

Family Law Education Reform Project

William Mitchell Deal Negotiation Evaluation

OVERVIEW

This document is an evaluation for a deal negotiation exercise.

EXPLANATION AND COMMENTS

This evaluation may be used to assess students' performances in a deal negotiation exercise. It may be distributed to students in the form of feedback, used to grade each student's performance, or both.

ABOUT THE AUTHOR

Contributed by the Faculty of:
William Mitchell College of Law
St. Paul, Minnesota

The academic program at the William Mitchell College of Law is founded on legal theory and practical learning, professors who are both scholars and legal practitioners, and a student body that includes career professionals and recent college graduates.

The College of Law places an emphasis on practical lawyering skills by fusing together the curriculum and philosophy of teaching. From writing and trial advocacy program to their clinic program, the curriculum combines skills training with a focus on ethics and legal theory, preparing each student to be a powerful advocate and counselor to their clients.

Deal Negotiation Evaluation Sheet	WRAP Spring 2008
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William Mitchell College of Law (Writing & Representation: Advice & Persuasion)

Representation professor: _____ Student: _____

Negotiation session score (up to 8 points): _____	Negotiation plan score (up to 4 points): _____	Total score (up to 12 points): _____
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NEGOTIATION SESSION (UP TO 8 POINTS)

Getting Started:

- Establishing a relationship
- Obtaining an overview
- Creating an appropriate atmosphere
- Establishing an agenda

unsatisfactory	satisfactory			excellent

Exchanging Information:

- Obtaining information
- Disclosing information
- Maintaining accountability
- Assessing interests
- Refining issues

unsatisfactory	satisfactory			excellent

Exchanging Worth:

- Persuasively stating offers and demands
- Effectively responding to offers and demands
- Focusing on parties' interests
- Relying on objective criteria
- Effectively exchanging concessions
- Considering alternatives and developing creative solutions

unsatisfactory	satisfactory			excellent

(over)

Reaching Agreement (if reached):

- Conformity with authority from client
- Better than client's best alternative to negotiated agreement
- Clarity and fairness

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unsatisfactory satisfactory excellent

Communication:

- Listened well and responded appropriately
- Spoke clearly and concisely
- Used body language appropriately

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unsatisfactory satisfactory excellent

Professionalism:

- Confident
- Respectful
- Articulate
- Well prepared
- Organized
- Ethical
- Proper attire
- Proper attendance

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unsatisfactory satisfactory excellent

NEGOTIATION PLAN (UP TO 4 POINTS)

Thoroughness:

- Theory of the deal
- Interests
- Information
- Persuasion
- Positions

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unsatisfactory satisfactory excellent

Accuracy (both law and facts):

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unsatisfactory satisfactory excellent

Perceptiveness and Creativity:

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unsatisfactory satisfactory excellent

Format:

- Within word-count range (350-750 words)
- Complies with WRAP Format Rules
- Complies with assignment's other requirements

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unsatisfactory satisfactory excellent