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HOW NEURO-SCIENCE CAN HELP US TRANSFORM CONFLICT INTO COLLABORATION

by MARIJ. FRANK

“Peace is not absence of conflict,
it is the ability to handle
conflict by peaceful means.”
~ RONALD REAGAN

Have you ever considered that each of us is governed by a complex brain that acts as the CEO of all activities in our entire body? This amazing brain directs how we interact with others, for better or worse. As attorneys, we can use our knowledge of brain function to transform conflict into problem solving and peacemaking to focus our clients on settlement instead of war.

Understanding how our brain functions enables us to discern what is conscious, so we can make choices such as how to respond; and what is unconscious, which is automatic and takes control when we feel threatened. We can self-manage and empower our clients to be emotionally intelligent to settle their disputes without a protracted, expensive litigation battle.

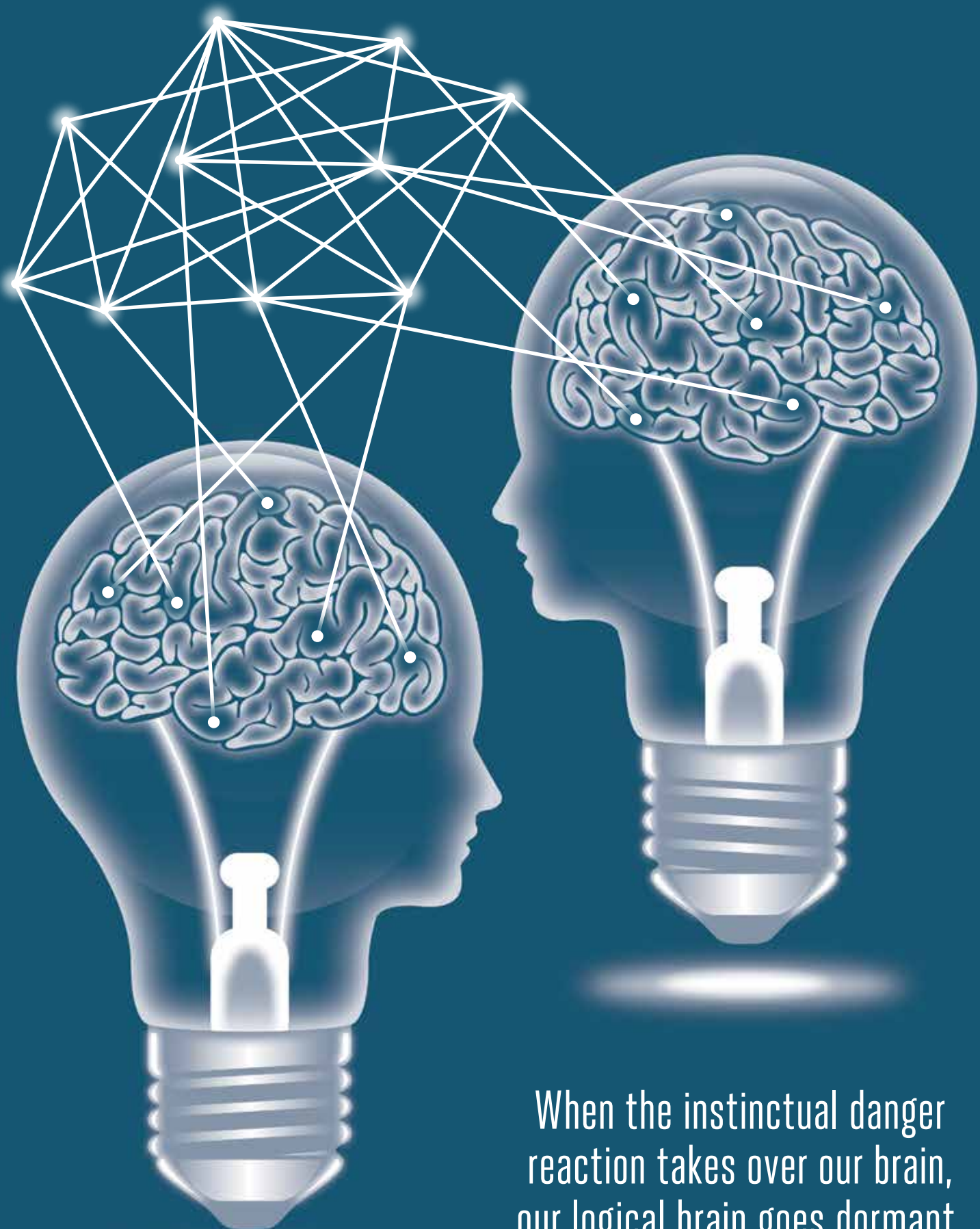
How Our Primitive Brain Takes Control to Protect Us

