



## SUMMER 2026 COURSE SYLLABUS

Course Number: Law 303-001

Course Title: Negotiation & Legal Settlement

Credit Hours: 3.00

Grading Mode: Letter graded

Meeting Day(s)/ Time(s):

May 16-17, May 30-31 & June 13-14. Class will meet between 8:30 a.m. and 5:00 p.m., with 15-minute breaks mid-morning and mid-afternoon and a one-hour break for lunch.

Meeting Mode: In person

Exam Day(s)/ Time(s): N/A

Final Exam Mode: Final Paper

Prerequisite(s): None

Corequisite(s): None

Instructor(s): Ben Jacewicz

Contact Information: [bjacewic@gmu.edu](mailto:bjacewic@gmu.edu)

Office Hours: N/A

### **Course Overview**

This course focuses on negotiation as related to legal practice.

### **Course Learning Outcomes**

Through readings, class discussions, audio-visual presentations, role plays, interactive exercises, and written assignments, students learn (1) theories, models, and concepts of negotiation, (2) their legal and ethical duties as negotiators, (3) problem-solving skills, and (4) reflective practice.

### Reading(s) & Supplement(s):

Carrie J. Menkel-Meadow, et al., *Negotiation: Processes for Problem Solving* (3d ed. 2021) (*Negotiation*).

### Grading Policies

#### Participation 10%:

I will take attendance into account in this portion of your final grade. I also will evaluate your level of engagement in role plays and interactive exercises. Finally, I will consider whether you make regular and meaningful contributions to class discussions, especially role play debriefs.

#### Negotiation Plan 20%:

You will complete a negotiation plan based upon a role play scenario. You may use the text, handouts, class notes, and any research results in preparing your plan. I will provide you with a negotiation plan template to complete.

#### Final Paper 20%:

You will submit a 6- to 8-page paper analyzing a real-world negotiation of your choosing. The negotiation may be one in which you have been involved, or one that you have observed or read about. The final paper should provide well-reasoned insights, critiques, conclusions, and/or recommendations that apply negotiation concepts, models, skills, and/or theories you have learned. You may consult with me in-person or via email about your final paper topic any time before June 13. The final paper is due at 5:00 p.m. on June 23.

#### Problem Sets 20%:

You will answer one or more problems in the text before each class. An answer to a problem should be as long as necessary to address all questions in an organized and well-reasoned manner. A small amount of research may be required to answer some problems. Answer all questions raised in a problem. Failure to do so will result in a lower grade.

#### Short Essays 25%:

You will write four 2- to 3-page essays. The first and last essays will focus on your personal objectives or the course. In the other two essays, you will engage in self-reflection – that is, considering and evaluating your own thinking, attitudes, motivations, behaviors and emotions. Put another way, self-reflection entails asking yourself the “why” underlying your thoughts and emotions. These two essays should do more than just summarize the events of the role play. They should address matters such as what you did well, particular challenges you faced, missteps you later realized you made, or whether ways in which you adjusted your style, strategy or tactics from a prior role play proved to be effective. To be clear, a short essay that provides an excellent summary of the role play will receive no better than a B+ because it includes no self-reflection.

#### Short Exercises 5%:

You will complete two exercises – an online research exercise and negotiator worksheet – intended to develop your proficiency as a practitioner.

A: 93-100; A-: 90-92; B+: 87-89; B: 83-86; B-: 80-82; C+: 77-79; C: 73-76; C-: 70-72. The law school adheres to mandatory mean grading curves. In elective class of this size (i.e., 6 to 49 students), the curve is a mean between 3.05 and 3.45 (B/B+). I will grade each set of

assignments with this curve in mind. Only work I deemed to be among the best I have seen over my time teaching this course will earn an A. I will deduct 10 points from any written assignment submitted up to 24 hours after its deadline and 5 points for part or all of each 24-hour period thereafter. If you cannot meet a deadline for an assignment, then you should email me with a request for an extension. I will base my decision on whether to grant such a request on the totality of relevant factors, including but not limited to, the length of the extension sought, the reason for the extension, and the fact that meeting deadlines is critical to success in legal practice. I will email general feedback on assignments to everyone and specific feedback to each of you individually. Specific feedback will focus on issues unique to your work. It may pose questions. These questions seek to encourage you to think more deeply about an issue. They should not be taken as criticism.

