

DOCUMENT RESUME

ED 426 422

CS 509 954

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 TITLE Building a Mediation and Conflict Resolution Studies Curriculum Based on Competency.
 PUB DATE 1998-11-00
 NOTE 21p.; Paper presented at the Annual Meeting of the National Communication Association (84th, New York, NY, November 19-24, 1998).
 PUB TYPE Reports - Descriptive (141) -- Speeches/Meeting Papers (150)
 EDRS PRICE MF01/PC01 Plus Postage.
 DESCRIPTORS *Conflict Resolution; *Curriculum Development; *Higher Education; *Interpersonal Communication; Program Improvement; *Relevance (Education)
 IDENTIFIERS Communication Competencies; Conflict Management; *James Madison University VA; Learning Environment; *Mediation

ABSTRACT

David Pearce Snyder has predicted that "if a significant number of major mainstream institutions do not undertake publicly acknowledged initiatives to dramatically improve the relevance of their curriculums, the rigor of their standards, and the productivity of their operations...the marketplace will have begun to make available so many effective alternatives for acquiring formal higher-order skills that traditional colleges and universities will quickly come to be regarded as the old-fashioned, outdated, expensive source of postsecondary schooling." This paper discusses a program in Conflict and Mediation Studies within the School of Speech Communication at James Madison University in Virginia, which was initiated in response to the perception that the university is undergoing a radical change in the way teaching and learning are understood. The paper describes the methodology of how the program proceeded: relevant faculty was assembled and a consensus reached; outcome objective statements were written for each of the four courses being changed; instruments and activities concerned with these outcome statements will be created; and the development of instructional materials will be in direct response to specific outcome objective statements. According to the paper, this program of curriculum revision dramatically improves the relevance of the curriculum, increases the rigor of performance standards, and will contribute to the ability to clearly and precisely articulate the knowledge, skills, and competencies defining the learning environment. Appended are goal statements and outcome objective statements for the four courses. (Contains 10 references.) (NKA)

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Building a Mediation and Conflict Resolution Studies Curriculum Based on Competency

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NCA, New York, November 1998

Introduction

The claim that higher education is in a state of radical change is not a radical claim. For a decade writers such as John Naisbitt and Patricia Aburdene, *Megatrends 2000: Ten new directions for the 1990's*, Alvin Toffler, *PowerShift* and *War and Anti-War*; Price Pritchett, *New Work Habits For A Radically Changing World* and *Mindshift*; as well as many others have been describing the world to come as a world with significantly different priorities, changed systems of wealth and power, and vastly altered expectations for employee performance and productivity.

David Pearce Snyder, in "High Tech and Higher Education: A Wave of Creative Destruction Is Rolling Toward the Halls of Academe," predicts that "if a significant number of major mainstream institutions do not undertake publicly acknowledged

initiative to dramatically improve the relevance of their curriculums, the rigor of their standards, and the productivity of their operations within thirty-six to forty-eight months, the marketplace will have begun to make available so many effective alternatives for acquiring formal higher-order skills that traditional colleges and universities will quickly come to be regarded as the old-fashioned, outdated, expensive source of postsecondary schooling” (p. 7). Some others including Albert Crenshaw of the Washington Post have observed that the cost of traditional higher education is no longer a wise financial investment. They point out that if the cost of higher education were invested in an average mutual fund, left to grow over a working lifetime, it would produce more income than a college educated worker (Perelman, 1996).

In the November 1996 issue of *Policy Perspectives*, the authors predict that “some institutions may prove incapable of meeting the challenge of new competition and fail; others will adapt successfully, becoming in the process more entrepreneurial and market-driven”(p. 3). Obviously the time is quickly approaching, maybe it is already upon us, for institutions of higher education and the programs contained within them to make a choice. The choice appears to be a simple one, yet a very difficult and threatening one. Either choose to maintain the status quo and hope the current winds of change will blow over, or choose to accept the inevitability of change. Either choice poses great risk. Neither choice promises certain success.

Our Choice for the Conflict and Mediation Studies Area

Almost two years ago the School of Speech Communication faculty interested in and concerned with instruction in the Conflict and Mediation Studies Area undertook a

program of curriculum development. This program was initiated in response to the perception that James Madison University is undergoing a radical change in the way teaching and learning are understood. Indeed, it appears that the whole of higher education is in the midst of a revolution in that student learning outcomes are defining the educational experience.

