

When Dana finally got to his actual apology, I think it was very effective. He told me that he felt bad about the way he had acted and that he should have stuck up for me more when mom was talking bad about me. That honestly made me feel a lot better. He basically acknowledged the heart of the conflict and said that he felt like he was in the wrong, and I appreciated it. After that, I was ready to move on and discuss a settlement, and we were able to reach one fairly quickly.

I realize now that I need to be able to see the underlying issues of a case. Understanding that this case was more about the relationship between Jan and Dana than reaching an equitable division of property would have been key to a reaching a swift settlement that both parties were happy with. If, as a lawyer, I focused solely on the monetary issues and legal arguments, I think that the negotiation process would have been damaged. Even if we reached the same result, a process that did not address the emotional problems between the parties would not have resulted in as good of a resolution.

I never quite stated this to my lawyer and I'm not sure I realized it until the negotiation was over, my primary interest was resolving the emotional issues I had with this case. I'm not sure my lawyer ever completely understood that, and I don't blame him because I didn't understand it myself. It wasn't until Dana and I were letting out feelings out that I realized the emotional baggage was really what the negotiation was all about.