

Reflective Journal Assignments in Teaching Negotiation

*Bobbi McAdoo**

***Editors' Note:** In contrast to quizzes, student journals are widely used in teaching negotiation, and are one of the most common methods of assessment. However, precisely how teachers use this versatile assessment tool varies widely. In support of her argument that journals have particular value in formative assessment, McAdoo outlines some of the different uses made of this tool by teachers from disciplines as diverse as law, psychology, and political science. McAdoo also analyzes and answers key challenges to using journals for assessment.*

Introduction

The use of journals as a pedagogical tool has a long pedigree, across a range of disciplines.¹ In short, a journal assignment asks students to “reflect” and write on something related to a course: often its substance, the course readings or a class activity. Entries tend to be rather short (three to five pages) and occasionally this assignment evokes an image of the journal as a personal diary. Thus, the use of journals in law school teaching is relatively recent (Ogilvy 1996) given the rigorous analytical thinking required by the IRAC (issue, rule, analysis, conclusion) approach common to Western doctrinal law school courses.²

As the MacCrate and Carnegie reports have influenced the course of legal education in the United States (American Bar Association 1992; Sullivan et al. 2007), many of the pedagogies routinely used in negotiation (and other) skills courses have gained respectability. Indeed, reflective and analytical journal writing, role-plays, games, mini-lectures, oral presentations and demonstrations, all common in negotiation courses, “engage students with varied learning styles” and “keep them actively involved in the [learning] process”

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(Nelken, McAdoo, and Manwaring 2009: 200). Generalizations about journals, however, are difficult (e.g., how formal *should* they be; *should* they even be graded; how much teacher (or other student) feedback *should* be given; etc.). In part this is no doubt related to the tension between negotiation as a serious and research-worthy study versus negotiation as “just” a skills course (Bordone and Mnookin 2000: 25). The value of journals, however, is well supported by the adult learning literature as a way to develop and support student metacognition, i.e., the recognition of not just *what* is learned but *how* the learning process occurs. This in turn, helps the student to “transfer” learning and apply its principles to solving new situations encountered by the student (Tarr 1990; Nelken, McAdoo, and Manwaring 2009; Stephens and Winterbottom 2010).

This chapter will describe many of the pedagogical goals of a journal assignment, including its essential role in student learning; the differing structures of a journal assignment; the challenges for students and professors when using journals as a method of assessment; and the role of the journal assignment in the context of a Negotiation 2.0 course.

The Pedagogical Goals of a Journal Assignment

The pedagogical goals of a journal assignment are similar across disciplines. These include:

- Journals promote metacognition. They bring the learning process to active consciousness, which enables learners to continue to practice and refine their skills and understandings well after a course is finished (Nelken, McAdoo, and Manwaring 2009; Stephens and Winterbottom 2010). Given the scant opportunity for good feedback in many types of professional assignments after a student graduates, the ability to self-critique practiced in journal assignments is critically important (Tarr 1990; Moffit 2004; Nelken, McAdoo, and Manwaring 2009).
- Closely related to, and a direct result of enhanced metacognition, journals “nurture a lifetime of self-directed learning” (Ogilvy 1996: 106). Research has established that experts in a field have learned to “notice” different things than novices. With appropriate teacher feedback, journals re-direct the novice student to “notice” important principles in a subject matter, and then the teacher can continue to illustrate these over and over in analogous situations until the student can transfer learning absent teacher feedback (Moffitt 2004; Nelken, McAdoo, and Manwaring 2009; Cisero 2006).
- Journals provide the means to individualize instruction and allow students to communicate to the teacher how

the course is proceeding. This enables a professor to re-focus and revise her instruction to better meet student needs (Katz 1997), an important but less-discussed function served by assessment methods (see Ebner, Efron, and Kovach, *Evaluating Our Evaluation*, in this volume). Over the time of a course, journals promote timely and ongoing student-teacher interaction, supportive of the active learning process (Nelken, McAdoo, and Manwaring 2009).

