

Lesson 6
Is negotiation an effective tool in the legal process?

Lesson Objectives

Students will be able to:

- Compare the results of their negotiations with their peers and evaluate their own negotiation strategies
- Identify the advantages and disadvantages of engaging in negotiations

Materials

- Handout 15: Negotiation Evaluation
- Chart of Students' Settlement Agreements

Lesson Assessments

- Negotiation Evaluation: reflection on the negotiation process

Instructional Activities

Anticipatory Set

- Distribute **Handout 15: Negotiation Evaluation**. Give students 10-15 minutes to respond to the questions. Ask students to share their responses and overall impressions of how the negotiation went.
- While students are filling this out, construct the following chart on the board:

	Group 1	Group 2	Group 3	Group 4 ...
Money awarded to Kenji				
School policy changes				
Does Kenji get a letter of recommendation?				
Does Kenji write a letter of apology?				
Does Kenji get reinstated on student council?				
Other agreements				

Guided Practice

- Instruct each negotiation group to choose one student to come up to the board and fill in the chart with what their group decided.
- Engage in a class discussion about the negotiation results, focusing on how students reached their final agreements and how the agreements are similar and different. Go through the questions on **Handout 15: Negotiation Evaluation** and call on students from each group to share their thoughts on each question.
- Allow students an opportunity to read the opposing side's Confidential Information Sheet. When they are finished, ask:
 - What didn't you know about the opposing party's interests or goals?
 - How would you have negotiated differently if you had known this?

Closure

- Think-pair-share: When we first discussed negotiations, we learned that most cases don't go to trial because they settle out of court. Do you think negotiation is an effective tool in the legal process? What are some of the benefits that a negotiation offers over litigation, and what are some of the drawbacks?