

(Free) Effective Legal Negotiation And Settlement

# Effective Legal Negotiation And Settlement

*Charles B. Craver*

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**Charles B. Craver : Effective Legal Negotiation And Settlement** before purchasing it in order to gage whether or not it would be worth my time, and all praised Effective Legal Negotiation And Settlement:

5 of 5 people found the following review helpful. Best in the field of negotiationBy John D. BakerCharles B. Craver is the Freda H. Alverson Professor of Law at the George Washington University Law School and a frequent contributor to The Negotiator Magazine. Professor Craver has taught courses in Legal Negotiating at several Law Schools over many years. Additionally, lawyers will know him for his continuing legal education courses on the negotiation process and alternative dispute resolution and well as for his many books and articles on labor relations, alternative dispute resolution and negotiation. He is, therefore, a true expert in negotiation.Effective Legal Negotiation and Settlement was first published in 1986 and with revised editions every four years or so it has been tested in over sixty law schools and by thousands of lawyers as a negotiation resource. In that time, it has been polished and updated repeatedly and this latest edition is no exception. It is as close to a "must" for every negotiator's reference shelf as you will find.Craver has an easy to read style, bereft of mysterious Latin terminology and legal mumbo-jumbo. It is a practitioner's book exploring the phases of the negotiation process and providing the "nuts and bolts" for moving successfully through any negotiation. It is also a comprehensive guide to the special areas of the field and focuses on them and integrates them into the negotiation spectrum. You will find clear and valuable discussions of negotiating with government agencies, international negotiations, assisted negotiation through mediation as well sections on ethics and a variety of negotiation issues.The book is truly a compendium of information, advice and carefully crafted

illustrations. You will find the entire family of who, what, when, how, where and why always brilliantly represented no matter what the topic. Easy access to the material is through a carefully constructed index as well as through the table of contents. Want to know more about: how to ask questions, reading the meaning of non-verbal signals, opening a negotiation, or crafting and carrying-out a concession strategy in various stages? It is all here and I do mean all. Facial signals? Twenty-nine are described. Negotiating techniques? Twenty-nine separate techniques are described, their risks illuminated and defenses appropriate to each tactic are suggested. Negotiating via e-mail, telephone, letters? Advantages, disadvantages and risks of each method are clearly spelled-out. All that suggested, let me focus briefly on a single area in Professor Craver's work by way of illustration of what you will find in this book. Every negotiator and every sales manager, corporate executive, government or non-profit leader, every union leader needs to know: how to conduct a meaningful and instructive post-negotiation assessment. There is no single area of more importance to managing one's organization than improving its negotiation performance. Professor Craver is correct when he writes that "win or lose ... it is only through objective post-mortems focusing on every negotiating stage that individuals can continuously enhance their negotiating capabilities" (p. 308). Now, here is the real stuff of improving the results of your organization. You must know, whether or not you got the agreement, if you did the best possible in the negotiations. In these times of fractional point margins, you have to know the answer to that question about this deal and from it learn how to better prepare and conduct the next deal. Craver tells you how to conduct that essential review, the questions to ask, the areas to focus on. The rest of the book is, of course, the prescription, but first you have to have an accurate diagnosis. The author guides the reader quickly through the essential aspects of a professional evaluation process. First, we explore the stages of the process and then we move into specific topics of importance in evaluating the performance. He suggests that focus should be placed on some specific elements. For examples, Craver directs the evaluator to a review of the concessions; an assessment of the impact of time pressures; a look at the techniques used, including deceitful ones; an assessment of which party got the most beneficial results; and of course, and study of the mistakes made and new tactics employed. Readers will find a valuable three page checklist for post negotiation reviews at the end of the section. Readers should recognize that although this book was primarily crafted as a law school text and is dauntingly lengthy, it is a rich trove for all negotiators. They may also be surprised that according to research cited by the author, most attorneys settle over 90% of their cases through negotiation and yet have no formal training in negotiation. Additionally, we learn that successful litigators may have no more of negotiation skills than any other effective negotiator. This is, therefore, a book for every negotiator, enriched by the author's experience as a negotiator and a teacher, requiring no legal training for its precepts. It is based on the best of psychological and social science research and, of course, seasoned by legal reason. There is an Appendix with several negotiation training exercises that readers may find most interesting and consider employing for training purposes. Additionally, there is an extensive and carefully updated Bibliography. Best book in the field of negotiation. John Baker, Ph.D. Editor The Negotiator Magazine [...] 5 of 5 people found the following review helpful. The best book written on the subject of legal negotiation. By Per M. Ristvedt There are a lot of books which deals with the the subject of legal negotiation. Since I am currently writing the first book on this subject to be published in Norway, I have read basically all of the books available. Some books are not so good, some books are quite good. Professor Craver's "Effective Legal Negotiation and Settlement" (Fourth Edition) is simply excellent! In my view, both as a Supreme Court Attorney and partner in one of Norway's biggest law firms and as a scholar/author, this is by far the best book on the market. Why? I have three main reasons: 1) Contrary to many other books it does not loose itself in the world of academics or theories. This book is written for lawyers and others who are negotiating in the real world. As a former lawyer, professor Craver has been there himself. He knows what the lawyer is facing and how the lawyer should negotiate both to obtain the maximum result for the client and to be a value creator. 2) The book is backed by references to studies and examples which show that what the author is saying is correct and backed by real life studies. 3) The book is very well-written. It is clear, it is concise and it is easy to follow what the author means, why he means it and where he is going. I could not have competed with professor Craver's book even if my book had been written in English. I have read his book many times, and I will read it again. This is an outstanding book and superb reading. In my view no other book even comes close!! 2 of 9 people found the following review helpful. Average book. By Older and maybe wiser Lots of the material in this book is obvious to anyone over the age of 10. I had to use it in a course on negotiation but got very little from the book. Don't know anything about other books in the field but this is full of cliches. An example: 'If negotiators can induce their opponents to make the initial offers, they can bracket their objectives by adjusting their own opening offers to place their goals near the midpoint between their respective opening positions. For example, if plaintiff attorneys hope to get \$300,000, they can begin with a demand in the \$500,000 range to keep their \$300,000 target in the middle.' One would hope that anyone who has gotten as far as law school would not need to be told such obvious things.

This book includes a comprehensive conceptual framework for the negotiation process. The author provides readers with a thorough understanding of the psychological, sociological, and communicational factors that meaningfully influence negotiation encounters. *Effective Legal Negotiation and Settlement* explores various negotiation stages,

emphasizes the importance of verbal and nonverbal communication, and discusses the different bargaining techniques negotiators are likely to encounter. This Sixth Edition also explores the impact of negotiations involving persons from diverse ethnic backgrounds or of different genders. Public and private international bargaining transactions, in recognition of the increased relevance of such transnational interactions, receive expanded treatment in this edition. The author also reviews the use of neutral mediators to assist negotiators with their interactions, and explains the ethical aspects of the negotiation process. The comprehensive nature of *Effective Legal Negotiation and Settlement* provides readers with a thorough appreciation of the negotiation process and is designed to enhance their bargaining confidence. They will understand the different stages and the objectives to be achieved in each. They will also recognize the various tactics they observe and feel more capable of responding effectively to those diverse approaches.