Hostile mail – especially email – has become much more common over the past decade. Most of this mail (commonly email) is just “venting,” and has little real significance. However, when people are involved in a formal conflict (a workplace grievance, a divorce, a homeowners’ association complaint, etc.) there may be more frequent hostile mail. There may be more people involved and it may be shown to others or in court. Therefore, how you respond to hostile mail may impact your relationships or the outcome of a case.

Do you need to respond?

Much of hostile mail or email does not need a response. Email from irritating co-workers, (ex-) spouses, angry neighbors or even attorneys do not usually have legal significance. The email itself has no power, unless you give it power. Often, it is emotional venting aimed at relieving the writer’s anxiety. If you respond with similar emotions and hostility, you will simply escalate things without satisfaction, and just get a new piece of hostile mail back. In most cases, you are better off not responding. However, some letters and emails develop power when copies are filed in a court or complaint process – or simply get sent to other people. In these cases, it may be important to respond to inaccurate statements with accurate statements of fact. If you need to respond, I recommend a BIFF Response™: Be Brief, Informative, Friendly and Firm.

BRIEF

Keep your response brief. This will reduce the chances of a prolonged and angry back and forth. The more you write, the more material the other person has to criticize. Keeping it brief signals that you don’t wish to get into a dialogue. Just make your response and end your letter. Don’t take their statements personally and don’t respond with a personal attack. Avoid focusing on comments about the person’s character, such as saying he or she is rude, insensitive, or stupid. It just escalates the conflict and keeps it going. You don’t have to defend yourself to someone you disagree with. If your friends still like you, you don’t have to prove anything to those who don’t.

INFORMATIVE

The main reason to respond to hostile mail is to correct inaccurate statements which might be seen by others. “Just the facts” is a good idea. Focus on the accurate statements you want to make, not on the inaccurate statements the other person made. For example: “Just to clear things up, I was out of town on February 12th, so I would not have been the person who was making loud noises that day.”
Avoid negative comments. Avoid sarcasm. Avoid threats. Avoid personal remarks about the other’s intelligence, ethics or moral behavior. If the other person has a “high conflict personality,” you will have no success in reducing the conflict with personal attacks. While most people can ignore personal attacks or might think harder about what you are saying, high conflict people feel they have no choice but to respond in anger – and keep the conflict going. Personal attacks rarely lead to insight or positive change.

FRIENDLY

While you may be tempted to write in anger, you are more likely to achieve your goals by writing in a friendly manner. A friendly response will increase your chances of getting a friendly – or neutral – response in return. If your goal is to end the conflict, then add a friendly greeting and friendly closing. Don’t give the other person a reason to get defensive and keep responding. Make it sound as relaxed and non-antagonistic as possible. Brief comments that show your empathy and respect will generally calm the other person down, even if only for a short time.

FIRM

In a non-threatening way, tell the other person your information or concerns about an issue. (For example: “That’s all I’m going to say on this issue.”) Be careful not to make comments that invite more discussion, such as: “I hope you will agree with me …”. This invites the other person to tell you “I don’t agree.” Just give your friendly closing and then stop.

However, if you need a decision from the other person, then end with two choices, such as: “Please let me know by Friday at 5pm if I should pick up those documents or you will send them to me.” By limiting it to two choices, you are less likely to trigger a new argument. By giving a response date and time, you avoid having to keep contacting the person. If he or she does not respond by then, you can choose whether to ask again or take other action.

Firm doesn’t mean harsh. Just sound confident and end the back-and-forth nature of hostile communications. A confident-sounding person is less likely to be challenged with further emails. If you get further emails, you can ignore them, if you have already sufficiently addressed the inaccurate information. If you need to respond again, keep it even briefer and do not emotionally engage. In fact, it often helps to just repeat the key information using the same words.