At James Madison University, and at many other institutions as well, an interest in assessment has grown to become a central player in the development and articulation of curriculum. The phrase, “teaching doesn’t matter, what matters is student learning,” has been repeated often but its impact is slow to be understood.

In an effort to gain control of our own professional destinies we agreed to undertake a project which would provide us, our students, and our benefactors with a clear and specific document which precisely defines our goals and our intended learning outcomes in the Conflict and Mediation Studies Area curriculum. Our process has been informed by the work of Kibler, Barker, and Miles published in *Behavioral Objectives and Instruction* (1970). In *Behavioral Objectives and Instruction*, the authors assert that “the major philosophical premise underlying the model is that the goal of instruction is to maximize the efficiency with which all students achieve specified objectives” (p. 2). We, too, embrace and accept this “philosophical premise” as our own.

Methodology

The program proceeded in several steps, described in the following paragraphs.

The initial step was to assemble the relevant faculty and gain consensus on the direction and value of the project. This was accomplished and five faculty participated in

the project. An initial assignment was given to each faculty to take a copy of the course syllabus describing the most recent offering of the four courses currently defining the Conflict and Mediation Studies Area. Each faculty was to produce a list of learning goals which they believe, based on the syllabus and their own professional experience, appropriate to the course.

Each individual faculty learning goals list was collected for each of the four courses and the stated goals were collated into a single list for each course. The faculty met in a group meeting to discuss the goals which had been identified and, through discussion and consensus, a list of learning goals was defined for each of the four courses.

The second phase of the process required that “Outcome Objective Statements” be written for each of the four courses. An “Outcome Objective Statement” is a statement which describes (1) who is to perform, (2) what activity, (3) under what conditions, (4) with what expected outcome, (5) to be evaluated by whom, (6) evaluated by what standards, and (7) with what level of performance being defined as minimally acceptable.

To accomplish this second phase, pairs of faculty were assigned two courses each to produce “Outcome Objective Statements” which would accomplish all the learning goals defined for the respective course. Faculty teams undertook this process and various meetings of the whole group met to read, comment, and revise “Outcome Objective Statements” as they were being developed. At the conclusion on this second phase, a list of “Outcome Objective Statements” was produced for each of the four courses.

See the attached “Goal Statements” and “Outcome Objective Statements” for the four courses currently defining the Conflict and Mediation Studies Area of the School of Speech Communication

Next Steps

The next phase of this process will necessitate the creation of instruments and activities to operationalize the activities described in the “Outcome Objective Statements.” These instruments and activities will be created in concert with the development of instructional materials. When completed, these materials will serve as the assessment instruments in the respective courses. In addition, these materials will make it possible for learners to have their competencies assessed prior to instruction and, based on their individual competency levels, instructional interventions can be specifically described to facilitate competency development in those areas of inadequate performance.

The development of instructional materials will be in direct response to specific “Outcome Objective Statements.” In other words, the instructional emphasis will be on facilitating student learning and student competency and not on the presentation of discipline or subject content. Faculty instructional development efforts will be focused on the development of learning modules, instructional packages, experiential activities and exercises which may be delivered to learners in a variety of settings including the individual, small groups, traditional classroom groups, or large assembles using a variety of delivery methods to include face-to-face interactions, formal presentations,

simulations, CD ROMs, World Wide Web sites, interactive videos, and traditional classrooms.

Conclusion

Our goal is to produce a curriculum focused on student learning and on the student's acquisition of specific observable and measurable competencies. The intention is to recognize the student's level of knowledge, skill, and competency upon entry into the program. To effectively develop for each individual student a plan designed to provide them with the learning experiences most appropriate for their learning needs and objectives. And, at the conclusion of the program, to be certain that all learners have confidence in their competencies as those competencies are defined by the Conflict and Mediation Studies Area.

We believe that we have taken a giant step toward the goal of demonstrating our ability to meet the challenges the new competition brings. This program of curriculum revision dramatically improves the relevance of our curriculum, increased the rigor of performance standards, and will contribute to our ability to clearly and precisely articulate the knowledge, skills, and competencies defining our learning environment.