We have a complex and intricate brain that has developed over thousands of years. Our primitive brain, from the dawn of humans, is our reptilian limbic system. The limbic system regulates unconscious body functions such as breathing, heart rate, digestion, circulation, etc. It works automatically to protect us with behaviors related to self-preservation, eating, procreation, and enacting the fight/flight/freeze response. It serves us well when there is a physical threat to rapidly create chemicals to react quickly to survive a dangerous situation.

Whenever we feel threatened, our primitive brain takes over. It's beneficial in times of danger, but it can be an impediment to peaceful dispute resolution. When we

feel *emotionally* threatened (offended, angry, disrespected, frustrated, etc.), our primitive brain kicks in to control our reactions with formidable chemicals such as adrenaline, cortisol, testosterone, and other hormones and neurotransmitters. These reactions inhibit our ability to see anyone else's perspective, or even have calm, meaningful discussions. The primitive brain meant to protect us from real danger, ironically, often creates the perils that lead to broken relationships, court battles, violence, and war.

The primitive brain known as the limbic system contains two almond-shaped organs called the amygdalas, one on each side of our brain behind the eyes. They act as “smoke detectors,” and when triggered, they sound a fire alarm and rapidly release the stress



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hormones described above, to prepare for fight, flight, or freeze; we may not even be aware of what's happening in our bodies. In an instant, these robust chemicals generate physiological and emotional reactions beyond our conscious actions.

When we perceive any form of physical or emotional danger, the brain reacts as it did in ancient times. For example, if you are swimming in the ocean and a great white shark bumps you, that adrenaline rush can save your life. Your heart speeds up, your breathing gets shallower, your muscles tighten, you gain tremendous strength, your face may flush, and you take immediate action to fight or zoom to shore. You will experience many physiological defensive responses to fight off or escape from "Jaws." The reactions are not analytical, not planned, but they are instantaneous, so that you hopefully can survive.

How Our Primitive Brain Causes Conflict to Escalate

That quick, body-preservation reaction is lifesaving if you are in an auto accident or being chased by a predator. But if you are experiencing disagreement with your spouse, an argument with opposing counsel, a dispute with a client, a breach of contract with a vendor, or any other type of non-life-threatening conflict, this auto reaction may induce you to destroy relationships and escalate to a costly courtroom battle.

When the instinctual danger reaction takes over our brain, our logical brain goes dormant. Dan Goleman, who writes extensively about emotional intelligence, calls it "Amygdala Hijacking." Our logical, analytical, and calm mind is overpowered, and our higher self is no longer in control. We experience emotional and physiological reactions that are evident in changes in body language and facial expressions. They are measurable by physical changes and brain activity in fMRI machines. The main emotion of fear that alarms danger is often expressed by many other emotions such as anger, repulsion, frustration, hatred, anxiety, panic, devastation, and aggression.

Can you remember times when you became emotionally charged and felt an adrenaline rush of immense physical energy and strength? You may have felt out of control. At the same time, you may not have been able to think clearly or remember exactly what

you wanted to say. Afterwards, you couldn't believe your over-reaction, or perhaps even remember what happened (such as after a traumatic event). Your decision-making skills would have lapsed, and you may have said something you regret.

