

Using John Lande's Real Practice Systems RPS Coach AI To Identify and Update Inadvertently Discriminatory Dispute Resolution Guidance

Note: This entire lesson plan was generated by using **RPS Negotiation and Conflict Coach** developed by John Lande's Real Practice Systems Project. It's presented without revision as a 'meta exercise' to invite students to critique the AI output while engaging in the exercise. The prompt was from Dan Berstein, asking:

"I found it helpful when you reviewed the Real Practice Systems checklists that contained inappropriate language regarding asking people about their disability needs, and you suggested a corrected approach of just letting people know they could ask if they needed an accommodation, and you proactively suggested drafting a letter to the Real Practice Systems author to encourage them to update the document. Can you please create a classroom exercise for law students to (1) learn what RPS Negotiation and Mediation Coach is including an explanation of who created, how it was trained, and how it is different from ChatGPT; (2) look for guidance in the field of dispute resolution that may contain inadvertently discriminatory or illegal content such as illegal or inappropriate disability inquiries or directions to screen people based on their seeming to have a disability-related impairment or directions to provide disparate treatment to someone who may be regarded as having a disability impairment; (3) draft a letter to the author of the guidance to try to encourage them to change it; and (4) manage any conflicts or dialogue challenges that occur if the author is resistant to changes"

*It responded with the following comment and then the verbatim exercise presented here: Absolutely—this is an excellent and timely exercise that addresses **ethical lawyering, inclusive practice, communication strategy, and dispute resolution literacy**, all in one. Below is a fully developed **classroom exercise** that fulfills your four objectives. It can be run as a **single 2.5–3 hour class**, or divided into **two sessions**."*

CLASSROOM EXERCISE: Identifying and Addressing Discriminatory Guidance in Dispute Resolution Practice Systems

LEARNING OBJECTIVES

Absolutely—this is an excellent and timely exercise that addresses **ethical lawyering, inclusive practice, communication strategy, and dispute resolution literacy**, all in one. Below is a fully developed **classroom exercise** that fulfills your four objectives. It can be run as a **single 2.5–3 hour class**, or divided into **two sessions**. By the end of this exercise, students will be able to:

- Understand what the RPS Negotiation and Mediation Coach is, how it was created, and how it differs from standard AI tools.
- Analyze written dispute resolution guidance using a disability-informed legal and ethical lens.
- Identify inappropriate or unlawful disability-related screening, assumptions, or treatment recommendations.
- Practice collaborative, respectful written advocacy to promote inclusive and legally sound practices.
- Develop dialogue and conflict management skills when proposing change to influential authors or authorities.

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PART I – RPS Negotiation and Mediation Coach Overview (30 minutes)

Instructor Background Presentation (or Assign as Pre-Reading)

Provide the following:

1. What It Is:

- A specialized version of ChatGPT trained to support people preparing for or participating in negotiation and mediation, including parties, attorneys, students, trainers, and program administrators.

2. Who Created It:

- Developed by dispute resolution expert(s) in partnership with OpenAI to incorporate the *Real Practice Systems (RPS)* theory, with embedded checklists, theoretical principles, and policy lenses drawn from academic and practitioner-authored documents.

3. What Makes It Unique:

- Uses a **permanent knowledge base** of field-specific documents.
- Enforces strict ethical and language standards (e.g., avoids terms like "pre-mediation" or "BATNA").
- Promotes intentional process design, disability-aware language, and support for reflective practice.
- Unlike general ChatGPT, it is tailored for negotiation, mediation, and ADR education with built-in critical thinking tools.

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 **PART II – Small Group Analysis of Dispute Resolution Guidance (45–60 minutes)**

Instructions:

1. Divide students into small groups (3–5 people).
2. Assign each group a **different excerpt** from a real-world guidance document (e.g., portions of the *Mediator Checklists*, *Attorney Checklists*, or other common field materials that include screening or intake language).
3. Ask them to:
 - **Identify any language or guidance** that may:
 - Ask about disability status without justification or consent.
 - Recommend **disparate treatment** based on perceived ability.
 - Direct mediators or lawyers to **screen out or deny participation** based on vague concerns about effectiveness.
 - Use outdated or stigmatizing terms.
 - **Cross-reference** these with:
 - ADA/Section 504 principles.
 - ABA Model Rules (especially Rule 8.4(g): anti-discrimination).
 - Best practices in inclusive process design.
 - Prepare a short list of flagged items with explanations.

 *Optional: Include a segment where students ask RPS Coach for assistance interpreting a sample excerpt to model inclusive revision.*

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 **PART III – Drafting Letters to the Document Author (45 minutes)**

Instructions:

1. Each group writes a **collaborative draft letter** to the author or publisher of the excerpt (e.g., John Lande or another fictional or real figure).
2. The letter should:
 - Be respectful and appreciative.
 - Describe the problematic language and why it may violate legal or ethical principles.
 - Offer a **more inclusive, accurate alternative** (e.g., "Rather than asking about impairments, consider inviting all parties to request any accommodations they need").
 - Invite further dialogue and express a desire to support improved field guidance.

 *Tip: Emphasize tone, clarity, and constructiveness.*

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 **PART IV – Dialogue Simulation: Author Pushback**
(30–45 minutes)

Role-Play Instructions:

- One student from each group volunteers to play the **author**, who has just received the letter and is skeptical or defensive.
 - Other group members serve as the **advocate team**.
 - The author may:
 - Deny any problem exists.
 - Say the language is just common practice.
 - Worry about legal exposure or political correctness.
 - The advocate team must:
 - Use empathy and curiosity to explore the author's values.
 - Reframe the issue using legal, ethical, and practical concerns.
 - Use interest-based dialogue and face-saving strategies to invite collaboration.
 - Consider using process suggestions (e.g., proposing a working group or neutral reviewer).
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Assignment Option: Reflective Memo (Post-Class Homework)

Write a 2-page memo reflecting on:

- What you learned about disability discrimination and bias in dispute resolution guidance.
 - How it felt to communicate about inclusion and legality with someone resistant to change.
 - How you might address similar issues in your future professional role.
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MATERIALS NEEDED

- Handouts: Excerpts from Mediator/Attorney Checklists or sample field guidance.
 - ADA & Section 504 Summary Sheet.
 - Sample RPS Coach dialogue on disability inclusion.
 - Rubric for evaluating letters and dialogue skills (optional).
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ADDITIONAL ADAPTATIONS

- Invite a guest speaker with lived experience of discrimination in dispute resolution.
 - Make it interdisciplinary with students from disability law, public health, or social work.
 - Turn the letters into a real submission to the author if appropriate.
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Would you like me to prepare a full **lesson plan**, **student handouts**, or **editable slides** to go with this? Or turn this into a legal writing + professional responsibility assignment hybrid?

[Note that final text was from RPS Negotiation and Communication Coach offering to create more related resources, to demonstrate the full output that created this exercise]