

## **BOOK ENTRIES ALPHABETIZED BY AUTHOR LAST NAME**

**AMERICAN BAR ASSOCIATION, ALTERNATIVE DISPUTE RESOLUTION: A PRACTICAL GUIDE FOR RESOLVING GOVERNMENT CONTRACT CONTROVERSIES (2005).**

This text provides a discussion of alternative dispute resolution methodologies for the resolution of contract controversies that might arise in the context of federal government contracts. This edition adds a section on agency-level bid protest ADR and a more complete discussion of ADR at the Boards of Contract Appeals and U.S. Court of Federal Claims. While providing updated materials, this source continues to serve as a useful resource for both ADR professionals and those with little or no experience in ADR techniques.

{60} ADR—GENERAL

{88} SUBJ MATTER: GOV'T CONTRACTS

{151} ROLE OF LAWYERS

**SARAH ARMSTRONG ET AL., INTERMEDIARY SERVICES IN POST ADOPTION REUNION: A RESOURCE AND TRAINING GUIDE FOR COUNSELLORS ASSISTING IN FAMILY REUNION (2005).**

This book provides counsellors working in the field of family reunion with theory and practical information on post-adoption mediation. The mediation can mean “negotiating the very first contact between parties, or facilitating the mending of fractured relationships.” The publication also includes a training packet for counsellors.

{21} MEDIATION—GENERAL

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

{155} TEACHING

**RAWWIDA BAKSH ET AL. (EDS.), GENDER MAINSTREAMING IN CONFLICT TRANSFORMATION: BUILDING SUSTAINABLE PEACE (2005).**

By focusing on gender, politics, peace, conflict prevention, and resolution, this book incorporates analysis from case studies and symposiums as policy tools to contribute to gender mainstreaming and building sustainable peace. This book’s main premise is that gender equality must be placed on the policy and program agenda of peace and conflict-related initiatives to achieve conflict transformation.

{60} ADR—GENERAL

{77} SUBJ MATTER: COMMUNITY

{92} SUBJ MATTER: INT’L

{134} DISPUTE PREVENTION

**ROBERT A. BARUCH BUSH & JOSEPH P. FOLGER, THE PROMISE OF MEDIATION: THE TRANSFORMATIVE APPROACH TO CONFLICT (2004).**

The award-winning first edition of *The Promise of Mediation*, published ten years ago, first articulated the “transformative model” of mediation, which greatly humanized the vision of how the mediation process could help parties in conflict. In the past decade, the transformative model has proved itself and gained increasing acceptance; it is now being used in a diverse array of legal and social arenas. In this new edition, the authors draw on a decade of work in theory development, training, practice, research, and assessment to present a thoroughly revised and updated account of the transformative model of mediation and its practical application.

{21} MEDIATION—GENERAL

{73} SUBJ MATTER: GENERAL

**MAX H. BAZERMAN (ED.), NEGOTIATION, DECISION MAKING AND CONFLICT MANAGEMENT (2005).**

This multi-volume collection discusses the economic and behavioral approaches to negotiation and conflict resolution. Volume one offers literary reviews, a collection of Nobel Prize winning economic models of negotiation, and behavioral research seeking to explain pattern in people’s negotiation choices. Volume two looks at the cognitive biases of people and at questions of fairness and justice. Volume three considers the prisoner and social dilemmas, third-party and multi-party contexts, as well as learning how to improve from one negotiation to another.

{60} ADR—GENERAL

{73} SUBJ MATTER: GENERAL

**HAL BECKER & JOHN LIEF, GET WHAT YOU WANT!!: A FUN, UPBEAT, AND FRESH APPROACH TO NEGOTIATING!! (2005).**

This book provides the non-lawyer with a simple guide to negotiating skills that can be used in the context of everyday interactions with other people. The authors have designed this work for social and professional negotiation contexts.

{1} NEGOTIATION—GENERAL

{77} SUBJ MATTER: COMMUNITY

{155} TEACHING

**MARK D. BENNETT & SCOTT HUGHES, THE ART OF MEDIATION (2005).**

The authors adapt for mediators the National Institute for Trial Advocacy’s approach to performance-based training for trial lawyers. This second edition provides basic definitions, describes various methods of mediation, and discusses the role of mediators. In addition to providing sample forms of

mediation agreements, the book also contains a section devoted to practical issues about mediation as a profession.

- {21} MEDIATION—GENERAL
- {83} SUBJ MATTER: EDUCATION
- {151} ROLE OF LAWYERS
- {155} TEACHING

**LAURENCE BOULLE, MEDIATION: PRINCIPLES, PROCESS, PRACTICE (2005).**

This is a practical guide to mediation in the United Kingdom. It discusses topics ranging from the principles and policies of mediation, to the roles and functions in mediation, to the skills and techniques of mediators.

