

NEGOTIATIONS WORKSHOP

Fall, 2021

Course Description

This interactive workshop combines theory and practice in an effort to improve both understanding of the negotiation process and individual effectiveness as a negotiator in a variety of professional and personal contexts. The course emphasizes a variety of relevant skills including effective preparation, persuasion, communication, problem-solving, and decision-making. Students will be given a foundation in the theories and core concepts of the negotiation process and will work on developing practical negotiation skills through rigorous engagement in negotiation simulations, class discussions, and continuous self-assessment and examination of one's negotiation behavior and personal assumptions about the negotiation process.

Instructor

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Preliminary Class Schedule

1. August 25: Introduction to course and to negotiation strategy
 2. September 1: Initiating and timing of negotiations
 3. September 8: Preparing for negotiations
 4. September 15: Discovery issues
 5. September 22: Mediation, Part 1 – representing a party
 6. September 29: Mediation, Part 2 – serving as a mediator
 7. October 6: Assessing the opponent(s)
 8. October 13: Other forms of ADR
 9. October 20: Behavioral economics and game theory
 10. October 27: Bad faith negotiations and negotiators
 11. November 3: Ethical issues in negotiations
 12. November 10: Cultural and gender issues in negotiations, including religion and race
 13. November 17: Negotiations in different areas of law
- No class on November 24**
14. December 1: Closing the deal and summarizing the course

Approximate Class Schedule

- 2:00 – 2:45: Introduction of weekly topic
- 2:45 – 3:00: Introduction to weekly exercise
- 3:00 – 3:10 Break
- 3:10 – 4:15 Weekly exercise
- 4:15 – 4:30 Summary of weekly exercise

Student Submissions

After each exercise (there will be 10-12), each student is to submit a short (2-3 pages, double spaced would be fine) summarizing their role in the exercise, that of the other party and any lessons/comments/analysis of the exercise.

Evaluation Methodology

70% will be based on the submission arising from the exercises
30% will be based on class participation (quality, not quantity)

Required Reading

- ✓ Schneider, et al, “Negotiation: Process for Problem Solving” (assigned chapters)
- ✓ Shell, “Bargaining for Advantage” (assigned chapters)
- ✓ Fisher and Ury, “Getting to Yes”
- ✓ Various articles and other material

Specific chapters and other articles/material will be posted weekly to:

<https://mkedivorcemediator.com/marquette-law-school-negotiations-workshop-2021/>