



Oregon Law Institute
of Lewis & Clark Law School

Supercharge Your Negotiation Skills!

Every one of us has been negotiating since birth, when one cry meant “I’m hungry” and another cry meant “My diaper needs changing.” We learned how to persuade other people to serve our needs, and we in turn learned to serve theirs—by ceasing to cry.

By the time a person has been practicing law for a few years, he or she has had the chance to develop and sharpen negotiation skills. But does practice make perfect, or are our negotiation skills merely “good enough”?

This workshop is designed to help participants learn how to make a major leap forward in their negotiation skills.

FRIDAY, MAY 16, 2008

Oregon Convention Center
777 NE Martin Luther King, Jr. Blvd.
Portland, Oregon

5.25 MCLE Credits

Supercharge Your Negotiation Skills!

WHO SHOULD COME?

Everyone!

This negotiation workshop is designed both to expose beginners to a set of important principles and practices that will help lead to better negotiated outcomes for their clients, and also to help experienced practitioners to take inventory of and sharpen essential negotiation skills in a hands-on, practical workshop. For the new lawyer, the benefits of taking part in a negotiation workshop are proven and obvious. For the more experienced practitioner, this is a chance to reinvigorate yourself and to make sure you aren't negotiating on "auto-pilot."

We've chosen subjects and principles that are of practical value to all attorneys—litigators, transactional lawyers, government lawyers, plaintiffs, defense, insurance lawyers, general counsel, mediators and mediation advocates and more. The principles around which the workshop is based are central to the practices of every negotiator.

HOW DOES IT WORK?

The Best Way to Learn Skills: Hands-On Learning

Our workshop is both active and interactive.

In the morning, we will begin with a short presentation and then move into a negotiation role play—an attempt to resolve a dispute arising out of the purchase and sale of a business. Participants will prepare and then negotiate one-on-one on behalf of either the buyer or the seller. After the negotiation, we will "debrief" and learn the variations in the deals, tease out lessons, identify missed opportunities, and share different approaches to problem solving. We will discuss a wide variety of negotiation issues ranging from opening offers and concessions to cooperative and competitive bargaining techniques to concluding and sealing deals.

In the afternoon, we will offer active sessions—lecture, exercises and discussion—of three essential negotiation skills: (1) valuing cases and risks so you know how to value your bottom line (2) persuading others to say yes to your proposals and (3) listening "between the lines" for opportunities to reach better deals.

Throughout the workshop, our coaches will guide participants through the various exercises and role plays in small groups and at times, one on one. Discussions will take place in small settings with a relatively small amount of time spent in large group lecture. Our hope is that a favorable coach-participant ratio will result in personalized learning—each participant in the workshop may improve a different aspect of her negotiation skills—and that’s a terrific outcome.

8:30 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS

9:00 - 9:30 **Introduction and Discussion:
Preparing to Negotiate**

- Systematic preparation
- Offers and concessions
- Designing a process
- Interests, options, alternatives

9:30 - 9:45 **Preparing for the Role Play—
“A Business Dispute”**

9:45 - 10:45 **Negotiate**

10:45 - 11:00 BREAK

11:00 - 11:45 **Debrief and Discussion**

11:45 - 12:30 **Valuing a Case for Settlement**

- Putting a dollar figure on risk—
lecture and exercises

12:30 - 1:30 LUNCH BREAK (on your own)

1:30 - 2:15 **The Psychology of Persuasion**

- Selling your settlement—to the other
side, to your client, to a mediator or
finder of fact—lecture and exercise

2:15 - 2:30 BREAK

2:30 - 3:30 **Improving Your Listening Skills**

- The single place where you stand the
MOST to gain as a negotiator

3:30 ADJOURN

About Your Instructors

We have assembled an all-star team to guide you through the workshop. Our team will act more as coaches than teachers—and these are some experienced negotiators!

CRAIG D. BACHMAN is a trial lawyer and partner at Lane Powell PC and has negotiated hundreds of settlements and deals on behalf of a wide variety of high profile clients. He is passionate about passing on what he has learned to the next generation of lawyers.

JEFFREY M. BATCHELOR is a principal at the firm of Markowitz Herbold Glade & Mehlhaf PC. He is one of Oregon's best appellate attorneys who has become one of Oregon's most highly regarded mediators. Jeff has been a mainstay at OLI dispute resolution events for as long as any of us can remember.

RICHARD BIRKE has been teaching negotiation full time to lawyers and law students for nearly twenty years. He is an Associate Professor of Law at Willamette University and the Director of the Center for Dispute Resolution. Rich has given hundreds of speeches and has trained thousands of professional negotiators.

J. MICHAEL DWYER is a name partner at Dwyer & Miller LLP. He is, among other things, the incoming president of the Multnomah Bar Association and, like Jeff Batchelor, a very successful litigator turned very successful mediator.

MARTIN F. MEDEIROS II is a partner at Swider Medeiros & Haver LLP. Martin has closed thousands of transactions, settlements, and judicial actions. A lecturer to hundreds on his negotiation research, Martin teaches processes that create "cultures of professional negotiators."

INGRID E. SLEZAK has mediated more hours than almost any member of the Oregon State Bar. She is regarded as one of the best family law mediators in the state, and her listening skills and her ability to coach disputants through difficult patches in negotiation are tried, tested, and proven.

CAROLE L. SOUVENIR is Executive Vice President and Chief Legal Officer at Men's Wearhouse, where she manages the Law Department and Employee Relations Department. She is a very experienced trainer and speaker, and a former partner at Miller Nash.

REGISTRATION FORM

Supercharge Your Negotiation Skills!

Friday, May 16, 2008

Name		OSB No. or Profession
Firm/Organization		
Street Address		City/State/Zip
Phone	Fax	E-Mail

Because of the intimate and hands-on nature of the sessions, this workshop does not lend itself to videotaping. Plan on attending in person for a one-of-a-kind experience.

TUITION *(Live presentation only)*

- \$179 "Early Bird" tuition *(received by May 12, 2008)*.
- \$139 "Early Bird" tuition for new attorneys (admitted 2007-2008), paralegals, or secretaries *(received by May 12, 2008)*.
- \$90 Legal aid attorneys *(received by May 12, 2008)*.
- \$15 OLI Annual Pass holder (Pass No. _____).
- \$20 Add to above tuition if registration received *after May 12, 2008*.

ENCLOSED IS \$ _____ BY:

- Check payable to Oregon Law Institute (OLI)
- Credit Card: Acct. # _____
 - VISA MasterCard
- Exp. Date: _____ Signature: _____

Return this form with payment to:
OLI Registrar, Solomon Courthouse
620 S.W. Main St., Suite 706
Portland, OR 97205-3037

...or fax this registration
form including credit
card information to:
(503) 768-6585.

**QUESTIONS? Call (503) 768-6580 or (800) 222-8213.
Check out our website at www.lclark.edu/org/oli
or email us at oli@lclark.edu.**

QUESTIONS? Call (503) 768-6580 or (800) 222-8213.

CONFIRMATION: Confirmation will be sent via e-mail or fax.

CANCELLATION POLICY: Tuition minus a \$20 handling charge will be refunded if the cancellation request is *written and received* by Monday, May 12, 2008.

NEED ASSISTANCE: If you are a person with a disability, please let OLI know in time to make any necessary accommodations for you.

TUITION ASSISTANCE: A limited number of scholarships are available based on financial need. Contact OLI.