

Case of Tim and Amy Coats - Overview

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This is a multi-stage simulation for negotiation of a divorce case, focusing on division of property and child support issues. This case does not involve alimony or child custody issues.

A complete package of materials is available in the [Willamette Center for Dispute Resolution Simulation Bank](#). The package includes role-play instructions, written assignments, logistical information for each stage, self-assessment forms, and teaching notes. For a flat subscription fee for the Simulation Bank, you have unlimited access to a wide variety of simulations for as many students as you like.

Throughout this simulation, half the students in this simulation play parties and half play lawyers. Ideally, students should have the opportunity to do another multi-stage simulation in the course so that each student has the chance to play both a party and a lawyer in a multi-stage simulation.

The chart below shows the sequence of stages I used, followed by a brief discussion of each stage. Each instructor is likely to use the simulation differently, not necessarily using all the stages provided – and possibly adding new ones.

This schedule is based on 75-minute classes in which students generally do each stage in class for about 15-30 minutes. In my course, the classes begin with a discussion of the task for that day, including the lawyers' (and sometimes the clients') goals at that stage. After students do the simulation, they complete a brief self-assessment form and then the class debriefs the experience together.

Class	Task
1	Initial Client Interview
2	Developing relationships with counterpart lawyers
3	Prepare client for negotiation
4	Lawyers meet to prepare for negotiation
5	Negotiation
6	Debriefing the negotiation

1. The instructions for the initial client interview are similar to instructions for one-stage simulations where students negotiate or mediate the ultimate resolution. In this simulation, the goal of this stage is for the lawyers to develop good

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relationships with their clients, elicit basic information (including the clients' interests), and decide what additional information they need. Following this stage, lawyers submit requests to the instructor for additional information. I provided a single response to all students (i.e., on both sides and including both lawyers and clients) based on the requests submitted by the various lawyers. The simulation package includes the additional information I provided to students, including the parties' assets, income, and expenses. I did not give specific responses to each student's submission or grade them, though you may do so.

2. The goal of this stage is for the lawyers to develop good relationships with their counterpart lawyers. During the negotiation, students experience the effect of having such relationships. Students who are assigned to play lawyers in the same group are assigned to "have lunch" together. Students should focus most of the time developing personal relationship but may spend some time talking about the case. Students may be assigned to complete this stage of the simulation outside of class.

Students who are assigned to play parties are matched with other parties (but not the students who are assigned to be parties in the same group). For the purpose of this stage, the parties are instructed to act as if they are lawyers in the case.

3. Before this stage, all lawyers and parties will have received additional information described above. Each pair of lawyers and clients meets to prepare for the negotiation. The lawyers are assigned to prepare negotiation plans in connection with this stage.
4. Each pair of lawyers meets to prepare for the negotiation based on the conversations with their clients in the prior stage. While the lawyers are meeting, the instructor may meet with all the parties as a group to discuss what they have learned by playing a party in this simulation.
5. Each group of parties and lawyers attempt to resolve the issues.
6. The entire class is devoted to debriefing the negotiation. You might assign pairs of lawyers to write up a simple marital settlement agreement.

You can see my [syllabus](#) and I would be happy to discuss designing a course. The rationale for including multi-stage simulations in a negotiation course is described in my article, [Teaching Students to Negotiate Like a Lawyer](#), 39 Washington University Journal of Law and Policy 109 (2012) and [Lessons from Teaching Students to Negotiate Like a Lawyer](#), 15 Cardozo Journal of Conflict Resolution (forthcoming Fall 2013) which provide other recommendations for planning a negotiation course.

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