



*Being Proactive: Legal Issues, Family Dynamics, and
Improving Communication*

March 21, 2018

2018 AgrAbility National Training Workshop

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Communication

- **Foundation of your business operation**
- Learning to carefully listen, analyze, and then clearly present your ideas free from defensive posturing and bias; as well as to recognize and avoid the bad-communication traps laid by others.
- Relationship [family] dynamics are as important as working capital – Build relational capital too

Common Sources of Farm Family Conflict

- Transfer of property/ownership
- Division of income
- “Fairness”
- Obligations, debts, and risks
- In-law relations and competing loyalties
- Coping differences
- Decision-Making

80 % of conflict arises from

- Miscommunication
- Misunderstanding

Dealing With Conflict Is A...

Business Risk Management Strategy

- It is a normal part of life
- Needs to be managed; not avoided

Benefits of Dealing With Conflict

- *For You...*
 - Improved communication and listening skills
 - Increased self-confidence
 - Enhanced self-control and patience
 - Stronger relationships
- *For Your Employees & Business...*
 - \$\$\$\$
 - Improved culture/environment
 - Happier Workers, higher performers, safer work environment

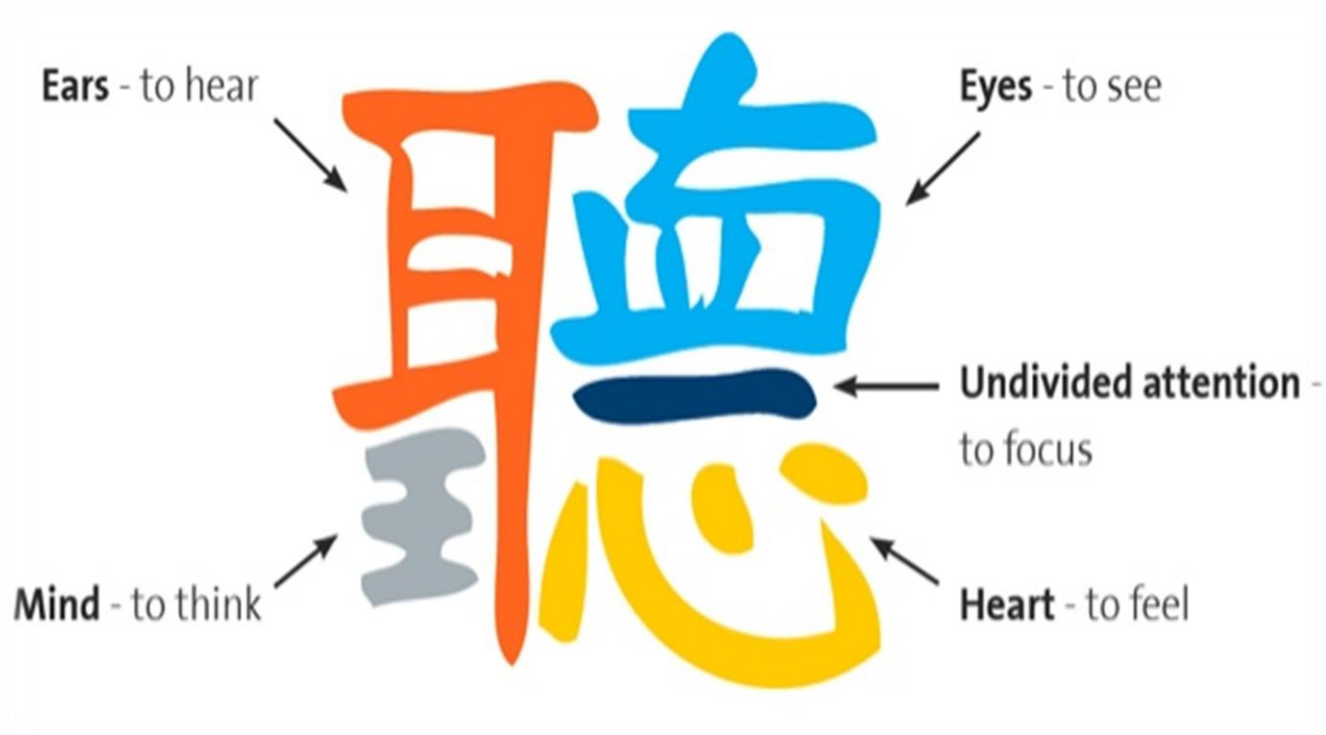
Ways to Inflame Conflict

- Fight to win
- Blame the other party
- Promote only your solution
- Don't "divide the pie"
- React with heavy emotion
- Focus on the past
- Use rigid thinking – "one" right solution
- Lock into an idea – be entrenched
- Put personalities before issues
- Be passive-aggressive, defensive

**Increase Your Farm Profitability By 20%*
Without Spending Any \$**

LISTENING

**as reported by Virginia Tech Grad students who studied farmers in 6 states*



LISTEN

SILENT

Active Listening versus Passive Hearing

- Active Listening
 - Active verbal interaction
 - Reflecting on what the speaker says
 - Asking open-ended and neutral questions to better understand what the speaker would like to convey
 - Paying attention to the content and feelings of the speaker
 - Letting the speaker know that s/he is being heard and understood
