Instructions for Writing Self-Assessments - Read This Carefully
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The main purposes of your self-assessments are for you to: (1) reflect on what you learned from a simulation about negotiation and/or yourself as a negotiator, and (2) practice self-analysis, an important process in developing your professional skills.

As you consider what to write about, I suggest that you start by reviewing issues from the course readings or other literature to help you frame the issues. Your paper should discuss relevant literature, as described below.

! <u>Focus on Challenging Negotiation or Dispute Resolution Issues.</u> Your assessment <u>must</u> relate to negotiation or dispute resolution issues raised in class and/or the readings. Discuss issues that are <u>challenging</u> (i.e., where there is more than one plausible way to handle the issue) and <u>important</u> (i.e., that arise frequently and/or could have major consequences). You may focus on issues about negotiation generally and/or how you personally grapple with them given your history, personality, general approach etc. Discuss a small number of issues in depth instead of discussing a larger number of issues superficially. In any case, at the beginning of your paper, clearly identify the issue(s) you will analyze – and then focus the rest of the paper exclusively on those issues.

  ! Start your analysis by describing the relevant interactions in your simulation and why you had a dilemma, e.g., why there was no obviously best solution to the problem. This discussion should describe plausible options for handling the problem, including potential benefits and risks of these options.

  ! Since your issue should be challenging, presumably some observers might reach a different conclusion than you do. You can be especially persuasive if you identify other plausible analyses and explain why your analysis is better than the alternatives.

  ! The analysis should describe how your experience affects your thinking about handling similar problems in the future. Of course, you won't encounter the exact same situation in the future, considering differences in parties, lawyers, facts, legal issues, etc. So any lessons for the future should necessarily be qualified. In other words, you shouldn't say that you will "always" or "never" do something in the future based on a single experience. It is more useful to think in terms of things like "warning signs," options to consider in similar situations, and factors affecting the approach you might choose, etc.

!   <u>Describe Only Relevant Facts.</u> I will be familiar with the general fact pattern, so don't repeat most facts or give a full play-by-play account. Instead, describe only the interactions in your case that are relevant to the issue(s) in your paper, including enough detail to give me a good understanding of the dilemma.

!   <u>Be Candid.</u> Experienced lawyers don't always perform as well as they want and law students don't either. This is normal when dealing with challenging issues. You can learn a lot from things that don't go well. So don't pretend that you or your classmates performed better than you actually think you did. You will receive a better grade for a candid and insightful analysis of problems than for a superficial presentation that avoids analysis of problems. Of course, sometimes students do perform well and you can learn a lot from analyzing good performance as well, so you shouldn't necessarily present problems. In other words, provide as accurate assessment as you can and don't be too hard or too easy on yourself and your classmates. *Focus on what you learn from the exercise, not on how well you performed.* That's what I will consider in grading.

!   <u>Support Your Conclusions.</u> Provide specific information supporting your analysis rather than simply providing unsupported conclusions. For example, if you think that the negotiation model you used was effective under the circumstances, describe the circumstances that lead to your conclusion.

!   <u>There Is No Single "Right" Answer.</u> You will not be graded on whether you agree or disagree with material from the readings or class discussion. If you have selected a challenging issue, there should be no single right answer. (Of course, some statements may be problematic or incorrect and you should obviously try to avoid making such statements.) Feel free to challenge ideas from the readings or class discussion and, if so, be sure to *discuss the basis* for your challenge. The quality of your analysis – and whether it logically supports your conclusions – is much more important than your conclusions themselves.

!   <u>Selectively Include Useful Citations</u>. Your paper <u>must</u> briefly summarize relevant theory or other material from assigned readings or other sources. (You may also refer to class discussion as appropriate.) For many issues, experts have previously considered these problems and recommended ways to deal with them. It should help your analysis to address existing knowledge about these issues. You may find relevant discussion in the assigned readings for the course, but you aren't limited to them and if there isn't much or anything that is relevant from the course readings, you should search on Westlaw or other readily available sources. For some issues, you may not be able to find any discussion, but you must look. (If you can't find any relevant sources, check with me.) This isn't a research paper and I don't expect you to spend a lot of time researching or discussing the literature in your papers. But I do want you to engage the ideas in the literature so that this isn't a perfunctory research exercise of simply adding footnotes without engaging the material. Include enough of this material from the

literature to summarize the issue, showing why it is challenging and important, but most of the discussion should analyze the issue(s) in your simulation. Use footnotes (rather than citations in the text) using Bluebook or ALWD format.

!   <u>Use Good Writing Techniques.</u> As much as possible, follow the "suggestions for writing" posted in the syllabus section on TWEN.

!   <u>If You Have Questions about What You Are Supposed to Do, Ask Me.</u> I encourage students to ask questions in class because if you have a question, it is likely that other students have the same question. I am also happy to talk with students individually outside of class. Feel free to set up an appointment or ask questions by email.