



Oregon Law Institute  
of Lewis & Clark Law School

*Two programs featuring*  
**NINA MEIERDING!**

## **The Strategic Negotiator**

Our special guest speaker and negotiation expert will teach you how to use competitive and collaborative techniques to achieve better results for your clients, recognize and respond to negotiation tactics, break negotiation deadlocks, and create durable agreements.

**Thursday, February 14, 2013**

**9:00–4:30 • 6.5 General MCLE Credits**

## **The Strategic Mediator**

This all-new training is designed for serious mediators who want to improve their mediation skills, decision-making, instincts, and results!

**Friday, February 15, 2013**

**9:00–4:30 • 6.5 General MCLE Credits**

**AMBRIDGE EVENT CENTER**

1333 NE Martin Luther King Jr. Blvd.  
Portland, Oregon

# The Strategic Negotiator

Thursday, February 14, 2013

9:00–4:30 • 6.5 General MCLE Credits  
Ambridge Event Center

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

9:00–10:30 **Understanding the Negotiation Process—  
And Why the Process Matters**

Nina Meierding begins the seminar with an overview of the negotiation process, including:

- Why intuitive skills are not enough—how to prepare for the process of negotiation as well as the substance of the negotiation
- Discussion and illustration of competitive and collaborative negotiation styles
- Explanation of Axelrod's theory of avoiding exploitation
- The process of competitive negotiation and the predictability of the "distributive dance"
- Questions and answers

10:30–10:45 BREAK

10:45–12:15 **Developing Your Negotiation Strategy and Skills:  
You Can Learn to Be a Better Negotiator**

This session focuses on how competitive negotiations typically play out and how you can improve your negotiation skills.

Discussion topics will include:

- The "distributive dance" in practice
- The art and science of the opening offer
- Recognizing and responding to negotiation tactics; including extreme opening offers, stonewalling, and more
- Questions and answers

12:15–1:15 LUNCH (on your own)

1:15–2:45 **Collaborative Negotiation:  
How to Create Value in Negotiation**

This session introduces the concept of collaborative negotiation and explores how it can lead to even better agreements for your clients and better relationships between the parties. Discussion topics will include:

- The four steps of integrative bargaining
- Developing effective listening and questioning skills
- Determining issues v. interests
- Creating value in negotiation
- Questions and answers

2:45–3:00 BREAK

3:00–4:30 **Breaking Deadlocks and Creating Durable  
Agreements: To Reach an Agreement,  
You Have to Get Creative**

The final session will focus on:

- Resolving impasse, breaking deadlocks, and reviving stalled negotiations
- Causes of resistance to settlement and discuss customized techniques to overcome the different sources of impasse
- Elements of durable agreements and how to create them
- Questions and answers

4:30 p.m. ADJOURN

# The Strategic Mediator

Friday, February 15, 2013

9:00–4:30 • 6.5 General MCLE Credits

Ambridge Event Center

- 8:30 a.m. LATE REGISTRATION AND DISTRIBUTION OF MATERIALS
- 9:00–9:45 **Choosing Between Facilitative and Evaluative Mediation: A Matter of Strategy, Not Style**
- 9:45–10:45 **Convening the Mediation Process: The Beginning Really Does Impact the End**
- 10:45–11:00 BREAK
- 11:00–12:00 **The Art and Science of Separate and Joint Sessions: Choosing With a Reason**
- 12:00–1:00 LUNCH (on your own)
- 1:00–1:45 **Working Effectively with Attorneys: Partnering for Settlement**
- 1:45–2:45 **Achieving a Durable Agreement: Tips for Breaking Deadlocks**
- Mediator's proposals
  - Bracketing
  - Delivery of offers
  - Timing
  - Dealing with reactive devaluation
  - Concessions
- 2:45–3:00 BREAK
- 3:00–4:00 **Achieving a Durable Agreement** (*continued*)
- 4:00–4:30 **Moving Towards Conscious and Unconscious Competence: Transferring Information to Your Working Memory**
- 4:30 p.m. ADJOURN

## About the Speaker

**Nina Meierding** is an expert in negotiation and has taught thousands of lawyers worldwide how to be better negotiators. She was the Director and Senior Mediator of the Mediation Center in Ventura, California from 1986–2007 and has mediated more than 4,000 disputes. Nina is an adjunct professor at Pepperdine University School of Law and Southern Methodist University and has taught communication and culture seminars in England, Ireland, Sweden, Scotland, India, and throughout the U.S.



