

University of Houston Law Center  
Spring 2026  
Advanced Legal Negotiations

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Room 260  
**Section # 12617**  
**Course # 5271**  
**Advanced Negotiations**  
**Room TBD**

Wednesday 5:30 pm to 7:30 pm

**Professors:** Lindsay Contreras  
Kevin Hedges

**Required Text:** Negotiation Genius by Deepak Malhotra and Max Bazerman  
Difficult Conversations by Douglas Stone, Bruce Patton, Sheila Heen, et al.

**Recommended Text:** Getting to Yes by Roger Fisher and William Ury  
Beyond Reason by Roger Fisher and Daniel Shapiro  
Never Split the Difference by Chris Voss

**Office Hours:** By appointment

**Phone:**  
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**Kevin Hedges (713) 494.8905**

**Email:** Everyone should have access to email and an email account. Email is the best way to contact Professor Contreras and Professor Hedges.. You can reach them at:

[lcontreras@dhmlaw.com](mailto:lcontreras@dhmlaw.com)  
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**Course Description:**

Pre-requisites: Legal Negotiations, participating in the ADR Team, participation in the ABA Negotiation Competition, or participating in the ICC International Commercial Mediation Competition.

This course will focus on in-depth analysis, planning, and practice of preferred systems and techniques for complex negotiation involving both hard and soft interests. The analytical skills to be emphasized are: 1) Identification of interests; 2) Analysis and improvement of each party's BATNA; 3) Development of options; and 4) Assurance of transparency, implementation and enforcement. Class size is limited to 12 students in order to assure the faculty/student ratio necessary for in-depth analysis and training.

## **SPECIAL NOTE:**

### **AI Generated Text**

The software technology known as artificial intelligence has recently expanded its capability to generate text (AI Generated Text). Examples of the technology include what are known as “generative” large language models (LLMs), and specific implementations that are well known in the general public as ChatGPT or the like. These systems can generate text in response to prompts and/or input of other text/documents/code/images. The output – the AI Generated Text – appears to have human-mimicking “intelligence” and is thus potentially usable as a substitute for written work product a student might generate themselves. AI Generated Text can include computer code or programs as well as human language content.

Your continuing enrollment in this course is deemed to be a pledge by you under the Honor Code to not prompt, generate, obtain, read, or use any AI Generated Text in relation to any activity or assessment in this course except as expressly allowed by the professors. This applies to AI Generated Text from yourself or others. This pledge includes that your assessment work product in the course is without any contribution from AI Generated Text unless expressly authorized by the professors. This specifically extends to the plagiarism policy and unauthorized aid/materials parts of the Honor Code: AI Generated Text will be treated as from another/other in applying the plagiarism policy to this course. The term “assessment” means any work product generated for this course that is submitted to the instructors or presented in a class session, regardless of whether it is graded content or not. Nor may AI Generated Text be used in the development or drafting of any assessments created by you in a non-proctored environment, such as “take-home” assignments, without prior express permission from the professors.

Instances when you are allowed or not allowed to incorporate AI Generated Text in your assignment(s) will be expressly stated by your professors. If listed in the syllabus, these designations are listed as “AI use NOT ALLOWED” or as “AI use ALLOWED, but you must indicate on the submitted assignment if you used AI and also turn in your prompts.” For any assignment in which you use AI Generated Text, you must turn in the prompts you used to generate the material, in addition to turning in the final product. Note that for any assignment where AI use is allowed, you are not required to use AI if you choose not to.

Electronic caselaw research aids, such as Westlaw or LexisNexis, and online or hardcopy form books, such as those promulgated by O’Connor’s, are not considered large language models (LLMs) or AI Generated Text. You may use these types of aids freely throughout the semester. If you are unsure whether a research aid, website, or other resource falls under the “AI Generated Text” restriction, please ask.

## Learning Objectives/Goals/Outcomes:

This is an advanced course offered to students who have been exposed to basic concepts of negotiation theory and practice. The following description of course goals for legal negotiation is accurate for this class as well, but we will be exploring the issues relating to preparation and opportunities for mutual gain in more depth than in introductory classes.