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APPENDIX

Goal Statements

&

Outcome Objective Statements

GOAL STATEMENTS

SCOM 231—Introduction to ADR

- 1• the student will be able to distinguish differences between various dispute resolution methods including: negotiation, mediation, arbitration, and litigation
- 2• the student will be able to understand the strengths, weaknesses, and legal implications of each method
- 3• the student will be able to describe and explain the ADR movement
- 4• the student will be able to define key terms used in the ADR community (BATNA, intake, agreement, caucus, etc.)
- 5• the student will be able to explain how each of the primary dispute resolution processes functions
- 6• the student will be able to identify a variety of hybrid ADR processes
- 7• the student will understand the nature of conflict and power
- 8• the student will know the structure of the Virginia court system
- 9• the student will be able to describe the historical development of our modern legal system
- 10• the student will be able to compare and contrast various legal systems found around the world
- 11• the student will be capable of making effective recommendations of appropriate ADR methods when confronted with specific conflict situations
- 12• the student will be able to compare and contrast a variety of negotiation models or processes
- 13• the student will be able to compare and contrast a variety of mediation models or processes
- 14• the student will be able to compare and contrast a variety of arbitration models or processes

OUTCOME OBJECTIVE STATEMENTS
231 - INTRODUCTION TO ALTERNATIVE DISPUTE RESOLUTION

- I. In an examination period not to exceed 50 minutes, the student will complete a multi-item objective (short answer, multiple-choice, true/false, matching, fill-in-the-blank) examination of the collaborative and adversarial approaches to dispute resolution. Examination items will focus on the student's knowledge of different cultural/legal systems and the evolution of the alternative dispute resolution movement. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 3, 7,9 10, 11

- II. In an examination period not to exceed 50 minutes, the student will complete a multi-item objective (short answer, multiple-choice, true/false, matching, fill-in-the-blank) examination of alternative dispute resolution procedures including negotiation, mediation, arbitration, litigation, and various hybrid processes such as med-arb and summary jury trial. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 3, 4, 5, 6, 8

- III. The student will participate in a negotiation simulation not to exceed one hour. Following the simulation activity the student will write a reaction essay not to exceed 1000 words. Evaluation of student performance will be made by a professional in negotiation training's observations of competencies demonstrated during the simulation including value claiming-value creating, face work, communication, negotiation dance, and best alternative to a negotiated agreement (BATNA). Criteria for reaction essay evaluation will include correct definitions, explanations based on relevant literature, ability and willingness to take a stand, and correct spelling, grammar, and usage. Student competency will be reached when the student achieves a score of 70% or better of performance standards on the simulation and the reaction essay.

Goals Assessed: 1, 4, 12

- IV. The student will participate in a general mediation simulation, as a member of a co-mediation mediation team, not to exceed one hour. Following the simulation activity the student will write a reaction essay not to exceed 1000 words. Evaluation of student performance will be made by a professional in mediation training's observations of competencies demonstrated during the simulation including facilitation skills, mediator role, neutrality, tenacity, reframing, equal empowerment, caucusing, problem-solving, and agreement preparation. Criteria for reaction essay evaluation will include correct definitions, explanations based on relevant literature, ability and willingness to take a stand, and correct spelling, grammar, and usage. Student competency will be reached when the student achieves a score of 70% or better of performance standards on the simulation and the reaction essay.

Goals Assessed: 1, 4, 13

- V. The student will participate in an arbitration simulation, as an arbitrator, not to exceed one hour. Following the simulation activity the student will write a reaction essay not to exceed 1000 words. Evaluation of student performance will be made by a profession in arbitration training's observations of competencies demonstrated during the simulation including standard arbitration procedures, arbitrator role, and arbitrator decision/remedy. Criteria for reaction essay evaluation will include correct definitions, explanations based on relevant literature, ability and willingness to take a stand, and correct spelling, grammar, and usage. Student competency will be reached when the student achieves a score of 70% or better of performance standards on the simulation and the reaction essay.

