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LIRA VIDEOS

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LIRA VIDEOS

JULY 16, 2020 | JOHN LANDE | LEAVE A COMMENT

This post collects several videos about the litigation interest and risk assessment (LIRA) techniques described in [the book that Michaela Keet, Heather Heavin, and I wrote about the subject](#). The videos may be of interest to academics, practitioners, and students.

Considering the challenges of synchronous instruction these days, faculty may want to assign some of these videos as [asynchronous “guest lectures”](#) and/or make-up assignments if students or faculty have to miss some classes.

I will add videos to this post as they are produced.

[Litigation Interest and Risk Assessment](#). This is a brief background and summary of the book. Michaela Keet, Heather Heavin, John Lande. University of Saskatchewan College of Law. September 2019. 4 minutes.

[Negotiation Models and Component Variables](#). This is a conversation with Michaela Keet about three “models” of negotiation (counteroffer, interest-and-option, and norm-based processes). More importantly, it focuses on component variables of the models including the parties’ goals, friendliness of the negotiators, communication process, source of norms, whether there is an effort to create or claim value, and the use of power. University of Saskatchewan College of Law. September 2019. 15 minutes.

[How to Help Your Clients Make Good Decisions Using Litigation Interest and Assessment Techniques](#). This is a recording of a presentation at the ABA Section of Dispute Resolution Annual Conference. It includes a detailed summary of the book and conversation with members of the audience. Michaela Keet, Heather Heavin, John Lande. May 2020. 1 hour, 22 minutes.

[Conversation with F. Peter Phillips](#). This is an in-depth discussion of issues related to LIRA techniques. New York Law School. June 2020. 53 minutes.

Conversation with Elayne Greenberg. This summarizes takeaways from the LIRA book as well as my earlier book, *Lawyering with Planned Early Negotiation*. St. John's University School of Law. August 2020. 24 minutes (though the last four minutes are about my patented photography techniques).

Negotiation in the Shadow of Arbitration. This is a conversation with my Missouri colleague, Amy Schmitz, as part of her "Arbitration Conversations" series on Arbitrate.com. August 2020. 22 minutes.

Mediating with LIRA. Mediate.com University. \$49. August 2020. 50 minutes.

Assessment in Dispute System Design and Legal Practice. This is a conversation with Rafael Gely for his Dispute System Design course. University of Missouri. September 2020. 45 minutes.

Working with Clients, Assessing BATNA Values, and Developing Bottom Lines. In Jim Lawrence's and Brandon Schrecengost's Negotiation course, I answered great questions from students. University of Houston. September 2020. 1 hour.

Southern District of New York Mediator Book Club Discussion of LIRA Book. This was a very lively conversation with experienced mediators about issues raised in the LIRA book. September 2020. 1 hour, 25 minutes.

Example of Simple Framework for Estimating BATNA Values and Developing Bottom Lines. Presentation for Becky Jacobs's ADR Course using a hypothetical tort case to illustrate calculations of BATNA values and bottom lines. September 2020. 18 minutes.

Jeff Trueman's Study on Nightmares of "Positional" Tactics in Mediation. This links to a blog post summarizing Jeff's excellent study of difficult mediations, including a link to the study and a video conversation about it. October 2020. 50 minutes.

Conversation About LIRA with Brazilian Study Group. This conversation with Amannada Rodrigues, Pedro Pires and Pedro Freitas in the Study Group on Mediation and Negotiation at the Pontifical Catholic University of Paraná (GEMNCast) covers various issues related to LIRA. October 2020. 1 hour, 3 minutes.

Helping Legal Clients Using LIRA Techniques. Brazilian Alternative Methods of Conflict Resolution Study Group (MASC). Here's the **powerpoint for the talk**. October 2020. 1 hour, 31 minutes.

How to Combine “Positional” and “Interest–Based” Negotiation and “Facilitative” and “Evaluative” Mediation. University of California–Hastings Center for Negotiation and Dispute Resolution. This talk discusses problems with general models and recommends use of specific variables that more clearly describe people’s cognitions and actions. Here’s the [powerpoint for the talk](#) and a [blog post based on the conversation](#). October 2020. 59 minutes.

They Should Call it Negotiation School, Not Law School. Straus Institute for Dispute Resolution at Pepperdine Caruso School of Law. Conversation with Sukhsimranjit Singh and Peter Robinson. November 2020. 1 hour, 31 minutes.

Helping Disputing Parties Make Decisions About What’s Really Important. Association for Conflict Resolution of Greater New York and CUNY Dispute Resolution Center at John Jay College. This program describes problems with traditional “bundled” negotiation and mediation models and suggests using unbundled variables instead. Here’s the [powerpoint for the talk and a blog post based on the conversation](#). The presentation lasts 50 minutes, followed by more than an hour of Q&A. December 2020. 2 hours, 7 minutes.

Helping Clients Using LIRA Techniques is especially appropriate for lawyering and ADR survey courses, though you might want to use it in negotiation or mediation courses too. It describes lawyers’ ethical duties to help clients make decisions and provides an overview of LIRA techniques. It mostly focuses on civil litigation, but also discusses how to use LIRA in criminal and transactional cases. It includes a brief advice for students to undertake continuous self–directed learning based on the [Building a Better Bar Report](#). Here’s the [powerpoint](#) with links to resources which you might provide after students watch the video. December 2020. 43 minutes.

They Should Call It Negotiation School, Not Law School is a good way to start a negotiation course or the negotiation unit in an ADR survey course. It begins describing the hidden curriculum in law schools, which implies that legal doctrine based on appellate litigation is the central focus of legal work and largely ignores clients’ interests and negotiation. To correct this misimpression, it shows how lawyers use negotiation in virtually everything that they do. It describes the traditional negotiation models and recommends focusing on the variables comprising the models. It provides a brief overview of LIRA techniques and advises developing good relationships with clients and counterpart lawyers. It includes advice about participating in negotiation competitions and engaging in self–directed learning. Here’s the [powerpoint](#) with links to resources which you might provide after students watch the video. December 2020. 32 minutes.

Resolution of Legal Disputes. This covers my definition of (A)DR, problems in lawyer–client relationships, relationships between counterpart lawyers, a broad understanding of negotia-

tion, basic mediation theory, court-ordered mediation, dispute system design, early dispute resolution, litigation interest and risk assessment techniques, conflict diagnosis, and theory of change for dispute resolution. Here's the [video](#). June 2021. 1 hour, 11 minutes.

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