As our active primitive brain shoots chemicals into our bloodstream, it shuts down the neural pathways to our logical brain. If we are not self-aware, we become out of touch with our prefrontal cortex, which is our executive functioning area of the brain. Under those circumstances, we are unable to listen or even use logic. The ability to act as functioning adults is clouded, and memory is compromised. When "hijacked" by our limbic system, it's impossible to problem solve

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effectively at that point. We cannot make wise decisions or even choose how to respond until we can use our emotional intelligence to get calm again, which then dissipates the strong neuro-chemicals that took over our rational mind.

How Our Modern Brain Evolved to Problem-Solve

Fortunately, emotional intelligence can help us to become mindful to reverse the amygdala hijacking. Our so-called mammalian brain evolved much later. It is made up of various structures and cognitive functions, but for this article we will focus on the one we depend on most for conflict resolution. Our prefrontal cortex is the executive functioning

part of our brain, which exhibits highly evolved operations needed to create solutions to complex conflictual situations.

The prefrontal cortex allows us to engage in abstract thinking, analysis, regulation of behavior, making choices between right and wrong, self-control, self-awareness, positive social interaction, the understanding of emotions, long and short-term memory, and compassion. This part of our brain allows us to be self-aware, self-reflective, and self-managing. With practice, we better understand our auto-emotions and can choose to manage our feelings relating to those emotions.

We Are Not at the Mercy of Our Emotions

We can consciously choose not to be usurped by our emotions. All of us have pre-conscious, negative emotions under stress, but with self-awareness, we make conscious choices to adjust our thoughts, feelings, and behavioral responses to focus on alternate ways of viewing a situation. This enables us to get re-centered and engage our logical mind to collaborate to create mutual gain solutions.

Using emotional intelligence, we may analyze our emotions to discern if the "danger" is real or imagined. Deliberately, we can engage our prefrontal cortex with techniques to influence the limbic system to stop the fear response. When we consciously partake in thoughts and activities to boost brain-bonding chemicals, we inspire human connectivity and collaboration, which tends to transform conflict into collaboration and satisfying agreements.

Brain Tips for Calming Neuro-Chemicals to Resolve Conflict

The following brain chemicals and tips foster bonding, positivity, and problem-solving in the brain:

Oxytocin instills trust and promotes bonding and collaboration. It also is reciprocal with empathy and compassion. To boost oxytocin:

- Organize a pleasant, non-threatening environment that includes pleasing sights, sounds, smells, touch, and tastes.
- Acknowledge prior negative emotions positively to reframe and thus avoid escalation.
- Explain how certain brain responses can interfere with problem-solving.

- Make sure all information is provided clearly and effectively to avoid frustration, which releases the stress chemical cortisol.
- Have people shake hands positively to increase oxytocin.

Endorphins create a pleasurable response and reinforce cooperation. To stimulate endorphins:

- Engage in active listening to show empathy and respect.
- Speak optimistically and with compassion to activate the left frontal lobe.
- Stretch or take walks during meeting breaks.
- Take time-outs, especially when getting stuck on difficult issues, to give the brain a time to re-charge.
- Speak slowly, calmly, and quietly. This will set the tone for others and encourage cooperation.
- Change the subject from a difficult issue to an easier or more positive topic to allow the brain space to process.
- Smile and laugh with each other (not at each other) to bring levity.
- Give positive compliments and gratitude for engaging in negotiations; these foster feel-good chemicals.

Dopamine triggers a positive feeling in a group. To increase dopamine:

- Warm up and introduce each party positively.
- Share a commitment to a mutual gain settlement.
- Share common backgrounds and goals.
- Learn about each other's interests and hobbies before the meeting and at breaks.
- Eat food together (some protein, such as nuts, and a little bit of sweets) as a bonding experience; "hangry" people are irritable.
- Speak slowly and in a gentle low tone of voice to role model.
- Arrange seating so that opposing parties are sitting on the same side of the table so as not to be confrontational.