- {21} MEDIATION—GENERAL
- {73} SUBJ MATTER: GENERAL
- {136} ECONOMIC ADVANTAGES OF ADR
- {151} ROLE OF LAWYERS

**MICHAEL R. CARRELL ET AL., COLLECTIVE BARGAINING SIMULATED (2005).**

Smith, Carrell, and Golden's simulation game is based on the labor agreement of a large corporation. In reaching a negotiated labor agreement, students are encouraged to consider the economic indicators of the corporation as well as relevant non-economic factors. The simulation allows teams of students to negotiate against each other or against a computer opponent.

- {1} NEGOTIATION—GENERAL
- {95} SUBJ MATTER: LABOR—MANAGEMENT (UNION)
- {155} TEACHING

**ROBYN CLAREMONT & LOUISE DAVIES, COLLABORATIVE CONFLICT MANAGEMENT (2005).**

The book is a guide to the principles of collaborative conflict management. Collaborative conflict management approaches working through disputes by involving the views and interests of everyone. By helping people work productively through conflict, collaborative conflict management can help sustain relationships.

- {53} COLLABORATIVE LAW—GENERAL
- {73} SUBJ MATTER: GENERAL
- {134} DISPUTE PREVENTION

**JOHN W. COOLEY, CREATIVE PROBLEM SOLVER'S HANDBOOK FOR NEGOTIATORS AND MEDIATORS: A PRACTICAL APPROACH (2005).**

This handbook is designed for use by negotiators and mediators to facilitate creative problem solving strategies. It serves as a guide to practitioners, providing problem solving methods, tools, and techniques. The guide assists practitioners in applying problem solving in both dispute and transaction negotiation and mediation. Along with practical advice, this handbook also includes basic information including definitions and descriptions of basic thinking processes.

{1} NEGOTIATION—GENERAL

{21} MEDIATION—GENERAL

{155} TEACHING

**CHARLES B. CRAVER, EFFECTIVE LEGAL NEGOTIATION AND SETTLEMENT (2005).**

This practitioner's book explores the phases of the negotiation process and provides the essentials for moving successfully through any negotiation. It is also a comprehensive guide to special areas of the field, while focusing on and integrating them into the negotiation framework. This book includes clear and valuable discussions of negotiating with government agencies, international negotiations, and assisted negotiation through mediation. It also includes sections on ethics and a variety of negotiation issues.

{1} NEGOTIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**DANNY CROSSMAN, SHARED SOLUTIONS: THE 7 STEPS FOR RESOLVING ISSUES AND SOLVING PROBLEMS SUCCESSFULLY (2005).**

The book provides a 7-step process called Shared Solutions to resolve a variety of issues and problems. The book lists these steps and explains their application to different conflict situations. The steps discussed include: participation, preparation, establishing constructive dialogue, developing a shared understanding, exploring options, designing an outcome, and finalizing.

{60} ADR—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**JAYNE SEMINARE DOCHERTY, THE LITTLE BOOK OF STRATEGIC NEGOTIATION: NEGOTIATING DURING TURBULENT TIMES (2005).**

This author offers suggestions for how negotiation strategies should be modified depending on context. The recommended strategies focus on the frequent occasions in which negotiation occurs outside of a stable setting—for example, during times of social or organizational change. Docherty's

approaches address the varying needs of negotiating parties with an emphasis on minimizing the negative consequences of conflict.

- {1} NEGOTIATION—GENERAL
- {77} SUBJ MATTER: COMMUNITY
- {102} SUBJ MATTER: PUBLIC POLICY
- {134} DISPUTE PREVENTION

**DANIEL DRUCKMAN, DOING RESEARCH: METHODS OF INQUIRY FOR CONFLICT ANALYSIS (2005).**

This book is a research text principally addressing conflict analysis and resolution. It discusses how to do research, various methodologies for research, and formulating questions for research. Specifically, the book presents various methods for approaching the analysis of problems of conflict across the social sciences.

- {38} NON-BINDING RECOMMENDATION PROC—GENERAL
- {77} SUBJ MATTER: COMMUNITY
- {124} COMPARISONS: CROSS-CULTURAL

**DESMOND ELLIS & DAWN ANDERSON, CONFLICT RESOLUTION: AN INTRODUCTORY TEXT (2005).**

In this introductory level textbook, the author provides definitions of conflicts and disputes, and also explains the processes for settling or resolving conflicts and disputes. The text discusses mechanisms involved in negotiation, mediation, arbitration, and adjudication. It also offers real and fictional fact scenarios, as well as cases for resolving conflicts in a variety of areas.

