

# Ensure Students Are Learning: Faculty Descriptions of Innovative Teaching Practices

## Classroom Becomes a Negotiation Room in Product Liability Exercise

### Innovative Teaching Practice Description:

After introducing the topic of product liability, the instructor engages students in a weeklong, small group activity to teach students about legal negotiations. The instructor begins by providing the entire class with a legal scenario based on a product liability issue. Drawing from his own experience, the instructor selects cases that are easy for students to understand and for which sufficient background information is available. As an example, the instructor may introduce “the lawn dart scenario,” a case in which a family sought restitution for injury caused by a lawn dart game. The instructor then randomly divides students into groups of four. Two members in each group serve as attorneys for the plaintiff while the other two represent the defendant. The legal teams receive specific instructions about what their clients want from the negotiation. Each pair in the class receives a different set of instructions, which remain confidential. The instructor also provides students with a set of primary and secondary research materials that may include relevant statutes and prior cases. Students are encouraged to study materials beyond the research provided; however, it is not required. Students meet in their pairs during the first class session of the week to discuss their strategy. By the next class meeting, all students must have their research completed and should be prepared to sit with the opposing party to engage in their negotiation. Students keep track of their work using a negotiation log, which they submit for a grade. Each group also must submit its final settlement agreement. Once the groups complete their negotiations, they present their results to the class. The instructor determines which group had the best outcome and awards bonus points to the winning team.