## Classroom Policies

**Attendance:** Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

**Absences:** Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

### Participation & Preparation:

Although law school policy allows you to miss up to 20 percent of a course’s classes and still receive full credit for completing the course, you are expected to attend all classes in their entirety. In other words, if you do not anticipate attending every class, then you should not take this course. Missing class will preclude you from benefiting from the role plays and interactive exercises designed to meet the course’s learning objectives. If an unexpected situation arises that will necessitate your being absent from all or part of a class, please notify me as soon as possible. If you are unable to attend class in-person, you may send me a request to participate in class via Zoom. Participation via Zoom will count as an absence under the law school’s attendance policy. Closure of the law school building due to bad weather (or for another reason) does not mean that class is cancelled. The law school requires that classes still be held via Zoom at their regularly scheduled times. I will email you about any switch from in-person to Zoom. You must have the ability to connect via telephone to call if you experience problems with Zoom.

### Use of Technology & AI:

**Strict Use Policy:** The use of generative AI tools is not permitted for any coursework in this course. Unauthorized use will be treated as a violation of academic standards.

To comply with the Family Educational and Privacy Act (FERPA), 20 U.S.C. 1232g, and respect everyone’s personal privacy expectations, please do not record any class meetings. Law school policy prohibits the use of generative artificial intelligence (GAI) in the drafting or writing of papers or any other course work or assignments. GAI is a type of artificial intelligence that uses algorithms to generate new content, such as text or images, based on data it has been trained on. It does not include online search engines, legal-research databases, or word-processing applications that, while incorporating artificial intelligence, do not generate novel text.

### Written Assignment Guidelines:

You will submit each written assignment as a Word or .pdf document to me at [bjacewic@gmu.edu](mailto:bjacewic@gmu.edu). The assignment should be double-spaced, in 12-point font, and with 1-inch margins. It also should be written clearly and concisely and eschew legal jargon. Any citations should be to specific pages of journals, articles, texts, or other sources, preferable in *Bluebook* form. You must complete all written assignments on your own.

## Course Schedule & Assignments

### Weekend 1: Negotiation Theory and Principles

Dates: May 16-17

Topics: Conflict and Methods of Dispute Resolution, Negotiation Ethics, Distributive and Integrative Negotiation, and Countering Hard Bargaining Tactics

Assignment(s):

Read *Negotiation*, chapters 1, 4(A-C), 5, 6, 7, 9 & 12; answer problems 1-1, 4-3, 5-1, 6-1, 7-7, 8-3, 9-4 & 12-6 in *Negotiation*; short essay describing your objectives for this course and reputation you want to develop as a negotiation

### Weekend 2: Practical Issues in Negotiation

Dates: May 30-31

Topics: Negotiation Communication Skills, Cognitive Biases in Negotiation, Culture in Negotiation, Legal Representation in Negotiation, and Negotiation Preparation

Assignment(s):

Read *Negotiation*, chapters 2, 3, 4(D), 10, 11 & 13; answer problems 2-5, 3-5, 4-10, 10-4, 11-6 & 13-2 in *Negotiation*; complete negotiator worksheet & online research exercise; short essay reflecting on "In re The Estate of Gale"

### Weekend 3: Special Topics in Negotiation

Dates: June 13-14

Topics: International negotiation, Negotiated agreements, team negotiation, and negotiation and mediation

#### Assignment(s):

Read *Negotiation*, chapters 14, 15 & 16; answer problems 14-3, 15-2 & 16-9 in *Negotiation* (I encourage you to review the full entire law review by Schneider excerpted in the text); short essay reflecting on “The Strategic Security Institute and Dr. Hannah White”; complete negotiation plan using provided template

Final assignments: short essay discussing what you have learned and whether it meets the objectives you identified when the course began, and ways in which you want to improve as a negotiator in the future and how you plan to do so; final paper analyzing real-world negotiation.

**These assignments are due by 5:00 p.m. on June 22.**

## **Student Resources**

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730 or emailing [titleix@gmu.edu](mailto:titleix@gmu.edu).

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[University Life](#)