

Legal Negotiations

Fall 2023

Required Textbook: None

(Course readings will be posted on the course website during the semester)

Professors:

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Dr. Rebekah Reed
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****Important Notes:** *The negotiation problems presented in the text contain the confidential information for each party. Please **do not** read the confidential information for either side until you are given your party assignment for each exercise.*

Course Objectives and Learning Outcomes

At the end of this course, students will be able to:

- Explain the negotiation process;
- Define and determine your BATNA;
- Identify non-verbal negotiation communication;
- Identify negotiation styles;
- Develop effective negotiation strategy and approach;
- Engage in effective and successful negotiation outcomes.

Grading:

<i>Preparation, Professionalism, Class Performance</i>	<i>(25% of final grade)</i>
<i>Scored Negotiation #1</i>	<i>(20% of final grade)</i>
<i>Scored Negotiation #2</i>	<i>(25% of final grade)</i>
<i>Final Exam</i>	<i>(30% of final grade)</i>

Plagiarism

Plagiarism is an extremely serious offense that may result in disciplinary action. There are two major types of plagiarism:

1. Failure to cite the source of an idea; and
2. Failure to use quotation marks around a direct quote.

Use of an idea: If you use the idea (or an organization) of another author, you must attribute that idea to the other author. Merely paraphrasing the other author's words is not sufficient. You must also cite to the other source.

Use of the same words: If you use the idea and the words of another author, you must put quotation marks around those words and cite to the source. Both are required. If either the quotation marks or the citation is missing, you have plagiarized the other author's work.

Intent is not required for a writing to be plagiarized. Using the ideas or words of another student may also be plagiarism.

Regardless of what rules you may have followed on this subject before law school, or what practices you may observe elsewhere, this is the standard that you must adhere to in all of your Lawyering Skills classes, in all seminar papers, in all Moot Court briefs, and in all Law Review or Computer Journal papers. This definition may be supplemented for Lawyering Skills classes.

Names and Pronouns

Chosen names and preferred pronouns (including non-binary ones such as they/them/their) must be respected in our classroom. Please feel free to reach out to us at any time if you want to make us aware of your chosen name or preferred pronoun, or if you have concerns about how we, or your classmates, address you.

Students negotiate in class every week – so preparation for class every week is essential to getting the most benefit from taking this course.

University of Houston Academic Policies

- **COVID-19 Information:** Students are encouraged to visit the University's [COVID-19](#) website for important information including diagnosis and symptom protocols, testing, vaccine information, and post-exposure guidance. Please check the website throughout the semester for updates.
- **Reasonable Academic Adjustments/Auxiliary Aids:** The University of Houston complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, pertaining to the provision of reasonable academic adjustments/auxiliary aids for disabled students. In accordance with Section 504 and ADA guidelines, UH strives to provide reasonable academic adjustments/auxiliary aids to students who request and require them. If you believe that you have a disability requiring an academic adjustments/auxiliary aid, please contact [the Justin Dart Jr. Student Accessibility Center](#) (formerly the Justin Dart, Jr. Center for Students with DisABILITIES).

- Syllabus Changes: Please note that the instructor may need to make modifications to the course syllabus. Notice of such changes will be announced as quickly as possible through the class distribution list.
- Recording of Class: Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the [Justin Dart, Jr. Student Accessibility Center](#). If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.
- Title IX/Sexual Misconduct: Per the UHS Sexual Misconduct Policy, your instructor is a "responsible employee" for reporting purposes under Title IX regulations and state law and must report incidents of sexual misconduct (sexual harassment, non-consensual sexual contact, sexual assault, sexual exploitation, sexual intimidation, intimate partner violence, or stalking) about which they become aware to the Title IX office. Please know there are places on campus where you can make a report in confidence. You can find more information about resources on the Title IX website at <https://uh.edu/equal-opportunity/title-ix-sexual-misconduct/resources/>
- UH Email: Please check and use your CougarNet email for communications related to this course. To access this email, [login](#) to your Microsoft 365 account with your CougarNet credentials
- Security Escorts and Cougar Ride: UHPD continually works with the University community to make the campus a safe place to learn, work, and live. Our Security escort service is designed for the community members who have safety concerns and would like to have a Security Officer walk with them, for their safety, as they make their way across campus. Based on availability either a UHPD Security Officer or Police Officer will escort students, faculty, and staff to locations beginning and ending on campus. If you feel that you need a Security Officer to walk with you for your safety please call [713-743-3333](tel:713-743-3333). Arrangements may be made for special needs.

Parking and Transportation Services also offers a late-night, on-demand shuttle service called Cougar Ride that provides rides to and from all on-campus shuttle stops, as well as the MD Anderson Library, Cougar Village/Moody Towers and the UH Technology Bridge. Rides can be requested through the UH Go app. Days and hours of operation can be found at <https://uh.edu/af-university-services/parking/cougar-ride/>.

Helpful Information

Coogs Care: <https://uh.edu/dsa/coogscare/>

Student Health Center: <https://www.uh.edu/healthcenter/>

Fall 2023 Legal Negotiations: Topics by Week

Aug 22	Introduction Assessments Negotiation Process
Aug 29	Ethical Dilemmas BATNA <i>Negotiation Scenario: Oil Pricing</i>
Sept 5	Interest Generation Asking Better Questions <i>Negotiation Scenario: Sally Soprano</i>
Sept 12	Impact of Anchoring/Framing Preparing to Negotiate <i>Negotiation Scenario: Axis Affair</i>
Sept 19	<i>Scored Negotiation #1 (20% of final grade)</i> <i>Negotiation Scenario: TBD</i>
Sept 26	Class Debrief on Scored Negotiation #1 <i>Negotiation Scenario: 67 Fishpond Lane</i>
Oct 3	Telephone and E-Mail Negotiations Negotiation Techniques <i>Negotiation Scenario: TBD</i>
Oct 10	<i>Scored Negotiation #2 (25% of final grade)</i> <i>Negotiation Scenario: TBD</i>
Oct 17	Nonverbal Communications Logrolling <i>Negotiation Scenario: Mom, Inc.</i>
Oct 24	Cross-Cultural Considerations in Negotiation Impact of Gender on Negotiations <i>Negotiation Scenario: Leaves Before The Fall</i>
Oct 31	Multi-Party Negotiations <i>Negotiation Scenario: Harborco</i>
Nov 7	Final Negotiation Planning Sessions
Nov 14	<i>Scored Negotiation #3 (30% of final grade)</i> <i>Negotiation Scenario: TBD</i>
Nov 21	Final Negotiation Debriefing