This course starts from the observation that the world of managers, lawyers, public officials, analysts, and other professionals is marked by interdependencies, fragmented sources of power, and an uncertain future. In this unruly world, the sources for understanding and stability are often provisional and the ability to learn and to manage change is at a premium. The diversity of our society and work force contributes to conflicts over goals, interests, and frames of reference. These characteristics create an ongoing need for the ability to craft stable agreements that advance interests, build trust, and construct understanding in complex and unstable environments. They create a need for alternative dispute resolution.

To help you develop the understanding and skills necessary to respond to this challenge, we will explore three insights that currently shape negotiation research, theory, and practice. The insights each describe negotiations as an interactive process. The first insight is that even simple interdependencies create a dynamic environment in which multiple outcomes are possible. The bare fact that a bargain requires the consent of both parties is sufficient to open a complex space for interaction between negotiators. The second insight is that negotiation is rarely a zero-sum process. Negotiators affect not only how value is distributed, but also how much value there is to distribute. The third insight is that negotiation is a social process. Through their interactions, negotiators shape the terms in which they understand problems, their sense of what kind of behavior is fair, appropriate, and desirable, and their ability to trust.

We hope to accomplish two goals. First, we hope that you will develop skills that will make you a better negotiator. Second, we hope to help you connect your developing understanding of negotiation in terms connected to adjacent questions about learning, rationality, ethics, organizational behavior, and other fields. In more substantive terms, this course should help you to diagnose conflict, prepare to negotiate, negotiate purposefully and thoughtfully, and critically evaluate outcomes and experiences.

We will explore a systematic approach to negotiation that we think constitutes good advice about what to do when your interests or beliefs are in tension with others' and you cannot act unilaterally.

## Negotiation Exercises:

You will take part in several negotiation exercises. For each case, you will be assigned a particular role, given background information, instructions, and confidential information to aid in your preparation. You will be asked to prepare in writing for these exercises, and you may be asked to present in class in front of the other students and/or record and upload your negotiation for your faculty to observe and provide feedback.

## **Cases and Readings:**

### **Required Text:**

- Negotiation Genius by Deepak Malhotra and Max Bazerman
- Difficult Conversations by Douglas Stone, Bruce Patton, Sheila Heen, et al.

## **Grading:**

Your grading will be based on the following components:

- 25% Participation and in-class contributions
- 45% Negotiation Exercises (3 simulations with prep memos & reflections)
- 20% Written analytical paper ("My Negotiation Framework")
- 10% Peer and self-evaluation

**PLEASE NOTE, THE GRADING FOR THE NEGOTIATION PREPARATION SHEETS IS DONE ANONYMOUSLY. IF YOUR NAME APPEARS ON ANY ASSIGNMENT THAT YOU TURN IN, YOU WILL AUTOMATICALLY BE GIVEN THE LOWEST GRADE APPLICABLE FOR THAT ASSIGNMENT.**

## **Confidential Instructions:**

You will receive confidential instructions in each of the exercises. You may choose to reveal or discuss some or all of the contents of your confidential information with your opposing party. Indeed, to be successful, this kind of communication is often indispensable. However, you must not physically show your confidential information sheets to the other side. This rule is intended to mirror reality – in most real-life situations, you cannot simply show the full set of your underlying values and information to your opposing party.

## **Optional Reading List:**

Getting to Yes by Roger Fisher and William Ury  
Beyond Reason by Roger Fisher and Daniel Shapiro  
Never Split the Difference by Chris Voss

## **Negotiation Journal (Optional):**

Throughout the semester, students are encouraged to maintain a Negotiation Journal to track personal insights, behaviors, and progress. The journal serves as a self-coaching tool to deepen awareness and reinforce intentional practice.

### **Recommended Prompts:**

- What negotiation behaviors did I notice in myself this week?
- Which techniques (framing, anchoring, questioning) did I use effectively?

- When did emotion, bias, or assumption interfere with my effectiveness?
- What did I learn from observing others?
- What one habit or mindset will I practice next week?