- Journals teach students to regularly ask and answer “why” questions; this forces deeper thinking and more careful judgments about *all* the dynamics of what occurs, for example, in a negotiation (Tarr 1990). Importantly, this engages and gives value to both intellectual and emotional thinking, including the learner’s pre-existing beliefs about subject matter (Tarr 1990; Nelken, McAdoo, and Manwaring 2009). Donald Schön argues that “the best practitioners in various professions develop their skills through continual reflection about the uncertainties, complexity, and value conflicts that confront them in practice situations” (Ogilvy 1996: 75). Students in virtually any discipline or professional school can accomplish this reflection in journals.
- Journals improve “problem solving skills” (Ogilvy 1996: 72). Sandy Ogilvy (1996) has distinguished between the “well-structured problem” which a student with a good memory is likely to answer quickly; and the “ill-structured problem” which requires a more complex and wide-ranging struggle to arrive at a solution. The journal is a “valuable tool for pursuing as well as recording that struggle” thus enabling the student to better understand the problem solving process (Ogilvy 1996: 73). The student’s insights, rather than the teacher’s dictates, are articulated in the journal entry (Tarr 1990). As a result, using journals for assessment not only provides students with an additional learning experience (see Ebner, Efron and Kovach, *Evaluating our Evaluation*, in this volume) but also allows for a high-definition differentiation between students whose abilities are limited to coping with simple situations and students who have mastered the complexities of negotiation. Jim Josefson (2005) has written that journals develop the students’ sense of responsibility and their capacity to take action based on what has been learned.
- Journals give students an additional writing opportunity in the curriculum; and writing has a “demonstrated connection” to learning (Ogilvy 1996: 103). Writing helps to develop

thinking skills, gets students actively involved in learning the subject matter and skills of a course and can focus students' attention. It is an excellent vehicle for students to explore and articulate their values (Hess and Friedland 1999; Mills 2008).

As aptly summarized by Raymond Muessig,

Writing [...] is a problem solving process. When a writer is actively engaged with the writing process, s/he is making decisions, organizing, translating, reviewing and revising. Writing therefore promotes critical thinking skills such as hypothesizing, comparing and contrasting, generalizing, synthesizing, and evaluating (Mills 2008: 684, citing Muessig 1986: 7).

Differing Structures

The ways in which journals are assigned to students varies. Sometimes they are specifically meant to be very open-ended to call forth the student's private "reflection"; the journal prompt asks for little structured cognitive analysis or teacher-oriented conclusions. Perhaps more often, the journal assignment, while still asking for "reflection," is guided by an assigned question or topic (Katz 1997). Of relevance perhaps to negotiation educators, a decade ago almost all law professors assigned some type of journal entries for negotiation classes, and these journals were "the primary means for evaluating students' progress" even though they differed greatly in "scope, frequency, and purpose" (Bordone and Mnookin 2000: 23, 19). Today, in the author's experience, many law professors teaching negotiation have moved away from assigning "journals" in favor of "short papers" or "summary assignments," although these are probably the same as guided journal reflection assignments. Perhaps using the terminology of "short paper" helps students to avoid thinking that a journal is little different than a personal "diary" (such thinking invites other problematic assumptions: that a "diary" would not be subject to a grade; that "stream of consciousness" style is sufficient in a "diary," that little analytical thought is required in "diary" writing, that "diaries" do not need to comport with grammatical niceties, etc.). These potentially problematic assumptions have no doubt led many law professors to some discomfort with an assignment that might be seen as less serious by students or even other law professor colleagues.

A very specific advantage of using journals as part of the course assessment process is their value for formative assessment during the semester, provided the professor uses them this way. This also raises a serious disadvantage, however, because meaningful feedback to students is very labor-intensive for the teacher, especially if

the class is a large one. In deciding the approach to take to structuring journal assignments, a teacher must compare its advantages to his/her own objectives for the course as a whole, and confront the practical realities of a massive grading load during the semester.

In order to illustrate some different approaches to journal assignments, examples of instructions given by different teachers are presented below. Most of these examples are taken from syllabi or other professorial communications to students in the context of a law school negotiation course, given the generous response to the author's request for colleagues to send these to her. They are followed by a couple of examples of the use of journals from disciplines other than law. A specific issue reflected in these examples is the variation in the relative weight assigned by teachers to this type of assignment within the overall course grade.

