

This course will explore the negotiation process – a skill that lawyers use regularly – to expose students to the impact of different negotiator styles, the six stages of the negotiation process, various tactics employed by different negotiators, verbal and nonverbal communication, negotiation ethical issues, and other relevant concepts. They will work on a number of different exercises to demonstrate the concepts being taught and to show them how differently individuals resolve identical bargaining situations.

(1) **Tues. Aug. 29:** Introduction: Craver, *Effective Legal Negotiation* (8th ed. 2016) Ch. 1

Practice Exercise: In Class

(2) **Tues. Sept. 5:** Factors Affecting Negotiations; Negotiating Styles;
Effective Legal Negotiation Ch. 2-3
Nonverbal Communication; Discuss Practice Exercise Results

Practice Exercise: In Class

(3) **Tues. Sept. 12:** Preparation/Preliminary/Information Stages;
Effective Legal Negotiation Ch. 4-6
Discuss Practice Exercise Results

Practice Exercise (with Observers) 1 v 2; 3 obsrv.

(4) **Tues. Sept. 19:** Competitive/Closing/Cooperative Stages
Effective Legal Negotiation Ch. 7-9

Practice Exercise (with Observers) 1 v 3; 2 obsrv.

(5) **Tues. Sept. 26:** Negotiation Techniques
Effective Legal Negotiation Ch. 10-11

Practice Exercise (with Observers) 2 v 3; 1 obsrv.

(6) **Tues. Oct. 3:** Frequently Asked Negotiation Issues
Effective Legal Negotiation Ch. 12

Exercise I: Exercise done In Class

(7) **Tues. Oct. 10:** Psychological Entrapment; Prisoners' Dilemma
Effective Legal Negotiation Ch. 13

Exercise II: Due Mon. Oct. 16, 12:00 Noon

- (8) **Tues. Oct. 17:** Impact of Ethnic/Gender-Based Factors
Effective Legal Negotiation Ch. 14
- Exercise III:** Due Mon. Oct. 23, 12:00 Noon
- (9) **Tues. Oct. 24:** David Falk
- Exercise IV:** Due Mon. Oct. 30, 12:00 Noon
- (10) **Tues. Oct. 31:** International Negotiations
Effective Legal Negotiation Ch. 15
Security Council Expansion Exercise
- Exercise V:** Due Mon. Nov. 6, 12:00 Noon
- (11) **Tues. Nov. 7:** Mediation
NASA Decision-Making Exercise
Effective Legal Negotiation Ch. 16
- Exercise VI:** Due Mon. Nov. 13, 12:00 Noon
- (12) **Tues. Nov. 14:** Factors Possessed by Successful Negotiators
Most Effective Style/Most Effective Techniques
- (13) **Tues. Nov. 28:** Negotiation Ethics
Effective Legal Negotiation Ch. 17

COURSE PAPERS DUE: MON. DEC. 4 BY 5:00 PM

Please have Cover Page with Title and Name and Begin Paper on Following Page.

COURSE GRADING RULES

1. This is a skills course in which students will explore the Legal Negotiation process and engage in a series of negotiation exercises designed to demonstrate both Distributive/ Competitive and Integrative/Cooperative negotiation styles and the factors that influence negotiation interactions. Students will be required to engage in five practice exercises during the first several weeks of the semester to introduce them to the dispute resolution process. Throughout the remaining weeks of the term, students will be required to engage in six (6) exercises that will directly affect their final course grades. At the completion of each of these exercises, student results will be compared with the results achieved by other participants on the **same side** of the problem and be rank-ordered from high to low. These rank-ordered placement scores will be recorded and count toward **ONE-HALF** of the final **course grade**.

At the conclusion of the term, the **lowest** of the six placement scores will be **dropped**, and the other five scores will be added together to determine each student's negotiation exercise total. If a student is excused from one exercise for good cause, that individual's other five negotiation scores will be added together to determine their negotiation exercise total.

2. Students will be required to prepare **Course Papers** which analyze different aspects of the negotiation process learned from the assigned readings, outside readings, class discussions, and class exercises. The papers should be from eleven to fourteen pages in length, and will count toward **ONE-HALF** of the final **course grade**. No paper may exceed **fifteen double-spaced typed pages** in length. If a paper of **more than fifteen double-spaced typed pages** is turned in, only the **first fifteen pages will be read**. If any paper is turned in **after the due date**, it will be **downgraded** in direct proportion to the number of days it is late. If an **unacceptable paper** is received, it will have to be **rewritten** if the student wishes to obtain credit for the course.

Students should prepare a **Separate Title Page** for their **Papers** containing their topic and **name (NOT their Student Identity Numbers)**. Their discussions should begin on the **following page**. This enables me to open and read papers without seeing writer names, and it makes it easy for me to record the paper grades with negotiation results when the grading process is finished.

3. Students who elect to take the class on a **Credit/No-Credit** basis and who participate meaningfully in the course exercises and turn in acceptable papers will receive **Credit** in the course. Students must decide whether to take the course on a **Credit/No-Credit** basis by the end of the **third week** of the term, and their **election** by that time is **irrevocable**.

4. Class attendance and participation constitute a significant part of this skills class. Students are thus expected to **attend class** on a **regular basis** and be willing to **participate** in class exercises and discussions. Students will be required each week to sign an **attendance sheet**. **Any student who misses more than TWO (2) CLASSES without an extraordinary excuse will be DROPPED FROM THE COURSE and receive NO GRADE for this class**. Anyone who is not willing to make this commitment to class participation should take another Law School course.