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# NEGOTIATION SKILLS FOR IN-HOUSE LAWYERS

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## WHAT MAKES A GOOD NEGOTIATOR?

- RECOGNIZE THAT LIFE IS A NEGOTIATION.
- LEARN, EMBRACE, AND FLEX YOUR  
OWN STYLE.
- PLAN ... THEN PLAN SOME MORE.



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# STRATEGIC PLANNING

- UNDERSTAND THE CONTEXT.
- KNOW THE TEAM—ON BOTH SIDES.
- KNOW THE DOCUMENTS.
- *ANTICIPATE.*

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# SET THE TONE

- BUILD RELATIONSHIPS EARLY BY:
- GIVING REAL INTRODUCTIONS.
- MAKING SMALL TALK.
- USING NAMES.
- DON'T ASSUME.
- LISTEN INTENSELY ...
- AND **PROVE IT.**

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## SET THE TONE – COVID

- HARDER WHEN VIRTUAL.
- KEEP CAMERAS ON.
- FIND SHARED EXPERIENCE.
- 2020.
- DEFER CONTENTIOUS ITEMS.

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## MAINTAIN THE TONE

- Ask open-ended questions.
- Ask follow-up questions.
- Always **lead with the positive.**
- Always explain why or why not.

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## TIPS FOR THE NEGOTIATION TABLE

### USE YOUR BACK POCKET

- Not every compromise needs to be offered up front.
- Be strategic on when (and how) to make them.

### BREAK BIG CONCERNS DOWN

- Show empathy.
- Create more compromise.
- Build momentum.

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## EVERY COMPROMISE MATTERS

- EVEN SEEMINGLY SMALL CONCESSIONS CREATE POSITIVITY.
- DON'T BE AFRAID TO GET CREDIT FOR ALL WE DO.

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## **GIVE A FAST NO (IF TRULY NECESSARY)**

- MANAGEMENT IS CUSTOMER-CENTRIC; YOU SHOULD BE TOO.
- BUT IF SOMETHING'S NOT POSSIBLE, SAY SO QUICKLY.

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## **FRAME A FRIEND**

- PEOPLE RESPOND DIFFERENTLY TO THE SAME CHOICE BASED ON HOW IT'S PRESENTED.
- LEARN TO THINK FROM THEIR PERSPECTIVE.
- TRY TO OFFER **ALTERNATIVES**.

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**NEVER  
CREATE  
AN ENEMY**

- WHEN EMOTIONS RUN HIGH, KNOW THAT THE OTHER SIDE ISN'T THE PROBLEM—THE UNRESOLVED ISSUE IS.
- USE A **LABEL** TO VALIDATE, DIFFUSE THE EMOTION.
- TAKE A STEP BACK AND FOCUS ON THE OVERALL GOAL.
- STAY SOLUTION-FOCUSED.

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**THANK YOU!**

WE HOPE THIS HELPS YOU ACHIEVE ALL  
YOUR GOALS, PROFESSIONALLY AND  
PERSONALLY!

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