

UNIVERSITY of **HOUSTON** | LAW CENTER

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Blakely Advocacy Institute

**PRESENTS**

# **The 2021 Lorance Thompson Negotiation & Contract Drafting Competition**

**ADVOCATES**

at

UNIVERSITY of **HOUSTON** | LAW CENTER

# **LORANCE & THOMPSON, P.C.**

- **Texas Top Ranked Law Firm**
- **Specializes in trying auto and workers compensation cases, as well as commercial litigation, tort law issues including products liability, medical malpractice defense, employment, transportation, construction, insurance, other professional liability**
- **Provides counsel for copyrights, trademarks and intellectual property litigation, pharmaceutical defense, premises liability, toxic tort & environmental litigation defense and automotive defense**
- **Also offers counsel for corporate law**

# ABOUT THE COMPETITION

- **Intramural competition**
- **One, full day of negotiation rounds**
- **Two-student teams, both playing the role of lawyers representing client interests**
  - Two-party, conference style negotiation format
  - Includes integrative and distributive bargaining components
  - Pursuing a settlement agreement enshrined in a written contract
- **Drafted Contract due one week later**
- **Open to all UHLC students**

# COMPETITION FORMAT

- **Each team competes in 2, one-hour Preliminary Rounds starting Saturday morning**
  - The first round is self-scored based on a score sheet provided – I will monitor rooms, consider this your “warm up”
- **16 teams advance to Semi-Final Round**
- **8 teams advance to Final Round**
- **Top 4 teams selected from the Final Round**
  - Winner and Runner Up for Negotiations
  - Winner and Runner Up for Contract Drafting

# NEGOTIATIONS SCHEDULE

Time	Event
<b>8:30am to 9:00am</b>	<b><i>Competitor Check-In and In-Processing</i></b>
9:00am to 10:00am	Preliminary Round 1, Flight 1
10:00am to 11:00am	Preliminary Round 1, Flight 2
11:00am to 12:00pm	Preliminary Round 2, Flight 1
12:00pm to 1:00pm	Preliminary Round 2, Flight 2
1:00pm to 2:00pm	Break
2:00pm to 2:30pm	Announce Semi-Finalists
2:30pm to 3:00pm	Preparation Time for Semi-Final Round
<b>3:00pm to 4:00pm</b>	<b>Semi-Final Round</b>
4:00pm to 4:30pm	Break/Announce Finalists
4:30pm to 5:00pm	Preparation Time for Final Round
<b>5:00pm to 6:00pm</b>	<b>Final Round</b>
6:00pm to 6:30pm	Break
6:30pm to 7:00pm	Announce Top 4 Teams and Winners

# PREPARATION

- **Objectively THE easiest burden of all UHLC intramural competitions**
  - Fact patterns for Preliminary Round 1 go out on Friday, March 2
  - No formal papers or reports due *before* the competition
- **Teams receive fact patterns for subsequent rounds 30 minutes prior**
- **Outside research (including consulting practitioners or professors) PROHIBITED**
  - Know the scenario and your client's information
  - Identify your client's BATNA, Reservation Price, positions, and interests
  - Estimate your opponent's BATNA, Reservation Price, positions, and interests
- **Prepare to use the interaction to create value for your client**

# PROBLEM SETS

- **General Information:**
  - Same for both parties
  - Conveys context of the problem and related events
  - States which *Critical Issue* MUST be resolved by the end of the negotiation
- **Confidential Information:**
  - Differs for each side
  - Provides additional detail particular to your client
  - Neither side begins the negotiation with the other side's Confidential Information

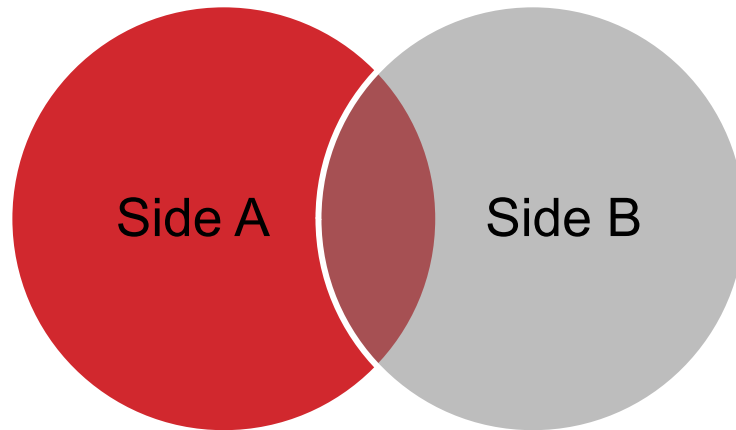
# SAMPLE FLIGHT

Action	Timing
Initial Introductions	5 minutes
Statement of the Issues – Side A	5 minutes
Statement of the Issues – Side B	5 minutes
Option Generation	10 minutes
Option Evaluation	15 minutes
Agreement Identification	10 minutes
Summary of Agreement	5 minutes
Transition Out	5 minutes
<b>Total Time Allocated to a Flight</b>	<b>60 minutes</b>



# NEGOTIATIONS SCORING

## *Critical Issue Score*



- Confidential information
- No agreement on *Critical Issue* = Both sides lose that round

## Performance Score

- Preparedness
- Adaptability
- Outcomes
- Relationship Management
- Teamwork

# WHY PARTICIPATE?

- **Winners take cash prizes!**
- **Substantiates practical legal skills useful for resumes, interviews, etc.**
- **1 hour of non-substantive competition credit by:**
  - (1) Making a good-faith effort in the competition
  - (2) Completing and submitting the Drafted Contract no later than 11:59pm on Saturday, April 17
- ***Easiest 1 hour of credit you will ever earn in law school***

# KEY CAUTIONS

- **All competitors must arrive at check-in wearing professional, courtroom attire, fully lucid, and well-informed about the scenario materials (Yes, even for Zoom).**
- **No communication should occur between observers and competitors, or the competitors involved will automatically lose that round**
- **Teams are responsible for keeping their own time and adhering to the round schedules**
  - If a team (or an individual team member) fails to appear on time for a round, that team automatically forfeits that round
  - Teams are responsible for adhering to additional instructions provided at check-in

# HOUSEKEEPING

- **Interested teams have to apply online at:**  
<http://theadvocatesatuhlc.org/competitions/lorance-thompson-negotiation-competition/>
- **Competition Fee**
  - \$10 for Advocates Members
  - \$50 for non-members
- **May pay fee via:**
  - PayPal
- **To receive credit, you must complete a Competition Credit Petition, and register/pay for as you would for a normal, 1-hour class.**

# Useful Links

- **What is BATNA?**

<https://www.pon.harvard.edu/daily/batna/frustrated-by-an-uninformed-negotiator-consider-your-batna/>

- **What is a Reservation Point?**

<https://www.pon.harvard.edu/daily/negotiation-skills-daily/resolve-conflict-by-asking-the-right-questions/>

- **Negotiation Strategies**

<https://www.pon.harvard.edu/daily/negotiation-skills-daily/six-strategies-for-building-trust-in-negotiations/>

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**QUESTIONS?**

**Adri Langemeier, Competition Director**

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