

## **STEPS IN INTEREST-BASED NEGOTIATING**

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### **A. Prepare for interest-based negotiating.**

Educate constituents about the process.

Seek information from your constituents.

Compile a list of issues and interests.

Write an opening statement.

Convene a pre-Negotiating meeting.

- Share list of issues
- Reach consensus on ground rules

### **B. Begin Negotiating.**

Share opening statements.

Discuss the lists of issues.

### **C. Bargain using the problem solving process.**

#### **1. Select an issue.**

#### **2. Discuss all interests behind the issue.**

- Record interests on chart
- Discuss and clarify interests
- Identify mutual interests

#### **3. Generate options.**

Use brainstorming.

Generate options that:

- Satisfy one or more interests
- Satisfy others' interests

Clarify and ready the options for evaluation.

**4. Establish standards.**

Propose possible standards — qualities of a solution.

Clarify the meaning of each proposed standard.

Reach consensus on standards.

Sample standards:

*simple*

*efficient*

*fair*

*equitable*

*affordable*

*flexible*

*legal*

*ethical*

*workable*

*practical*

*industry practice*

*ratifiable*

*cost*

*common area practice*

**5. Evaluate each option against the standards.**

Discuss each option.

Amend, combine, or develop new options.

Eliminate options which meet few or no standards.

**6. Develop the solution and capture it in writing.**

Combine options, or elements of options that meet the standards.

Reach consensus on the solution.

Draft the solution.

Check for consensus on the written solution.

**D. Communicate the results to constituents.**

Prepare a joint statement about the process and its results.

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## KEY ELEMENTS OF INTEREST-BASED PROBLEM SOLVING

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- **DEFINE AND ATTACK THE PROBLEM (NOT THE PERSON)**
- **FOCUS ON INTERESTS (YOURS AND THEIRS) -- NOT ON POSITIONS**
- **BRAINSTORM A WIDE RANGE OF CREATIVE OPTIONS TO ADDRESS THE IDENTIFIED INTERESTS**
- **KNOW YOUR ALTERNATIVES TO PROTECT AGAINST REJECTING FAVORABLE OPTIONS OR ACCEPTING UNFAVORABLE AGREEMENTS**
- **EVALUATE OPTIONS AGAINST INTERESTS, BATNAS AND CRITERIA, WHEN APPROPRIATE, FOR LEGITIMACY**
- **ACHIEVE CLOSURE**
- **COMMUNICATE COMMITMENTS TO CONSTITUENCIES IN A MANNER THAT WILL BUILD RELATIONSHIPS**

## Telling the story

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- Explain the problem and issues in detail
  - What happened [or is happening]?
  - When did [or does] it happen?
  - Who is involved?
  - How does it affect us?
  - How does it make us feel?
- Honor the perceptions of others
- Clarify
- Seek perceptions, texture, background
- Describe, don't characterize or blame
- Record for group memory

## Interests

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- Look for underlying motivations
- Discover your interests *and* their interests
- Use a framework of interests not positions
  - It's easier to reconcile interests than positions
  - Often there are multiple interests
  - Usually there are several methods to satisfy an interest
- Challenge assumptions
- Prioritize

Key point: in an interest-based strategy the parties *always* have the *ability* to say "no" — but they have the *responsibility* to explain the objection in terms of their interests.