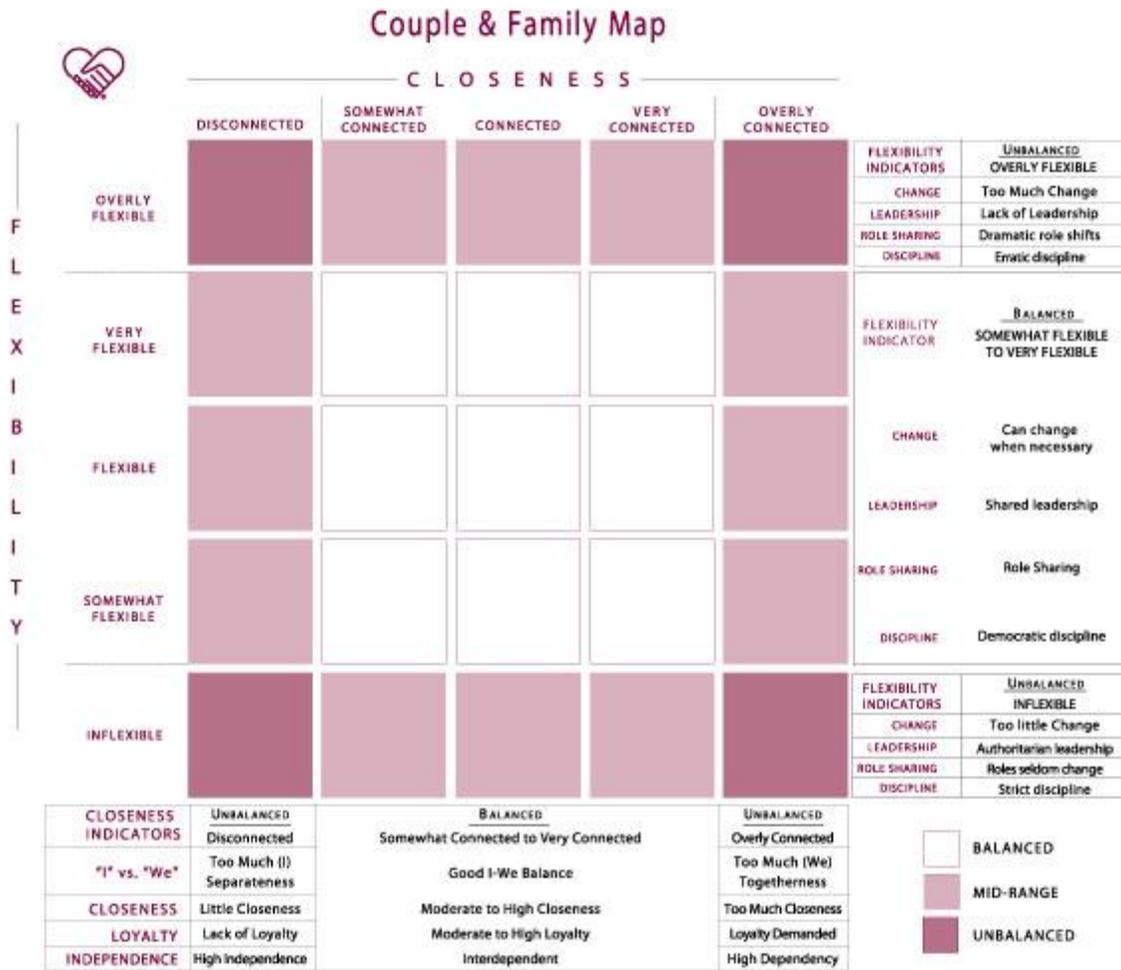


## Prof. David H. Olson's Model of Family Negotiating

Here for discussion are Dr. Olson's model and the Thomas-Kilmann model:



This model may be compared with the well-known Thomas-Kilmann model of the ways in which different people approach conflict:



The **Olson model** starts instead with the family system ideas of flexibility and emotional closeness or distance. The most productive place for effective problem solving is the area between emotional enmeshment and emotional distance when that coincides with the area between excessive and insufficient flexibility.

The **T-K model** is about individual styles of negotiation. It can be made into a sort of family systems model if you place each party on the chart. The position of each party in the model then becomes a starting point for charting their interactions. Their styles of negotiating point to the possible outcomes of their negotiating relationship, with collaboration as the ideal goal.

Neither of these models offers a comprehensive explanation of how and why the best (and the worst) negotiation between husband and wife takes place. The models supplement each other. In the **T-K model**, the worst potential for successful negotiation is mutual avoidance, and the best is optimal assertiveness (self) and cooperation (other), leading to collaboration. In the **Olson model**, the worst potential is when both parties are in any of the four corners of the model, and the best is when both parties are in the balanced center.

Mediators have an advantage that adversarial attorneys usually don't have, in that they are able to observe how the two parties actually negotiate with each other. But the goal in any case is not to just figure out what is going on, but to use any such analysis in getting a fair and workable agreement.

Inflexibility in a marriage is often related to control issues, and it also may be a key to identifying the problems in getting a settlement. A marital separation is a major family systems event, especially since it requires changes in the family system. It's a major systemic change if a father seeks to have a new and expanded role in raising the children or a wife decides she has a right to share in control of the family finances. It's not unusual for both of these situations to be part of the same case.

Since Dr. Olson's model is a family systems model, it is intended to describe the *emotional* aspects of a case. But there is also another relevant model, as every attorney knows. That model is to give the case a legal analysis by trying to forecast the *outcome in court*. The problem is that the legal outcome model is usually not a fixed immutable entity. For example, issues of spousal support and custody can depend on the assignment of a judge, since the applicable statutory criteria often allow for considerable judicial discretion in these areas. There are frequently issues of proof. And of course there is always room for a cost-benefit and risk analysis of litigation.

Nevertheless, a legal analysis can shift the ground for discussion even where it doesn't involve a prediction of the judicial outcome. The point is an obvious one, namely that an informed professional review of a difficult case has to consider both the emotional difficulties in the case and the substantive and financial issues. When

an inflexible party expects what is objectively an unreasonable outcome, simply asking oneself what is the best way to deal with such a situation may offer some clues as to the practical options. Another approach may be to also look at the options from a future perspective, such as asking what constitutes sound financial planning or effective means to promote cooperative parenting.

A final perspective is to consider the process options. Is this a case that can only be resolved by a judge's decision? Is it a case that can be settled between the attorneys through creative tradeoffs, such as between the marital home and retirement assets? Can it be resolved by a mediator who has conflict resolution skills and knowledge of the both the legal structure and the emotional context? Or is the case one that needs the teamwork and professional cooperation that collaborative practice provides?

For further information on the Thomas-Kilmann Conflict Mode Instrument, see [www.kilmanniagnostics.com](http://www.kilmanniagnostics.com). An explanation of Dr. Olson's couple & family map is found at [http://healingreligion.com/PS1012/html/circumplex\\_model.htm](http://healingreligion.com/PS1012/html/circumplex_model.htm).