

Negotiation: Problem Solving With Mediated Solutions

Top 10 Practice Tips About Negotiation
Elder Mediation Training Webinar Series

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1. You can influence others in a negotiation by subtly mirroring their body language and word choices. *Use this powerful tool with caution to avoid offending others—people respond well to being "lightly mimicked"; people get angry if they think they're being mocked.*
2. Use these elements of principled bargaining to reach "win-win" solutions: separate the people from the problem; focus on interests; generate options; seek an outcome based on objective standards.
3. Combine optimism with realism.
4. Before you go into a negotiation: Know where you stand and know what to expect if you don't solve the problem through the negotiation.
5. Do your homework and prepare. Gather as much information as possible about the other side and their issue. Know your bottom line vision, keep multiple solutions in mind, be flexible – there may be more than one way to achieve your goal.
*Credit: Shell, G. Richard, *Bargaining for Advantage: Negotiation Strategies for Reasonable People*, Penguin Books, New York, NY, 2nd Ed., 2006.*
6. Ask questions that get others to doubt their positions.
*Credit: American Arbitration Association, *Essential Skills for the New Mediator*. San Francisco, American Arbitration Association, 2012.*
7. When you are negotiating with a team on the other side of the table, be aware that different team members may have different goals.
8. Be aware of needs and wants of individuals who may not be in the room, but who have influence over the decision. Also be aware of

needs and wants of individuals who aren't in the room, but who will be charged with the task of implementing the decision.

9. Watch out for confirmation bias, also known as "only hearing what you want to hear."
10. To help anticipate problems, practice negotiating with someone you trust playing the role of devil's advocate.

Credit: American Arbitration Association, Essential Skills for the New Mediator. San Francisco, American Arbitration Association, 2012.