





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.
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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

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.



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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.

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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"



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Customize Your View *continued*

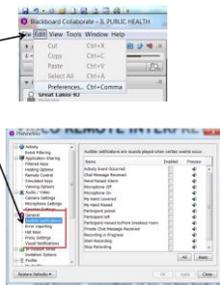


- ▶ Resize/Reposition the Chat, Participant and Audio & Video panels by “detaching” and using your mouse to reposition or “stretch/shrink”. Each panel may be detached using the icon in the upper right corner of each panel.

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



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)

Structured Negotiation, a Tool for Disability Rights



ADA National Network

Lainey Feingold | @LFLegal
LFLegal.com | 03.21.2017

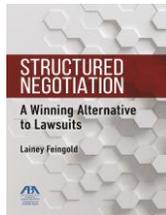
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Speaker Info

LFLegal.com

LFLegal.com/book

- Updates
- Agreements
- Press Releases
- Email List



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Overview

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What is Structured Negotiation?



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

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A Tool in the Advocate's Toolbox



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When all you have...



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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



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What kinds of companies?



18

And government agencies



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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
- +++

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By the Numbers (Technology)

Thousands of

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



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Even More Numbers

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



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Thousands of Employees Trained

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



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And



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Getting Started

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Working with Clients

- Claims
- Goals
- Attitude



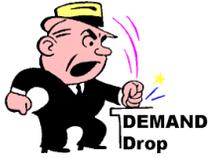
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Send Opening SN Letter

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

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Invite / Don't Demand



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Be Patient | Be Proactive

- Get letter in right hands



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Be Persistent



#ShePersisted

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Evaluate Response

Don't expect....



Look for this...



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Establish Ground Rules

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Elements of Ground Rules

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

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Resolve Objections



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

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Build Shared Understanding

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Exchange Written Information

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

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SN Meetings

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



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Client Participation

Lawyers stay here



Relationships Possible



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It works because...

Instead of. . .



This!



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Experts

- Joint experts
- Clients
- Cost Savings



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Drafting Strategies

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Drafting Strategies

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



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Fear

- Recognize
- Understand
- Dismantle
- Draft around



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Money

- Client damages
- Attorneys' fees



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Media + Monitoring

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Media Strategies

- Timing
- Appreciation
- Lawyers' role



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Monitoring Strategies

- Dispute resolution
- Extension
- New case
- Trust



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Language + Mindset

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Active Patience



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Trust



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Grounded Optimism



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Words Matter

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

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Why Structured Negotiation Works

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Dismantle Assumptions



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

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Respect Small Steps



- Interim measures
- Pilot programs
- Trust + Patience

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Flexibility

- Changed circumstances
- Roles
- Timing



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Bottom Line . . .

More this

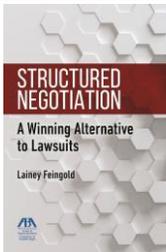


Less this



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Roadmap
+
Stories

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More resources



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Stay In Touch

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Speaking [upcoming talks]
about/#sn [interviews++]

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Questions?

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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

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