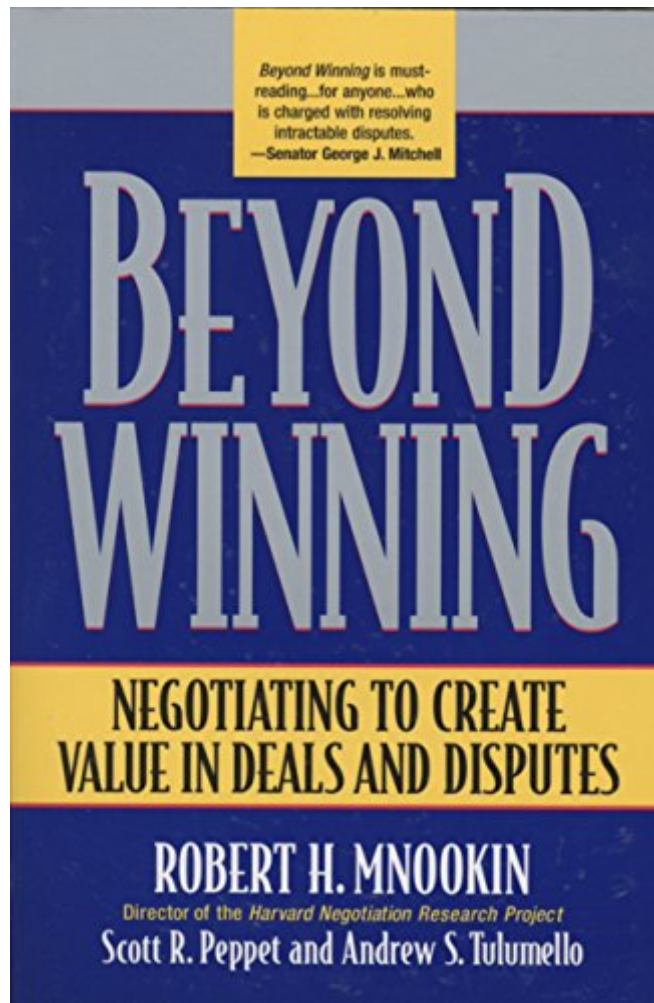




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Beyond Winning



Synopsis

Conflict is inevitable, in both deals and disputes. Yet when clients call in the lawyers to haggle over who gets how much of the pie, traditional hard-bargaining tactics can lead to ruin. Too often, deals blow up, cases don't settle, relationships fall apart, justice is delayed. *Beyond Winning* charts a way out of our current crisis of confidence in the legal system. It offers a fresh look at negotiation, aimed at helping lawyers turn disputes into deals, and deals into better deals, through practical, tough-minded problem-solving techniques.

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Customer Reviews

I have had the pleasure of taking a minicourse using these methods from Professor Mnookin, and can attest to the excellence of the concepts suggested here. Anyone who benefited from and enjoyed the groundbreaking work in *Getting to Yes* will appreciate and value this follow-on work in more beneficial negotiations. You will find BATNAs again (Best Alternative to a Negotiated Agreement), but also great tools for maneuvering with your client, the other attorney, and the problem at hand. This is a book for lawyers, but indirectly it is also a book for clients and what they should look for and expect from their attorney in a dispute. When I went to law school, every case

was treated as though it had the potential to go to the Supreme Court. With the exception of a brief class in decision theory, there was no training in anything other than preparing to wage World War III on behalf of the client. Now even preparing to wage World War III is very expensive, and may chew up a lot of the benefits of contesting the issue. The ideas here go well beyond that perspective. "At its core, problem-solving implies an orientation or mindset -- it is not simply a bundle of techniques." "The goal is to search for solutions that save the clients interests while also respecting the legitimate needs and interests of the other side." "Rather than starting a war at the outset, you can begin your legal negotiations by trying to get your clients' problem solved as efficiently and creatively as possible." A strength of this book is to realize that although it would be great if every lawyer took this approach, more will not than will for the immediate future. So the process takes that into account.

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