



PRACTICE

This exercise gives you an opportunity to practice what you learned in the online course. Begin by reading the scenario and then answer the questions below.

1. "JIM AND ROBERT" SCENARIO

Jim Adams is a Baby Boomer who started Adams Law 30 years ago. The law firm has been successful enough and has provided him and his family with a steady income over the past three decades.

Jim just hired Robert Jackson, a recent law school graduate and the nephew of one of Jim's long-time clients. Robert is a young Millennial. He went straight from high school to college to law school so this is his first full-time job. Robert spent the past month training with Jim, getting up to speed on cases, and meeting other members of the bar.

A few weeks after hiring him, Jim asks Robert to give him a memorandum so he can advise a client on some litigation options. Jim gives Robert the assignment on a Monday and asks for it back by Wednesday. Robert says that it's not a problem.

At 4:50pm on Wednesday, Jim still has not heard from Robert. Jim's scheduled to speak with the client on Thursday morning. Jim stops by Robert's office but Maria tells him that Robert has already left for the day – Robert just joined a softball team and their first game is tonight.

Jim emails Robert to ask whether he has finished the memorandum and receives this response:

"Hi Jim - thanks for your email. I thought we had agreed on Wednesday? I will certainly have it to you by today."

Jim leaves the office at 5:30pm Wednesday without any email from Robert. Jim gets to the office at early Thursday morning and finally sees the email from Robert. Sent Time: 11:45pm Wednesday.

Jim quickly prints the memo out and starts reviewing it. The client calls at 8:00am but Jim apologizes that he hasn't had a chance to finalize his opinion. He asks the client if he can call him back later this morning. The client, upset, agrees and hangs up the phone.

Robert comes in around 9:45am. Maria tells Robert that Jim wants to speak with him immediately. She also tells him, confidentially, that Jim was very upset at the memo's tardiness and frustrated that Robert did not come in earlier to apologize. Robert's also upset – he worked hard on that memo and gave Jim the memo

precisely when he asked for it. Robert goes into Jim's office. Jim asks him to sit and wait while he calls the client. After the call, Jim hangs up the phone then turns to Robert and says they need to talk.

2. FOUR GENERATIONS IN THE WORKPLACE

First, consider both Jim and Robert's generational perspectives.

A. What issues, from a generational perspective, could Jim be considering?

B. What issues, from a generational perspective, could Robert be considering?

3. ENGAGE IN A LEARNING CONVERSATION

*Then, have Jim and Robert engage in a **learning conversation**. Here's how a regular conversation between Jim and Robert will go.*

Jim: "Robert, I'm disappointed in you. Yes, you're new but I expected better. I told you end of day, I meant end of day. Midnight is not the end of day. When am I supposed to review the memo? At 3am? I had to delay that client this morning since I had to wait to read your memo until I got into the office. Good thing he's been a client a long time. And all because you wanted to waste time on a softball game? Is that why you were late today? That's unprofessional Robert, and not acceptable in this office.

Robert: "Jim, thanks for telling me that, but I guess I don't really understand what the big deal is. You told me end of day and I gave it to you end of day. Midnight is the end of the day. I've always turned in my assignments by midnight. I worked really hard on this. I did a good job. I mean, you used all my arguments on that client call. And, you know, I wasn't "wasting time" at the softball game; I was networking. That's what you've been telling me to do. And since I worked late last night, that's obviously why I came in later."

*Jim and Robert need to have a **learning conversation**. How do they do that?*

A. FIND THE THIRD STORY

The third story is one an observer would tell, someone with no stake in the particular problem. It is, essentially, how a mediator would view the situation.

You're the neutral mediator. Think about Jim and Robert's perspectives. What's the third story?

B. ENSURE A PURPOSE OF MUTUAL UNDERSTANDING

*Next, let's change to Robert's perspective. Robert should ensure that his conversation has a **purpose of mutual understanding**. Robert can do that by (1) using "we" statements, (2) sharing what he and Jim will achieve together, (3) showing that he understands Jim's concerns, and (4) avoiding absolute statements.*

Change Robert's individual understanding phrases into phrases that demonstrate a purpose of mutual understanding instead.