- {60} ADR—GENERAL
- {83} SUBJ MATTER: EDUCATION
- {155} TEACHING

**ANTONIA ENGEL & BENEDIKT KORF, NEGOTIATION AND MEDIATION TECHNIQUES FOR NATURAL RESOURCE MANAGEMENT (2005).**

This book teaches individuals how to deal with conflicts that disrupt natural resource management and impede development, thus causing outbreaks of violence. The authors analyze how negotiation and consensus building can be used to manage conflict and provide a practical, step-by-step guide on how to establish and manage a process of consensual negotiations involving multiple stakeholders. This book is primarily intended for practitioners working on collaborative natural resource management.

- {1} NEGOTIATION—GENERAL
- {84} SUBJ MATTER: ENVIRONMENT
- {137} EFFECT OF PROCESS ON NON-PARTICIPATORY PARTIES

**ROGER FISHER & DANIEL SHAPIRO, BEYOND REASON: USING EMOTIONS AS YOU NEGOTIATE (2005).**

The author argues that negotiators can benefit by using their emotions in negotiations ranging from conducting business deals to establishing familial policies. Utilizing emotions, which inevitably surround negotiators, can clarify what the negotiator wants and how the negotiator can go about furthering these objectives. Addressing core concerns of appreciation, affiliation, autonomy, status, and roles will generate valuable emotions that can help achieve the results the negotiator wants.

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

**MARI FITZDUFF & CHRIS STOUT (EDS.), THE PSYCHOLOGY OF RESOLVING GLOBAL CONFLICTS: FROM WAR TO PEACE (2005).**

In a three-volume publication, a group of experts analyze psychological issues of war, conflict resolution, and stable peace. The authors examine models for resolving conflict and building peace, with separate sections addressing, among other topics, ethnopolitical conflict, diplomacy, and the role of “voice”.

{60} ADR—GENERAL  
 {92} SUBJ MATTER: INT’L  
 {137} EFFECT OF PROCESS ON NON-PARTICIPATORY PARTIES

**FMCS INSTITUTE, MEDIATION SKILLS FOR THE WORKPLACE (2005).**

This book, authored by the Federal Mediation & Conciliation Service, is designed to prepare an organization to use collaborative problem-solving methods to resolve workplace disputes. The book suggests that mediation is preferable to expensive and time-consuming litigation in order to resolve superior-subordinate, equal employment opportunity, and peer disputes.

{21} MEDIATION—GENERAL  
 {93} SUBJ MATTER: LABOR—GENERAL  
 {136} ECONOMIC ADVANTAGES OF ADR

**JAY FOLBERG ET AL., RESOLVING DISPUTES: THEORY, PRACTICE, AND LAW (2005).**

This comprehensive text on dispute resolution is an ideal and up-to-date text for the new generation of practice-oriented dispute resolution courses. This book captures a lawyer’s perspective on resolving disputes effectively and prepares students to represent clients in all forms of alternative dispute resolution.

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

**JOSEPH P. FOLGER ET AL., WORKING THROUGH CONFLICT: STRATEGIES FOR RELATIONSHIPS, GROUPS, AND ORGANIZATIONS (2005).**

This textbook provides an introduction to conflict management that is firmly grounded in current theory and research. To reflect current trends in understanding conflict, this edition broadens the definition of conflict thereby emphasizing incompatibility of communication styles and behaviors. Included is a new case study that deals with conflict in family settings. Coverage of culture and climate is combined with the core properties of communication.

{60} ADR—GENERAL  
 {73} SUBJ MATTER: GENERAL  
 {134} DISPUTE PREVENTION  
 {155} TEACHING

**GARY T. FURLONG, THE CONFLICT RESOLUTION TOOLBOX: MODELS & MAPS FOR ANALYZING, DIAGNOSING, AND RESOLVING CONFLICT (2005).**

This book discusses the various tools that can be used in alternative dispute resolution by practitioners. The book is organized around eight models of conflict resolution that are each broken down to illustrate their respective abilities to analyze, diagnose, and resolve conflict. Designed for use by all types of professionals, this book allows different people to use different methods tailored to resolve different conflicts.

{60} ADR—GENERAL  
 {73} SUBJ MATTER: GENERAL  
 {134} DISPUTE PREVENTION  
 {155} TEACHING

**MICHAL GLAZEWSKI & LECH SALACINSKI, CONFLICTS, MEDIATION, THE YOUTH (2005).**

The authors of the book are involved in European projects that have the common goal of supporting all initiatives leading to social development and international cooperation within the framework of uniting Europe. In the book, the authors present their reports on studies of various countries that are attempting to deal with specific social and educational problems. In addition to these reports, the authors share their ideas, concepts, and conclusions.

{21} MEDIATION—GENERAL  
 {83} SUBJ MATTER: EDUCATION  
 {134} DISPUTE PREVENTION

**ALLAN H. GOODMAN**, *BASIC SKILLS FOR THE NEW MEDIATOR* (2005).

This book provides an overview of the entire mediation process, from the premeditation conference through all stages of the mediation session. This book teaches one how to establish authority as a mediator, schedule the mediation session, deliver the mediator's opening statement, prioritize issues, preside over joint sessions and private caucuses, overcome impasses in settlement discussions, deal with parties who lack settlement authority, and achieve a viable settlement.

