

Assessment of Stone Soup Course Experience

This questionnaire is for faculty to describe and assess your experiences with “Stone Soup” Project assignments or activities. Your responses will be posted on the Indisputably blog and may be disseminated in other ways as well. Please describe specifics of your experience, but do not include information that could identify any student (except as noted below) or subject of a Stone Soup assignment or activity.

1. Faculty name: **Michaela Keet and Mark Baerg**
2. School: **University of Saskatchewan (College of Law)**
3. Course: **Negotiation**
4. Semester: **1 [Fall] 2017**
5. Number of students in the course: **72, across 4 sections**
6. Briefly describe the Stone Soup assignment or activity (e.g., interview or focus group class). If you assigned students to conduct an interview, summarize the type of subjects and focus of the interview. If you conducted a focus group class, describe the speakers and issues discussed.

Students had the option of conducting a Stone Soup interview about a negotiation, court-based process, or conflict.

In interviews about a “significant negotiation” or court-based process, students were to “(1) learn from someone’s experience in negotiation or litigation; and (2) reflect on how concepts we are discussing in class (in particular: psychological, procedural and substantive interests of clients) may create challenges and opportunities in the practice of law.”

In interviews about a conflict which has not yet been negotiated fully, or litigated, students were to “(1) learn how to approach a conflict assessment; (2) reflect on how concepts we are discussing in class (in particular: psychological, procedural and substantive interests of clients) may create challenges and opportunities in the practice of law.” Students could assess one of their own conflicts, but they were encouraged to interview others about their conflicts if possible.

7. Was the assignment required, one of several options, or for extra credit?

Two choices for an e-portfolio entry.

8. If students were to write a paper, how long was the paper supposed to be (in double-spaced pages)?

750 words [about 3 pages]

9. When was the assignment due (or when did you conduct a Stone Soup activity)?

Supposed to be done mid-way through the term, but not absolutely due until the end of the course.

10. What percentage of the grade was allocated to the assignment?

No separate percentage allocated to it; is part of a portfolio of assignment work which is worth 40% overall. I require students to engage weekly in their 'portfolio work' and this piece of it was one of the more significant pieces – one of 2 cornerstone engagements which happened in Week 5 of the course.

11. Did you discuss in class the results of students' work? If so, what did you and the students learn from this discussion? Was this a good use of class time?

I didn't allocate a specific segment of time to discuss this. However, I did read their entries as they started to come in, and used that to integrate into our classroom conversations in the subsequent weeks. I also had a number of exchanges with individual students (electronic messaging through the portfolio) where I encouraged them to continue to build on what they learned in these interviews as they advanced to later assignments, such as our lawyer-client negotiations.

12. What did students learn that they wouldn't have learned without the Stone Soup assignment or activity?

In many ways, the exercise reinforced content they are learning in the first few weeks of our Negotiation course. What this exercise introduced, however, was the chance to explore these themes in a "real-life conversation", and this element added very significant benefits. My quick reflections on what they learned:

They were able to develop and demonstrate ...

1.the capacity to discover and then articulate 'interests' as separate from legally relevant facts in a real-life conflict (a more difficult task than in in-class roleplays);

2.the capacity to identify a real person's procedural, substantive and psychological needs, and reflect on how that may translate into process planning as between a lawyer and client.

In the backdrop of this exercise, I saw the students wrestling with (and reflecting on) many tensions in the lawyer's problem-solving role:

- **managing client expectations;**
- **addressing the relationship among interests, rights and obligations;**
- **developing durable solutions to longer-term conflicts;**
- **difficulties in getting consistent/congruent information from people, in terms of their hopes and interests (as well as legally relevant information);**
- **confronting cognitive bias;**
- **difficulties in building trust (and open information-gathering environments) where peoples' encounters with the justice system have not always been positive;**
- **discomforts in contemplating litigation or process risks.**

Students heard about how stressful clients often found their engagements with the justice system and its various processes, and also heard about how disconnection with their lawyers can be an exacerbating factor. Also, they heard about how positive and communicative relationships with lawyers can buttress bad experiences.

13. **What worked well with the assignment or activity?**

The assignment worked well to deepen reflection on the themes identified above. It was administratively easy: Since students found their own interviews and conversations, it involved no extra work for the professor. I noticed students engaging more critically on topics relating to access to justice, and evolving professional roles for lawyers. It allowed them a wide range of context/settings: students interviewed close and distant family members, friends, 'friends of friends', and (in a few cases) lawyers or mediators. The situations they discussed covered a wide range of civil conflict: family conflict (about 40%); residential tenancies; and conflict relating to property and business transactions. Finally, it laid an excellent foundation for an extensive lawyer-client (four-way) negotiation simulation which happens in the last month of our course.

14. **What would you do differently if you do it again?**

I might require it to be completed by Week 6 in our program. I had suggested it be completed by then, but some students did not upload their results until the end of the course. In our Negotiation course, the value of the exercise is maximized if it is completed before the second half (because it is essentially an awareness-raising exercise, as we have designed it).

Also, I may set aside committed class time for discussing students' observations, next time. Although we had designed this to be individual

learning which could inform the students' continued class work, they would likely have benefitted from seeing how interviews unearthed universal themes.

15. What would you advise other faculty considering using a Stone Soup assignment or activity?

Do it. And think strategically about how it can be modified to suit your objectives for student learning – how it might complement existing material and skill-building in your course.