Optional Submission: Students may submit excerpts or summaries for bonus credit or feedback.

### **AI Ethics and Negotiation Analysis Tools:**

This discussion module explores the role of Artificial Intelligence in negotiation analysis, focusing on ethics, confidentiality, and fairness. Students will evaluate how AI tools can support or distort negotiation processes and how to use such tools responsibly. This topic is integrated into Week 12's case study on Apple v. FBI, examining the intersection of technology, privacy, and negotiation ethics.

### **Bias & Heuristics in Negotiation Decision-Making:**

This module replaces the former 'Implicit Bias' lecture and expands into cognitive and psychological dimensions of negotiation. Students will explore how unconscious biases and heuristics—such as anchoring, confirmation bias, availability bias, and reactive devaluation—impact negotiation decisions. Through applied exercises, students will practice identifying and mitigating these biases to make more strategic and objective decisions.

Key Reading Additions:

- Negotiation Genius, Chapters 8–9
- Kahneman, 'Thinking, Fast and Slow' (selected excerpts provided in class)

### **Instructional Mode (IM):**

This course is designated as a face-to-face course, which means classes are in person by default, but designated classes may occasionally be held as remote classes via Zoom to accommodate other scheduling needs or other unforeseen circumstances. Students will be notified in advance of any classes that will be held remotely and a Zoom link will be posted on Blackboard at the start of the semester that is the Zoom link that will be used for any such classes.

### **Required information from UH administration:**

- Remote presence: The UHLC administration has notified faculty that because of supply chain issues and ongoing construction at the new building, the availability of “remote presence” (i.e., starting a Zoom meeting from the podium computer to enable student remote access during in-person class on an occasional basis) for the semester is not known; therefore, students should not rely on an expectation that remote presence will be available. (As noted below, per the UH recording policy, all classes will be recorded and recordings posted to the class Blackboard page where they will

remain up for the entire semester, so if a student is absent and unable to attend an occasional class in person, they may review the recording afterwards).

- **Syllabus Changes:** Due to the changing nature of the COVID-19 pandemic, please note that the instructor may need to make modifications to the course syllabus and may do so at any time. Modifications to the course syllabus may also be needed due to other unforeseen circumstances (such as a global pandemic, or weather-related emergency, or instructor illness). Such modifications may include changes to the mode of instruction or assigned material for the course. Notice of such changes will be announced as quickly as possible through the course website and/or email.

**Law Center Attendance Policy:** As noted in the student handbook, [link](#) (page 5), and required by ABA standards, the Law Center has a minimum 80% attendance policy for students. Therefore, 3 missed class sessions constitute nonadherence to this policy. Please communicate with your Professors in the event you have any issues complying with the UHLC Attendance Policy regarding this course. A student's nonadherence with the attendance policy may result in notification with the Office of Student Affairs.

- **Covid-19 information for face-to-face courses:**
  - **FACE COVERING POLICY:** To reduce the spread of COVID-19, the University strongly encourages everyone (faculty & students, vaccinated or not) to wear face coverings indoors on campus including classrooms.
  - **VACCINATIONS:** Data shows that vaccination remains the best intervention for reliable protection against COVID-19. You can familiarize yourself with pertinent vaccine information here. The University strongly encourages all students, faculty and staff to be vaccinated.
  - **PRESENCE IN CLASS:** Your presence in any face-to-face class means that you:
    - Are NOT exhibiting any symptoms that make you think that you may have COVID-19
    - Have NOT tested positive or been diagnosed for COVID-19
    - Have NOT knowingly been exposed to someone with COVID-19 or suspected/presumed COVID-19
    - If you are experiencing any COVID-19 symptoms, please see Student Protocols for what to do. If you have potentially been exposed to COVID-19, go here: Potential Exposure to Coronavirus.

- **ADDITIONAL COVID-19 INFORMATION:** The University's COVID-19 website has important information about on-campus testing, vaccines, diagnosis and symptom protocols, campus cleaning and safety practices, report forms, and positive cases on campus. Please check the website throughout the semester for updates.