## **The Strategic Negotiator • Feb. 14**

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The strategic negotiator has the flexibility to shift between competitive and cooperative approaches depending on the circumstances of the case. This course will focus on practical strategies to create durable settlements; including understanding the value of timing and customized moves in competitive negotiations, the importance of the opening offer (and how it is made), and specific techniques to avoid impasse (and move through it when it happens).

- How to maximize your negotiation skills
- How to develop vital listening and tactical questioning skills
- How to use competitive and collaborative negotiation techniques to your advantage
- How to recognize and respond to common negotiation tactics
- How to break deadlocks and revive stalled negotiations
- How to create durable agreements

## **The Strategic Mediator • Feb. 15**

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All mediations are unique. That's why mediators must evaluate the conflict, adjust to the parties and attorneys, and remain thoughtful and flexible throughout the process. Mediators shouldn't do things out of habit or because other mediators do them a certain way. Whatever you do as a mediator should have a purpose. In this training, you'll learn how to approach your mediations strategically and initiate moves for good reasons.

Using real-world examples, stories from her 4,000+ mediations, social science research, and personal insights, Nina Meierding will teach you how to refine your mediation techniques and refresh your practice with new approaches and strategies that really work!

### **QUESTIONS?**

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

Check out our website at [www.lclark.edu/org/oli](http://www.lclark.edu/org/oli)  
or e-mail us at [oli@lclark.edu](mailto:oli@lclark.edu).

## REGISTRATION FORM

# THE STRATEGIC NEGOTIATOR – Thursday, February 14, 2013 THE STRATEGIC MEDIATOR – Friday, February 15, 2013 featuring Nina Meierding

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

### TUITION

#### BOTH PROGRAMS

- \$350 Early registration (received by February 8, 2013)
- \$190 OLI Annual Passholder (OLI Pass No. \_\_\_\_\_) and Oregon judges and their lawyer staff (received by February 8, 2013)
- \$20 Add to above tuition if registration received after February 8, 2013

#### INDIVIDUAL PROGRAMS:

- The Strategic Negotiator*
  - \$195 Early registration (received by February 8, 2013)
  - \$115 OLI Annual Passholder (OLI Pass No. \_\_\_\_\_) and Oregon judges and their lawyer staff (received by February 8, 2013)
- \$20 Add to above tuition if registration received after February 8, 2013
- The Strategic Mediator*
  - \$195 Early registration (received by February 11, 2013)
  - \$115 OLI Annual Passholder (OLI Pass No. \_\_\_\_\_) and Oregon judges and their lawyer staff (received by February 11, 2013)
- \$20 Add to above tuition if registration received after February 11, 2013

Note: CDs and DVDs will not be available.

#### COURSE MATERIALS *Included with registration. Please select one:*

- Electronic course book (a link to a PDF of the materials will be emailed no later than 48 hours prior to the seminar date)
- Print version

### LIVE WEBCAST REGISTRATION

*The Strategic Negotiator* will be broadcast LIVE over the internet on Thursday, February 14, 2013, and *The Strategic Mediator* on Friday, February 15, 2013 starting at 9:00 a.m. Pacific Time. You may access these events from anywhere with an established internet connection. The webcast will include video and audio of the speaker and seminar handout materials—all on your computer! To register for the live webcast, please click here or go to our website at <http://go.lclark.edu/oli> and click on "Webcasts."

ENCLOSED IS \$ \_\_\_\_\_ BY:

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

Return this form with payment to:  
OLI Registrar  
620 SW Main Street, Ste. 706  
Portland, OR 97205-3037

...or fax (503-768-6585) or e-mail  
(oli@clark.edu) this registration form to  
OLI, including credit card information.

**CONFIRMATION:** Confirmation will be sent via e-mail.

**CANCELLATION POLICY:** Tuition minus a \$25 handling charge will be refunded if the cancellation request is written and received by Friday, February 8, 2013.

**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.