

Books

WILLIAM J. BARRY, APPROPRIATE DISPUTE RESOLUTION (2017).

This book is designed specifically for paralegal students. It discusses the nature and dynamics of conflicts and resolution methods, and compares them against traditional litigation.

{60} ADR — GENERAL
{73} SUBJ MATTER — GENERAL
{136} ECONOMIC ADVANTAGES OF ADR

STEVE BERENSON, FAMILY LAW LITIGATION (2017).

This book serves as an advanced text covering the practice of family law and focuses on litigation in this field. Since almost all family law disputes end with a negotiated agreement, the book also specifically explains basic theoretical concepts surrounding legal negotiations and how an attorney may apply these concepts to the practice of family law.

{1} NEGOTIATION — GENERAL
{85} SUBJ MATTER FAMILY (DOMESTIC REL.)
{123} PRESSURES TO SETTLE

KRISTEN M. BLANKLEY & MAUREEN A. WESTON, UNDERSTANDING ALTERNATIVE DISPUTE RESOLUTION (2017).

This book, structured as a concise treatise on alternative dispute resolution, provides basic framework and explanation for understanding the different processes involved in resolving disputes outside of the courtroom. It discusses negotiation, mediation, collaborative law, arbitration, and other ADR processes as well as provides clarity of legal issues related to mediation and arbitration.

{60} ADR — GENERAL
{73} SUBJ MATTER — GENERAL
{155} TEACHING

MICHAEL ROSS FOWLER, MASTERING NEGOTIATION (2017).

This book provides a comprehensive summary of the key stages of the negotiation process, including choosing an approach, preparing to negotiate, initiating talks, moving to substantive bargaining and problem-solving, overcoming common difficulties, and closing a deal. The text also focuses on the issues of negotiation strategies. Finally, the book discusses a variety of niche negotiation topics, such as cross-cultural negotiations and group negotiations.

{1} NEGOTIATION — GENERAL

{73} SUBJ MATTER— GENERAL

{123} SETTLEMENT: PRESSURES TO SETTLE

ROGER S. HAYDOCK, & PETER B. KNAPP, *LAWYERING: PRACTICE AND PLANNING* (4th ed. 2017).

This book explains the fundamental lawyering skills, theories, values, relationships, and ethics for students in lawyering skills and clinical courses. Part two of this text is most relevant to ADR. It describes successful transactional and dispute resolution techniques for students.

{60} ADR— GENERAL

{73} SUBJ MATTER: GENERAL

{136} ECONOMIC ADVANTAGES OF ADR

FRED E. JANDT, *CONFLICT AND COMMUNICATION* (1st ed. 2017).

This book takes on a study of conflict and communication. The author pulls from past academic studies to analyze how conflict impacts our daily lives. The discussion centers around the belief that conflict is an inevitable aspect of life, and argues that the way we communicate can directly affect how we manage the positive and negative outcomes that result from the conflicts we face.

{60} ADR — GENERAL

{81} SUBJ MATTER: CORPORATE

{136} ECONOMIC ADVANTAGES OF ADR

CRISTINA C. KNOLTON & H. NYREE GRAY, *WIN OR GO HOME: A GUIDE TO NEGOTIATION SUCCESS IN COMPETITION AND IN LIFE* (2017).

This book discusses useful negotiation techniques that can be used for competitions or for every day experiences. The author recommends a myriad of techniques to improve negotiations strategy. These techniques range from organization, to critically understanding and analyzing the facts, to usage of laws and other interesting negotiation techniques. Likened to a game of chess, the authors review critical components of a solid negotiations strategy to help the reader plan out a complete negotiating strategy in advance.

{1} NEGOTIATION — GENERAL
 {73} SUBJ MATTER: GENERAL
 {155} TEACHING

JULIE MACFARLANE, *THE NEW LAWYER: HOW CLIENTS ARE TRANSFORMING THE PRACTICE OF LAW* (2d ed. 2017).

This book contains a chapter on legal negotiations. It explains the concept of “litigotiation”, the norms of legal negotiations, and the structure of legal negotiations. Additionally, it concludes with the potential to change the culture of legal negotiations.

{1} NEGOTIATION — GENERAL
 {79} SUBJ: CONSUMER
 {123} PRESSURES TO SETTLE
 {151} ROLE OF LAWYERS

DUFF MCKEE, *MEDIATION MECHANISMS: DISTRIBUTIVE NEGOTIATION IN LITIGATION* (2017).

This book is about the process of settling lawsuits through the process of negotiation. The author draws from years of practice as a litigator and a judge and discusses successful negotiation strategies. Although centered on the process of settling civil lawsuits, the techniques and strategies examined might be used by anyone involved in a high pressure or competitive negotiation.

{1} NEGOTIATION — GENERAL
 {73} SUBJ MATTER: GENERAL

{123} SETTLEMENT: PRESSURES TO SETTLE

JOHN GRAHAM MERRILLS, *INTERNATIONAL DISPUTE SETTLEMENT* (6th ed. 2017).

This book offers an overview of how the negotiation, mediation, and arbitration processes work, especially in light of delicate international relations. It explains various techniques for peaceful settlements, how they work, and when they are most effective. The author draws connections between international world events such as the changes in Eastern Europe and the formation of the World Trade Organization and how such large, cross-border must utilize alternative dispute resolution methods.

{60} ADR — GENERAL

{92} SUBJ MATTER: INT’L

{124} COMPARISONS: CROSS-CULTURAL

FORREST S. MOSTEN & ELIZABETH POTTER SCULLY, *UNBUNDLED LEGAL SERVICES: A FAMILY LAWYER’S GUIDE* (2017).

This book includes a chapter discussing the role of family lawyers in selecting dispute resolution processes. The chapter outlines ways in which family lawyers can share their knowledge of ADR processes with their clients in order to limit the negative impact on future relationships and on children as well as to minimize the financial transaction costs frequently associated with family legal matters.

{60} ADR — GENERAL

{85} SUBJ MATTER: FAMILY (DOMESTIC REL.)

{136} ECONOMIC ADVANTAGES OF ADR

JOHN B. WOOD, *NEGOTIATING COMMERCIAL LEASES 2017* (3rd ed. 2017).

Wood provides a compilation of advice to tenants and lawyers trying to navigate the liability and malpractice minefield of leases. The book analyzes this year's popular disputes and litigation, suggests numerous

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negotiation strategies, and discusses default remedies and issues that arise in arbitration versus litigation when deciding complex real estate issues. It also examines alternative strategies for securing a landlord's performance and other popular topics in the landlord-tenant context.

- {1} NEGOTIATION — GENERAL
- {75} SUBJ MATTER: COMMERCIAL
- {90} SUBJ MATTER: RENTAL HOUSING
- {151} ROLE OF LAWYERS