## **Counseling and Psychological Services (CAPS)**

[Counseling and Psychological Services](#) ("CAPS") can help students who are having difficulties managing stress, adjusting to the demands of a professional program, or feeling sad and hopeless. You can reach CAPS by calling 713-743-5454 during and after business hours for routine appointments or if you or someone you know is in crisis. No appointment is necessary for the ["Let's Talk" program](#), a drop-in consultation service at convenient locations and hours around campus.

The Texas Lawyers' Assistance Program ("TLAP") also supports law students who are dealing with stress, anxiety, depression, substance abuse, and other mental health problems. You can reach TLAP at any time at 1-800-343-8527. TLAP's website includes a page with links to sources about mental health that are of interest to law students: <https://www.tlaphelps.org/law-students>.

**Other Support Services:** Law school can be a challenging experience, and on top of that, we are emerging from a global health crisis. In addition to the resources above, there are other resources on campus to help. If you find yourself food insecure, housing insecure, or in need of mental health or other services, the University has other free resources for students available here: <https://www.uh.edu/dsaes/coogscare/>. The Cougar Cupboard provides free groceries for all students, with no requirements. More information is available on their website: <https://uh.edu/dsa/cougarcupboard/>.

## **Anti-Discrimination and Sexual Misconduct Policies**

UHLC and the University of Houston are committed to maintaining and strengthening an educational, working, and living environment where students, faculty, staff, and visitors are free from discrimination and sexual misconduct. If you have experienced an incident of discrimination or sexual misconduct, a confidential reporting process is available to you. For more information, please refer to the University System's [Anti-Discrimination Policy SAM 01.D.07](#) and [Sexual Misconduct Policy SAM 01.D.08](#).

Please be aware that under the sexual misconduct policy, SAM 01.D.08, faculty and other University employees are required to report to the University any information received regarding sexual misconduct as defined in the policy. Due to this reporting requirement, faculty members and other employees are not a confidential resource. The reporting obligations under the sexual misconduct policy extends to alleged conduct by university employees and students.

## **A. Other UH Resources:**



- [Diversity and Inclusion Statement](#)
- [Non-Discrimination Statement](#)
- [Center for Diversity and Inclusion](#)
- [Center for Students with DisABILITIES](#)
- [LGBTQ Resource Center](#)
- [Cougars in Recovery](#)
- [Counseling and Psychological Services](#) (see Section XIII)
- [Veterans Services](#)
- [Cougar Cupboard](#)
- [CoogsCare](#) (student assistance resources)
- [DACA: What You Need to Know](#)
- [Student Health Center](#)
- [Wellness](#)

## **Names and Pronouns**

I want to address each of you in a manner that corresponds to your identity. Although mistakes happen, chosen names and preferred pronouns—including non-binary ones such as they|them|their—and honorifics, such as Rev., Mr. Ms. Mx. Dr., will be respected in my classroom. Please feel free to reach out to me at any time if you want to make me aware of your chosen name or preferred pronoun or if you have concerns about how I or your classmates address you.

My pronouns are \_\_\_\_\_. You may call me \_\_\_\_\_.

## **Diversity, Inclusion, and Wellness**

This is an inclusive learning space.

At UHLC, we are committed to ensuring inclusive online and classroom learning spaces, where you'll be treated with respect and dignity, and where everyone is provided the equitable opportunity to participate, to contribute, and to succeed.

In this course, all students are welcome regardless of socio-economic status, age, race, ethnicity, disability, religion, national origin, veteran's status, sex, sexual orientation, gender identity, gender expression, political affiliation, marital status and other diverse identities that we each bring to class. Our class is richer for this diversity.

Inclusive learning spaces facilitate the innovation and creative thought that enhance student success. This success arises from the participation, support, and understanding of you and your colleagues. I encourage you to speak up and to share your views, but also understand that you are doing so in a learning environment in which we're all expected to engage respectfully and with regard to the dignity of all others.