1. **Individual Understanding:** "You told me end of day and I gave it to you end of day."
Mutual Understanding:
2. **Individual Understanding:** "I worked really hard on this. I did a good job. I mean, you used all my arguments on that client call."
Mutual Understanding:
3. **Individual Understanding:** "I wasn't "wasting time" at the softball game; I was networking. That's what you've been telling me to do."
Mutual Understanding:
4. **Individual Understanding:** I worked late last night. That's obviously why I came in later."
Mutual Understanding:

C. LISTEN TO UNDERSTAND

Let's change back to Jim's perspective. Jim wants to move forward with Robert. He is open to having a learning conversation so he can better understand both Robert's perspective and the perspective of the generation Robert represents.

Jim has learned the Third Story. He's ensured a purpose of Mutual Understanding. Now he needs to Listen to Understand Robert's perspective.

Here's Robert's perspective again:

"Jim, thanks for telling me that, but I guess I don't really understand what the big deal is. You told me end of day and I gave it to you end of day. Midnight is the end of the day. I've always turned in my assignments by midnight. I worked really hard on this. I did a good job. I mean, you used all my arguments on that client call. And, you know, I wasn't "wasting time" at the softball game; I was networking. That's what you've been telling me to do. And since I worked late last night, that's obviously why I came in later."

How can Jim listen to understand?

1. START FROM A STANCE OF CURIOSITY

Jim needs to turn down his internal voice and be curious about what Robert has to say.

Cross out the internal thoughts that Jim should ignore, and leave the internal thoughts Jim should have to achieve a stance of true curiosity.

"I need to tell Maria to draft another job posting."

"That's interesting he thinks that."

"I want to understand his perspective."

"His generation just doesn't get it."

"I wonder why he thinks midnight is the end of day."

"I want to know more about the softball game."

"This is why you should never hire kids of friends."

"I can't believe he thinks he was being professional."

"It sounds like he's frustrated too."

2. INQUIRE TO LEARN THEIR PERSPECTIVE

While Jim should remain silent, he should balance his silence with encouraging questions that will have Robert share more.

As he listens to Robert's story, what inquire to learn questions could Jim ask aloud of Robert to better understand Robert's perspective?

- 1.
- 2.
- 3.
- 4.

3. PARAPHRASE THEIR WORDS AND FEELINGS

Jim should concisely respond to Robert, restating Robert's content in Jim's words.

Have Jim paraphrase each of Robert's statements. Remember to identify both words and feelings.

1. **Original Statement:** "You told me end of day and I gave it to you end of day. Midnight is the end of the day. I've always turned in my assignments by midnight."

Paraphrased Statement:

2. **Original Statement:** "I worked really hard on this. I did a good job. I mean, you used all my arguments on that client call."

Paraphrased Statement:

3. **Original Statement:** "And, you know, I wasn't "wasting time" at the softball game; I was networking. That's what you've been telling me to do."

Paraphrased Statement:

4. **Original Statement:** "And since I worked late last night, that's obviously why I came in later."

Paraphrased Statement:

4. SUMMARIZE THE CONVERSATION

Last, Jim should summarize the main themes of the conversation so Robert knows that Jim has listened, and Jim shows that he understands all the information Robert has conveyed to him.

Reviewing Robert's speech and Jim's questions, can you summarize the conversation?

5. REFRAME UNHELPFUL STATEMENTS

By completing these "active listening" steps, Jim is able to have a productive learning conversation with Robert and start their problem-solving on the same page. But what if the conversation derails into accusations and blame? That's where reframing comes in. Reframing means taking the essence of what the other person says and "translating it" into more helpful concepts.

Back to Robert's perspective. Jim is angry and has no interest in a learning conversation. Let's help Robert reframe Jim's statements to ensure a productive conversation.

- 1. Original Statement:** "Robert, you completely failed at the first thing I give you."
Reframed Statement

- 2. Original Statement:** "Because of you, I was embarrassed in front of a client."
Reframed Statement:

- 3. Original Statement:** "Midnight is not the end of the work day, Robert! It's ridiculous to think that."
Reframed Statement:

- 4. Original Statement:** "And you come in at 10? Without even an apology! That's the problem with you young people. You're all so entitled. You leave early, you come in late. I'm sick of it! None of you knows what hard work is."
Reframed Statement: