



Mediation: Conflict, Negotiation and Dispute Resolution for Lawyers

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Getting to Yes: Negotiating Agreement Without Giving In

Principled or Interest-Based Negotiation:

- 1. Decide issues on their merits, not positions
- 2. Seek mutual gains
- 3. Where interests conflict, insist on objective, fair standards
- 4. Get what you're entitled to while maintaining integrity



Getting to Yes

Four Main Principles:

1. People: *Separate the people (relationship problem) from the (substantive/legal) problem*
2. Interests: *Focus on the parties' interests, not their positions*
3. Options: *Generate a variety of possibilities before deciding what to do*
4. Criteria: *Insist that the result be based on some objective and valid criteria*



Getting to Yes

Four Main Principles:

1. Separate the PEOPLE (Relationship Problem) from the (Substantive/Legal) PROBLEM

- Perceptions
- Emotions
- Communications