If you feel like your class performance is impacted in any way by your experiences inside or outside of class, please reach out to me. I want to be a resource for you. If you feel more comfortable speaking with someone besides me, Student Services is an excellent resource: 713-743-2182. Finally, I encourage you to bring any issues negatively impacting UHLC's openness to diversity and inclusion to the Law Center's Diversity and Inclusion committee. The D&I committee's charge includes "[building] on the Law Center's strengths as a diverse and inclusive environment." You can contact the committee directly at [UHLCD&I@uh.edu](mailto:UHLCD&I@uh.edu).

Your suggestions are encouraged and appreciated. Please let me know ways to improve the effectiveness of this course for you personally, or for other students or student groups.

### **Accessibility and Accommodations**

UHLC is committed to ensuring that all students enjoy equal access and full participation. If you anticipate or experience barriers based on a disability (including any chronic or temporary medical or mental health condition), please feel free to reach out to me so that we may discuss options. If you require any support services, you may contact Ms. Samantha Ary, Academic Records Coordinator. Ms. Ary is located in room 44A TU-II in the Office of Student Services suite, and she can be reached at [sary@central.uh.edu](mailto:sary@central.uh.edu) or 713-743-7466. Requests for accommodation that involve graded assignments **must be directed to Ms. Ary** and should be made as soon as possible to allow adequate time to document and to process the request.

If you observe religious or cultural holidays that will coincide with synchronous class sessions or conferences, please let me know as soon as possible, so that we may make arrangements.

### **Honor Code**

The [UHLC Honor Code](#) applies to all aspects of my class. *You are responsible for knowing all Honor Code provisions and for complying with the Honor Code.* Please ask me if you have any questions regarding how the Honor Code's provisions apply to specific activities or situations related to my course. *It is an Honor Code violation to review the graded assignments distributed to, or written by, any of my students from prior years.*

### **Recording of Class** (if applicable)

Students may not record all or part of class, livestream all or part of class, or make/distribute screen captures, without advanced written consent of the instructor. If you have or think you may have a disability such that you need to record class-related activities, please contact the [Center for Students with DisABILITIES](#). If you have an accommodation to record class-related activities, those recordings may not be shared with any other student, whether in this course or not, or with any other person or on any other platform. Classes may be recorded by the instructor. Students may use instructor's recordings for their own studying and notetaking. Instructor's recordings are not authorized to be shared with *anyone* without the prior written approval of the instructor. Failure to comply with requirements regarding recordings will result in a disciplinary referral to the Dean of Students Office and may result in disciplinary action.

## Tentative Schedule:

Week / Date	Topic(s) & Skills	Reading (Before Class)	In-Class Activities	Deliverables (Due)
<b>1 — Jan 21</b>	Orientation: What makes an ADVANCED negotiator; diagnostic review of frameworks; course setup & expectations.	Negotiation Genius (NG) Ch. 1–2	Warm-up negotiation: Big Project in Texadelphia (demo volunteers set for Week 2).	—
<b>2 — Jan 28</b>	Advanced preparation & setup: stakeholder mapping, sequencing, issue charting; framing development.	NG Ch. 3	Demo: Able & Associate (2 students). Paired drill: Bryce & Georgia. Hand out Exercise 1 (Vaccination Loss).	—
<b>3 — Feb 4</b>	Value creation vs. claiming; interest generation; option design and logrolling.	NG Ch. 4–5	Group interest-mapping labs: BioTech & GSL (interest generation only).	—
<b>4 — Feb 11</b>	Advanced BATNA & deal design; opening strategies; commitment & implementation planning.	NG Ch. 6–7	Breakouts to rehearse openings and interests for Exercise 1.	—
<b>5 — Feb 18</b>	Scored Negotiation #1 + debrief (PON-style reflection).	—	In-room negotiation; record & upload; short debrief. Post-Negotiation Self-Analysis assigned.	Preparation Memo #1 due by class; email to Nicole Dellario (include Side & Exam #) at <a href="mailto:nhdellar@central.uh.edu">nhdellar@central.uh.edu</a> . Record & upload video.
<b>6 — Feb 25</b>	Bias & Heuristics in Negotiation Decision-Making (replaces implicit bias lecture). Recognizing/mitigating anchoring,	NG Ch. 8–10; Kahneman excerpt (provided)	Heuristics diagnostics. Circuit Innovations practice negotiation +	Optional Journal entry #1.

