Forging Texas-Sized Futures for Children

The Power of Apology

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The Power of Apology

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The Power of Apology

Cases can get “stuck” when mistakes go unacknowledged.

Apologies allow cases to get back on the case processing “conveyor belt”.

Apologies make business sense.
Why don’t we already apologize?

• Fear of being reprimanded

• Fear of being sued
Why don’t we already apologize?

This course teaches specific, safe techniques for us to apologize for case errors.

It also teaches when not to apologize, and instead to talk to management.
Why Apologies Work

• Restoration of self respect and dignity
• Assurance of shared goals
• An opportunity to express how the customer has been affected
• Leveling of playing field
• Assurance the errors were not made by the customer
• Permission to move forward
What are we apologizing for?

Mistakes in Case Processing

- Oversights
- Human Error
- Failed to Do
- Failed to Prevent
- Failed to Anticipate

*Agency errors – not errors by other parties*
When it is not appropriate to apologize

Empathy is not apology
Empathy is not Apology

*Scenario 1:*

We neglected to re-issue service

Apologize or empathize?
Empathy is not Apology

Scenario 2:
We did re-issue service to the new address but the local constable has not issued this new service

Apologize or empathize?
Apologies in the Medical Profession

- Reduced Anger
- Fewer Lawsuits
- Lower Settlements
Apologies in the Medical Profession

Results of Medical Error Disclosure Program at the University of Michigan Health System.
Elements of an Apology

Acknowledgement

Move the Case Forward

Reparation

Explanation

Expression of Remorse
Elements of an Apology

- Acknowledgement
- Explanation
- Reparation
- Expression of Remorse
- Move the Case Forward
Elements of an Apology

Acknowledgement

Scenario: failed to release a distribution hold.

“Ms. Smith, I have looked at your case, and I see we made a mistake -- we should have released those funds. I apologize to you—this was our fault.”
Elements of an Apology

Acknowledgement

“We put a hold on payments while we enter the order information and payment credits into our computer system. We put a hold on those payments so we don't have to recoup from you any payments that went out in error. After reviewing that the order and payment credits were correctly entered, our next step should have been to release the hold in our computer system. That’s the step we missed.”

Move the Case Forward

Explaination

Reparation

Expression of Remorse
Elements of an Apology

An explanation is not an excuse

• “We have over one million cases”

• “Our financial process takes a long time”

• “We’re a free service...”

• “I keep telling him not to do that...”
Elements of an Apology

Acknowledgement

“Ms. Smith, I know this mistake caused you hardship. I can’t imagine what it would be like to be threatened with having your electricity cut off. I am very sorry we have not sent you your money.”
Elements of an Apology

Acknowledgement
• Ensure the money gets distributed after the distribution hold is released by making sure we don’t have to do any more adjustments

Move the Case Forward
• Meet with a Financial Specialist and your management to explore potential expedited ways to release the money
• Contact the electric utility and explain Ms. Smith’s situation

Explanation

Reparation

Expression of Remorse
Elements of an Apology

Acknowledgement

Explanation

Expression of Remorse

Reparation

These steps allow us to Move the Case Forward
Bad Apologies

Former LA Police Chief Darryl Gates:

“If anyone was offended...

...I’m sorry for that”

“If” suggests no one was offended

“that” shifts the apology to people taking offense, not his original comment
In Contrast- A Good Apology

Mel Gibson’s post-DUI Apology

Mel Gibson apologizes after DUI arrest

Police report alleges actor made ‘barrage of anti-Semitic remarks’

Jump to text below
There is no excuse, nor should there be any tolerance, for anyone who thinks or expresses any kind of anti-Semitic remark. I want to apologize specifically to everyone in the Jewish community for the vitriolic and harmful words I said to a law enforcement officer the night I was arrested on a DUI charge... I'm not just asking for forgiveness. I would like to take it one step further, and meet with leaders in the Jewish community, with whom I can have a one-on-one discussion to discern the appropriate path for healing.
“Don’t”

- Don’t use “If” or “But”
- Don’t apologize for the wrong mistake
- Don’t assume it’s a minor issue
- Don’t evoke sympathy for us
- Don’t be insincere
Bad Apologies

Kent State “Statement of Regret”
In retrospect, the tragedy of May 4, 1970 should not have occurred.

The students may have believed that they were right in continuing their mass protest in response to the Cambodian invasion, even though this protest followed the posting and reading by the university of an order to ban rallies and an order to disperse. These orders have since been determined by the Sixth Circuit Court of Appeals to have been lawful.
**Excuse**

Some of the Guardsmen on Blanket Hill, fearful and anxious from prior events, may have believed in their own minds that their lives were in danger. Hindsight suggests that another method would have resolved the confrontation. Better ways must be found to deal with such a confrontation.

**Not taking responsibility**
We devoutly wish that a means had been found to avoid the May 4th events culminating in the Guard shootings and the irreversible deaths and injuries. We deeply regret those events and are profoundly saddened by the deaths of four students and the wounding of nine others which resulted. We hope that the agreement to end the litigation will help to assuage the tragic memories regarding that sad day.
Good Apologies
Former Sen. George Allen
On behalf of United States Senate

109TH CONGRESS
1ST SESSION

S. RES. 39

Apologizing to the victims of lynching and the descendants of those victims for the failure of the Senate to enact anti-lynching legislation.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 7, 2005
Good Apologies

• Why would Senator Allen apologize for something he’s not personally responsible for?

• Why would a child support employee apologize for a mistake they did not make personally?
“Do”

- Thoroughly research and prepare
- Be clear and accurate in your wording
- Apologize for the right mistake
- Be sincere and genuine
Customer’s Response

- Rapprochement, not forgiveness
- Moving the case forward
Liability Discussion

This course has been reviewed by many OAG attorneys.
Their conclusion is this course will not create liability. (Check with your attorneys and managers to make sure they share this conclusion.)
Liability Discussion

“Official Immunity”

The employee must be:
1) Performing a discretionary function
2) Within the employee’s authority
3) In good faith
Liability Discussion

If during the ombudsman’s investigation it’s not clear that these conditions apply, field office management should be informed.
Liability Discussion

The term “good faith” means

“when a government employee considers two courses of action that could reasonably be believed to be justified, and selects one, he satisfies the good faith prong of qualified immunity as a matter of law.”
Liability Discussion

“Bad Faith”

CSO puts a financial hold on a case after an angry encounter in the lobby with the CP.

You just can’t see any case reason the distribution hold would be placed on the case.
Liability Discussion

• That distribution hold may very well have been placed in “good faith.”

• But the potential *appearance* of impropriety is enough for you to bring this to your management before speaking with the customer.
Liability Discussion

Official Immunity does not relieve us of our responsibility to diligently and ethically work each case.
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• Questions?
• Feedback?

Thanks Very Much!
References