



ADA Audio Conference Series March 21, 2017

This session is scheduled to begin at
2:00pm Eastern Time

Real-Time Captioning and the PowerPoint Presentation are available through the Webinar Platform. Audio Connection is available through the webinar platform/telephone/Mobile App.

Listening to the Session



- ▶ The audio for today's webinar is being broadcast through your computer or via telephone for those that registered for that option. If using your computer, please make sure your speakers are turned on or your headphones are plugged in.
 - You can control the audio broadcast via the Audio & Video panel. You can adjust the sound by "sliding" the sound bar left or right.
 - If you are having sound quality problems check your audio controls by going through the Audio Wizard which is accessed by selecting the microphone icon on the Audio & Video panel



2



Listening to the Session, *continued*

MOBILE Users (iPhone, iPad, or Android device (including Kindle Fire HD)

Individuals may listen** to the session using the Blackboard Collaborate Mobile App (Available Free from the Apple Store, Google Play or Amazon)



**Closed Captioning is not visible via the Mobile App and there is limited accessibility for screen reader/Voiceover users

3



Captioning

- ▶ Real-time captioning is provided during this session via the webinar platform.
- ▶ The caption screen can be accessed by choosing the  icon in the Audio & Video panel.
- ▶ Once selected you will have the option to resize the captioning window, change the font size and save the transcript.



4



Submitting Questions

- ▶ If you are listening by phone you will be instructed by the Operator on how to ask a question.
- ▶ You may type and submit questions in the Chat Area Text Box or press Control-M and enter text in the Chat Area. You will not be able to see the question after you submit it but it will be viewable by the presenters.
- ▶ If you are connected via a mobile device you may submit questions in the chat area within the App
- ▶ Questions may also be emailed to webinars@ada-audio.org



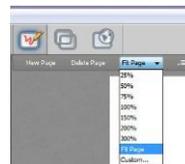
Please note: This webinar is being recorded and can be accessed on the ADA Audio Conference Series website at www.ada-audio.org within 24 hours after the conclusion of the session. The edited written transcript will be posted at this same site within 7 business days following the conclusion of the session.

5



Customize Your View

- ▶ Resize the Whiteboard where the Presentation slides are shown to make it smaller or larger by choosing from the drop down menu located above and to the left of the whiteboard. The default is "fit page"



6

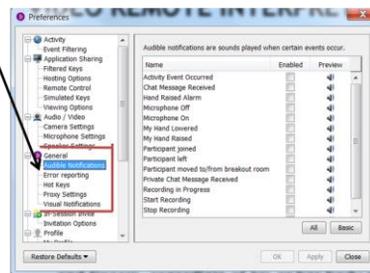
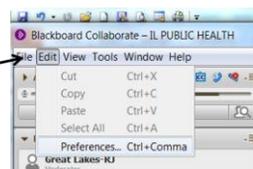
Customize Your View *continued*

- ▶ Resize/Reposition the Chat, Participant and Audio & Video panels by “detaching” and using your mouse to reposition or “stretch/shrink”. Each panel may be detached using the icon in the upper right corner of each panel.

7

Adjusting Preferences

- **To turn off notifications (audible/visual)(PC Users)**
 - Select “Edit” from the tool bar at the top of your screen
 - From the drop down menu select “Preferences”
 - Scroll down to “General”
 - select “Audible Notifications” Uncheck anything you don’t want to receive and “apply”
 - Select “Visual Notifications” Uncheck anything you don’t want to receive and “apply”
 - For Screen Reader User – Set preferences through the setting options within the Activity Window (Ctrl+Slash opens the activity window)
- **MAC users**
 - Identify “Blackboard” option in upper left corner
 - Preferences will be one of the options available
 - Follow instructions for Audible and Visual Notifications above



8



Technical Assistance

- ▶ If you experience any technical difficulties during today's session:
 1. **In webinar platform:** Send a private chat message to the host by double clicking "Great Lakes ADA" in the participant list. A tab titled "Great Lakes ADA" will appear in the chat panel. Type your comment in the text box and "enter" (Keyboard - F6, Arrow up or down to locate "Great Lakes ADA" and select to send a message); or
 2. **By Email** webinars@ada-audio.org; or
 3. **Call** 877-232-1990 (V/TTY)

8

Structured Negotiation, a Tool for Disability Rights



ADA National Network

Lainey Feingold | @LFLegal
LFLegal.com | 03.21.2017

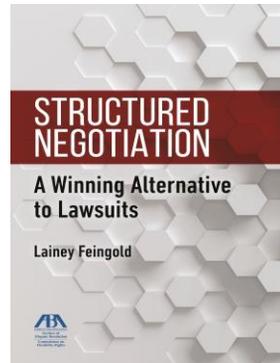
10

Speaker Info

LFLegal.com

- Updates
- Agreements
- Press Releases
- Email List

LFLegal.com/book



11

Overview

12

What is Structured Negotiation?



- Lawsuit Alternative
- 20+ year track record
- Cost Effective
- Relationship-building

13

A Tool in the Advocate's Toolbox



14

When all you have...