Goals Assessed: 1, 2, 4, 11, 14

- VI. The student will be presented with at least three dispute scenarios. Each dispute scenario may be read or viewed in not more than fifteen minutes each. The student will write a narrative essay, in response to each scenario, not to exceed 1000 words in which the student (1) identifies the most appropriate dispute resolution procedure for the illustrated dispute, and (2) provides adequate and relevant justification for the choice of procedure selected based on standard ADR practice. Student essays will be evaluated by a trained professional in dispute resolution. Competency will be based on the validity of chosen ADR procedure and the strength of the support provided. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 11

GOAL STATEMENTS

SCOM 331—Communication and Conflict

- 1• the student will understand the basic theories relating to communication and conflict
- 2• the student will increase personal awareness and understanding of conflict styles
- 3• the student will be able to understand, identify, and analyze key conflict variables
- 4• the student will know definitions of conflict
- 5• the student will be able to compare and contrast productive and destructive conflict interaction
- 6• the student will recognize conflict structure and conflict processes
- 7• the student will understand the role of communication in conflict
- 8• the student will be able to define and explain power dynamics in conflict
- 9• the student will be able to explain the role of face in conflict
- 10• the student will be able to analyze conflict episodes
- 11• the student will be able to compare and contrast conflict management and conflict resolution

OUTCOME OBJECTIVE STATEMENTS
331 - COMMUNICATION AND CONFLICT

- I. In an examination period not to exceed 50 minutes, the student will complete a multi-item objective (short answer, multiple-choice, true/false, matching, fill-in-the-blank) examination of the elements of conflict to include (1) definitions of conflict, (2) assumptions inherent to the study of conflict, (3) functions of conflict, and (4) characteristics of destructive and productive conflict. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 3, 4, 5

- II. In an examination period not to exceed two hours, the student will complete a multi-item objective (short answer, multiple-choice, true/false, matching, fill-in-the-blank) examination of the basic theories relating to the analysis and resolution of conflict including (1) the recognition of psychodynamic theory, (2) styles theory, (3) attribution theory, (4) social exchange theory, (5) game theory, (6) systems theory, (7) phase theories, and (8) individual characteristic approaches. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 3, 4, 6, 7, 9, 10, 11

- III. The student will be presented with a conflict scenario. Immediately following, the student will write a critical essay not to exceed 1000 words in which they identify key concepts including (1) parties in conflict, (2) conflict cycles, (3) face work, (4) face work, (5) power, and (6) outcomes. The student's essay will be evaluated by a professional in conflict resolution. Competency will be assessed on the (1) accuracy of concept identification, (2) validity of explanation, and (3) strength of support for criticism. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11

- IV. The Student will be presented with a conflict scenario. Immediately following, the student will write a critical essay not to exceed 100 words in which they compare and contrast different approaches to conflict management and conflict resolution at various levels including interpersonal (dyadic), small group, and organizational. The student's essay will be evaluated by a professional in conflict resolution. Competency will be assessed on the (1) accuracy of concept identification, (2) validity of explanation, and (3) strength of support for criticism. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11

- V. In a research report of 2500-3000 words, the student will design, plan, and implement a study of conflict and communication using a research approach such as conversation analysis, content analysis, survey/experimental quantitative methods, ethnography, focus groups, rhetorical criticism, or historical/legal analysis. The student's research report will be evaluated by a professional in conflict resolution for (1) basic understanding of terminology, concepts, and procedures used in the management and resolution of conflict, and (2) on the quality of presentation and writing including spelling, grammar, and usage. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11

- VI. In an examination period not to exceed 50 minutes, the student will complete a multi-item objective (short answer, multiple-choice, true/false, matching, fill-in-the-blank) examination of communication skills in conflict situations. The student will be expected to demonstrate competence in the areas of (1) communication competence, (2) anger management, (3) aggressive and assertive differences, (4) listening styles, (5) conflict messages, (6) nonverbal communication, (7) problem-solving techniques, (8) interpersonal relations, (9) relational transgression, (10) dealing with difficult people, (11) forgiveness, (12) power, (13) face work, and (14) third-party intervention. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11

- VII. In an examination period not to exceed 50 minutes, the student will complete a multi-item objective (short answer, multiple-choice, true/false, matching, fill-in-the-blank) examination of conflict in a variety of contexts including (1) marriage, (2) family, (3) group, (4) organizational, (5) community, and (6) society focusing on terminology, concepts, and processes in multi-party conflict. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 1, 2, 3, 4, 5, 6, 7, 8, 9