{21} MEDIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**DEBORAH GOODWIN**, *THE MILITARY AND NEGOTIATIONS: THE ROLE OF THE SOLDIER-DIPLOMAT* (2005).

This book investigates the role of the modern soldier/diplomat and the nature of military negotiation, compared with negotiation in other contexts. It examines the military's role in current operations as negotiators and liaison workers in the field. Some of the subjects include reviews of military negotiation literature and theories from proximate disciplines, problems facing soldiers in negotiation contexts, case-studies, and proposals for new models of military negotiation.

{1} NEGOTIATION—GENERAL

{87} SUBJ MATTER: GOV'T

{96} SUBJ MATTER: EMPLOYMENT (NON-UNION)

**THOMAS F. GUERNSEY & PAUL J. ZWIER**, *ADVANCED NEGOTIATION AND MEDIATION THEORY AND PRACTICE: A REALISTIC INTEGRATED APPROACH* (2005).

This book describes the advantages associated with both adversarial and problem-solving strategies and then explains how to combine elements from both strategies to achieve the best results for clients. Throughout the book, real-life situations are used to demonstrate and support the process.

{1} NEGOTIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{151} ROLE OF LAWYERS

**MARGARET S. HERRMAN**, *THE BLACKWELL HANDBOOK OF MEDIATION: BRIDGING THEORY, RESEARCH, AND PRACTICE* (2005).

This handbook takes an interdisciplinary approach to mediation, emphasizing both internal and external factors as important sources of influence when negotiating conflicts. It explores the cultural and institutional frameworks that have shaped intervention processes; and it considers which intervention



techniques might work when, how, and why. Particular topics covered include: understanding variation in mediation programs; the dynamics of power in child custody mediation; pre-mediation strategies for dealing with strong emotions; and developing a conflict-positive organization.

{21} MEDIATION—GENERAL

{73} SUBJ MATTER: GENERAL

**MONIRUL HUSSAIN (ED.)**, *COMING OUT OF VIOLENCE: ESSAYS ON ETHNICITY, CONFLICT RESOLUTION, AND PEACE PROCESS IN NORTH-EAST INDIA* (2005).

The book examines the emergence of conflict and application of conflict resolution in north-east India, which is comprised of several states: Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, and Tripura. The constant conflict has grown to include fights among insurgent groups and even against the society to which they belong. It analyzes some of the conflicts and explores possible ways to resolve the disputes.

{60} ADR—GENERAL

{77} SUBJ MATTER: COMMUNITY

{124} COMPARISONS: CROSS-CULTURAL

**ROSS HYAMS ET AL.**, *PRACTICAL LEGAL SKILLS* (2005).

Designed for classroom instruction on practical lawyering skills, this book includes chapters on basic negotiation strategies and goals, as well as mediation techniques. Emphasis is placed on identifying and fulfilling clients' goals while keeping ethics and practical considerations in mind.

{1} NEGOTIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**DAVID W. JOHNSON & ROGER JOHNSON**, *TEACHING STUDENTS TO BE PEACEMAKERS* (2005).

This book notes the escalation in violence in schools and suggests that it is related to a student's inability to manage conflicts. The author details the implementation of several strategies including teaching students to negotiate, teaching students peer mediation, and other various alternatives.

{21} MEDIATION—GENERAL

{83} SUBJ MATTER: EDUCATION

{134} DISPUTE PREVENTION

{155} TEACHING

**MARK JUERGENSMEYER**, *GHANDI'S WAY: A HANDBOOK OF CONFLICT RESOLUTION* (2005).

The author recommends using Gandhi's approach toward conflict resolution. The author offers advice on how to redirect the focus of the conflict from persons to principles, on how to determine one's true position in an argument, on how to cope with a recalcitrant opponent, and on how to determine when a conflict is truly resolved. This book explores Gandhi's step-by-step approach to conflict resolution in any arena: at home; in business; and in local, national, or international areas. The book sets out Gandhi's basic methods and illustrates them with practical examples to show how parties can rise above self-interest to find resolutions that are beneficial and satisfying to all.

{60} ADR—GENERAL

{73} SUBJ MATTER: GENERAL

{134} DISPUTE PREVENTION

{155} TEACHING

**HON. ERWIN I. KATZ (RET.) ET AL.**, *ABI GUIDE TO BANKRUPTCY MEDIATION: A GUIDE FOR ATTORNEYS AND CLIENTS CONCERNING THE USE OF MEDIATION TO RESOLVE DISPUTES ARISING IN BANKRUPTCY CASES* (2005).