15

Why *Structured*?

- Opening Letter
- Ground Rules
- Share Information
- Expertise
- Written Agreement
- Monitoring
- Media Strategy
- Mindset

16

What kinds of cases?

- Talking ATMs
- Web, mobile access
- Talking prescription labels
- APS, movies, hospitals
- \$\$ + Injunctive



17

What kinds of companies?

CVS
pharmacy®



Weight
Watchers®

Anthem®

Bank of America



18

And government agencies



19

By the Numbers (Agreements)

- 20 Talking ATM
- 20+ Web Mobile
- 14+ Alternative Formats
- 11 Tactile POS
- 1 Audio Description
- 3 Health Care
- 6 Talking Prescription Labels
- 1 Audible Pedestrian Signal
- +++

20

By the Numbers (Technology)

Thousands of

- Talking ATMs
- Tactile Keypads
- Accessible web pages
- Mobile app screens
- APS



21

Even More Numbers

- Thousands of Braille and Large Print pages
- Thousands of Talking Pill Bottles
- Hundreds of audio description headsets



22

Thousands of Employees Trained

- Customer service
- Web / mobile developers
- Web / mobile designers



23

And



24

Getting Started

25

Working with Clients

- Claims
- Goals
- Attitude



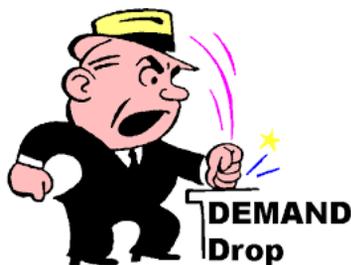
26

Send Opening SN Letter

- Language + tone
- Legal claim – calmly!
- Say something positive
- Build Trust

27

Invite / Don't Demand



28

Be Patient | Be Proactive

- Get letter in right hands



29

Be Persistent



#ShePersisted

30

Evaluate Response

Don't expect....



Look for this...



31



32

Establish Ground Rules

33

Elements of Ground Rules

- Parties
- Confidentiality
- Topics for negotiation
- Attorneys' Fees
- Tolling
- End Date(?)

34

Resolve Objections



- Trust
- Share successes
- Share book!
- \$\$\$

35



36

Build Shared Understanding

37

Exchange Written Information

- Information helps everyone
- What do you *really* need?
- Responding to “No”

38

SN Meetings

- Prepare!
- Talk!
- Share!
- Empathy!



39

Client Participation

Lawyers stay here



Relationships
Possible



40

It works because...

Instead of. . .



This!



41

Experts

- Joint experts
- Clients
- Cost Savings



42

Drafting Strategies

43

Drafting Strategies

- Timing
- How to start
- Baby steps
- Work around fear



44

Fear

- Recognize
- Understand
- Dismantle
- Draft around



45

Money

- Client damages
- Attorneys' fees



46

Media + Monitoring

47

Media Strategies

- Timing
- Appreciation
- Lawyers' role



48

Monitoring Strategies

- Dispute resolution
- Extension
- New case
- Trust



49

Language + Mindset

50

Active Patience



51

Trust



52

Grounded Optimism



53

Words Matter

- “Defendants” **Defend**
- “Opposing Counsel” **Oppose**
- Does “discrimination” motivate?

54

Why Structured Negotiation Works

55

Dismantle Assumptions



- Show don't tell
- Create shared understanding
- Trust + Patience

56

Respect Small Steps



- Interim measures
- Pilot programs
- Trust + Patience

57

Flexibility

- Changed circumstances
- Roles
- Timing



58

Bottom Line . . .

More this

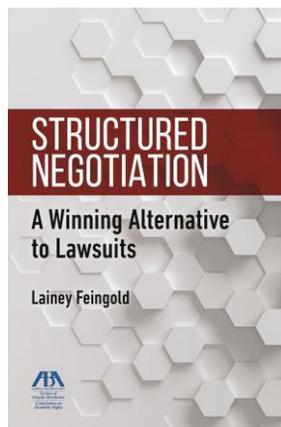


Less this



59

LFlegal.com/book



Roadmap

+

Stories

60

More resources



www.LFlegal.com/topics

www.LFlegal.com/about/#sn

www.LFlegal.com/resources

61

Stay In Touch

➤ **Twitter** @LFlegal



➤ **Email list**

LF@LFlegal.com

➤ **LFlegal.com/**

Speaking [upcoming talks]

about/#sn [interviews++]

62



Questions?

Telephone: Follow the instructions given by the Operator

Webinar Platform: You may type and submit questions in the Chat Area Text Box or press Control-M and enter text in the Chat Area

Email: webinars@ada-audio.org

24



Thank you for participating in today's
ADA-Audio Conference Session

The next scheduled session is:

“Looking at Institutional and Community Living Through Data- An ADA Participatory Action Research Consortium (ADA-PARC) Report”

April 19, 2017*

*Note change in date from regular schedule

Register at: www.ada-audio.org or call 877-232-1990 V/TTY

64