

ADR
Spring 2015
Jon Hyman

NOONTIME AT THE MOVIES

Our method:

All the students from each group – left, right, and center – will view the assigned video. The designated students will present to the class as a whole their responses to the questions set out below. Each subgroup presentation should not exceed five minutes.

LEFT GROUP

“Talk to Me”

A documentary of the New York City Police Department Hostage Negotiation Team in action. Available at the law library website – look for “Talk to Me”

Presentation date: Tuesday April 14

Questions for your presentation:

1. Give us an overview summary of what the documentary is about and how you think it relates (or not) to the material we have been studying.

Presenters:

Mary

Jason

2. Identify and tell us about specific instances when the negotiators and/or the hostage takers are talking about *positions* (a specific action they want their counterpart to take) and the specific instances when they are talking about *interests*. (You might note the timing when the instance occurs.)

Presenters:

Louis

Mari

Henry

3.

Identify and tell us about specific instances exemplifying some of the first four negotiation tasks: set a goal, set a limit, speak persuasively (including actions that have a persuasive effect), invoke fairness and justice. Tell us the extent to which you think these tasks are not relevant to the hostage negotiations.

Presenters:

Mallory

Mickey

Matt W

John

4. Identify and tell us about specific instances exemplifying some of the last four negotiation tasks: learning about them, learning about their point of view, listening, developing trust. Tell us the extent to which you think these tasks are not relevant to the hostage negotiations. Note that the techniques of listening include more than those mentioned at p. 155, but also include those discussed in Ch. 2 (and in our listening checklist, on Blackboard) and “looping” for mediators, p. 279.

Presenters:

Greg

Max

Casey

5.

Specify some ways in which the negotiations depicted in the documentary are similar to those you expect to do as a lawyer, and some ways they are different.

Presenters:

Joe

Katherine

Daniel

CENTER GROUP

“The Interrupters”

A documentary about a community group in Chicago that seeks to intervene in disputes before they become deadly.

Available through the PBS website; search for The Interrupters.

Presentation date: Monday April 20

Questions for your presentation:

1. Give us an overview summary of what the documentary is about and how you think it relates (or not) to the material we have been studying.

Presenters:

Rinat

Malika

Jenine

Jake

2. Tell us the ways in which the “interrupters” are acting like mediators, or not. If like mediators, are their interventions broad or narrow? Directive/evaluative or facilitative/elicitive? (p. 259); Trashing or bashing? (p. 263); Norm-educating or advocating? Community-enhancing or enabling? (p. 264). Identify specific actions or interventions.

Presenters:

Meghal

Melissa

Kristina

Frank

3. What do the interrupters do to listen effectively and/or gain the trust of the people they are working with? What do they do to speak persuasively? Try to be specific. Do they use any of the listening techniques we have covered? (See Ch. 2 and our listening checklist [Blackboard], listening as a negotiator’s task , p. 155, and “looping,” p. 279.)

Presenters:

David

Tom

James

Evan

Jay

4. What are the advantages and disadvantages of the dispute management methods depicted in “The Interrupters” compared to other methods you can think of (e.g., more police presence, better policing skills, more use of the existing legal system to resolve disputes, changing the legal system, more jobs, more economic opportunity, political changes, whatever else you think might help.)

Presenters:

Ali

Paul

Derek

RIGHT GROUP

“Building Company/Community Dialogue”

Available at the law library website

Presentation date: Wednesday April 22

Questions for your presentation:

1. Give us an overview summary of what the documentary is about and how you think it relates (or not) to the material we have been studying.

Presenters:

Seth

Mike

Michelle C

2. To what extent were these negotiations about positions and to what extent were they discussions of interests? Can you identify which interests were in *conflict*? Which the participants had in *common*? Which were *complementary*? Try to be specific. Did the participants start with positions, or did they instead focus on interests, and reserve until later the development of specific proposals to satisfy those interests?

Presenters:

Jessica

Yafresie

Michelle R

3. What can you tell us about how whether neutrals, such as mediators, were used in this process? What can you tell us about the styles or methods of the mediators? Were their interventions broad or narrow? Directive/evaluative or facilitative/elicitive? (p. 259); Trashing or bashing? (p. 263); Norm-educating or advocating? Community-enhancing or enabling? (p. 264). Identify specific actions or interventions.

Presenters:

Carlos

Olga

Akeem

4. To what extent did the process use the consensus-building actions described in the Susskind list, pp. 628ff? Be as specific as you can.

Presenters:

Nemesh

Nick

5. What is the most effective role of lawyers in the process shown in the documentary?

Presenters:

Matt F

Connor