

INTERNATIONAL NEGOTIATION COMPETITION FOR LAW STUDENTS

2009 RANKING SHEET

Judge: _____ First Round: _____ Second Round: _____ Third Round: _____

Room: _____ Team Designation: _____

This Team's Overall Ranking: _____

1 = Most effective team

2 = Next most effective team

3 = Third most effective team

4 = Least effective team

Note: If you observe only one negotiation between two teams, rank the teams using “1” and “2” only. In regard to both the ranking and the evaluation criteria form, we are interested in your independent judgment. Therefore, judges should not discuss their ranking with each other until the ranking sheets and evaluation criteria forms have been completed and collected.

***YOU SHOULD CONSIDER THE TEAMS' ETHICAL CONDUCT
IN ASSIGNING FINAL RANKINGS.***

INTERNATIONAL NEGOTIATION COMPETITION

2009 EVALUATION CRITERIA

GENERAL INSTRUCTIONS

There are seven evaluation scales. While you can fill out the first five scales during the 10-minute period when the teams are preparing their self-analyses, Scale VI, Self-Analysis, can be filled out only after you have seen this final aspect of the negotiating session. Scale VII, Negotiating Ethics, should also be filled out after you have seen the team's complete performance, including the Self Analysis.

On the evaluation criteria form scales, the number 7 is at the low or poor performance end of the scale; the number 1 is at the high end of the scale. The number 4 rating, neutral, should be used if you cannot decide or if the performance was a somewhat evenhanded balance of positive and negative qualities. Indicate your rating by circling the appropriate number.

The evaluation criteria form scales themselves attempt to divide what is recognized as a dynamic and complicated process into discrete components or attributes that should be present in any approach to negotiation. Each of these standards should be applied at the end of each of the two negotiations, in light of the effect these aspects of the process had on the outcome.

These standards are also based on the premise that there is no one "correct" approach to effective negotiation in all circumstances. Instead, the strategies and techniques used will vary with the nature of the problem, the specific mix of personalities involved, and other circumstances. Whatever approach is used, however, negotiation effectiveness can be judged at least in part by its outcome. A good negotiation outcome is one that:

- Is better than the best alternative to a negotiated agreement (with this party)
- Satisfies the interests of:
 - the client – very well
 - the other side – acceptably (enough for them to agree and follow through)
 - third parties – tolerably (so they won't disrupt the agreement)
- Adopts a solution that is the best of all available options
- Is legitimate – no one feels "taken"
- Involves commitments that are clear, realistic, and operational
- Involves communication that is efficient and well-understood, and
- Results in an enhanced working relationship, so the parties and/or their lawyers can deal with future differences more easily.

While these criteria are helpful in evaluating a particular negotiation and identifying problems connected with it, they should not be read as requiring that the parties reach agreement. In some situations, e.g., where the opponent's last offer satisfies few of the relevant criteria, the best outcome might be no agreement at all. Thus, the judging standards focus on planning and the negotiation process itself, allowing a team to achieve a high rating even if no agreement was reached.

***PLEASE BE SURE TO COMPLETE ALL CATEGORIES BEFORE TURNING IN THE EVALUATION CRITERIA FORM.**

INTERNATIONAL NEGOTIATION COMPETITION

2009 EVALUATION CRITERIA FORM

I. NEGOTIATION PLANNING

Judging from its performance and its apparent strategy, how well prepared did this team appear to be?

7	6	5	4	3	2	1
Very Unprepared	Unprepared	Somewhat Unprepared	Neutral	Somewhat Prepared	Prepared	Highly Prepared

II. FLEXIBILITY IN DEVIATING FROM PLANS OR ADAPTING STRATEGY

How flexible did this team appear to be in adapting its strategy to the developing negotiation, e.g., to new information or to unforeseen moves by the opposing team?

7	6	5	4	3	2	1
Very Inflexible	Inflexible	Somewhat Inflexible	Neutral	Somewhat Flexible	Flexible	Highly Flexible

III. OUTCOME OF SESSION

Based on what you observed in the negotiation and the self-analysis, to what extent did the outcome of the session, regardless of whether agreement was reached, serve the client's goals?

7	6	5	4	3	2	1
Very Poorly Served	Poorly Served	Somewhat Poorly Served	Neutral	Somewhat Served	Served	Fully Served

IV. TEAMWORK

How effective were the negotiators in working together as a team, in sharing responsibility, and providing mutual backup?

7	6	5	4	3	2	1
Very Ineffective	Ineffective	Somewhat Ineffective	Neutral	Somewhat Effective	Effective	Highly Effective

NOTE: For a single-person team, average criteria I, II, III, V, VI, and VII and enter that result (to the nearest whole number) as the teamwork rating.

V. RELATIONSHIP BETWEEN THE NEGOTIATING TEAMS

Did the way this team managed its relationship with the other team contribute to or detract from achieving its client's best interests?

7	6	5	4	3	2	1
Strongly Detracted	Detracted	Detracted Somewhat	Neutral	Contributed Somewhat	Contributed	Strongly Contributed

VI. SELF-ANALYSIS

Students should begin this 10-minute period by answering, the following questions:

- (1) "In reflecting on the entire negotiation, if you faced a similar situation tomorrow, what would you do the same and what would you do differently?"
- (2) "How well did your strategy work in relation to the outcome?"

Based on the team's self-analysis during the review session, how adequately has it learned from today's negotiation?

7	6	5	4	3	2	1
Very Inadequately	Inadequately	Somewhat Inadequately	Neutral	Somewhat Adequately	Adequately	Very Adequately

VII. NEGOTIATING ETHICS

Based on your observation, do you believe the negotiating team observed or violated the ethical standards of the legal profession? For example, 1) did the team misrepresent material facts? 2) did the team exceed its settlement authority? 3) did the team invent self-serving material facts? 4) did the team follow all competition rules?

OBSERVED VIOLATED

Comments:

If you circled violated, was the ethical violation so severe that, in your judgment, the team should be disqualified from winning the competition? Circle one:

YES NO

BRIEF SUMMARY COMMENT ABOUT THIS TEAM:
