



**Turning lemons
into lemonade**

Unit 7 Steps of Collaborative Problem Solving Instructor's Guide

Public Conflict Resolution

A video illustrating a public issue in south Texas followed by an exercise that challenges the participants to think through each stage of the collaborative problem solving process.

Purpose

The participants will learn the temporal stages of collaborative problem solving using the interest-based approach.

Objectives

As a result, participants will:

- Learn the three phases of the Interest-Based Problem Solving Process.
- Explore each phase through a videotaped case study.
- Understand the components of each phase.
- Learn that the process is ultimately flexible and must be tailored to each issue and situation.

Time

45 minutes

Materials Needed

Flip chart and Easel
Markers
Overhead Projector
Video player and monitor

Overheads

27 The Planning Stage
28 The Deliberation Stage
29 The Post-Deliberative Stage
30 The Bottom Line for Interest-Based Problem Solving

Handouts

1. The Stages of the Interest-Based Problem Solving Process
2. The Cameron County Coexistence Committee

Video

“Public Issues Education, Approaches that Work” distributed by the University of Wisconsin-Extension. Extension Publications, Room 18, 45 N. Charter St., Madison, WI 53715-1296. Phone 608-262-3346 / 1-800-WIS-PUBS. Use the 20-minute video portion that focuses on the “Cameron County Coexistence Committee.”
VII-1

Directions

The trainer indicates that “Interest-Based Problem Solving Processes” unfold in three general stages:

- 1) “Pre-deliberation” or the planning stage
- 2) “Deliberation” or the problem solving stage
- 3) “Post-deliberation” or the implementation stage

The trainer writes these three stages on a flip chart and notes that each stage is crucial for the creation of a durable resolution of the issue.

The trainer hands out the “Cameron County Coexistence Committee” exercise and indicates to the group that they will view a 15-minute video that describes an issue that involved an endangered falcon and pesticide use in a cotton-growing community in south Texas. The trainer then asks participants to take turns reading from the introduction to the issue.

The trainer divides the class into three groups and names one the “Pre-deliberation Group,” the second the “Deliberation Group” and the third group the “Post-deliberation Group.” The trainer instructs each to review the set of three questions pertaining to their group, and to think about those questions as they watch the video. The trainer instructs the groups that at the conclusion of the video, they will work together within their respective group to answer the questions they have been assigned, and report their findings to the other two groups. The groups are to begin by appointing a reporter. The trainer then begins the video.

At the conclusion of the video, the trainer reminds the three groups that they are to take 15 minutes to answer their assigned questions. The trainer reminds the groups that not all the details pertinent to the issue were revealed in the video. Therefore they may have to speculate what could have happened or should have happened in the context of this particular issue.

After the class has taken 15 minutes to discuss their questions, each group is to report its findings to the other two groups. The trainer begins with the “Pre-deliberation Group,” asking the group reporter to read each question aloud, followed by the group’s response.

Overhead 27

The trainer posts **Overhead 27** as the “Pre-deliberation Group” is reporting. As the answer to each question is reported, the trainer draws the class’s attention to the relevant step that the group is discussing at that time. In the ensuing discussion of the planning stage of collaborative problem solving, the trainer notes that the planning stage should be carried out with a group of stakeholders who are knowledgeable about and committed to the issue and are willing to participate in the process from the beginning. The trainer reads the sub-points of each step of the Planning Stage from the handout "The Stages of the Interest-Based Problem Solving Process," but should not distribute this handout yet.

Overhead 28

Next, the trainer asks the “Deliberation Group” to report and posts **Overhead 28** to illustrate the specific components of the Deliberation Stage. As before, the trainer reads the sub-points of the Deliberation Stage from the handout and ties each question to one or more components of this stage.

Overhead 29

The trainer posts **Overhead 29** and asks the “Post-deliberation Group” to report. The trainer again ties each response to the components of this stage.

At this point the trainer distributes the handout so that the participants have a copy of the stages. The trainer emphasizes that these stages are not absolute. Although the stages remain fairly consistent, that is, there is a beginning, a middle, and an end to collaborative processes, disputants may skip or change parts within each stage. In reality, it would be a mistake to adhere to each stage in a rigid way. Groups may have to hop back and forth from one component to another in order to reach agreement. **The bottom line is do whatever works.**

Overhead 30

The trainer uses **Overhead 30** (The Bottom Line for Interest-Based Problem Solving) to provide a basic summary of what is important in the actual problem solving process. The trainer answers any remaining questions about the process and its steps.



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Unit 7
Steps of Collaborative Problem Solving
Handouts



The Stages of Interest-based Problem Solving Process Handout 1

Public Conflict Resolution

The Planning Stage — Getting Started

The planning stage should be carried out with a group of stakeholders who are knowledgeable about and committed to the issue and are willing to participate in the process from the beginning.

1. Assess the issues

- Develop a clear description of what needs to be addressed.
- Frame the issue in question form: "How can we..."

2. Identify stakeholders

- Determine whose interests are at stake.
- Who can affect and who is affected by the issue?
- In terms of the stakeholders, are there clear inequities of power between groups?
- Contact stakeholders and determine their needs for participating in a collaborative process. Stakeholder interviews can be crucial to the design of the process.

3. Design a strategy

- Consider what would be the most productive format: committee, negotiating team, conference format, etc.
- Agree on process steps and plan your time frame.
- Identify roles and who might fill them: chairperson, facilitator, recorder, technical resources, meeting logistics, etc.
- Decide how decisions will be made, and who has the authority to make them.

4. Set up a program

- Decide on logistical details: where and when to meet, how long meetings should last, agenda, etc.
- Draft a meeting plan (also called "group protocols" or "convening document").
- Decide on the cost of the process (facilities, mediator, food, etc.)