GOAL STATEMENTS

SCOM 332—Mediation

- 1• the student will be able to explain how disputants are referred to a mediation program
- 2• the student will be able to define and explain key mediation terms including neutrality, equal empowerment, reframing, and caucus.
- 3• the student will demonstrate a working knowledge of mediation stages and processes
- 4• the student will demonstrate a working knowledge of communication skills and techniques
- 5• the student will demonstrate a working knowledge of the role of the mediator
- 6• the student will demonstrate mediator performance competencies in a co-mediation environment
- 7• the student will be able to effectively intervene when a crisis erupts or disputants are undermining the mediation session
- 8• the student will know how to achieve an effective agreement between disputants
- 9• the student will be able to write clear, accurate, and professionally acceptable agreement statements
- 10• the student will be able to assess mediator performance
- 11• the student will know legal requirements and implications of mediation for the State of Virginia
- 12• the student will know certification requirements for the State of Virginia
- 13• the student will know the structure of the Virginia Court System
- 14• the student will demonstrate working knowledge of ethical considerations for mediation
- 15• the student will explain, compare, and contrast win-win environments, win-lose environments, and lose-lose environments
- 16• the student will be able to explain and compare circumstances or conflicts appropriate for mediation and circumstances or conflicts inappropriate for mediation

OUTCOME OBJECTIVE STATEMENTS
332 - MEDIATION

- I. In a mediation role-play simulation, the student mediator will (using a single-mediator model) conduct a complete mediation session using the Madison Mediation Process. The roll-play simulation will begin with the student mediator being given cursory intake material and greeting the disputants who arrive for the session. The student mediator's performance will be evaluated on the basis of the student mediator successfully (1) facilitating all phases of the Madison Mediation Process, (2) demonstrating appropriate and effective listening behavior, (3) using the caucus appropriately, (4) managing inappropriate or disruptive disputant behavior, and (5) writing a clear, accurate, and professional statement of agreement. Student mediator performance will be evaluated by a trained professional in mediation. Student competency will be reached when the student mediator achieves 70% or better of performance standards.

Goals Assessed: 3, 4, 5, 7, 8, & 9

- II. The student will observe a general (non-family) mediation role-play simulation, employing a co-mediation model, for the purpose of assessing and evaluating mediator performance. Following the observation, the student will prepare a report of the observation which provides a detailed description of the mediators' performance and an evaluation of that performance. The student's report will be evaluated, by a trained professional in mediation, (1) on the basis of its accuracy in describing the observed mediator behaviors, (2) on the quality of the student's evaluation of the mediation process employed by the observed mediators, (3) and on the students assessment of how the observed mediators handled ethical issues. Student competency will be reached when the student achieves 70% or better of performance standards.

Goals Assessed: 5, 6, 10, 14

- III. In an examination period not to exceed 50 minutes, the student will complete a multi-item objective (short answer, multiple-choice, true/false, matching, fill-in-the-blank) examination of (1) key terms used in mediation practice, (2) State of Virginia Certification Requirements, and (3) the structure of the Virginia Court System. The student's performance will be determined by examining their performance on the multi-item instrument and the expectation will be that students will score no less than 70% or better correct to demonstrate competency.

Goals Assessed: 1, 2, 12, 13, 14

- IV. In an examination period not to exceed two hours, the student will be supplied with a variety of conflict or dispute situations. The student will write brief (approximately 250-700 word) discussions describing the dispute resolution methods or contexts most appropriate for the subject conflict or dispute providing significant support or justification for the choice. In addition, the student will be expected to address relevant legal requirements or implications implicit in the described conflict and dispute situations. The student's examination will be evaluated on the basis of (1) the reasonableness of their conflict resolution method choice, (2) the accuracy and relevance of the support or justification provided, and (3) the correctness and accuracy of references to legal requirements and implications as determined by a panel (minimum two) of trained mediation professionals. Student competency will be reached when the student achieves 70% or more of performance standards.

Goals Assessed: 11, 16

- V. In an examination period not to exceed 50 minutes, the student will be given a variety of conflict or dispute situation descriptions. The student will identify, in writing, for each conflict or dispute situation description, whether the described situation is best characterized as win-win, win-lose, or lose-lose. In addition, the student will explain and defend the choice of identification. The student's written response to each conflict or dispute situation description will be evaluated on the basis of (1) the accuracy of identification, and (2) the accuracy, completeness, and relevance of the student's justification as determined by a trained mediation professional. Student competency will be determined by the student meeting the expectations of this outcome objective at a 70% level or better.

