

BEYOND WINNING

NEGOTIATING TO CREATE
VALUE IN DEALS AND DISPUTES

ROBERT H. WOODRICK

with
Scott E. Peppet and Andrew A. Morck

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Beyond Winning Robert H. Mnookin, Scott R. Peppet, Andrew S. Tulumello, 2004-04-15 Beyond Winning charts a way out of our current crisis of confidence in the legal system. It offers a fresh look at negotiation aimed at helping lawyers turn disputes into deals and deals into better deals through practical tough minded problem solving techniques. **The Handbook of Dispute Resolution** Michael L. Moffitt, Robert C. Bordone, 2012-06-28 This volume is an essential cutting edge reference for all practitioners students and teachers in the field of dispute resolution. Each chapter was written specifically for this collection and has never before been published. The contributors drawn from a wide range of academic disciplines contains many of the most prominent names in dispute resolution today including Frank E. A. Sander, Carrie Menkel Meadow, Bruce Patton, Lawrence Susskind, Ethan Katsh, Deborah Kolb, and Max Bazerman. The Handbook of Dispute Resolution contains the most current thinking about dispute resolution. It synthesizes more than thirty years of research into cogent practitioner focused chapters that assume no previous background in the field. At the same time the book offers path breaking research and theory that will interest those who have been immersed in the study or practice of dispute resolution for years. The Handbook also offers insights on how to understand disputants. It explores how personality factors, emotions, concerns about identity, relationship dynamics and perceptions contribute to the escalation of disputes. The volume also explains some of the lessons available from viewing disputes through the lens of gender and cultural differences. **The Cambridge Handbook of Psychology and Legal Decision-Making** Monica K. Miller, Logan A. Yelderman, Matthew T. Huss, Jason A. Cantone, 2024-02-28 Presenting state of the art research this Handbook summarises emerging and establishing topics in the area of legal decision making. Interdisciplinary in its approach it covers decisions made within the criminal justice system, the trial process and clinical settings. Chapters written by accomplished academics and experts in the field synthesize historical context, identify gaps in existing literature, propose future directions of study and discuss policy limitations. It also includes perspectives from the field essays written by professionals a judge, an attorney, a police officer, a trial consultant and a probation officer to bridge the gap between academic research and its application to the real world. It is intended as a go to resource for students and researchers who want to immerse themselves in a body of scientific research to understand its history and shape its future.

ABA Journal, 2000-11 The ABA Journal serves the legal profession. Qualified recipients are lawyers and judges, law students, law librarians and associate members of the American Bar Association. **Handbook of Collaborative Public Management** Jack W. Meek, 2021-02-26 This insightful Handbook presents readers with a comprehensive range of original research within the field of collaborative public management (CPM) a central area of study and practice in public administration. It explores the most important questions facing collaboration providing insights into future research directions and new areas of study. **Beyond Winning** Robert H. Mnookin, Scott R. Peppet, Andrew S. Tulumello, 2000-10-06 Beyond Winning charts a way out of our current crisis of confidence in the legal system. It offers a fresh look at negotiation.

aimed at helping lawyers turn disputes into deals and deals into better deals through practical tough minded problem solving techniques **Judicial Dispute Resolution** Lawrence Susskind, Justice William Tilleman, Nicolas Parra Herrera, 2023-05-16

This book describes the ways in which judges using JDR have been facilitating problem solving among litigants and in the process ensuring more just outcomes JDR or judicial dispute resolution is similar to mediation or alternative dispute resolution ADR as it is sometimes called but it is provided by a judge not a private mediator Very little has been written about JDR especially in Canada where it has been pioneered for several decades because all the records have remained confidential The story can now be told because the authors were given exclusive access to the records and the parties including the JDR judges in nine illustrative cases The authors provide a complete Teaching Appendix summarizing the JDR cases from the standpoint of a variety of legal specialties while highlighting the differences between JDR and ADR **Dispute System**

Design Lisa Blomgren Amsler, Janet Martinez, Stephanie E. Smith, 2020-06-02 Dispute System Design walks readers through the art of successfully designing a system for preventing managing and resolving conflicts and legally framed disputes Drawing on decades of expertise as instructors and consultants the authors show how dispute systems design can be used within all types of organizations including business firms nonprofit organizations and international and transnational bodies This book has two parts the first teaches readers the foundations of Dispute System Design DSD describing bedrock concepts and case chapters exploring DSD across a range of experiences including public and community justice conflict within and beyond organizations international and comparative systems and multi jurisdictional and complex systems This book is intended for anyone who is interested in the theory or practice of DSD who uses or wants to understand mediation arbitration court trial or other dispute resolution processes or who designs or improves existing processes and systems

Columbia Law Review, 2003 **Ohio State Journal on Dispute Resolution**, 2014 **Managing and Transforming**

Water Conflicts Jerome Delli Priscoli, Aaron T. Wolf, 2010-02-04 What is the one thing that no one can do without Water Where water crosses boundaries be they economic legal political or cultural the stage is set for disputes between different users trying to safeguard access to a vital resource while protecting the natural environment Without strategies to anticipate address and mediate between competing users intractable water conflicts are likely to become more frequent more intense and more disruptive around the world In this book Delli Priscoli and Wolf investigate the dynamics of water conflict and conflict resolution from the local to the international They explore the inexorable links between three facets of conflict management and transformation Alternative Dispute Resolution ADR public participation and institutional capacity This practical guide will be invaluable to water management professionals as well as to researchers and students in engineering economics geography geology and political science who are involved in any aspects of water management **The Body of Knowledge (BOK) Book**, 2002 **The Publishers Weekly**, 2000 **Florida Law Review**, 2015 **Beyond Winning**

Robert H. Mnookin, Scott R. Peppet, Andrew S. Tulumello, 2004-04-15 Conflict is inevitable in both deals and disputes Yet

when clients call in the lawyers to haggle over who gets how much of the pie traditional hard bargaining tactics can lead to ruin Too often deals blow up cases don t settle relationships fall apart justice is delayed Beyond Winning charts a way out of our current crisis of confidence in the legal system It offers a fresh look at negotiation aimed at helping lawyers turn disputes into deals and deals into better deals through practical tough minded problem solving techniques In this step by step guide to conflict resolution the authors describe the many obstacles that can derail a legal negotiation both behind the bargaining table with one s own client and across the table with the other side They offer clear candid advice about ways lawyers can search for beneficial trades enlarge the scope of interests improve communication minimize transaction costs and leave both sides better off than before But lawyers cannot do the job alone People who hire lawyers must help change the game from conflict to collaboration The entrepreneur structuring a joint venture the plaintiff embroiled in a civil suit the CEO negotiating an employment contract the real estate developer concerned with environmental hazards the parent considering a custody battle clients who understand the pressures and incentives a lawyer faces can work more effectively within the legal system to promote their own best interests Attorneys exhausted by the trench warfare of cases that drag on for years will find here a positive proven approach to revitalizing their profession **Contemporary Authors** Scot Peacock,2002-02

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