PURPOSES AND STRUCTURE OF THE WORKSHOP

Harvard Law School’s basic Negotiation Workshop focuses primarily on negotiations involving two principals on opposite sides of a deal or dispute. Yet lawyers and other professionals, irrespective of their specialty, find themselves party to negotiations with multiple (i.e. more than two) principals all the time. In addition they work in team and group settings with greater frequency in evermore complex, global, and connected professional contexts. By combining theory and practice, this Workshop aims to improve your conceptual understanding of and effectiveness in multiparty negotiations and teams.

More specifically, our goals are:

A. To increase your theoretical understanding about common dynamics at play in multiparty negotiations, groups, and teams by exposing you to:
   - Various frameworks for understanding and analyzing multiparty negotiations and teams;
Advanced Negotiation: Multiparty Negotiation, Group Decision-Making, and Teams

- Empirical research findings on behavioral best practices;
- A common vocabulary to enhance preparation, conduct, and review

B. To enhance your behavioral skills negotiating in multiparty contexts and working in groups and teams:

While there is no "best" way to negotiate in all dyadic circumstances, it is even harder to offer prescriptive advice in the multiparty context. Nonetheless, you may be able to develop some general guidelines to structure your preparation for, conduct of, and review of negotiations and teams. We will offer our own best advice and encourage you to develop your own prescriptions:

- To assess the skills you have as a negotiator;
- To broaden your repertoire of simple, usable, and effective tools and strategies for multiparty negotiations and working in teams;
- To allow you to practice and experiment with these skills in a low-risk, collaborative learning environment;
- To work on bridging the gap between theory and practice

C. To increase self-awareness of yourselves as agentic actors in multiparty negotiations and teams:

- To help you diagnose your own and others’ strengths and weaknesses in multiparty negotiations and teams
- To help you identify your own and others’ default tendencies in such situations
- To expand your capacity for taking on different roles in different contexts

Like the Law School’s Negotiation Workshop, this Workshop will integrate intellectual and experiential learning by combining readings, lectures, and discussions with frequent exercises, extensive review, live and filmed examples, individual and small group reviews, and careful analysis of the negotiation process and the process of learning from experience. We ask that each of you approach the Workshop with your mind open to learning about yourself and about others. We hope that you will welcome surprises.

The workshop consists of 24 students. The Workshop is taught by two faculty members and a teaching assistant. Our class will meet in Lewis 214B. All lectures and most exercises will occur there. While there will be no regular working groups (or “sections”), we will occasionally meet in small groups during class time in order to analyze or plan for negotiations. Breakout rooms will be available for this purpose.
MATERIALS

Our texts for this workshop will be:


These can be purchased at the Law School Coop. Copies are also available at the Langdell Reserve Desk if you prefer not to purchase one for yourself. You will also receive a reading packet during the first class that will contain additional required and optional readings for the course. On some days, we include optional readings that have more of an academic bent, partially because we think they are helpful and interesting, but also because we know some class participants might have more scholarly interests in the topic.

OFFICE HOURS

Bob will hold office hours on Tuesdays from 9:00 a.m.–11:00 a.m., and Rachel will hold office hours on Thursdays from 9:00 a.m.–11:00 a.m. You may also meet with Bob or Rachel anytime by appointment. Bob’s office is Pound 518 and his phone number is 617.495.9194. You can also reach him by email at rbordone@law.harvard.edu. Bob’s assistant is Tracy Blanchard, tblanchard@law.harvard.edu. Her phone number is 617.496.7109 and her desk is in Pound 513. Rachel’s office is Pound 517 and her phone number is 617.495.5425. Her email address is rviscomi@law.harvard.edu.

COURSE REQUIREMENTS AND GRADING

A. Attendance and Participation

Attendance at all meetings of the Workshop is required. Full attendance is essential to achieving the aims of the Workshop for you and others. Most exercises depend on every participant’s playing a certain role. During each class session you will be teamed with other participants for one or more exercises. Any absence is likely to cause significant inconvenience and loss of opportunity to others. If you must be absent or late on account of sickness or a family emergency, please send an email in advance to Bob Bordone at rbordone@law.harvard.edu, Rachel Viscomi at rviscomi@law.harvard.edu, and Tracy Blanchard at tblanchard@law.harvard.edu. Absences will be excused only for illness, religious obligation, or a family emergency.
B. Workshop Journal

One of the most important requirements of the Workshop is that you submit five journal entries of 3 to 4 pages each. They will be read only by the course instructors and teaching assistant.

Why do we require you to keep a Journal? Journal writing in the Workshop is an effective means of helping you to achieve a greater level of awareness of yourself and others, and can lead to deeper understanding of the negotiation experience. Your journal should contain reflections about your experiences in the Workshop, your interactions with others, the lessons you learn from class and simulations, what you like and do not like about these experiences, what you might do differently next time, and what unanswered questions you still have. You should view it as an opportunity to engage in ongoing self-examination and personal growth. We’re interested in deep thinking and quality, not quantity. We ask that at least one of these journals be devoted to discussing your team consulting project.