The ABI Guide to Bankruptcy Mediation explains why, when, and how mediation can be used in bankruptcy cases. It also provides "how to" guidance with respect to the most common kinds of mediation issues that arise in bankruptcy cases. Suggested procedures adapted to the particular requirements of bankruptcy cases, as well as checklists and cross-references to other bankruptcy-related mediation resources, are also included.

{21} MEDIATION—GENERAL

{74.5} SUBJ MATTER: BANKRUPTCY

{155} TEACHING

**MARTHA E. KENDALL**, *CONFLICT RESOLUTION: POSITIVE ACTIONS, GRADES K-1* (2005).

Geared for younger readers, this book helps students understand the nature of conflict in the classroom. This guidebook provides students with tools to develop the strategies for resolving difficult situations through role-playing and dialogue. Topics include personal space, sharing, accepting others' differences, and bullying.

{60} ADR—GENERAL

{83} SUBJ MATTER: EDUCATION

{134} DISPUTE PREVENTION

{155} TEACHING

**PETER D. LADD**, *MEDIATION, CONCILIATION AND EMOTIONS: A PRACTITIONER'S GUIDE FOR UNDERSTANDING EMOTIONS IN DISPUTE RESOLUTION* (2005).

This book explains how to understand and deal with the emotions of anger, resentment, revenge, apathy, guilt, egotism, greed, jealousy, anxiety, and hatred. One chapter deals with mediation, presenting case studies and advice on relevant mediation practices. The remaining chapters deal with conciliation. Each chapter presents a case study, discusses how to understand the emotional climate, explores conciliation practices, describes the healthier alternative emotional climate, and presents a conciliation exercise.

{60} ADR—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**SHARON D. LANG**, *SHARAF POLITICS: HONOR AND PEACEMAKING IN ISRAELI-PALESTINIAN SOCIETY* (2005).

The book discusses sulha, a method of alternative dispute resolution, similar to mediation, used in Israeli-Palestinian society. Through this process, political disputes are resolved with the help of a mediator who is most often a male elder. The book outlines sulha's framework and describes disagreements that have been successfully settled because of it.

{21} MEDIATION—GENERAL

{92} SUBJ MATTER: INT'L

{124} COMPARISONS: CROSS-CULTURAL

**S. HAYDEN LESBIREL & DAIGEE SHAW (EDS.)**, *MANAGING CONFLICT IN FACILITY SITING: AN INTERNATIONAL COMPARISON* (2005).

The development of nuclear power plants and other risky facilities are a cause of conflict between and within nations. Dealing with a conflict caused by the siting of these facilities requires consideration of equity, incentive structures, social pressures, alliances, the nature of decision processes and information strategies. As such, the relevant issues raised can help the development of policies to manage and resolve conflicts that arise because of facility siting.

{60} ADR—GENERAL

{102} SUBJ MATTER: PUBLIC POLICY

{104} SUBJ MATTER: REGULATORY

**ROY J. LEWICKI ET AL.**, *NEGOTIATION* (2006).

A primer on negotiation, the book begins by introducing the reader to the process's basic elements, including but not limited to the manner in which one plans for negotiation and strategies that one uses when negotiating. The

sub-processes of negotiation, communication, persuasion, and ethical judgment, are then explored. The book also explains the contexts in which negotiation is utilized and the remedies that one can expect, especially in difficult negotiations.

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

**GRANDE LUM, THE NEGOTIATION FIELDBOOK: SIMPLE STRATEGIES TO HELP YOU NEGOTIATE EVERYTHING (2005).**

A general overview of the concept of effective business negotiation, this book focuses on the various steps of a successful negotiation, from the structure of the negotiation to the sequence of steps in negotiation to strategies for successful negotiation. The book describes frequently used negotiation strategies and also presents innovative strategies. It explains each step of the negotiation process and also offers techniques for resuscitating negotiations that have broken down.

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

**EUGENE F. LYNCH, NEGOTIATION AND SETTLEMENT (2005).**

This treatise on negotiating civil cases for settlement includes information on the negotiation and settlement process, such as evaluating the case, letters, dealing with insurance adjusters, judicial settlement conferences, and concluding and enforcing settlements. Specific topical coverage includes: the attorney-client relationship; insurance, tax, and other special considerations; whether to accept a case; settlement letters and statements; settlement without direct judicial involvement; judicial settlement conference; the settlement agreement; and budgeting.

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

**SUZANNE MCCORKLE & MELANIE J. REESE, MEDIATION THEORY AND PRACTICE (2005).**

This book offers a theoretical and practical understanding of mediation for students and practitioners. It provides an overview of the history of mediation and a comparison to other areas of dispute resolution. It teaches the essential core mediation skills, such as listening, moving parties through the mediation process, issue-identification, and negotiating agreements. It also highlights the ethical considerations that mediator's face in role-plays.

