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Sorry Works – The Power of Apology

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An exciting trend occurring in American business today, especially in health care and increasingly in the law – recognizing and using the power of apology. A recent article in the *National Law Journal* described the “I’m sorry” movement in medicine as an emerging medical malpractice reduction strategy. The increasing number of doctors and health care professionals practicing early disclosure of adverse medical outcomes and medical errors is developing powerful statistical evidence that apology is a dramatic litigation reducer with the parallel reduction of malpractice claims.

According to Chicago attorney Elizabeth Foley, writing in the January 2006 *Executive Counsel Magazine*, “Several State Legislatures have rewritten statutes to make room for apologies in litigation. From Louisiana, to Michigan, to Minnesota, they’ve instituted apology/settlement programs.”

What makes an effective apology?

Kenneth Blanchard and Margaret McBride in their 2003 book, *The One Minute Apology, A Powerful Way to Make Things Better*, say an effective apology begins with surrender and taking full responsibility for actions, and is completed with integrity, recognition of harm, and a commitment not to repeat it. Effective apologies follow a process.

Saying “I’m sorry” or “we apologize” is the starting point. To make apology work, there is a pattern and sequence of specific behavior elements upon which a successful apology is built.

These steps are society’s minimum requirements for relationship restoration and forgiveness. Follow these eight steps in this order very promptly. Forgiveness can be obtained more quickly when the admission occurs immediately. If you leave steps out, there will be negative consequences.

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- Step #1** *Candor:* Outward recognition, through promptly verbalized public acknowledgement (or outright apology), that a problem exists; that people or groups of people, the environment, or the public trust are affected; and that something will be done to remediate the situation.
- Step #2** *Explanation* (No matter how silly, stupid, or embarrassing the problem-causing error was): Promptly and briefly explain why the problem occurred and the known underlying reasons or behaviors that led to the situation (even if we have only partial early information).
- Step #3** *Affirmation:* Talk about what you’ve learned from the situation and how it will influence your future behavior. Unconditionally commit to regularly report additional information until it is all out or until no public interest remains.
- Step #4** *Declaration:* A public commitment and discussion of specific, positive steps to be taken to conclusively address the issues and resolve the situation.
- Step #5** *Contrition:* The continuing verbalization of regret, empathy, sympathy, even embarrassment. Take appropriate responsibility for having allowed the situation to occur in the first place, whether by omission, commission, accident, or negligence.
- Step #6** *Certification:* Promptly ask for help and counsel from “victims,” government, the community of origin, independent observers, and even from your opponents. Directly involve and request the participation of those most directly affected to help develop more permanent solutions, more acceptable behaviors, and to design principles and approaches that will preclude similar problems from re-occurring. Accept outside oversight or independent monitoring to certify that what you say you will do is what you do.
- Step #7** *Commitment:* Publicly set your goals at zero. Zero errors, zero defects, zero dumb decisions, and zero problems. Publicly promise that to the best of your ability situations like this will never occur again.
- Step #8** *Restitution:* Find a way to quickly pay the price. Make or require restitution. Go beyond community and victim expectations, and what would be required under normal circumstances to remediate the problem.

Adverse situations remediated quickly cost a lot less, are controversial for much shorter periods of time, suffer less litigation, and help the victims come to closure more quickly.

Visit the author’s website at www.e911.com for additional information on this topic.