Example – Debra Gerardi³

Professor Debra Gerardi, principal of Debra Gerardi and Associates, and an adjunct professor teaching law students as well as nursing and bioethical professionals, requires her students to keep ongoing journals, which are private and not collected in her course on dialogue. She also assigns a final reflection/insight paper (five to six pages, worth thirty percent of the course grade) to be drawn from the insights and lessons students gain rereading their journals and reflecting on what is noticed. She suggests that, in this final paper, students include their "thoughts about themes, patterns, new awareness, changes in behavior or attitude, etc." Her general instructions for student journaling include the following:

Your journals should focus on your thoughts, ideas, experiences, and insights related to the course material and discussions. Emphasis should be placed on inquiry and observation related to your own skills, frames of reference and knowledge about your assumptions, your work with suspending judgment, how you see yourself in relationship to others when engaged in conversation, and areas in which you would like to develop your ability and understanding.

Broad questions Gerardi provides during class sessions guide student weekly journals. For example:

- *Think of three people you talked with today;*
- *List five assumptions you have about each person;*
- *Consider how your assumptions influence the ways you interact with that person*

- *What are your assumptions based on – is there room for shifting your beliefs?*
- *Is there information that could allow you to open your view of each person? What would that be?"*

Example – Jonathan Cohen⁴

Professor Jonathan Cohen from the University of Florida requires four short two to three page journal entries over the semester in his negotiation class, with an additional five to seven page entry at the end of the semester in which students reflect upon their experience in the course as a whole. These assignments are graded and comprise thirty-three percent of the final grade for the class. The direction for the journal entries is to “reflect” on student negotiations, with a “focus on your insights about yourself as a negotiator and negotiation generally.” Cohen’s open-ended instructions include the following:

[S]ome students can be distracted by the prospect of having their journals read. Am I writing what the instructor wants to hear? Let me assure you that my sole interest is that you reflect deeply about what you do... Though I may write questions or comments on your entries, what you do with that feedback, as well as with other feedback that you receive in the course, is up to you. Indeed, I very much want people to make their own choices about what types of negotiators they want to be. At root, your journal is your space. Write in it what you want to.

In his email to the author, Cohen writes that he reads “the students’ journals quite closely, and give[s] them feedback on them, not so much with an eye toward grading but rather with drawing attention to areas I think they might benefit from thinking about further.”

Examples – More Specifically Guided Journal Assignments

A guided journal assignment often asks students to reflect back on some specific topic (e.g., to organize their existing knowledge or learning from the readings or class discussions; to discuss the occurrence of effective and ineffective strategies or tactics used in a negotiation; or to provide a self-critique of their performance in a simulation). Alternatively the assignment might ask students to actively reflect on a topic about potential future behavior (e.g., to consider the implications of past experiences for future learning and practice; and to articulate how they will engage in more effective planning and goal setting in the next simulation or life experience). In general, prompts for guided journals are developed based on specific course goals, the learning outcomes for the course (knowledge

and skills), the desire to help students draw analogies to prior experiences and anticipated future applications, and needs discerned by the professor for deeper student thinking about the readings, learning styles, psychological states, negotiator motivations, etc.

Example – Bobbi McAdoo

The author has varied in her approach to journals over the years, and generally assigns guiding questions for “short papers” to avoid the “diary” expectation problem referenced earlier. Several “short papers” (two to four pages), worth about thirty-five percent of the final grade, are required and graded over the course of the semester in her two-credit negotiation class. For each of these, the question prompt is usually different. A brief example follows:

Answer these questions, reflecting on the last few simulations, and incorporating the readings and class discussion:

- *What have I learned that I didn't know before (About myself? About others' behavior? About negotiation theory and practice?);*
- *How will I use this in future negotiations?*
- *Will these insights help me to be a better lawyer? How?*

Example – Andrea Schneider and Joanne M. Lipo Zovic⁵

Professor Schneider teaches a four-credit negotiation course at Marquette Law School with assistance from adjunct professor Joanne Zovic. Their materials reference a wide range of tools used to achieve the learning objectives of the course. These tools include “journal reviews of negotiation experiences and prompted responses related to course material.” Schneider and Zovic’s detailed explanation of journal assignments includes, in part, the following:

Experience strongly demonstrates that processing your reactions to the class, the negotiations and the readings can help you become a more effective negotiator. Therefore, you are expected to write a series of short (three to four page) prompted, responsive journal entries during the semester regarding the class. This entry will set out your thinking, reflection and self-examination concerning negotiation as the course proceeds. The journal provides an integrated focus for analyzing your subjective experience and reflecting upon the ideas and readings of the course. In addition, your journal will form a record of the development of your thinking in the course and will serve as an important basis of feedback and coaching. You should treat the journal writing as something you are doing for yourself to follow your progress. Include in the

journal ideas or feelings that you are trying to understand better, lessons of which you may want to remind yourself, questions on which you would like to work further, etc.... [F]ocus on difficulties you have encountered, tactical questions about which you are unsure, feelings you have of satisfaction and disappointment, and some analysis of where you think all this originates. Track your insights and ideas about the negotiation issues and readings that we cover during the course; you should integrate the substance of the readings into your journal entries to synthesize the theory and practice.

Schneider and Zovic grade the journal entries throughout the semester and also require a final journal entry (ten to twelve pages) to

...synthesize your work over the course of the semester, integrate the readings into what you have learned, and outline your negotiating goals for the future. The original journal entries from the semester will be instructive in this effort and will also be annotated to reflect additional perspectives gained through insight.

The short journal entries comprise thirty percent of the final grade; the final longer entry is also thirty percent of the student's final grade.

An example of one of Schneider and Zovic's specific journal prompts is as follows:

What people make negotiations most difficult for you? What situations are most difficult for you? What are your "hot buttons"? For each of these questions, first identify the problem, discuss why this is a problem and then discuss techniques or ideas from class that can help you negotiate effectively in these situations?

Example – Cynthia Alkon⁶

Professor Alkon teaches at Texas Wesleyan University and assigns students what she terms a "modified" journal exercise, called "exercise summaries," in her negotiation classes. In a fourteen week semester, Alkon requires ten entries, each from two to five pages long; these summaries comprise about forty percent of the final student grade. Alkon asks students to answer the following questions for each simulation:

- *Describe what happened including the outcomes, if any;*
- *Describe how what you did was influenced by the readings. If the readings did not influence or change how you acted during the exercise, explain why.*

- *Describe what you would do differently if you had it to do over again and why.*

For the first question, which is descriptive in nature, students usually receive full points for what they write. For the second two questions, students earn points “based on the quality of their analysis and reflection.”

Example – Other Disciplines

In the context of political science, Jim Josefsen (2005) has stated that “student reflection” assignments entail the following stages: students explain the course material; they are challenged to reflect explicitly on how this material calls into question their preconceptions about the topic; they analyze the conflicts, confusions or questions that arise from the preconceptions they have now challenged; and they formulate plans to use the knowledge gained by the reflective process.

Finally, Cheryl Cisero (2006) uses interesting journal prompts in her psychology courses, asking students to engage directly with their reading materials and relate them to their present and future experience. As an example, after suggesting that students choose “four stopping places” in an assigned book chapter, Cicero requires students to “pause, and write your reactions, reflections, and/or applications about the reading material” (Cisero 2006: 235). She also asks specifically:

- *Were you enlightened or confused by the reading material?*
- *Can you think of any personal experiences that relate to the content?*
- *Can you think of any uses for your new knowledge?*

As a final journal prompt, Professor Cisero asks her students to: “write a last chapter to the text book that summarizes the course, or a letter to the professor evaluating the learning” (Cisero 2006: 235).

The Challenges of Using Journals for Assessment

There are numerous challenges when journals are used as part of student assessment in a negotiation course (Tarr 1990; Moffitt 2004). Although journals with guided questions have an advantage when using a grading rubric because the rubric can include whether the assigned question(s) were answered, there still are difficulties that must be considered by anyone assigning graded journals. What follows are a few questions for the teacher contemplating journals as one assessment tool.

Will Students Take the Journals Seriously?