{21} MEDIATION—GENERAL

{83} SUBJ MATTER: EDUCATION  
 {155} TEACHING

**SOPHIE MEUNIER**, *TRADING VOICES: THE EUROPEAN UNION IN INTERNATIONAL COMMERCIAL NEGOTIATIONS* (2005).

The author argues that institutional features of the European Union have impacted the outcomes of foreign commercial negotiations to favor the European Union over its competitors, namely the United States. The major institutional factor with the greatest effect is when twenty-five nations speak through a “single voice” on international trade negotiations.

{1} NEGOTIATION—GENERAL  
 {75} SUBJ MATTER: COMMERCIAL  
 {92} SUBJ MATTER: INT’L  
 {124} COMPARISONS: CROSS-CULTURAL

**HUGH MIALI ET AL.**, *CONTEMPORARY CONFLICT RESOLUTION: THE PREVENTION, MANAGEMENT AND TRANSFORMATION OF DEADLY CONFLICTS* (2005).

This book charts the development of the field of conflict resolution from its pioneers to its contemporary exponents and offers an assessment of its achievements, as well as the challenges it faces in the changed security environment of the early 21st century. The authors argue that a new form of cosmopolitan conflict resolution is emerging that is neither a marginal and visionary enterprise nor a tool of the powerful, but offers a hopeful means for human societies to transcend and celebrate their differences.

{60} ADR—GENERAL  
 {73} SUBJ MATTER: GENERAL  
 {125} COMPARISONS: HISTORICAL  
 {134} DISPUTE PREVENTION

**CHARLES J. MORRIS**, *THE BLUE EAGLE AT WORK: RECLAIMING DEMOCRATIC RIGHTS IN THE AMERICAN WORKPLACE* (2005).

This book describes how new interpretations of the National Labor Relations Act can revitalize the American labor movement and the use of collective bargaining. Employees of private, non-union workplaces arguably have a statutory right to engage in collective bargaining through a minority union on a members-only basis. The author argues that these rights are supported by language in the statute, the First Amendment, and international law that binds the United States.

{1} NEGOTIATION—GENERAL  
 {93} SUBJ MATTER: LABOR—GENERAL  
 {96} SUBJ MATTER: EMPLOYMENT (NON-UNION)

{125} COMPARISONS: HISTORICAL

**WILLIAM MORRISON, THE SAVVY NEGOTIATOR: BUILDING WIN/WIN RELATIONSHIPS (2006).**

The author posits that significant changes occurred in the negotiation process in the twenty-first century. The book offers a discussion of key concepts for negotiation success in the new environment, and each chapter is structured around basic learning objectives of key concepts for day-to-day negotiations.

{1} NEGOTIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{136} ECONOMIC ADVANTAGES OF ADR

**STEPHEN MORSE, PRACTICAL NEGOTIATING IN 90 MINUTES (2005).**

This book provides a comprehensive guide to negotiation. It examines the necessary personal and professional skills to succeed while analyzing a number of negotiation theories and their application. It also addresses issues such as the psychological aspects of negotiating and provides details of training for negotiators. The book distinguishes circumstances in which negotiation is and is not proper.

{1} NEGOTIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**NATIONAL ACADEMY OF ARBITRATORS, ARBITRATION 2004: NEW ISSUES AND INNOVATIONS IN WORKPLACE DISPUTE RESOLUTION (2005).**

The proceedings of the NAA Annual Meeting include discussions on issues and innovations in workplace dispute resolution. Some of the issues discussed include outsourcing and health care, legislative initiatives designed to protect employees from arbitrary dismissal, special problems in labor relations in the Las Vegas hotel industry, termination arbitration in the public sector, impact of external law on the arbitration process, and employee privacy Due Process Protocol for employment arbitration.

{44} ARBITRATION—GENERAL

{96} SUBJ MATTER: EMPLOYMENT (NON-UNION)

{144} LEGISLATION

**CHRISTOPHER NEWMARK & ANTHONY MONAGHAN (EDS.), BUTTERWORTHS MEDIATORS ON MEDIATION: LEADING MEDIATOR PERSPECTIVES ON THE PRACTICE OF COMMERCIAL MEDIATION (2005).**

Written by the United Kingdom's leading mediators, this book gives valuable personal insights into different aspects of the mediation process. It addresses various specialist forms of commercial mediation employed by practitioners.

- {21} MEDIATION—GENERAL
- {73} SUBJ MATTER: GENERAL
- {75} SUBJ MATTER: COMMERCIAL

**JACQUELINE M. NOLAN-HALEY ET AL.**, *INTERNATIONAL CONFLICT RESOLUTION: CONSENSUAL ADR PROCESSES* (2005).

This textbook focuses on the use of consensual approaches, including negotiation and mediation, in the resolution of international private and public interest conflicts. This book emphasizes the use of consensual approaches in global conflicts because of the limitations of domestic judicial processes and the lack of a binding international public process.

