

**LAWYER TO LAWYER MENTORING PROGRAM**  
**WORKSHEET JJ**  
**INTRODUCTION TO NEGOTIATION**

Worksheet JJ is intended to facilitate a discussion about the most important points about negotiation with another lawyer and potential issues associated with negotiations.

\* \* \*

- Discuss how a lawyer should prepare for negotiation of a legal matter, including when and how negotiation should be initiated, particularly in the new lawyer's area of practice.
- Discuss ways to involve the client in negotiation.
- Share with the new lawyer tips for negotiating with an attorney with years of experience, with a friend, with someone with whom you do not get along, etc.
- Discuss the ethics and professionalism issues in negotiating on behalf of your client.

Talk about the skills that are needed to be an effective negotiator and how to acquire them.

Share "best practices" with the new lawyer on how to appropriately deal with others on behalf of your client. Review the tips in the attached article. Jeffrey D. Diener, *When Negotiating, Shed Your Armor*, THE YOUNG LAWYER, Vol. 10, No. 7, May 2006 <http://www.abanet.org/yld/tyl/may06/may06.html>

➤ Share with the new lawyer "war" stories of attorneys who have ultimately harmed their client because of their incivility and lack of consideration in dealing with opposing counsel, the judge, or the jury.

➤ Read and discuss the attached. David J. Abeshouse, *Civility and Negotiations*, GPSOLO MAGAZINE, Oct./Nov. 2005 <http://www.abanet.org/genpractice/magazine/2005/oct-nov/civilitynegotiation.html>; Stewart Levine, *Developing the Attitude of Resolution*, LAW PRACTICE TODAY, Sept. 2005. <http://www.abanet.org/lpm/lpt/articles/mba09061.shtml>