Example

Roberta was terminated after a long progressive discipline process, with repeated failure to comply with the company rules. There had been several incidents in which she was believed to have harassed other employees, although none of the incidents ever resulted in legal claims (fortunately). After being counseled by the Human Resources department several times without any change in her behavior, she was terminated. Since she was not a member of a union and there was no contract for her position, she was let go “at will” of the company, without justification necessary (although the company had plenty of it).
My Styles

Think of one context where you have a conflict, disagreement, argument, or disappointment with someone. An example might be a work associate and someone with whom you live. Then, according to the following scale, fill in your scores for your particular context.

Scale:

1 = Never    2 = Seldom    3 = Sometimes    4 = Often    5 = Always

1. ___ I avoid being put on the spot; I keep conflicts to myself.
2. ___ I use my influence to get my ideas accepted.
3. ___ I usually try to split the difference in order to resolve an issue.
4. ___ I generally try to satisfy the other’s needs.
5. ___ I try to investigate an issue to find a solution acceptable to us.
6. ___ I usually avoid open discussion of my differences with the other.
7. ___ I use my authority to make a decision in my favor.
8. ___ I try to find a middle course to resolve an impasse.
9. ___ I usually accommodate to the other’s wishes.
10. ___ I try to integrate my ideas with the other’s to come up with a decision jointly.
11. ___ I try to stay away from disagreement with the other.
12. ___ I use my expertise to make a decision that favors me.
13. ___ I propose a middle ground for breaking deadlocks.
14. ___ I give in to the other’s wishes.
15. ___ I try to work with the other to find solutions that satisfy both our expectations.
16. ___ I try to keep my disagreement to myself in order to avoid hard feelings.
17. ___ I generally pursue my side of an issue.
18. ___ I negotiate with the other to reach a compromise.
19. ___ I often go with the other’s suggestions.
20. ___ I exchange accurate information with the other so we can solve a problem together.
21. ___ I try to avoid unpleasant exchanges with the other.
22. ___ I sometimes use my power to win.
23. ___ I use give and take so that a compromise can be made.
24. ___ I try to satisfy the other’s expectations.
25. ___ I try to bring all our concerns out in the open so that the issues can be resolved.

Scoring – next page....
Scoring: Add up your scores on the following questions:

1. ___    2. ___    3. ___    4. ___    5. ___
6. ___    7. ___    8. ___    9. ___    10. ___
11. ___   12. ___   13. ___   14. ___   15. ___
16. ___   17. ___   18. ___   19. ___   20. ___
21. ___   22. ___   23. ___   24. ___   25. ___

<table>
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<tr>
<th>Avoidance Totals</th>
<th>Domination Totals</th>
<th>Compromise Totals</th>
<th>Obliging Totals</th>
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Seven Step Problem-Solving

1. **Select and Frame** a Single Issue
   a. Easy
   b. Logical sequence

2. **Explore** the Issue:
   a. Probe underlying interests
   b. Understand data
   c. Look at relationships, structural, and value sources
   d. Identify objective standards

3. **Prepare Parties** to Generate Options
   a. Review interests and get acceptance
   b. Re-state agreements already made

4. **Continue** to **Frame as a Joint Problem**
   a. "How can you meet the interests of X on this issue?"

5. **Ask Parties to Generate Options**
   a. Develop a safe and creative environment
   b. Propose a structure (brainstorming)
   c. Keep parties moving forward
      i. Refocus on interests
      ii. Assess BATNA
      iii. Identify gains by finding workable solutions
      iv. Make suggestions in non-directive way

6. **Ask Parties to Evaluate**
   a. Review interests and objective criteria
   b. Eliminate options with fatal flaws
   c. Develop matrix of options with ratings

7. **Select and Modify**

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# Dispute Resolution Matrix

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<td>Work through “upper half of circle”</td>
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<td><strong>Step 8</strong></td>
<td>Condition parties for agreement</td>
<td>“How can you meet the interests of X on this issue?”</td>
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<td>Review interests and objective criteria</td>
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<td><strong>Step 20</strong></td>
<td>Ask Parties to Generate Options</td>
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<tr>
<td><strong>Step 21</strong></td>
<td>Develop matrix of options with ratings</td>
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