

Questions About the Interviewing Exercise
[Questions in **BOLD** are particularly important;
questions in highlighted in yellow can be skipped]

- We will start by asking a few “show of hands” questions:
 - Type of negotiation: transactional? Settlement? Other negotiation in the context of litigation? Negotiation not in the context of litigation?
 - Did you interview an attorney? If not, was the subject another type of professional or a party? What type of professional?
 - How many of the negotiation described in your interview resulted in an agreement?
 - How long was the negotiation that your subject described? A day? Week? Months? Years?
- Questions about the interview process itself:
 - Why did you choose the particular person you interviewed?
 - Was it difficult to schedule a time to meet?
 - Tell us about the interview itself. What did you find most enjoyable? Challenging?
 - What aspect or aspects of the negotiation did the subject spend most of the time discussing?
 - Were you able to get through all your questions?
- Questions about the substance of the negotiation discussed in the interview:
 - Was the negotiation particularly interesting or surprising? If so, in what way?
 - What seemed to be most important in determining whether the negotiators reached an agreement or not?
 - Did the parties have a relationship before the negotiation -- or contemplate a possible relationship after the negotiation? How did the relationship -- or lack of a relationship -- affect the negotiation?
 - Did the negotiators discuss the legal issues, including what would happen if they went to court? How did that affect the negotiation?
 - How did the parties' interests affect the negotiation? Did the negotiators explicitly discuss the parties' interests?
 - **What terms did the subjects use when describing the negotiation? Did they use terms like “reservation price”, “BATNA”, etc.? If so, which ones? If not, what terms did they use?**
 - In class, we have frequently discussed the importance of preparing before entering a negotiation. What did your subjects have to say about preparation?
 - How did your subjects deal with the bargaining tactics employed by the other side?
 - **What about the negotiation did you find particularly useful for how you might negotiate in the future?**
- Questions About the Assignment:
 - What was particularly helpful about this assignment that caused you to learn important things?
 - If we were to use this assignment in a future class, what changes would you suggest?