	confirmation, availability, reactive devaluation.		bias audit. Journal prompt issued.	
<b>7 — Mar 4</b>	Risk, leverage, and deal terms: litigation-informed bargaining; expected value, decision trees, and settlement design.	NG Ch. 11-14	Instructor-led case rounds on evaluating cases & litigation risk (replacing external guest). Hand out Exercise 2.	—
<b>8 — Mar 11</b>	Persuasion to decision-makers; strategic framing, anchoring, narrative design; difficult conversations foundations.	Difficult Conversations (DC) Ch. 1-2	Workshop: Persuading adjudicators and principals. Screenwriting negotiation (handout).	—
<b>SPRING BREAK — Mar 18</b>	No class	—	—	—
<b>9 — Mar 25</b>	Managing identity and emotion; trust repair; role-reversal empathy drills.	DC Ch. 3-5	Breakouts in prep for Exercise 2. Role-Reversal exercise; feedback ladders.	—
<b>10 — Apr 1</b>	Scored Negotiation #2 + debrief (PON-style reflection).	—	In-room negotiation; record & upload; debrief. Self-Analysis assigned.	Preparation Memo #2 due by class; email to <a href="mailto:nhdellar@central.uh.edu">nhdellar@central.uh.edu</a> . Record & upload video.
<b>11 — Apr 8</b>	Tactics under pressure; apology & trust repair; plea-bargaining strategy lab (instructor-led).	DC Ch. 6-7	Hand out Exercise 3. Lab: structured concessions and timing; apology & repair drills.	Optional Journal entry #2.

<b>12 — Apr 15</b>	AI Ethics & negotiation analysis tools; confidentiality, bias, and fairness; multiparty prep for Exercise 3.	DC Ch. 8–10; short AI ethics brief (provided)	Case study discussion (Apple v. FBI or equivalent). Coalition mapping for Exercise 3.	—
<b>13 — Apr 22</b>	Multi-party & coalition strategy; team roles; sequencing and shuttle diplomacy.	DC Ch. 11–12	Coalition drill; final readiness check for capstone.	—
<b>14 — Apr 29</b>	Scored Negotiation #3 (Capstone) + final integration debrief.	—	Capstone negotiation; record & upload; peer feedback.	Preparation Memo #3 due by class (email to <a href="mailto:nhdellar@central.uh.edu">nhdellar@central.uh.edu</a> ). Post-Negotiation Self-Analysis due within 48 hours. Optional Journal summary (extra credit).

## **Appendix: Post-Negotiation Self-Analysis Template (Harvard PON Style)**

Each major negotiation exercise will include a structured post-simulation debrief and self-analysis to foster reflection and skill refinement.

### **I. Preparation**

- 1. What were your primary interests and goals?
- 2. What information did you have—and what did you overlook?
- 3. How accurately did you assess your BATNA and the other side's BATNA?

### **II. Strategy**

- 4. What was your planned opening strategy (first offer, tone, structure)?
- 5. How did you balance value creation and value claiming?
- 6. Did you adjust your strategy mid-negotiation? Why or why not?

### **III. Tactics and Communication**

- 7. How effective were your questioning and listening techniques?
- 8. How did framing and persuasion affect the negotiation outcome?
- 9. Did any cognitive biases (anchoring, overconfidence, reactive devaluation) appear in your or your counterpart's approach?

### **IV. Emotions and Relationship Dynamics**

- 10. How did emotions (yours or theirs) influence the negotiation?
- 11. How did you manage rapport, trust, and tension?

### **V. Outcomes**

- 12. What was the final agreement or impasse?
- 13. How well did it meet your goals and interests?
- 14. What would you do differently next time?

### **VI. Insights**

- 15. What one thing will you consciously practice or change in your next negotiation?
- 16. How does this experience inform your evolving personal negotiation framework?