

The Three P's of Satisfaction

It's not often that an attorney loses a lawsuit, along with her two million dollar contingency fee, and yet walks away satisfied.

I've seen similar satisfaction with employees who didn't get a promotion. With church members who disagreed with their pastors. And with children who could not escape discipline.

The relationship-saving concept in each of these situations is surprisingly simple and yet amazingly effective, whether in a courtroom, business, church or home. It's called the "Three P's of Satisfaction."

Before I explain it, let me tell you about the attorney who lost the fee of a lifetime.

25% of Nothing is Nothing

Mary Anne represented a man in Texas who bought an oil field from another man. When the buyer began to drill wells, production was far below what he anticipated. So he sued the seller for fraud, asking for eight million dollars in damages.

Their sales contract included a legally binding conciliation clause requiring them to settle any disputes through biblical arbitration. As the administrator for the case, I appointed a panel of three arbitrators who had extensive experience in oil and gas law.

The parties' attorneys spent a year collecting interrogatories and depositions. They then argued their positions for three days before the arbitrators. After an hour of discussion, the panel issued an award in favor of the seller, denying the buyer's eight million dollar claim entirely.

Since Mary Anne was working on a contingency fee (which meant she would get 25% of whatever she won for her client), she lost out on receiving an anticipated two million dollar attorney's fee. That meant that she received nothing for a years' worth of work.

A Surprising Evaluation

We always send out evaluation forms to the parties and attorneys in our cases. Since Mary Anne lost the case and failed to collect a fee, I expected her evaluation to be extremely critical.

When I received her form two weeks later, I was stunned. It was one of the most positive evaluations I had ever received in all my years as a conciliator.

I was so surprised that I called Mary Anne to learn why she rated the process so highly. Here is what she said:

Of course I still wish I'd won the case, but I've been around long enough to know you win a few and lose a few.

But I love your process. Your arbitrators were experts in the field, which saved a lot of time during the hearing. They provided reasonable rulings on discovery and granted me a helpful continuance.

Even though I'm not a Christian myself, I liked the fact that the arbitrators started each session in prayer; it set a tone of respect and reasonableness. They asked all the right questions and seemed to keep an open mind until they'd heard all of the evidence. My client, our experts, and I were all treated with respect, and we felt we were given every opportunity to present our side of the situation.

In fact, it's funny you would call today. I just got off the phone with an attorney from New Mexico who's got a similar case, and I encouraged him to call you to learn more about your process.

Wow! She lost a huge attorney's fee and still turned around and recommended biblical arbitration to another attorney.

Mary Anne's positive view of our process was the result of our making every effort to provide her client and her with three types of satisfaction:

Process satisfaction, which requires a fair, orderly, and even-handed process where everyone feels that they've had a reasonable opportunity to present their side of the matter (*1Cor. 14:40 But everything should be done in a fitting and orderly way.*)

Personal satisfaction, which requires treating everyone with respect, courtesy, and equality, just as we would want to be treated ourselves. (*Matt. 7:12 So in everything, do to others what you would have them do to you, for this sums up the Law and the Prophets.*) (*James 2:1-4 My brothers, as believers in our glorious Lord Jesus Christ, don't show favoritism. Suppose a man comes into your meeting wearing a gold ring and fine clothes, and a poor man in shabby clothes also comes in. If you show special attention to the man wearing fine clothes and say, "Here's a good seat for you," but say to the poor man, "You stand there" or "Sit on the floor by my feet," have you not discriminated among yourselves and become judges with evil thoughts?)*

Product satisfaction, which requires a final solution that is as reasonable, just and equitable as is humanly possible. (*Micah 6:8 He has showed you, O man, what is good. And what does the Lord require of you? To act justly and to love mercy and to walk humbly with your God.*) (*Prov. 28:5 Evil men do not understand justice, but those who seek the Lord understand it fully.*)

Two Out of Three Usually Works

Here's the key: although most people involved in a decision-making (or conflict-resolving) process will focus most of their energy on achieving a particular outcome (product satisfaction), in the long run they will also place a great deal of value on how they were treated during the process.

This means that even if a final decision is not entirely to their liking, they will often accept the result with equanimity if the decision-makers provided them with a high level of both process and personal satisfaction.

I cannot emphasize this point too much: Give people process satisfaction (the opportunity to fully and candidly share their views) as well as personal satisfaction (treating them with sincere courtesy and respect), and you'll be surprised how content they'll be even if they disagree with your substantive decision.

And if you succeed in giving people all three types of satisfaction, you'll find that they will trust and respect you more, and be even more enthused about supporting the decisions you make.

You Can Use the Three P's Anywhere

The Three P's work as well at home, at church, and in the workplace as they do in an arbitration hearing.

Whether you're dealing with a marital disagreement, a debate with your kids about buying the latest electronic gadget, an employment issue, or differing positions during a congregational meeting ...

... you'll be far more likely to preserve respect, unity, and relationships if you make every reasonable effort to provide others with process, personal, and product satisfaction.

– Ken Sande

Reflection Questions

The main complaint people have about going through civil litigation is how attorneys use constant objections to keep them fully telling their side of the story. Why do you think this is so frustrating?

When was the last time you were involved in a disagreement and someone else made a decision you disagreed with? Did you walk away satisfied or dissatisfied? Was it just that you didn't get the result (product satisfaction) you wanted, or was it also that you weren't satisfied with the process or the way you were treated personally?

When was the last time you had to resolve a matter by making a decision someone else didn't like? Did they walk away generally satisfied or dissatisfied? What more might you have done to provide them with process and personal satisfaction?

The next time you have the opportunity to make a decision that will settle a disagreement or determine a course of action, what could you do to increase the likelihood that others will walk away with all three types of satisfaction (process, personal, and product)?

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