Serotonin regulates moods, and high levels relax and calm. To raise serotonin:

- Create a calm energy in yourself. When serotonin is low, it is difficult to inhibit aggressive responses.
- Energy is contagious—set your calm energy first to spread to others.
- Place an Asian bell on the table and let

disputants know that when voices are raised, everyone will stop and listen until the bell's sound stops. This calms the brain's fight or flight response and allows all to regain access to the prefrontal cortex—the logical brain.

- Serve food and water to help people affiliate. Turkey sandwiches are ideal because they contain tryptophan, which is a metabolic precursor to serotonin.
- Offer protein snacks with a bit of fat. Do not overdo sugar, which energizes for a bit and then causes a crash. Eating together is a communal activity that fosters cooperation.

As attorneys, we are equipped to be conflict-resolvers. We can utilize the above activities to increase bonding, collaboration, and connections thereby transforming conflict. To accomplish this, we need to focus on maximizing relaxation; engaging in slow, optimistic interactions; and demonstrating positivity. In order to create solutions and bring peace, we ourselves must be the peace we wish to see in our clients and negotiating partners. Here are some ideas to help us get ourselves ready to be the calm "eye of the storm" in order to empower clients to transform conflict into collaboration.

Tips to Ready Your Own Brain to Engage in "Solutioneering"

Study and practice emotional intelligence.

Whenever you feel a negative emotion and the accompanying physical responses, look within and ask yourself how you are feeling physically and emotionally. Where is this feeling coming from? What do I need to do to calm myself? In those moments, pause, slow down your breathing, analyze your thoughts and change your thoughts to be affirmative. Become self-aware, self-managing, self-monitoring, and reframe your thinking so you can tune in to become socially aware of the people with whom you are interacting and negotiating.

Utilize a mindfulness practice every day to be the peacemaker you wish to be. This can be meditation, yoga, running, guided imagery, playing a musical instrument, praying, or anything that rests and de-stresses the mind. We can better manage our own limbic system when we are self-aware, self-managing, and self-accepting.

Set an intention to be calm and be aware of your own emotions, and do not let them take over. Manage your thoughts to create a positive energy. When you walk into a room

of anger, you can feel the negative energy. Arrive at the negotiation/mediation facility early and breathe a calm and peaceful energy into the room before anyone else arrives. Visualize a golden shield around you that keeps you from being affected by anyone else's negative energy.

Relax and reflect on your deepest positive values before engaging in dispute resolution (peace, compassion, collaboration). Visualize the other parties shaking hands, smiling and signing a mutually acceptable agreement.

Present yourself professionally. Dress comfortably, but professionally, and smile sincerely and confidently, maintaining warm eye contact. Colors set an intention: blues and greens are collaborative, but red and orange are inflammatory. Purple, black, grey, and white are more neutral.

Breathe deeply and slowly into your solar plexus several times before the session and when negative energy amplifies. This will reset your brain.

Stay present. Be mindful of your own emotions and feelings and transform any negative thoughts you have. Remember that you have the power to choose your thoughts and actions, and so do your clients.

Express appreciation to all for their desire to come to agreement and regain peace in their lives—and, of course, save time and money too!

Speak slowly, calmly, warmly, briefly, and listen deeply and reframe neutrally any negativity as soon as it arises.

While people in conflict commonly make reference to the facts, behaviors, feelings, personalities or events surrounding their conflicts, for the most part they ignore the deeper reality that these experiences are all processed and regulated by their nervous systems, and are therefore initiated, resolved, transformed and transcended by their brains.

Kenneth Cloke, *The Dance of Opposites Explorations in Mediation, Dialogue and Conflict Resolution Systems* (Dallas, TX: GoodMedia Press 2013).



Mari J. Frank mediates for the OCSC Civil Mediation Panel, the OC Bar Mediation Fee Dispute Panel, and privately various types of civil cases in her office in Laguna Niguel. She's authored *Negotiation Breakthroughs, Stepping Stones to Success, and Fighting for Love*. She is the radio host of *Turn Conflict Into Collaboration on KUCI 88.9 FM in Irvine*.