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# Mediation Advocacy and Settlement Negotiation for Lawyers Training Course

28 December 2026 – 1 January 2027
Munich

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**Ref:** 1225_46062 **Date:** 28 December 2026 – 1 January 2027 **Location:** Munich **Fees:** 5600 GBP

Mediation Advocacy and Settlement Negotiation for Lawyers is a 1-week training course for lawyers and legal advisers who represent clients in disputes, and who leave with a mediation advocacy plan covering interests, alternatives and draft settlement terms. Courts, arbitral bodies and boards increasingly expect parties to attempt settlement before full proceedings, so the advocate's conduct at the table now shapes outcomes and costs. Jupiter Prime Training delivers this course on mediation advocacy and settlement negotiation.

## Why Mediation Advocacy and Settlement Negotiation for Lawyers Matters Now

Three groups are reshaping dispute work. Judges and tribunals now ask whether settlement was genuinely explored, and may weigh refusal when allocating costs. Clients, especially in construction and financial services, want disputes closed quickly to protect relationships and cash flow. Mediators expect counsel to arrive with a clear mandate rather than trial-style posturing. An organisation whose lawyers prepare properly settles on workable terms and preserves commercial ties. One that treats mediation as a formality wastes the session, hardens positions and pays more later. The course rests on interest-based negotiation and the Best Alternative to a Negotiated Agreement BATNA model.

## Who Gains Most from Mediation Advocacy and Settlement Negotiation for Lawyers

- Litigators responsible for advising clients whether and when to mediate
- In-house advisers responsible for settlement mandates and authority limits
- Claims specialists responsible for valuing disputes before the session
- Contract counsel responsible for turning agreed points into enforceable terms
- Employment advisers responsible for resolving workplace grievances early

Dispute resolution groups gain most when several members attend together.

## Mediation Advocacy and Settlement Negotiation for Lawyers Capabilities

Participants shift from arguing positions to steering a mediated settlement:

- Assess client interests behind stated positions — the settlement mandate
- Calculate BATNA, WATNA and the zone of possible agreement — authority limits
- Design an opening statement suited to a joint session — the mediator's first impression
- Apply mediator techniques such as reality testing and caucus framing — movement at an impasse
- Communicate offers and concessions in a planned sequence — the opposing counsel
- Specify settlement terms that survive enforcement — the client and the court

## Key Mediation Advocacy and Settlement Negotiation for Lawyers Terms

- Interest-based negotiation — bargaining that addresses the underlying needs of each party rather than their opening demands.
- BATNA — the best alternative to a negotiated agreement: what a party will do if talks fail.
- Zone of possible agreement — the range between the parties' walk-away points within which a deal can be struck.
- Caucus — a private meeting between the mediator and one party during a mediation.
- Reality testing — a mediator's questioning that asks a party to check its expectations against likely outcomes.
- Settlement agreement — the signed document recording agreed terms, releases and enforcement arrangements that end the dispute.

## Mediation Advocacy and Settlement Negotiation for Lawyers Day by Day

### Day 1: The Settlement Climate and the Advocate's Role

- Court and Tribunal Attitudes to Settlement — Costs Exposure for Refusing Mediation
- Facilitative and Evaluative Mediation Models — Choosing the Right Mediator Style
- Advocate Versus Adversary — Redefining Counsel's Duty at the Table
- Client Interests and Relationship Stakes — Mapping What Really Needs Resolving
- Pre-Mediation Agreement and Confidentiality — Setting Ground Rules for the Session

### Day 2: Interest-Based Negotiation and Alternatives

- Positions Versus Interests Framework — Uncovering Needs Behind Legal Claims
- BATNA and WATNA Calculation — Setting Realistic Walk-Away Points
- Zone of Possible Agreement Mapping — Spotting Where Deals Are Feasible
- Risk-Weighted Case Valuation — Translating Merits Into Settlement Figures
- Client Mandate and Authority Limits — Securing Instructions Before the Session

### Day 3: Mediation Stages and Mediator Techniques

- Position Paper and Mediation Bundle — Shaping the Mediator's Early View
- Joint Session Opening Statement — Speaking to the Other Party Directly
- Caucus Strategy and Information Disclosure — Deciding What to Reveal Privately
- Reality Testing and Reframing — Responding to the Mediator's Challenges
- Impasse Breaking Tools — Bracketing, Mediator's Proposal and Conditional Offers

### Day 4: From Concessions to Enforceable Terms

- Offer Sequencing and Concession Patterns — Managing the Bargaining Dance
- Anchoring and Cognitive Bias Awareness — Protecting Judgement Under Pressure
- Heads of Terms at the Table — Capturing Agreement Before Momentum Fades
- Settlement Agreement Clauses — Releases, Payment Schedules and Default Remedies
- Enforcement and Recognition of Settlements — Making Agreements Hold Afterwards

## Day 5: Practising the Mediation Advocacy Plan

- Applying Interest Mapping to a Construction Payment Dispute
- Applying BATNA Analysis to a Financial Services Complaint
- Applying Caucus Strategy in a Simulated Commercial Mediation
- Peer Debrief Against an Advocacy Conduct Checklist — Refining Approach
- Completing the Mediation Advocacy Plan — Mandate, Script and Draft Terms

## Applying Mediation Advocacy and Settlement Negotiation for Lawyers After the Course

- Prepare a BATNA and zone-of-agreement worksheet for one live dispute and present it to the client before any settlement meeting.
- Introduce a standard position paper and heads of terms template for the next mediation the unit attends.

## Mediation Advocacy and Settlement Negotiation for Lawyers Questions FAQ

### What is Mediation Advocacy and Settlement Negotiation for Lawyers and why does it matter now?

It is the skill of representing a client effectively in mediation and negotiating durable settlement terms. It matters now because tribunals expect settlement to be explored seriously, and clients want disputes closed without lengthy proceedings.

### Which roles gain most from Mediation Advocacy and Settlement Negotiation for Lawyers?

Litigators, in-house advisers, claims specialists, contract counsel and employment advisers gain most, because each must secure a mandate, value a dispute and convert agreed points into binding terms.

### How does Mediation Advocacy and Settlement Negotiation for Lawyers differ from a course for mediators?

It trains the party's lawyer, not the neutral. A mediator course builds facilitation skills; this one teaches counsel to prepare a mandate and draft enforceable terms.

### What do you bring back from Mediation Advocacy and Settlement Negotiation for Lawyers?

You bring back a mediation advocacy plan with an interest map, alternatives analysis, opening script and draft terms.

## Mediation Advocacy and Settlement Negotiation for Lawyers: The Way Forward

The mediation advocacy plan gives each participant a ready structure for the next dispute, first deciding whether the matter is ripe to mediate and on what mandate. Litigators, in-house teams and clients use it to agree authority limits before the session. After its first use, revisit how accurately the alternatives analysis predicted the other side's movement.