 - Clarifying what appears ambiguous
 - Listening more than talking. There is very little talking on the part of the listener in active listening

- Passive Hearing
 - Minimal interaction
 - Asking few, if any, questions to attain more information
 - Minimal eye contact (depending on culture)
 - Making judgmental statements
 - Diagnosing what the speaker is saying
 - Changing the topic
 - Talking about oneself rather than focusing on the speaker
 - Talking too much

Listening Involves...

- Listening to both sides of the “story”
- Coming with a sense of curiosity
- Checking to make sure that you heard the message correctly
- Being soft on the person and hard on the problem
- Respecting the speaker
- Knowing when to be a passive listener
- Knowing when to be an active listener
 - Paraphrase the speaker’s meaning
 - Express understanding of speaker’s feelings
 - Ask questions

Debate, Dialogue and Deliberation

Deliberation: “thoughtful, careful, or lengthy consideration by individuals; and formal discussion and debate in groups” (Davies & Chandler 2011)

<i>Debate</i>	<i>Dialogue</i>	<i>Deliberation</i>
Compete	Exchange	Weigh
Argue	Discuss	Choose
Promote opinion	Build relationships	Make choices
Seek majority	Understand	Seek overlap
Persuade	Seek understanding	Seek common ground
Dig in	Reach across	Framed to make choices
Tight structure	Loose structure	Flexible structure
Express	Listen	Learn
Usually fast	Usually slow	Usually slow
<u>Win/lose</u>	<u>No decision</u>	<u>Common ground</u>

Technology Isn't A Replacement For Communicating In Person

- We observe body language, hear the tone of the other person and form a complete picture of the message they are sending
- We give our full attention to the person(s) with whom we are interacting or to the process we are facilitation
- We clear up misunderstandings and clarify intent in real time versus hoping our message was interpreted correctly
- We express the emotions that are tied our words, especially when offering appreciation or giving feedback
- We share our experiences and tell stories that bring color to our ideas and build a connection with others.