Goals Assessed: 15

- VI. In an examination period not to exceed 30 minutes, the student will write an essay in which they describe the various means disputants may come to participate in a mediation session. The student's essay should describe, in detail, (1) at least three significantly different ways disputants come to mediation, and (2) the intake process. The student's essay will be evaluated on the basis of completeness and accuracy of the processes described as judged by a trained mediation professional. Competency will be determined by the student meeting the expectations of this outcome objective at a 70% level or better.

Goals Assessed: 1

GOAL STATEMENTS

SCOM 431—Legal Communication

- 1• the student will be able to explain how a criminal case proceeds through the Virginia court system
- 2• the student will be able to explain how a civil case proceeds through the Virginia court system
- 3• the student will be able to demonstrate specific legal negotiation tactics
- 4• the student will be able to demonstrate the process of plea bargaining
- 5• the student will be able to demonstrate Matlon's suggested strategies to resolving conflict
- 6• the student will be able to present a chronologically organized opening statement
- 7• the student will be able to present a topically organized opening statement
- 8• the student will be able to present a chronologically organized closing statement
- 9• the student will be able to present a topically organized closing statement
- 10• the student will know the process of direct examination and cross-examination
- 11• the student will be able to structure open-ended questions, closed-ended question, and hypothetical questions
- 12• the student will be able to explain the process of how to impeach a witness
- 13• the student will be able to write a critique of a lawyer's communication performance in court, including verbal and nonverbal language, and persuasion

OUTCOME OBJECTIVE STATEMENTS
431 — LEGAL COMMUNICATION

- I. In a negotiation role-play simulation, not to exceed 2 hours the student will negotiate as a member of a two-person team using the Matlon strategies for legal negotiations. The role-play simulation will be accomplished with two teams representing opposing interests. Student negotiators will be given case study materials prior to the role-play simulation. The student negotiator's performance will be evaluated on the basis of a written analysis, not to exceed 1000 words, of the role-play simulation experience. Written analysis will evaluate the negotiation tactics employed. Evaluation of student performance will be established by a trained professional in legal communication on the basis of the (1) completeness of their analysis, (2) the accuracy of the tactics described, and (3) the comprehensiveness of tactics employed.

Goals Assessed: 3, 5

- II. In an examination period not to exceed 75 minutes the student will complete a short answer essay examination of (1) the Virginia court system, (2) pretrial strategies, and (3) negotiation tactics. The student's performance will be determined by a professional legal communication instructor examining their performance on the short answer essay instrument. Student competency will be established by achieving a score of 70% or better.

Goals Assessed: 1, 2, 3, 4, 5

- III. In a role-play simulation not to exceed 45 minutes the student will be assigned to argue (A) for the plaintiff or (B) for the defendant. The student will prepare and argue his or her case before a panel of student judges. Each student will prepare a working brief to be submitted to the panel not less than 48 hours prior to argument. Student judges will have the opportunity to ask specific questions of both student counsels. The student's competency will be evaluated by a legal communication professional educator who will (1) evaluate the structure and quality of evidence contained in the working brief, (2) and evaluate the argument presented orally before the panel of student judges. Both elements of the competency evaluation will be based on accepted standards of practice in law. Student competency will be established by achieving a score of 70% or better on each evaluation element.

Goals Assessed: 6, 7, 8, 9, 11

- IV. In an examination period not to exceed 75 minutes the student will complete a short answer essay examination of (1) direct questions, (2) cross examination, (3) question formats, and (4) witness credibility. The student's written response to each essay prompt will be evaluated on the basis of (1) the accuracy of the response, and (2) the completeness of the response as determined by a legal communication professional educator. Student competence will be determined by the student meeting the expectations of this outcome objective at a 70% level or better.

Goals Assessed: 10, 11, 12

- V. The student will view a video-recorded mock trial. Immediately following the viewing, the student will write, in a period not to exceed 50 minutes, a critical analysis of the observed lawyers' performance. The student is expected to critique (1) verbal behaviors, (2) nonverbal behaviors, and (3) persuasive tactics demonstrated by the observed lawyers. The student's written critical analysis will be evaluated by a legal communication professional educator on the basis of the student's ability to integrate standard legal communication concepts into their analysis and evaluation of the lawyers' performance. Student competence will be determined by the student meeting the expectations of this outcome objective at a 70% level or better.

Goals Assessed: 10, 13

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Author(s): Rex M. Fuller	
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