- {1} NEGOTIATION—GENERAL
- {92} SUBJ MATTER: INT'L
- {124} COMPARISONS: CROSS-CULTURAL

**NORTH CAROLINA BAR ASSOCIATION**, *COLLABORATIVE LAW: THE BASICS AND MORE* (2005).

This book gives an overview of collaborative law, particularly in North Carolina. It discusses, among other things, interest-based negotiations, communication skills for collaborative lawyers, common impediments to agreements and how to overcome them, ceremony and ritual in the collaborative process, ethics, forming or becoming part of a collaborative practice group, and such related topics as family law, mediation and other forms of dispute resolution.

- {53} COLLABORATIVE LAW—GENERAL
- {73} SUBJ MATTER: GENERAL
- {85} SUBJ MATTER: FAMILY (DOMESTIC REL.)

**NORTH CAROLINA BAR ASSOCIATION**, *PERILS AND PITFALLS IN ADR: A FAMILY LAW PERSPECTIVE* (2005).

This book examines a number of topics that are pertinent to the use of ADR in family law cases. Among the subjects discussed are raising the concept of ADR with clients, amendments to the North Carolina Family Law Arbitration Act, arbitrator liability and ethical standards, and common mistakes and problems associated with mediation.

- {60} ADR—GENERAL
- {85} SUBJ MATTER: FAMILY (DOMESTIC REL.)
- {155} TEACHING

**JOHN O'TOOLE ET AL.**, *COOLING CONFLICT: A NEW APPROACH TO MANAGING BULLYING AND CONFLICT IN SCHOOLS* (2005).

The authors combine detailed theoretical background with practical strategies that teachers and students can implement together in any school to provide them with the tools to deal with conflict and bullying. The program provides a radical new approach, centered on the students themselves. The book gives detailed instructions on use of structured drama techniques and peer teaching in the implementation of the program in schools.

{60} ADR—GENERAL

{83} SUBJ MATTER: EDUCATION

{134} DISPUTE PREVENTION

**JAMES PARDY**, *CONFLICT MANAGEMENT IN LAW ENFORCEMENT* (2005).

This textbook explores factors that lead to conflict and the problem-solving and intervention techniques that may be useful to police officers. The author provides scenarios to introduce readers to situations they will encounter in law enforcement.

{60} ADR—GENERAL

{77} SUBJ MATTER: COMMUNITY

**PENNSYLVANIA BAR INSTITUTE**, *MASTERING MED MAL MEDIATION* (2005).

This book is a manual designed to teach the reader about the mediation of medical malpractice disputes. A collection of authors describe the mediation process and present strategies and tactics necessary for a successful application of the process in a medical malpractice setting.

{21} MEDIATION—GENERAL

{98} SUBJ MATTER: MEDICAL MALPRACTICE

{151} ROLE OF LAWYERS

**NIXON PETER**, *MASTERING BUSINESS IN ASIA: NEGOTIATION* (2005).

Learning to negotiate business deals is a practical and necessary skill, and the ideas in this book will help everyone from CEOs and senior staff of a corporation to the public in general. This book provides strategies on how to prepare to negotiate and how to introduce your interests, as well as how to recognize when you have reached an impasse and how to create movement. Though focused specifically on business deals in Asia, the negotiating skills are transferable to negotiations in other areas.

{1} NEGOTIATION—GENERAL

{81} SUBJ MATTER: CORPORATE

{124} COMPARISONS: CROSS-CULTURAL

**RAYMOND SANER**, *THE EXPERT NEGOTIATOR: STRATEGY, TACTICS, MOTIVATION, BEHAVIOUR, AND LEADERSHIP* (2005).



This book aims to teach the skills necessary to become a successful negotiator. The text is supplemented by a series of examples and case studies from the business and political arenas.

{1} NEGOTIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**JOHN SETTLE**, THE ADVOCATE'S PRACTICAL GUIDE TO USING MEDIATION (2005).

This book examines the benefits of mediation and provides a step-by-step method for using mediation. The author outlines the lawyer's role throughout each step in the mediation process. The book provides a basic overview and "how-to" of the mediation process, including mediation planning, assisting the client to reach desired outcomes, handling the different stages of mediation, working with a mediator, and developing solutions.

{21} MEDIATION—GENERAL

{87} SUBJ MATTER: GOV'T

{93} SUBJ MATTER: LABOR—GENERAL

{151} ROLE OF LAWYERS

**ROGER SIDAWAY**, RESOLVING ENVIRONMENTAL DISPUTES: FROM CONFLICT TO CONSENSUS (2005).

This book discusses various conflict resolution procedures that can be used in the environmental arena to avoid conflicts that create gridlock. Through discussion of how and why conflicts occur, the book analyzes environmental conflicts and the ability of alternative dispute resolution to solve such conflicts. The book is illustrated through case studies of various countries and of different governmental organizations.

