

**SYLLABUS  
NEGOTIATIONS 463A**

Western State  
College of Law  
Fall 2014

Class Meets Tuesdays 4:00pm-6:00pm

Professor Paul Taylor Smith, Esq.  
Telephone: 714-526-6857  
E-Mail: [ptsmithesq@gmail.com](mailto:ptsmithesq@gmail.com)

**COURSE COVERAGE & OBJECTIVES:**

This is an introductory course in the theory, practice, science, and art of negotiations. The course objective is to provide the student with a basic knowledge of negotiation skills and also some experience in how those skills should be effectively used. Upon completion of the course, the student should have the ability to professionally engage in the negotiation of common legal disputes and employ appropriate negotiation tactics in those disputes.

**COURSE TEXTS:**

Advanced Negotiation and Mediation Theory and Practice  
by Paul J. Zwier and Thomas F. Guemsey

Various problem scenarios distributed in class.

**ATTENDANCE, CLASS PARTICIPATION, AND GRADING:**

The first third of the course consist of lectures covering the week's reading assignment combined with in-class demonstrations. The remainder two-thirds of the class will consist of live in-class simulations. These simulations will be distributed prior to each class. Consequently, class attendance is very important and any student who misses more than two class sessions will be dropped. Preparation and active participation in the negotiation simulations will constitute 40 percent of the student's grade. Each student must perform an opening statement satisfactory for 5 percent of the grade. There will be a mid-term exam for 10 percent of the grade. The remaining 45 percent of the grade will be determined by a written final examination.

**IN-CLASS SIMULATIONS:**

Regarding the in-class simulations, these will generally involve student-lawyers being pitted on different sides of an issue. The lawyers for one side will receive information not available to lawyers on the other side, and vice versa. Students must not allow

those on the other to have access to this confidential material, as it would provide an unfair bargaining advantage. This means that if a student were to share confidential information, he or she could be giving it to someone who would then directly use it against him or her to negatively affect his or her performance (and ultimately his or her grade).

**READING ASSIGNMENTS:**

Below is a listing of weekly reading assignments for the course. This syllabus is intended to be fluid and acts as a guideline. You are responsible to keep track of where we are in class and to continue reading ahead accordingly (approximately one assignment ahead). The pages listed for each assignment refer to the textbook, unless indicated otherwise.

<b>SESSION NO. :</b>	<b>DATE :</b>	<b>READING :</b>
1	8-18-14	CHAPTERS 1 and 2
2	8-25-14	CHAPTER 3,4, and 5
3	9-1-14	CHAPTERS 6,7, and 8
4	9-8-14	10 and 12
5	9-15-14	NEGOTIATION EXERCISE
6	9-22-14	NEGOTIATION EXERCISE
7	9-29-14	NEGOTIATION EXERCISE
8	10-6-14	MID-TERM EXAM/ NEGOTIATION EXERCISE
9	10-13-14	NEGOTIATION EXERCISE
10	10-20-14	NEGOTIATION EXERCISE
11	10-27-14	NEGOTIATION EXERCISE
12	11-3-14	NEGOTIATION EXERCISE
13	11-10-14	NEGOTIATION EXERCISE
14	11-17-14	FINAL EXAMINATION REVIEW
		FINAL EXAMINATION AS POSTED

### **DISABILITY SERVICES STATEMENT:**

Western State College of Law provides accommodations to qualified students with disabilities. The Disabilities Services Office assists qualified students with disabilities in acquiring reasonable and appropriate accommodations and in supporting equal access to services, programs, and activities at Western State College of Law.

To seek reasonable accommodations, a student must contact Senior Assistant Dean Donna Espinoza, Student Services Director and Disabilities Services Coordinator, whose office is in the Second Floor Students Services Suite. Dean Espinoza's phone number and email address are: (714) 459-1117; [despinoza@wsulaw.edu](mailto:despinoza@wsulaw.edu). When seeking accommodations, a student should notify Dean Espinoza of her or his specific limitations and, if known, her or his specific requested accommodations. Students who seek accommodations will be asked to supply medical documentation of the need for accommodation. Classroom accommodations are not retroactive, but are effective only upon the student sharing approved accommodations with the instructor or professor. Therefore, students are encouraged to request accommodations as early as feasible with Dean Espinoza to allow for time to gather necessary documentation. If you have a concern or complaint in this regard, please notify Dean Espinoza; or please notify Associate Dean of Students Charles Sheppard at [csheppard@wsulaw.edu](mailto:csheppard@wsulaw.edu) or (714) 459-1152. Complaints will be handled in accordance with the College of Law's "Policy against Discrimination and Harassment."