

Negotiation & Conflict Resolution/BLAW 4310
M/W 1:25-2:20 COB 212

**THE UNIVERSITY OF TEXAS AT TYLER
SOULES COLLEGE OF BUSINESS
FALL 2024**

COURSE NUMBER: BLAW 4310.001

COURSE TITLE: NEGOTIATION & CONFLICT RESOLUTION

INSTRUCTOR: TAMMY W. COWART, J.D., Professor of Business Law

CLASS MEETING: Monday/Wednesday 1:25-2:20/ Hybrid

REQUIRED TEXT: *Getting to Yes* by Fisher, Ury & Patton (Penguin Books, 2011); *Civil Litigation* by Kerley, Hames and Sukys (8th Ed., Cengage, 2020).

COURSE DESCRIPTION: This course provides an introduction to the concepts, theories, and practices of negotiation and conflict resolution with a focus on developing the professional toolkit that allows managers to lead high-stakes negotiations and resolve complex organizational conflicts. Students also develop an understanding of conflict resolution systems such as: (1) litigation; (2) arbitration; and (3) mediation. Students' evolving toolkit will be put to the test in a series of negotiation simulations.

OFFICE & PHONE NUMBER: COB 350.09; 566-7217 (office)

OFFICE HOURS: MW 10:00-12:30; TR 10-1:00 (or by Appointment)

E-mail: tcowart@uttyler.edu

Course Information: www.uttyler.edu - ALL GRADES, ANNOUNCEMENTS, ETC. WILL BE POSTED ON CANVAS. Check Canvas for Assignments, Due Dates, class updates and changes in the course schedule. Additional notifications will be sent to your Patriot email address. You are expected to check Canvas and your Patriot email for notifications about this class.

Student Evaluation:

Your final semester grade will be based on participation, document preparation, negotiation journal, and a final exam. Your final grade will be calculated as follows:

1. Negotiation self-assessment	20 pts
2. Negotiation journal	100
3. Trial prep documents	100
4. Mock trial participation	75
5. Class participation	75
6. <u>Final exam</u>	<u>100</u>
Total	470

Your final course grade will be determined based on the total number of points earned as follows:

A=421-470 points

B=373-420

C=326-372

D=279-325

Course Assignments

1. Negotiation self-assessment – We will complete a negotiation self-assessment to examine negotiation style. It will be completed on your own and turned in the following week.
2. Negotiation Journal – During our coverage of the *Getting to Yes* book, you will complete weekly journal entries. This can be in the form of a diary. Your entries should include more than reactions to course discussions. You should focus on lessons learned from experiences, view on class discussions, other moments in or out of class that relate to how conflict and negotiation impact your life. I will review your entries but will not share them with the class. Points will be assigned based on your serious reflection and analysis.
3. Participation – *This class is based on participation!* We will meet in person on Mondays and Wednesdays, then complete other work outside of class. You will earn points by attending class, being prepared for class, and participating in class discussions and projects with your classmates. Points will be deducted for failure to do one or more of these.
4. Trial Preparation Documents – When we begin our discussion of litigation, we will cover the process of preparing for a civil trial. As we cover the stages, you will work either in a group or alone to prepare drafts of court documents. The objective here is not to create lawyer-perfect documents but to learn the type of information needed to prepare for trial. Points will be awarded for substance rather than form.
5. Mock Trial Participation and Reflection – Near the end of the semester, we will have a mini-mock trial during class. This will be based on the fact scenario that we cover in the weeks prior. You may serve as lawyer, witness, or juror and should be well-prepared for the role you play. This is intended to be a fun culmination experience for our class. A reflection exercise will be assigned after the trial concludes.
6. Final Exam – We will have a final exam over the Civil Litigation text. You may use your notes to complete the exam.

UT Tyler is committed to exploring and using artificial intelligence (AI) tools as appropriate for the discipline and task undertaken. We encourage discussing AI tools' ethical, societal, philosophical, and disciplinary implications. All uses of AI should be acknowledged as this aligns with our commitment to honor and integrity, as noted in UT Tyler's Honor Code. Faculty and students must not use protected information, data, or copyrighted materials when using any AI tool. Additionally, users should be aware that AI tools rely on predictive models to generate content that may appear correct but is sometimes shown to be incomplete, inaccurate, taken without attribution from other sources, and/or biased. Consequently, an AI tool should not be considered a substitute for traditional approaches to research. You are ultimately responsible for the quality and content of the information you submit. Misusing AI tools that violate the guidelines specified for this course (see below) is considered a breach of academic integrity. The student will be subject to disciplinary actions as outlined in UT Tyler's Academic Integrity Policy. This course has specific assignments where artificial intelligence (AI) tools (such as ChatGPT or Copilot) are permitted and encouraged. When AI use is permissible, it will be clearly stated in the assignment directions, and all use of AI must be appropriately acknowledged and cited. Otherwise, the default is that AI is not allowed during any stage of an assignment.

Course Objectives

This course's learning objectives are:

1. Students will become familiar with the basic concepts, theories, and practices of negotiation and conflict resolution.
2. Students will understand the negotiation mechanisms that communicate and create value and integrative solutions in both the bargaining and problem-solving negotiation paradigms.
3. Students will learn how to prepare for a negotiation.
4. Students will learn to effectively exchange information before and during negotiations and in other dispute resolution systems.
5. Students will grow their negotiation toolkits in the context of complex relationship building.
6. Students will be exposed to considerations necessary for negotiations and dispute resolution that occurs between cultures and subcultures.
7. Students will consider different ethical perspectives relevant to negotiations and dispute resolution.

UT Tyler Honor Code: Every member of the UT Tyler community joins together to embrace: Honor and integrity that will not allow me to lie, cheat, steal, nor to accept the actions of those who do.

The Course Schedule is designated by week of the semester and will correspond to the modules in Canvas. This schedule is subject to change.

WEEK	MONDAY CLASS	WEDNESDAY CLASS	OUT OF CLASS
1 (8/26)	Syllabus and Class Introduction	GTU-Chp. 1	Self-Assessment & Journal Entry
2 (9/2)	NO CLASS	GTU-Chp. 2 & 3	Journal Entry
3 (9/9)	GTU-Chp. 4	Negotiation Exercise	Journal Entry
4 (9/16)	GTU-Chp. 5 & 6	Negotiation Exercise	Journal Entry
5 (9/23)	GTU-Chp. 7 & 8	Negotiation Exercise	Journal Entry
6 (9/30)	Chp. 1-Litigation (1-14); Chp. 2-Courts & Jurisdiction	Douglass Case File Review	Court Case Assn.
7 (10/7)	Chp. 5-Complaint	Discuss and Draft Complaint	Finish Complaint
8 (10/14)	Chp. 6-Response to Complaint	Chp. 7-Motions	
9 (10/21)	Chp. 8-Discovery Process; Chp. 9-Depositions	Deposition Exercise	Summarize Depositions

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10 (10/28)	Chp. 10-Interrogatories	Case Interrogatory discussion & draft	Draft Case Interrogatories
11 (11/4)	Chp. 12-Req Docs & Chp. 13-Req. Admission	Request for Documents discussion & draft	Draft Request for Documents
12 (11/11)	Chp. 15-Trial Techniques (404-420)	Pre-Trial Planning	Prepare for Mock Trial
13 (11/18)	Mock Trial	Mock Trial	Mock Trial Reflection
14 (12/2)	Chp. 16-Post Trial	Chp. 14-ADR	
15	Final Exam		