

CONTENTS

Introduction.....	11
PART ONE: PREPARATION	15
Chapter 1: Start Early	17
Chapter 2: Set Ground Rules	21
Chapter 3: Formulate an Achievable Goal	27
Chapter 4: Have a Plan	31
Chapter 5: Use the Physical Space to Good Advantage.....	35
Chapter 6: Self-Monitor for Bias	39
Chapter 7: Learn about Personality Disorders	43
Chapter 8: Reinvent Yourself.....	49
Chapter 9: Stay Current.....	53
Chapter 10: Help the Heartbroken	57
Chapter 11: Dos and Don'ts for Judges.....	63
PART TWO: NEGOTIATIONS	69
Chapter 12: Try Anyway	71
Chapter 13: Get Down to Business	75
Chapter 14: Practice Agreement.....	79
Chapter 15: Consider Baby Steps.....	83
Chapter 16: Draw a Picture.....	87
Chapter 17: Expand the Conversation	93

Chapter 18: Ask a Direct Question..... 97

Chapter 19: Eat Your Lunch..... 101

Chapter 20: Search beneath the Surface..... 105

Chapter 21: Pay Compliments 109

Chapter 22: Deliver the News..... 113

Chapter 23: Switch the Setup..... 117

Chapter 24: Co-Mediate..... 121

Chapter 25: Pay Careful Attention to Body Language..... 125

Chapter 26: Do the Math..... 129

Chapter 27: Test the Principles..... 133

Chapter 28: Explore (and Eliminate) Door Number Three 137

Chapter 29: Keep a Low Profile..... 141

Chapter 30: Hammer Down Loose Nails 145

PART THREE: CLOSING..... 149

Chapter 31: Celebrate Impasse 151

Chapter 32: Maintain Momentum..... 155

Chapter 33: Encourage Empathy 159

Chapter 34: Deflate Unrealistic Expectations 163

Chapter 35: Visualize Settlement..... 167

Chapter 36: Use Silence 171

Chapter 37: Create Bargains and Victories 175

Chapter 38: Break the Rules	181
Chapter 39: Offer Permission	185
Chapter 40: Assign Homework	189
Chapter 41: Take Two: Use the Callback Conference	193
PART FOUR: PRACTICES	197
Chapter 42: Become a World-Class Listener	199
Chapter 43: Reflect Like a Master	203
Chapter 44: Strive to Be Cheerful	209
Chapter 45: Stay Positive with Obstinate Players	213
Chapter 46: Know Thyself	217
Chapter 47: BOLO (Be On the Lookout)	223
Chapter 48: Speak the Universal Language	227
Chapter 49: Cultivate Curiosity	231
Chapter 50: Learn Something from Every Mediation	235
Summary of Tools	239
Appendices	247
About the Authors	263

APPENDICES

Appendix A: Opening Statement Checklist.....	248
Appendix B: Mediation Forms	249
Appendix C: Script: Judge Placing a Settlement on the Record.....	260