

How To Negotiate Collaboratively

Collaborative negotiation is based on the understanding that success is measured by the needs and interests of all parties being recognized and met. There is no winner or loser; rather the goal is for a win-win by all parties. Collaborative negotiation is a middle way between concession and competition. In order to build this balanced negotiation structure the following items need to be addressed:

1. **Know your destination:** One year after you have a separation agreement what do you want your relationship to be with your ex-partner, your children, extended family, friends? When your children are adults what memories do you want them to have of your separation and how do you want to be remembered?
2. **Shared values:** Develop a set of values you want to model and give to your children. Share these with your ex-partner. Use agreed upon shared values as the foundation for how you communicate with each other and to judge co-parenting decisions you make.
3. **Be clear on your goals and your partners goals:** Make sure that these goals are stated as “Outcomes” and state these “Outcomes” clearly. Make sure these “Outcomes” support your shared values.
4. **Joint problem-solving:** The collaborative approach works to convert individual wants into a single problem and to bring both parties together to work on solving this problem. Focus on “Outcomes”. This means focusing on the **what** that is important to each participant and not the **how**. This allows an agreement structured in a way that provides outcomes that both parties can live with.
5. **Agree on clearly defined and measurable Outcomes:** This keeps the process moving ahead in a focused manner with agreed upon time lines for completion of given tasks.
6. **Expand the size of the pie:** Make “emotional payments” to the other party. The more important an outcome is to one party the more emotionally attached they may be to this outcome. Often these “emotional payments” will not be costly and won’t involve you giving up a core value. If you give up something which you don’t value highly to a partner that does value it highly then you have grown the size of the pie.
7. **Be transparent and constructive in negotiations:** Rebuilding trust is a key component in successful collaborative negotiations. Holding back or manipulative behaviour will be quickly seen and erode trust in reaching a successful agreement.
8. **Don’t sign an agreement that does not meet your needs and is not a win-win for all parties:** The goal of collaboration is to negotiate in good faith and make agreements even on contentious issues that work for all parties. If you are not satisfied with your agreement do not sign off until you are satisfied the agreement supports your values and goals and meets everyone’s needs.
9. **Have an exit strategy:** Stay open and negotiate in good faith. If you feel that your partner is not negotiating in good faith, identify where the process is breaking down and state what you need in order to address your concerns and keep the process on track. Set measurable changes and a time line for their

completion. If your partner is unable to participate collaboratively then end the process. You can't collaborate with everyone.