The Deliberation Stage — Searching for Agreement

At this point you have contacted all stakeholders, designed the process strategy, and have convened the first meeting.

5. Set the tone

- An appropriate cultural ritual or ceremony may help put the parties in the mind set to collaborate with one another.
- Food, drinks, and scents can improve the comfort level of disputants.
- Tell the participants that by design, the interest-based approach does not seek to reproduce any power inequities that exist between the stakeholders outside of these negotiations.

6. Establish procedures

- Develop ground rules to guide the discussion.
- With the whole group, ratify the meeting plan drafted during the planning stage. Make changes where necessary.
- Decide what the final product should be—a contract, a plan, a rule, a vision, etc.

7. Educate each other (whenever it is needed)

- Share concerns related to the topic.
- Identify what is given and what is understood by all parties.
- Identify sub-issues.
- Identify and share interests—reasons, needs, concerns and motivations underlying participant's positions—rather than assert positions.

8. Define the problem

- Define the present situation from everyone's perspective.
- If the problem has several dimensions, break it into separate parts.
- Define the desired future in neutral terms (that don't cast the outcome of this process in winner-loser language).

9. Specify information needs

- Identify information that is available and information that is needed.
- Agree on methods for generating answers to relevant technical questions, or a path to follow even if no technical consensus exists.

10. Generate options

- Use task forces for larger groups.
- Bring in the public (as appropriate).
- Brainstorm.
- Use expert opinion.

11. Develop criteria for option evaluation (see Unit 10 for discussion)

- Technical
- Political
- Value-based

12. Evaluate options (see Unit 10 for discussion)

- Have participants create a list of criteria that can be used to evaluate the options.
- Examine what others have done; test or use pilot projects.

13. Reach agreements (see Unit 10 for discussion)

- Build up/eliminate
- Single text
- Agreement in principle
- Building block

14. Develop a written plan

- Document areas of agreement to ensure a common understanding of the participant's accord.
- Develop a plan of action: what, how, when, where, who.
- Draft a statement on how the results of the agreement are to be monitored.

The Post-Deliberation Stage — After the Agreement is Reached

15. Ratify the agreement

- Parties get support for the plan from stakeholders (organizations and individuals) that have a role in carrying it out.
- Each organization involved in the design of the agreement follows its own internal procedures as it reviews and adopts the plan.

16. Implement the agreement

- Maintain communication and collaboration as the plan is carried out.
- Monitor the results.
- If necessary, fairly criticize the results and address any failures of the agreement.
- Renegotiate as needed.
- Celebrate your success.



The Cameron County Coexistence Committee Handout 2

Public Conflict Resolution

This video describes a public issue involving a conflict between federal efforts to protect an endangered species, and local efforts to maintain cotton production in Cameron County, Texas.

When the U.S. Environmental Protection Agency (EPA) circulated a draft proposal to ban 17 pesticides as a measure to protect the Aplomado falcon in south Texas, growers grew alarmed and angered. The ban would have had devastating effects on the local economy, yet the EPA did not seek input from the community. In fact, the Endangered Species Act (ESA) allowed a “spare no cost” approach to species rehabilitation without considering its impacts on farmers and others. Moreover, the county’s farmers had cooperated with the U.S. Fish and Wildlife Service (FWS) to bring in a program for releasing the falcon, and now felt penalized for that cooperation. A letter writing campaign organized by the local cotton growers’ cooperative succeeded in stalling the proposed ban. However, the possibility remained that some form of revised ban would be proposed.

Terry Lockamy, the Agricultural Extension agent in Cameron County helped organize a group of nine stakeholders to study the issue and offer “functional solutions” to the problem at hand. The group, the Cameron County Coexistence Committee met over a period of four months. They produced a consensus proposal that involved banning five pesticides completely, restricting three to in-soil application, and requiring notification of FWS before use of two others. All agreed that it was unnecessary to ban the remaining seven of the 17 pesticides on the EPA list.

This video is an excellent example of how a trusted third party is able to convene a group of stakeholders to resolve a public policy conflict through a collaborative approach. The video does a good job of describing the problem, defining who the stakeholders were, and describing the outcome. What it does not show is how the agent managed to get the stakeholders to the table, what occurred while the group was meeting, how they got to an agreement, and how they made the agreement stick.

Watch the video. Afterward, divide into three groups and discuss what you saw by addressing the questions below:

Group 1: Pre-Deliberation

- How was the possibility of collaboration brought up? By whom? A stakeholder? A neutral?
- Who do you think had to be represented on the committee for an agreement to work (you don't need to name names, but only organizations or interests)? Why did the stakeholders decide to collaborate?
- What are some obstacles that had to be overcome, and complexities that had to be dealt with in order for this group to work?

Group 2: Deliberation

- What do you think the members of the Coexistence Committee spent most of their time doing during the early part of their deliberations?
- Obviously each group came to the meeting with a particular position on the issue. How do you think they got each other off positions in order to come up with “functional solutions?”
- What do you think was for them the most difficult part of the process in moving from conflict to agreement?

Group 3: Post-Deliberation

- Each group's negotiator went to the table with a position to defend. It is conceivable that the solution to which the negotiator agreed was very different from the original position. What kind of problems can this cause? What should the negotiator do to avoid these problems?
- The Cameron County Coexistence Committee was a group of citizens with no policy-making authority. Was this process part of a *real* decision making process? What made it possible for this group to affect federal policy?
- What do you think is the greatest challenge to policy working groups (even if they are appointed by elected officials) with respect to integrating their recommendations into official policy? How can they overcome this challenge?