lingering fears related to previous experiences of abandonment and rejection tend to create anxiety as intimate relationship ties seem severed. Fear and anxiety also relate to children’s well-being, a changing identity as a single person, and moving forward to create new homes. The pain of grief relates not only to memories of closeness and previous losses but also to dreams, plans, and expectations associated with marriage and intimate relationships.

By being asked questions that address feelings, clients have the opportunity to explore the beliefs, needs, and concerns associated with these feelings and express them with greater clarity and sincerity. Once expressed, emotional space is created within for more positive feelings and forward-thinking perspectives: feelings and beliefs associated with self-acceptance, compassion, a sense of relief, and thereby, a greater sense of peace.

Sample questions in this regard:

- When you pause for a moment and go within, what feeling you aware of?
- What is the actual feeling of the problem or the dialogue just now?
- What would it be like to be more compassionate towards your self/your former spouse?
- What would be the feeling of that (as expressed) ache, tension, sensation in your neck/ shoulders/ gut/etc?
- How does his or her response move or affect you?
- How do you think each of you would feel if you were able to communicate with more of a sense of good-will?

Questions that speak to inner strengths:

This category of questions enables clients to access strengths associated with their “True or “Essential Self” also referred to as the “Higher Self.” Even though there are negative feelings and beliefs that surface during separation and the mediation or collaborative process itself, deeper still are strengths associated with resilience, courage, competency, and a sense of basic goodness or ‘right’ intention. When clients can acknowledge and reconnect with these capacities within, they are better able to construct stories of strength about themselves; move forward in the collaborative process; and resolve conflict with a sense of perseverance, self-respect, trust, and even grace. These aspects of strength also help clients move forward with confidence in other areas of their lives such as co-parenting, creating a new home, and career development.

Sample questions in this regard:

- Is there an inner strength or quality that this conflict asks you to hold on to?
- When you think of your strengths, which ones would help you move forward through this upset/impasse?
- What parts of your self would want to come forward in order to follow through with this agreement?
- What would likely be different if you were able to resolve this conflict in conjunction with your "Higher Self"?
- What new story would you be able to tell about yourself if it came from a place of strength within?
- What would you attempt if you knew you would not fail (and why)?

Questions that inspire wisdom and deeper truths:

Questions aimed at helping clients identify kernels of truth or wisdom about themselves also help them move from “points of view” to “higher viewing points.” Some describe this level of insight as an aspect of the spiritual dimension of separation and loss as well as the actual process of collaboration. By realizing “lessons” that arise from life’s experiences, clients have the opportunity to move beyond two familiar separation feelings in particular: guilt and shame. These are questions that provide the chance to reconnect with core values, beliefs, and life purpose that still seem relevant or that require some updating and revision. It is often these realizations that create a sense of mastery, autonomy, empowerment, and optimism in moving forward with heads held high.

Sample questions in this regard:

- Are you open to using these challenging moments to learn more about yourself?
- What would your “Higher Self” or “wise” self suggest that you say or do at this juncture?
- Would your heart say to do at moments like this?
- What have you learned that is new about yourself that would help you move through these (or future) difficult moments?
- What do you think you can learn from your experience of this conflict that will help you move forward in your life?
- What have you learned that is new about how your former spouse sees or experiences this situation or life in general?
- Is there a hidden value in this particular conflict?
- When you go within and sit with more of the essence of the conflict, what do you imagine would be the kernel of wisdom (or grace) found there?

By using questions that serve as change-agents, collaborative practitioners can honor the full depth and breadth of mediation and collaboration as well as clients’ capacity for positive growth and authentic presence. These types of questions support clients in opening their hearts and minds to experiencing themselves differently and deeply as well as recognizing their impact on each other, decision-making, and conflict resolution. Basically, they help all concerned deepen the appreciation of the human elements of conflict, loss, and resilience during this transition in life. Therapeutic questions also create fertile ground from which to create alternate stories of optimism, empowerment, and resourcefulness when discouragement and helplessness may seem to prevail. They encourage a redefinition or remembering of self in terms of goodness, wisdom, and strength. This in turn helps with the realization that everyone has the inherent ability to heal, grow, and actualize their potential. Ultimately, mediation and collaborative practices that integrate a more holistic approach to working with clients facilitate not only conflict “resolution” but also conflict “transformation.”

* Collaborative Practice refers to a no-court approach to separation and divorce. This approach may include lawyers, mental health professionals, child specialists, and/or financial divorce specialists. For