Although the fact of a grade usually compels students to take an assignment with at least some amount of care and thought, journals are only effective in meeting the many goals articulated above if students make the effort to engage in truly *reflective* thinking. The instructor must make the journal assignment challenging and thought-

provoking, but students who put in little work do not benefit from journals (Katz 1997: 49). Students sometimes complain that journals are best left to elementary school; this may indicate that they do not understand what is expected of them and/or it simply illustrates that reflective thinking to support metacognition is hard work.

Does the Professor Have the Time to Provide Effective (and Prompt) Feedback?

Journals are good for obtaining relatively rapid and substantial information about the kinds of experiences and ideas students are having in a class (Moffitt 2004). To reap these benefits of journals, however, it is incumbent on the instructor to give timely feedback to students, or the interaction that promotes ongoing active learning is virtually lost. To retain the contemporaneous nature of journals and encourage sustained critical thought on the part of the student, the instructor's responses need to be "consistent, prompt, probing, and concerned" (Katz 1997: 53). This takes a lot of time, especially if there are multiple journal entries for a class, as is usually the case when using this pedagogy.

Can these "Subjective" Journal Pieces Be Graded "Fairly"?

In the context of education courses, journal evaluation is described as a mixture of the completion of the assignment, timely submission of the journal and reflection on the issues and topics discussed (Goldsby and Cozza 1998). Cheryl Cisero (2006) articulates that journals should be graded on the extent of their "authentic reflection, clarity and format" (Cisero 2006: 233). Although timeliness, clarity, and format are somewhat objectively graded, *authentic* reflection may be difficult to judge. At its simplest, the instructor cannot actually know if what is written is true. For instructors who use journals to figure out if the student is recognizing and operationalizing the "theory to practice" lessons of the course, this, too, is often difficult to discern in journals (Moffitt 2004). It may be that a combination of judging the student's analytical ability (not just descriptive ability) together with her self awareness will anchor the teacher's judgment on the student's "authentic" reflection. But it is difficult to explain this adequately to the student who does not "get it." Rather, a poor grade will be challenged as a subjective, rather than objective, assessment of such a student.

Moreover, the teacher who uses journals as part of the overall assessment of the student (i.e., as part of the final grade) must grapple with the problem mentioned earlier: how formal must the journals be? Indeed, the naturally good writer may have an advantage here, unless the teacher decides explicitly to not grade on writing ability – and this a) is hard to achieve; and b) may not be supportive of

the teacher's goals. Many course objectives in negotiation can be furthered with the use of journals: to promote student creativity, to ensure content understanding, to help students get in touch with their feelings, to practice clarity of expression in writing, and many others (Hess and Friedland 1999: 254). Different objectives probably require different writing styles. The learning objectives for the course, how they relate to the journal assignment, and exactly how they will be assessed must be clear to the student, and this is often difficult to do. The student must have a clear picture regarding the writing she is required to do, in terms of form, structure and style. This clarity relates directly to whether students will ultimately see the journals as being graded fairly. All these challenges support the notion (see Ebner, Efron and Kovach, *Evaluating our Evaluation*, in this volume) that it is preferable to have multiple means of assessment in a negotiation class, so that different skill sets for the students can be exercised and graded.

In the Context of Negotiation 2.0

Professor Kenneth Fox (2009) has suggested that in the negotiation 2.0 class, students need to experience and recognize how "meaning is made and re-made" through the process of negotiation interactions (Fox 2009: 23). They need to be encouraged to experience "authenticity," "creativity" and "mindfulness," all of which are sometimes divorced from a first generation cognitive emphasis (LeBaron and Patera 2009: 59). A journal assignment with guided reflection questions (i.e., probing what the student has "noticed") seems especially appropriate for supporting these objectives. In *Reflective Practice in the New Millennium*, Michelle LeBaron and Mario Patera (2009) suggest questions that might be asked by second generation negotiation instructors who care deeply about how classroom skills will be transferred to real life applications. These can be adapted as needed and used as prompts for journal assignments:

- *Which skills or processes may not work in my personal or professional contexts?*
- *Why might they not work?*
- *Are there ways the skills or processes may need to be adapted to fit with my personality and communication style, or cultural settings where I find myself?*
- *What could keep me from applying the skills I've just learned? What fears do I have about my ability to apply the skills I have learned? How can I counter those fears?*
- *How can I get the support I need to apply these skills in professional contexts? (LeBaron and Patera 2009: 56).*

