

Contents

Introduction.....	vii
Inspirations for this Book.....	xi
Overview of this Book.....	xvii
Introduction to the Second Edition.....	xxiii
Dedication	xxvii
About the Author.....	xxix

CHAPTER 1

How Lawyers and Clients Can Benefit from Planned Early Negotiation	1
---	---

CHAPTER 2

Establishing Good Lawyer-Client Relationships	21
---	----

CHAPTER 3

Billing Systems: Managing the Financial Relationship between
Lawyers and Clients 39

CHAPTER 4

Establishing Good Working Relationships with
Other Lawyers in a Case..... 51

CHAPTER 5

Overview of Negotiation Techniques Generally..... 67

CHAPTER 6

Planning and Conducting Planned Early Negotiation 87

CHAPTER 7

Handling Problems in Negotiation..... 109

CHAPTER 8

Engaging Additional Professionals..... 127

CHAPTER 9

Improving the Quality of Your Negotiation..... 143

CHAPTER 10

Dealing with Ethical Issues..... 151

APPENDIXES

A. Conflict Analysis Questionnaire for Clients..... 171

B. Early Case Assessment Guidelines 175

C. Factors Affecting Appropriateness of Mediation, Collaborative Law, and Cooperative Law Procedures.....	191
D. Client Information about Collaborative Representation	199
E. Client Information about Cooperative Representation	207
F. Client Information about Settlement Counsel.....	213
G. Client Information about Privacy in Collaborative Cases	221
H. Attorney Retainer Agreement for Collaborative and Cooperative Cases	225
I. Provisions for Attorney Retainer Agreement for Settlement Counsel Cases	229
J. Attorney Compensation Clauses	233
K. Letter to Clients about Lawyer’s Philosophy of Practice.....	239
L. Letter to Other Party Inviting Negotiation.....	243
M. Checklist for Conversation with Other Lawyers	247
N. Checklist for Preparing Clients for First Negotiation Session.....	251
O. Checklist for First Negotiation Session.....	255
P. Agreement to Negotiate in Collaborative Cases.....	259
Q. Agreement to Negotiate in Cooperative Cases.....	267
R. Agreement for Joint Retention of Neutral Professional	275
S. Stipulation for Confidential Mini-Evaluation.....	279
T. Contract Provision for Early Negotiation of Future Disputes	283
U. Self-Assessment Form—General.....	287
V. Self-Assessment Form—Negotiation	289
W. Client Assessment Interview.....	291

BIBLIOGRAPHY

Legal Practice	300
Negotiation	311
Collaborative Law	320
Cooperative Law	325
Settlement Counsel	326
Dispute System Design	326
Promoting Quality of Dispute Resolution	333

INDEX	337
--------------------	-----