All legal negotiations are multiparty negotiations since at least two clients are involved and each has typically hired an attorney to represent them. That puts four parties at the table. Of course, many legal negotiations are even more complex; for instance, efforts to settle class actions or resolve mass personal injury cases. In Part I of this volume, we look at strategies for settling complex legal disputes, highlighting the changing role of judges who need to be more activist or interventionist in order to manage (and encourage settlement of) civil litigation as well as lawyers, some of whom now specialize as settlement counsel. In Part II, we examine the negotiations surrounding efforts to settle mass personal injury litigation and class action lawsuits while addressing the claims that settlements in such cases may compromise the interests of class members or produce results that are grossly unfair to certain defendants. In Part III, we examine the phenomenon of special masters in complex civil cases – deputy judges or independent experts appointed by the court – who mediate or otherwise encourage settlement and oversee implementation of negotiated agreements. The final section of this volume reviews four cases – the first involving complex environmental litigation, the second examining efforts to address racial segregation in schools, the third focusing on product liability along with the threats to public health associated with asbestos, and the fourth case examines complex multiparty litigation involving the tobacco industry.

It appears to us that the resolution of complex legal transactions draws as heavily on the theory of multiparty negotiation as it does on civil procedure, legal practice, and changing assumptions about judicial management.