MAMP



Maine Agricultural Mediation Program

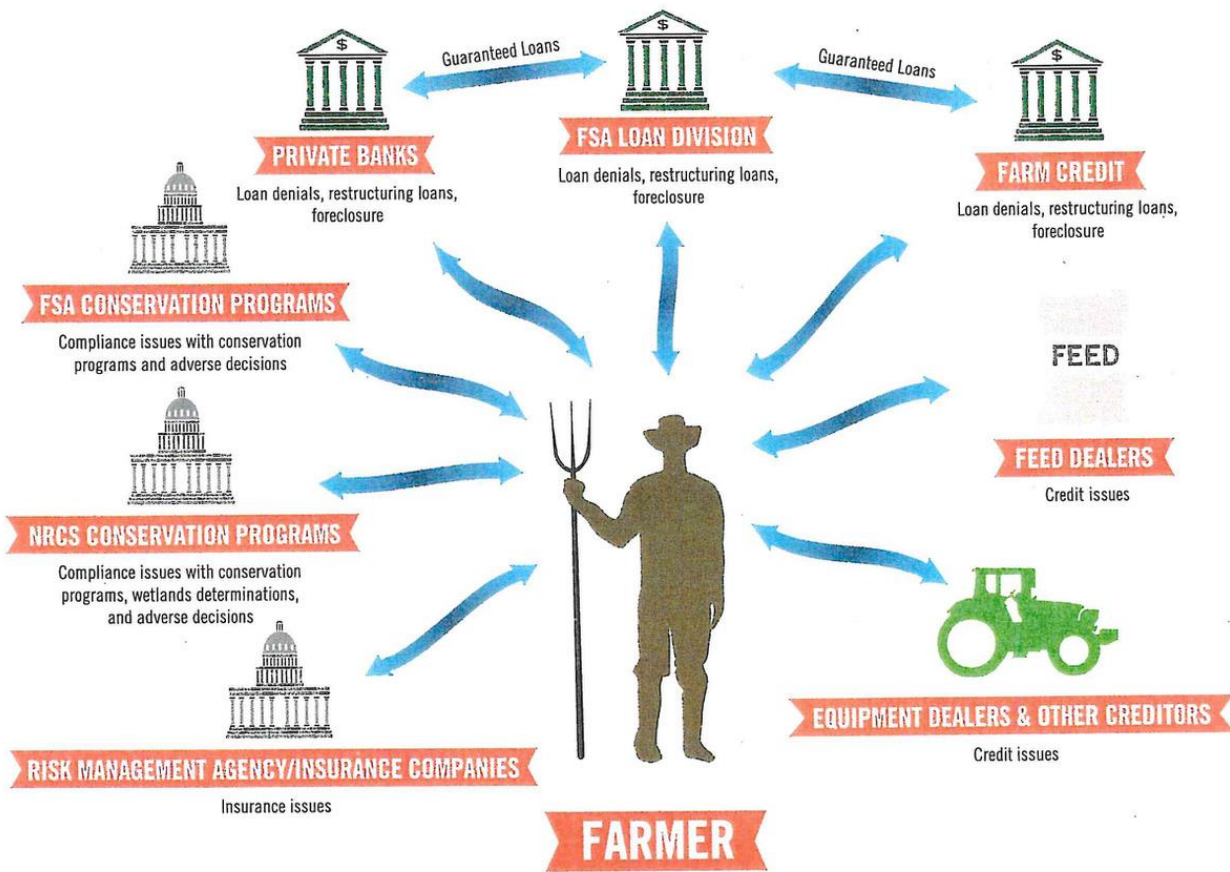
*Helping People in Agriculture Resolve Conflict
since 2004*

Helping America's most vulnerable™



Work With

- Farmers or ranchers
- Agricultural borrowers or lenders
- Any producer who has received an adverse decision letter from a USDA agency



Mediation is:

- Collaborative
- Respectful
- Future-oriented
- Self-determined

Benefits of Mediation

- May resolve problems within producer's financial means
- Lower cost than appeals, litigation, or bankruptcy
- Promotes good working relationships between the parties
- Resolves the situation quickly – Fast, Informal
- Reduce stress caused by lengthy litigation and unresolved conflict
- Confidential process
 - provides a confidential forum to discuss complex issues*
- Mediators are neutral
 - they do not make decisions – help parties find solutions*
- Supports stability and diversity in rural economies

Mediation is:

- **Affordable**
- **Confidential.**
- **Satisfying & Durable**



Contact Information

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Dealing with Disputes

Bring up tough issues “softly”

Tough on issues – soft on people (keep trust)

Avoid using the word “you” to blame (judgmental)

Use “I” statements to talk about problems

Focus on problems not personalities

Separate people from problems

Make messages short during disagreements

Discuss assumptions

Be respectful even during conflict
Set “Ground Rules” for difficult discussions
Take a “time out”
Speak to be understood
Seek win/win
Put yourself in their shoes
Come from a place of curiosity
 Be open to all points of view
 Use open ended questions

Restate agreement points – clarify

See to detail – who, what, when, follow through, etc.

Relate ideas to the dispute problem, cause, or solutions