

## **Basic Negotiation Skills 2014**

**January 13, 2014**

**9:00 a.m. – 5:00 p.m.**

### **Why You Should Attend**

Negotiation is part of any lawyer's everyday life. You negotiate with colleagues, clients, and staff about an array of issues, ranging from simple project deadlines to complex contractual language. This program is designed to help you gain confidence in every negotiation you conduct. The panelists represent academicians, sole practitioners, and members of leading local law firms.

### **What You Will Learn:**

- How to follow the six steps of a successful negotiation
- Organizing a strategy before, during and after a negotiation
- Identifying the three types of negotiations and when to use each
- Creating and using currencies during a negotiation
- Bargaining and offering concessions effectively
- Preparing tactics and avoiding ploys during a negotiation

### **Who Should Attend**

Practitioners who want to gain understanding of the negotiation process should attend. This program will prove helpful for new attorneys, or those transitioning to a negotiation-heavy practice. Also, the sessions will address issues pertinent to those experienced practitioners who wish to refresh their negotiation skills, or learn new approaches to the negotiations they conduct.

# Basic Negotiation Skills 2014

## Program Schedule

9:00

### **Program Overview and Introductions**

*Doug MacKay*

9:15

### **Outlining Negotiation Types and Processes**

This session provides an overview of the key types of negotiations most lawyers face. It details the six steps of the negotiation process. We'll also examine the three types of negotiations attorneys will likely encounter in face-to-face, phone and email negotiations.

*Doug MacKay*

10:15

### **Strategizing Before a Negotiation**

Successful negotiations begin well before you sit opposite the other negotiator. This session focuses on how to prepare in advance of any negotiation. The panelists will discuss setting goals and parameters, and considering the other side's perspectives.

*Michael E. Dickstein, Jill H. Feldman, Janet Martinez*

11:15

*Networking Break*

11:30

### **Setting the Climate and Flexing Your Communication and Negotiation Style**

As a negotiation begins, you need to set the tone of the conversation. You also need to gather valuable information from the other side. The key is phrasing the questions correctly. Understanding your communication style and how to flex your style during a negotiation makes you a more facile and effective negotiator, as the conversation evolves.

*Janet L. Frankel, Jamison R. Narbaitz*

12:30

*Lunch*

1:45

### **Managing the Bargaining and Concession-Making Process**

Bargaining is most effective in a negotiation once you realize the value of what you can trade. Each side may trade items of unequal value, but each side must trade something, otherwise a stalemate occurs. Concessions provide the structure around the bargaining process and the panelists will address their strategies for giving concessions.

*Janice Cho, Michael L. Fox*

2:45

**Mastering Negotiation Tactics and Deflecting Ploys**

You can draw on a number of tactics to improve your presence and importance during a negotiation. Similarly, knowing ahead of time what types of ploys other negotiators may attempt allows you to calmly work around them. The panelists will discuss the range of tactics and ploys they've seen.

*Jerome F. Birn, Jr., Matthew P. Vafidis*

3:45

*Networking Break*

4:00

**Negotiating with Colleagues and Peers**

In addition to negotiating with clients and others outside your office, it's likely you will need to negotiate extensively with colleagues and peers. While the process is similar to external negotiations, it does differ. During this discussion, we'll review strategies and techniques to prepare you for these negotiations.

*Anthony Grumbach, Janet Stone Herman, Adine Varah*

5:00

*Adjourn*

## Faculty

### Chairperson

#### **Doug MacKay**

Director

Exec|Comm LLC

San Francisco, California

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#### **Jerome F. Birn, Jr.**

Wilson Sonsini Goodrich & Rosati

Palo Alto, California

#### **Janice Cho**

Law Office of Janice Cho

Oakland, California

#### **Michael E. Dickstein**

Principal

Dickstein Dispute Resolution

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#### **Jill H. Feldman**

Morrison & Foerster LLP

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#### **Michael L. Fox**

Sedgwick LLP

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#### **Janet L. Frankel**

Certified Specialist in Family Law

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#### **Anthony Grumbach**

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**Janet Martinez**

Director and Senior Lecturer  
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