BMA5506 Contract Negotiations and Dispute Resolution Syllabus

Instructor: Rita Cain, J.D.
Professor of Business Law
UMKC Bloch School
Room 323
816-235-2326
Office Hours, MW 4:45-5:25PM and by appt.
cainr@umkc.edu

Welcome to BMA 5506, Contract Negotiations and Dispute Resolution

As instructor, I accept the following responsibilities to help you succeed in the course:

- 1. Come prepared to every scheduled class meeting.
- 2. Plan the course so you can accomplish the course and topic objectives.
- 3. Treat you as responsible adults.
- 4. Consider that it is not always your fault if you don't understand the material.
- 5. Create a mutually respectful classroom environment.
- 6. Encourage you to ask and answer questions and to participate in all class activities with a spirit of cooperation and learning.

As students you need to accept the following responsibilities to succeed in the course:

- 1. Come prepared to every scheduled class meeting.
- 2. Complete all work on time and with proper thought.
- 3. Behave as responsible adults.
- 4. Consider that it is not always my fault if you don't understand the material.
- 5. Treat others with respect.
- 6. Ask and answer questions and participate in all class activities with a spirit of cooperation and learning.
- 7. Learn from your teammates.

Course Objectives. Several course objectives follow that will be used for purposes of the course evaluations you complete at the end of the semester. Additional topic objectives are found on the class home page to help guide your learning of the specific materials. All of those topic objectives fall under one or more of the following semester-long goals:

Course Objectives:

- 1. Students will be able to identify and apply various concepts and strategies of negotiation and dispute resolution.
- 2. Students will be able to recognize and apply the rules of contract law and other business laws to real world negotiations and disputes.

- 3. Students will be able to integrate legal rules and negotiation concepts into cohesive approaches to individual and group activities.
- 4. Students will work with a team to eliminate misconceptions and enhance understanding of course material.

Materials: Lewicki, Barry, Saunders *Negotiation: Readings, Exercises, and Cases* (5th ed.) McGraw Hill Irwin, ISBN # 0-07-297310-2. Cain, Contracting Law Materials (on Blackboard).

Assignments:

Students should read all assigned material and be ready to discuss in class. Readings with numbers refer to the Lewicki book. Topics without any other references indicate the corresponding chapter in the Contracting Law Materials on Blackboard.

Class attendance and participation are crucial to success in the course. Everyone must be willing to become involved in the discussions and exercises to accomplish the course objectives.

JANUARY 10: Course Introduction and Introductory exercise: PERSONAL BARGAINING INVENTORY, p. 689.

January 12: Introductory and PreNegotiation Concepts, Reading 1.1, 2.1 and 2.3

January 17: Martin Luther King Holiday, no class.

January 19: Continue Negotiation Planning concepts, Readings 1.5 and 1.6. Pairs negotiate Used Car Exercise #4, p. 502 (ungraded) from 6:15 to 6:45 PM.

January 24: Discussion of Used Car Exercise (30 minutes). Contract Offers and Acceptance

January 26: Conclude contract offer and acceptance. ALL TEAM ASSIGNMENTS FOR GROUP ACTIVITIES WILL BE AVAILABLE ON BLACKBOARD. Be prepared to discuss any questions about the group activities. Groups will have approximately 30 minutes to confer and delegate group work for the semester.

January 31: Contract Consideration. Readings 3.10 and 4.2.

February 2: Distributive Bargaining, Readings 1.8 and 1.9.

February 7: Dirty Tricks including fraud and duress, Questionnaire 2, p. 692. Reading 2.8.

February 9: Conclude Dirty Tricks, Fraud, Duress.

February 14: Risk, Mistake and Conditions.

February 16: Documentation and Authority, Reading 3.4.

February 21: Groups prepare for Engine Parts Exercise.

February 23: Exercise 5, Two Negotiations @ 30 minutes. Begin debriefing.

February 28: Finish Debriefing Engine Parts Negotiation. Review Negotiation Planning, Interests and Positions.

March 2: Integrative Bargaining, Reading 1.10.

March 7: Continue Integrative bargaining. Reading 1.4 and 12-step Program, p.

289.

March 9: Conclude Integrative Bargaining. Review for Exam.

FRIDAY, MAR. 11. 1ST Personal Reflection DUE BY 5PM

March 14: Exam covering all materials to date

March 16: Group work time on Case presentations of Capital Mortgage.

March 21: Class Discussions of Capital Mortgage Case

March 23: Conclude Capital Mortgage case.

WEEK OF MARCH 28 SPRING BREAK. NO CLASSES

April 4: Contract Damages. Reading 5.2. Group work time for International Presentations.

April 6: Group Presentations on International Negotiation Practices

FRIDAY APRIL 8, 2^{ND} Personal Reflection MUST BE COMPLETE BY 5 PM.

April 11: External Dispute Resolution Processes, Reading 6.6. **ONLINE NEGOTIATION ARTICLE found on Blackboard.**

Cover Arbitration content found on Blackboard on your own.

April 13: Group Work time on Online Dispute Resolution Process

April 18: CONCLUDE ONLINE DISPUTE RESOLUTION PROCESS by NOON. In class discussion of online dispute resolution process.