When are journal submissions due during the Workshop? All journals must be handed in by 4:00 p.m. on December 14. At least one of these journals must be submitted by September 21 at 4:00 p.m. The remaining four journals may be submitted on the week of your choosing, but no more than one journal may be submitted per week.

Journals that are submitted after 4:00 p.m. on September 21 for the first installment, or after 4:00 p.m. on December 14 for the final installment will be considered late. Please email the journal to Ariel Eckblad at aeckblad@jd16.law.harvard.edu.

C. Semester-Length Team Consulting Project

In lieu of a final examination, you will participate in a team project in which you will provide advice to the staff of U.S. Senator Elizabeth Warren related to an upcoming multiparty negotiation they are facing. On Wednesday, September 16, 2015 the class will be divided into six groups of four. On Wednesday, September 30, 2015, the class will have the chance to ask questions of a senior member of Senator Warren’s staff via videoconference. The six groups will then present their final recommendations to Harvard faculty judges (including at least one faculty member from outside the course) on Wednesday, November 11, 2015. The panel of faculty judges will narrow down the finalists to four teams. Then, on Wednesday, November 18, 2015 class participants will decide on the winning group. The winning group will be dispatched to Washington, D.C., to present its recommendations in person to Senator Elizabeth Warren.

D. Grading

You must take the course for a grade (Honors, Pass, Low Pass, Fail). Graded evaluation of your performance in the Workshop will be based as follows:
35% on your class preparation and participation including the quality and extent of your effort in the various exercises and the sophistication of your in-class comments and analysis

35% on the quality of both your Journal and any related homework assignments handed in during the course

30% the semester-length Team Consulting Project, including the overall quality of your substantive work product, the clarity and professionalism of your presentation, and your demonstrated ability to work well and improve as a team
SCHEDULE OF CLASSES AND ASSIGNMENTS

I. INTRODUCTION

WEDNESDAY, SEPTEMBER 9

1:00 Negotiate Climate Change
2:20 BREAK
2:30 Review Climate Change
3:30 INTRODUCTION TO THE WORKSHOP
4:00 Introduction exercise
4:45 Logistics and Course Requirements
5:00 END OF DAY

HOMEWORK

☐ Read the General Memorandum.
☐ Complete the Multiparty and Group Reflection Assignment.
☐ Read and prepare for Climate Change.

REQUIRED READING


RECOMMENDED READING

II. MULTIPARTY NEGOTIATION

WEDNESDAY, SEPTEMBER 16: PREPARING TO NEGOTIATE

1:00  Shared Goals and Responsibilities
1:15  NEGOTIATION TOOLS: A REFRESHER
1:45  Prep-by-Side World Trade Center
2:20  BREAK
2:30  Negotiate World Trade Center
      Review World Trade Center
4:45  LOGISTICS
5:00  END

HOMEWORK

☐ Read and prepare for World Trade Center.

REQUIRED READING


WEDNESDAY, SEPTEMBER 23: UNDERSTANDING MULTIPARTY DIFFERENCES

1:00  Negotiate Run For the Border!
      Review Run For the Border!

1:55  Negotiate Balance the Budget!
      Review Balance the Budget!

2:50  BREAK

3:00  Negotiate The Final Furlough
      Review The Final Furlough

4:00  BREAK

4:10  MULTIPARTY DIFFERENCES: DECISION RULES & SPOILERS

4:50  LOGISTICS

5:00  END

HOMEWORK

☐ Hand in your first journal entry by Monday, September 21, at 4:00 p.m. Please email the journal to Ariel Eckblad at aeckblad@jd16.law.harvard.edu.

☐ Read and prepare for The Final Furlough, Run For the Border!, and Balance the Budget! and send your selections for each scenario by email to Ariel Eckblad at aeckblad@jd16.law.harvard.edu by noon on Tuesday, September 22.

☐ Work on your team project.

REQUIRED READING


**RECOMMENDED READING**


WEDNESDAY, SEPTEMBER 30: COALITIONS & SETTING THE TABLE

1:00  MULTIPARTY DIFFERENCES: COALITIONS
1:30  Negotiate Social Services
      Review Social Services
2:20  BREAK
2:30  SETTING THE TABLE
2:50  Team consulting project preparation
3:50  BREAK
4:00  Interview John Donenberg, Legislative Director for Senator Elizabeth Warren
4:50  LOGISTICS
5:00  END

HOMEWORK

- Prepare for in-class interview with representative for Teams Project. By Monday, September 28, at 4:00 p.m. your team should send three proposed questions for the discussion to aeckblad@jd16.law.harvard.edu.