Student-teacher interactions will of course be affected by social differences in various cultural settings (Nelken, McAdoo, and Manwaring 2009) as well as in different institutional settings (e.g., law or business schools, both of which rank high on cognitive emphasis). This means that the second generation negotiation teacher must be flexibly prepared to make necessary course adaptations depending upon the cultural or institutional setting. Asking students to engage with their pre-existing beliefs in a journal assignment may be extremely challenging (Nelken, McAdoo, and Manwaring 2009). Intense student-teacher interaction may be more or less acceptable in different settings.

Ian Macduff has written about the use of blogs as a tool for teaching negotiation in different cultural contexts, cautioning that we must always consider how cultural norms shape “preferences around issues of risk-taking and exposure in communication” (Macduff 2012). Macduff points out that the difference between high- and low-context communication styles affected how his blog assignment was received and executed in different cultures. While analogizing blogs to journals may not be perfect, Macduff’s insights serve as something of a reminder to negotiation teachers to consider carefully the potential impact of using journals for assessment purposes in any culture.

The differences between high- and low-context communication also relate to issues of ‘face’; perceptions of and responses to conflict; responses to authority; the need for approval from others; the capacity of individuals to respond to new situations – or be flexible in familiar settings; the acceptance of responsibility; and the adherence to values such as those of co-operation, autonomy, compliance or respect for hierarchy (Macduff 2012: 12-13).

Without meaning to belittle in any way this very complex topic by giving scant attention to it here, it is obviously paramount that cultural sensitivity be carefully considered, if the journal assignment is widely employed as a pedagogy in international settings.

Conclusion

The use of journals in negotiation courses is broadly supported for its contribution to increased student metacognition and “strategic thinking about what information/strategies/skills [they] have, when and why to use them, and how to use them” (Booth 2011: 18). Journals require the student to engage in “reflective practice,” a “mindset that transforms teaching into a learning experience and helps [students to] become more thoughtful about their decisions and actions” (Booth 2011: 18). Given that the definition of “reflective practice” is critical if

a student is to complete a journal assignment successfully, one final series of suggestions for what could constitute reflective practice follows:

A student is being reflective when s/he:

- thinks about what she knows, considers the gaps in her knowledge, and contemplates what she still needs to learn;
- considers his relationship to the course material;
- monitors her own learning;
- seeks to clarify his values, examines assumptions, or expresses tentative understandings;
- engages in hypothesis generation and speculation;
- writes about his experience...and how it affects his life (Ogilvy 1996: 77-79).

A journal assignment can “weave into the tapestry of professionalism” the student’s “feelings, perceptions, values, ideals, dreams, fantasies, and pathologies” (Elkins 1993: 45); these need not and should not be divorced from her professional development. Given the guiding-hand influence that assessment methods have on students’ learning pattern and prioritizing (see Ebner, Efron, and Kovach, *Evaluating Our Evaluation*, in this volume) using *assessed* reflective journals in a negotiation course can be an efficient and effective – and maybe even elegant – way to achieve many critical learning objectives.

Notes

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¹ Although this article admittedly has a law school focus, the literature on journaling suggests that the prescriptions and conclusions are not different across disciplines. Examples for the article were easier to collect from law professors given that the author is a law school professor.

² The IRAC method of case reading in the first year of law school is pretty much the same in all U.S. law schools. When called on to recite a case in the first year, students are required to name the “issue” involved in the case (I); explain the relevant legal “rule” (R); apply the rule to the “facts” of the case (A); and state the “conclusion” of the case (C) (Metzler 2003: 501). This approach does not ask the student to think deeply about the policy implications of the case; party emotions in the case; the student’s opinion of the values promoted by the case; or whether there were more creative and better ways the case could have been resolved outside of the court.

³ The content in this example is from Debra Gerardi, email message to author, July 7, 2011.

⁴ The content in this example is from Jonathan Cohen, email message to author, July 4, 2011.

⁵ The content in this example is from Andrea Schneider, email message to author, July 15, 2011.

⁶ The content in this example is from Cynthia Alkon, email message to author, June 30, 2011.

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