April 20: Group Work Time to prepare Universal Computers. **Peer Evaluations due by 5PM.**

April 25: Presentation of Universal Computers Parts 1 and 2.

April 27: Debrief Universal Computers. Exam Review. Course Evaluations.

Final exam: Covering all materials. Monday, May 2, 5:45-7:45 p.m.

Grading

	<i>Total = 900</i>	
•	Peer Evaluation	50
•	Group Cumulative Final Exam	100
•	Individual Cumulative Final Exam	50
•	Final Group Negotiation Project (Universal Computer	rs) 100
•	Group Online Dispute Resolution	50
•	Group International Presentation	100
(including at least one individual negotiation)		150
•	2 Personal Reflections @ 75 each	
•	Group Case Analysis and Discussion	100
•	Group Exam One	100
•	Individual Exam One	50
•	First Group Negotiation (Engine Parts Exercise)	50

Course grades will be based on the following percentages of the total points available:

$$A = 90 - 100\%, B + = 87 - 89.99\%, B = 83 - 86.99\%, B - = 80 - 82.99\%, C + = 77 - 79.99\%, C = 73 - 76.99\%, C - = 70 - 72.99\%, D + = 67 - 69.99\%, D = 63 - 66.99\%, D - = 60 - 62.99\%, F = 59.99\% and below.$$

Detailed information on all the graded <u>Group Activities</u> is found under the Projects tab in Blackboard. Any documentation required for a group activity (negotiation plans, case presentation materials) should be posted under the Assignments tab, uploading a Word document, slide show or other submitted material.

<u>Exams</u>: If a student must be absent on a scheduled testing day, the student may make arrangements with the instructor to take the INDIVIDUAL exam prior to the designated time. No makeup exams will be given after the class takes the test because it is impossible to make an equivalent exam without placing the student at either an advantage or disadvantage.

Because the GROUP TEST is a learning experience based on participating and interacting within the group, any student who must be absent on a scheduled testing day, *may not make the group portion of the test or those points*. The student's entire exam score will be based entirely on the individual score x 3.

If a student must miss one of the scheduled tests because of a **verifiable personal emergency**, that student's grade will be based on an average of the other **individual** unit test. Notify the instructor *immediately* in case of such emergencies or else the exam grade will be zero.

Group study of the materials is encouraged and it should help the groups to perform better on the group objective tests.

Personal Reflections: You will receive up to 150 points for 2 personal reflections postings @ 75 each. At least one of these entries must analyze an INDIVIDUAL NEGOTIATION that you CONDUCT DURING THE SEMESTER. This individual negotiation can be at work or in your personal life, or a mock negotiation with a classmate. If it is something from work, be sure you get permission to write about it or change any identifying information to protect your employer's confidentiality. If you negotiate with a class member, it should be with someone who is NOT on your team. If you negotiate with a class member, you should use one of the select exercises from the book (see the scoring rubric on Blackboard for the number and page of available exercises). I will provide role information for the exercises from the book. Keep anything I give you confidential, not just from your opposing party but from other classmates too, since everyone in the class may be using one or more of these same exercises.

The other blog you write can be from a second individual negotiation or it can be a reflection on some other material as it relates to the course content. For example, you could analyze a past negotiation you have conducted, reflecting on what you might do differently based on the course content. The second posting might be about an article you read in the paper that relates to the class content, or an example of a negotiation in a movie or other media. The possibilities are only limited by the course content.

If you conduct 2 mock negotiations with class members, get a different member for each one to give you the most pervasive learning experience. All negotiations done with a class member must be with someone from a team other than your own.

The reflections about your individual negotiation(s) should describe your planning, the conduct of the negotiation itself and your critique of your own performance, as well as anything noteworthy about the other person's negotiating style, tactics or plan.

You should post each reflection under the Assignments tab, uploading a Word document.

<u>Academic honesty</u> is fundamental to the activities and principles of a university. All members of the academic community must be confident that each person's work has been responsibly and honorably acquired, developed, and presented. A student enrolling in

any UMKC course is expected to exhibit high standards of academic honesty. Any effort to gain an advantage not given to all students is dishonest whether or not the effort is successful. In the case of academic misconduct, I will assess the affected work and report the incident according to the guidelines printed in the catalog. The rules governing any suspected violation are clearly spelled out in the UMKC catalog and will be followed to the letter. You can read the complete set of rules at www.umkc.edu/umkc/catalog/html/append/policy/0040.html. www.umkc.edu/umkc/catalog/html/append/policy/0040.html. www.umkc.edu/umkc/catalog/html/append/policy/0040.html. www.umkc.edu/umkc/catalog/html/append/policy/0040.html. www.umkc.edu/umkc/catalog/html/append/policy/oo40.html. www.umkc.edu/umkc/catalog/html/append/policy/oo40.html. www.umkc.edu/umkc/catalog/html/append/policy/oo40.html. www.umkc.edu/umkc/catalog/html/append/policy/oo40.html. www.umkc.edu/umkc/catalog/html/append/policy/oo40.html. www.umkc.edu/umkc/catalog/html/append/policy/oo40.html.

If you have **special needs** as addressed by the Americans with Disabilities Act (ADA) and need assistance, please notify the Office of Disability Services, A048 Brady Commons, 882-4696, or the course instructor immediately. Reasonable efforts will be made to accommodate your special needs.