- Read and prepare for Social Services.

- Begin to negotiate Fastskin outside of class, starting on Wednesday, September 30 at 8:00 p.m.

- Work on your team project.

REQUIRED READING


**RECOMMENDED READING**

WEDNESDAY, OCTOBER 7: PROCESS AT THE TABLE

1:00  Fastskin Mocktail Party
1:30  Fastskin Executive Crisis Negotiation
2:50  MINI-BREAK
2:55  Review Fastskin
3:40  MINI-BREAK
3:45  PROCESS AT THE TABLE: DESIGN & INTERVENTION
4:30  Team consulting project preparation
4:50  LOGISTICS
5:00  END

HOMEWORK

☐ Continue negotiating Fastskin outside of class, starting on Wednesday, September 30 at 8:00 p.m.

☐ Work on your team project.

REQUIRED READING

WEDNESDAY, OCTOBER 14: MULTIPARTY COMPLEXITY

1:00  Intra-Team Prep for Chestnut Village
2:10  BREAK
2:20  Negotiate Chestnut Village
3:40  BREAK
3:50  Review Chestnut Village
4:50  LOGISTICS
5:00  END

HOMEWORK

- Read and prepare for Chestnut Village.
- Work on your team project.

REQUIRED READING


III. TEAMS AND GROUPS

WEDNESDAY, OCTOBER 21: COMMON CHALLENGES OF WORKING IN TEAMS AND GROUPS

1:00 WORKING IN TEAMS AND GROUPS: AN INTRODUCTION
1:40 The Lego Tower Exercise
3:10 BREAK
3:20 Racing Exercise
4:50 LOGISTICS
5:00 END

HOMWORK

- Work on your team project.

REQUIRED READING


RECOMMENDED READING

**WEDNESDAY, OCTOBER 28: TOOLS FOR MANAGING TEAMS AND GROUPS**

1:00 BEHAVIORS IN TEAMS
1:20 Discuss Behaviors in Teams
2:00 BREAK
2:10 FACILITATION
2:35 Facilitation Skills Drill
3:00 LOGISTICS
3:10 BREAK
3:20 Facilitation Exercises and Video Recording
5:45 END

**HOMEWORK**

- Read and prepare for Facilitation Exercises.
- Work on your team project, which is due **Friday, November 6, 2015 at 4:00 p.m.**

**REQUIRED READING**


**RECOMMENDED READING**

**WEDNESDAY, NOVEMBER 4: MULTICULTURAL & IDENTITY ISSUES IN GROUPS**

1:00  Negotiate Tribes Exercise  
Special Guest: Dan Shapiro, Associate Professor of Psychology, Harvard Medical School

Review Tribes Exercise

3:30  LOGISTICS

3:45  VIDEO REVIEW of Facilitation Exercises

6:15  END

**HOMEWORK**

☐ Work on your team project, which is due **Friday, November 6, 2015 at 4:00 p.m.**

*There is no required reading for this week in order to give you more time to finalize your team project.*
WEDNESDAY, NOVEMBER 11: TEAM PROJECT PRESENTATIONS

1:00 Team Presentations to HLS Faculty Panels and Team Self-review

3:30 Team Consulting Project Review (All Class)

4:50 LOGISTICS

5:00 END

HOMEWORK

☐ Finalize your team project.

There is no required reading for this week in order to give you more time to finalize your team project.
IV. PUTTING IT ALL TOGETHER

WEDNESDAY, NOVEMBER 18: LEADERSHIP, POWER, AND ETHICS

1:00 LEADERSHIP, POWER, AND ETHICS
Special Guest: Professor Michael Wheeler, Harvard Business School

1:30 Leadership, Power, and Ethics movie problems

2:45 BREAK

3:00 Negotiate Team Consulting Project

4:30 Review Team Consulting Project

4:50 LOGISTICS

5:00 END

HOMEWORK

☐ Read and begin preparing Bellicoso for negotiation on Saturday, November 21.

REQUIRED READING

☐ Wasynczuk, Andrew, Katherine Dowd, and Sara del Nido. "Golden Rule (A)." Harvard Business School Case 909-017, April 2009. (Revised October 2010.)


SATURDAY, NOVEMBER 21: *FINAL NEGOTIATION*

10:00 – 5:00 Negotiate *Bellicoso*

**HOMEWORK**

- Do final preparations for *Bellicoso.*
WEDNESDAY, DECEMBER 2: GOING FORWARD

1:00  Review Bellicoso
2:10  Going Forward
3:30  PARTY
5:00  END

HOMEWORK

- Hand in your final journal entry by **Monday, December 14 at 4:00 p.m.** Please email the journal to Ariel Eckblad at aeckblad@jd16.law.harvard.edu.

REQUIRED READING