

Faculty Evaluation Form for Mock Exercises

The Sedona Conference



The Sedona Conference Institute Program on eDiscovery Negotiation Training: Practical Cooperative Strategies

Faculty Evaluation Form of Mock Exercises

Session Type (choose one): Breakout / Plenary

Session Focus (e.g., Scope of Discovery, Rule 16(b), etc.): _____

CRITERIA	TEAM P	TEAM D
COOPERATIVE BEHAVIOR OR CONDUCT CONDUCIVE TO ESTABLISHING TRUST		
Communication skills Listening Skills Candor and establishment of trust Ability to engage in constructive exchange of information Overcoming or avoiding minor disagreement toward greater goals Avoidance of combative, argumentative or controlling behaviors Constructive exchange of information Willingness to make reasonable concessions to achieve progress from opposing side Decisiveness Creativity		

eDiscovery Negotiation Training: Practical Cooperative Strategies

CRITERIA	TEAM P	TEAM D
PREPARATION		
<p>Rational prioritized goals and objectives through organization</p> <p>Clarity of goals and objectives</p> <p>Reasonableness of objectives</p> <p>Knowledge of case facts</p> <p>Knowledge of technology issues</p> <p>Knowledge of rules</p> <p>Knowledge or use of resource information</p>		
PERFORMANCE		
<p>Favorable negotiation tactics given fact situation and goals expressed</p> <p>Less than favorable negotiation tactics given fact situation and goals expressed</p> <p>Was a mutually beneficial middle ground available to counsel, and did they achieve it?</p> <p>Positive use or encouragement of cooperation opportunities presented by opposing side</p> <p>Inability to encourage or use opportunities presented by opposing side</p> <p>Flexibility</p> <p>Reaction to unpredictable behavior of opponent (good or bad), if any</p>		