{38} NON-BINDING RECOMMENDATION PROC—GENERAL

{84} SUBJ MATTER: ENVIRONMENT

{87} SUBJ MATTER: GOV'T

{134} DISPUTE PREVENTION

**STANLEY P. SKLAR**, HANDLING CONSTRUCTION RISKS 2005: ALLOCATE NOW OR LITIGATE LATER (2005).

The focus of this book is on risk allocation in the construction industry and what steps to take in case of a dispute. As such, there is substantial attention given to dispute resolution boards (DRBs) that are created to find effective and efficient processes to resolve claims. DRBs are standard "contractual" processes used by large and often high-profile construction projects, and there is a need for construction lawyers to become familiar with how to use DRBs in the field.

{60} ADR—GENERAL  
{80} SUBJ MATTER: CONSTRUCTION  
{134} DISPUTE PREVENTION

**JIE TANG, MANAGERS AND MANDARINS IN CHINA: THE BUILDING OF AN INTERNATIONAL BUSINESS ALLIANCE (2005).**

Managing conflict varies by culture and this book aims to introduce its readers to the conflict management approach of Chinese businesses. The author studies a construction project in China, a unique endeavor for a scholar in a closed society who kept all of her notes in English for confidentiality. She shares the nuances of contract negotiations and the conversation between managers about handling the conflicts that arose with this project.

{60} ADR—GENERAL  
{75} SUBJ MATTER: COMMERCIAL  
{80} SUBJ MATTER: CONSTRUCTION  
{134} DISPUTE PREVENTION

**LARRY L. TEPLY, LEGAL NEGOTIATION IN A NUTSHELL (2005).**

Negotiation is a powerful tool. It is useful in corporate transactions, real estate, and even ordinary consumer activities. Negotiation can also be an effective tool for lawyers to advocate for their clients with or without resorting to litigation. This book is a comprehensive yet succinct look at legal negotiation and the role negotiation plays in the legal arena, including a discussion on styles and strategies, as well as an exploration of ethical considerations.

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

**JIM THOMAS, NEGOTIATE TO WIN: THE 21 RULES FOR SUCCESSFUL NEGOTIATING (2005).**

This book describes various methods and strategies that can help improve Americans' ability to negotiate effectively. Americans are considered some of the world's worst negotiators because the focus is placed on persuasion, rather than negotiation, which oftentimes leads nowhere. Some solutions to increasing the negotiating skills of Americans are to give concessions to the counterpart in getting what they want and to create a win-win scenario for the parties.

{1} NEGOTIATION—GENERAL  
{73} SUBJ MATTER: GENERAL  
{134} DISPUTE PREVENTION

## {155} TEACHING

**LEIGH L. THOMPSON (ED.)**, *NEGOTIATION THEORY AND RESEARCH* (2006). This book provides an overview of social-psychological theories of negotiation, and how to apply them in a business context. Topics covered include: decision-making and judgment, emotion and negotiation, motivation and game theory.

{1} NEGOTIATION—GENERAL

{81} SUBJ MATTER: CORPORATE

{155} TEACHING

**JOHN R. VAN WINKLE**, *MEDIATION: A PATH BACK FOR THE LOST LAWYER* (2005).

The author details changes in the legal culture which have negatively impacted the profession of law. According to the book, mediation and a focus on problem solving are viable alternatives to trial. The author believes that mediation can promote changes in the ways in which trial lawyers resolve disputes. The book offers insight into the practice of mediation as well as ways to properly execute mediation as a viable alternative to litigation.

{21} MEDIATION—GENERAL

{151} ROLE OF LAWYERS

**CHARLES B. WIGGINS & L. RANDOLPH LOWRY (EDS.)**, *NEGOTIATION AND SETTLEMENT ADVOCACY: A BOOK OF READINGS* (2005).

This collection of negotiation materials represents what the authors consider the most instructive and provocative writings in the field. It includes interesting case studies and intriguing treatments of peripheral topics. It also celebrates over a quarter-century's exploration of negotiation, covers descriptions of the bargaining structure, and assesses effective negotiation behavior.

{1} NEGOTIATION—GENERAL

{73} SUBJ MATTER: GENERAL

{155} TEACHING

**I. WILLIAM ZARTMAN & GUY OLIVIER FAURE (EDS.)**, *ESCALATION AND NEGOTIATION IN INTERNATIONAL CONFLICTS* (2005).

Authors from various disciplines, including political science, sociology, and social psychology, discuss various forms of escalation and how they relate to negotiation principles. This study takes the unique approach of examining two topics that are related but rarely discussed in tandem in order to offer theories and best practices to apply to on-going conflicts.

- {1} NEGOTIATION—GENERAL
- {92} SUBJ MATTER: INT'L
- {102} SUBJ MATTER: PUBLIC POLICY
- {134} DISPUTE PREVENTION