

**CLASS NUMBER AND NAME:** LGN380A MEDIATION/CONFLICT MANAGEMENT

**TOTAL CLOCK HOURS/UNITS:** 24 hours/2 units

**PREREQUISITES:** Completion of LGN231F-Estate Planning and Probate

**TEXT AND MATERIALS:** *Conflict and Resolution*. (2<sup>nd</sup> Ed. 2008) Barbara A. Nagle Lechman. Aspen Publishers. A notebook and folder are recommended to keep notes and handouts. (ISBN 9780735567320)

**CLASS DESCRIPTION:** This course educates students about the theory and use of Alternative Dispute Resolution (ADR) as it is currently practiced in the United States, provides opportunities to practice the skills and techniques demonstrated and discussed, and provides the opportunity for students to understand conflict and resolution through mediation, arbitration, and collaborative negotiating. The students will be introduced to the legal office's role in this growing field.

**CLASS OBJECTIVES:** The goal of this course is to provide students with opportunities to develop and understand conflict management skills related to the practice of mediation and personal negotiations as well as develop familiarity with current conflict theory, with the objective of incorporating specific skills developed in these areas into their current career paths.

**CLASS FORMAT OVERVIEW:** Reading and homework assignments from the book will be given weekly. There may be guest speakers from the community that include mediators or individuals working in the area of alternative dispute resolution. There will also be relevant videos shown in class, if time allows.

Mediation/Conflict Management requires using cooperative communication skills among the students. Discussion among students regarding their role-play mediation is encouraged. However, each student is responsible for his or her own role-play participation. Courtesy and cooperation are encouraged and a professional attitude in the classroom is mandatory.

**REQUIREMENTS:** This is an approximate schedule and is subject to change at the instructor's discretion. The student is responsible for any missed information and handouts due to absences. Homework includes familiarizing yourself to the Calendar and Syllabus, textbook reading assignments, and study guide homework plus diagrams, flashcards, and practice tests all when appropriate to augment learning. The time spent in preparation for or reflection on course lecture will approximate two hours outside of class for each lecture credit hour utilized by the instructor in delivery of the materials and ¼ hour outside of class for each hour of structured lab time.

**ATTENDANCE:**

It is critical to the student's success to attend class every day. The student's presence for the entire hour is an important demonstration of the concept of professional demeanor and shows respect for the class. Therefore, students will only be marked present when they arrive on time and remain for the entire class session. A student must be present for 80 percent of the class, or she or he will be asked to leave the class and will receive a failing grade in the class.

**TESTING:**

There are no tests in Mediation/Conflict Management. All grades will be based on project/assignments, participation in class and attendance.

**GRADING POLICIES:** All homework chapter assignments and in-class assignments must be completed. **No late homework assignments will be accepted by the instructor.** The attached course outline provides points available and homework policies. At the discretion of the instructor, Students may achieve 50 extra points for professionalism, participation, and attendance.

Weighting of grades is as follows:

100% Homework, Written Papers, Class Discussion and Participation

Combined grades from attendance, class participation, quizzes, final exams or written papers, as applicable, will be graded on the following scale:

100-90%	A
89- 80%	B
79- 70%	C
69- 65%	D
Below 65%	F

**ANTICIPATED LEARNING OUTCOMES:**

Upon completion of this course the student will be able to:

1. Simulate, as closely as possible, activities routinely and independently performed by law office administrators, legal secretaries, and paralegals when assisting attorneys practicing alternative dispute resolution processes;
2. Perform and understand alternative dispute resolution procedures including arbitration, mediation, and case management as they relate to a law office;
3. Understand terminology, procedural requirements, and commonly prepared documents as they relate to all avenues of alternative dispute resolution;
4. Practice and understand mediation and negotiation principles as

they relate to interpersonal relations, problem solving skills, and case management;

5. Understand and be familiar with local alternative dispute resolution organizations including court mandated programs and independent (public and private) arbitration and mediation firms; and
6. Understand and be familiar with various types of mediation processes that take place worldwide.

**All work must be your own individual work. Plagiarism is never tolerated.**

**For assignments in which you need to do research in order to respond to the questions, you must correctly cite where you found any information you used to come up with your responses. Your instructor wants to know where you looked to get your information in order for the instructor to make an informed decision about the validity of your responses. Not every website, for instance, is accurate and reliable!**

**In this class you are learning about ADR, but you are also demonstrating to the instructor your ability to research and write well and you are getting feedback regarding your writing and researching abilities. This will be reflected in your grade.**

**LG380A MEDIATION/CONFLICT MANAGEMENT  
OUTLINE**

Week	Schedule
<b>One/Two</b>	<p><b>Lecture/Overview</b>  <b>Chap 1 - Introduction/Overview</b>  <b>Chap 2 - Conflict</b>  <b>Chap 3 – Negotiations</b></p> <p><b>Assignments:</b>  <b>Read chapters 1, 2, and 3</b></p> <p><b>Ch. 1, Exercises 1, 2*, 8</b>  <b>Ch. 2, Exercises 8, 9</b>  <b>Ch. 3, Exercises 6, 7</b>  <b>*Ongoing Conflict Exercise: Due First Class, Week Two (ongoing weekly check-in)</b></p> <p><b>Exercises Due: Beginning of class, Week Three</b></p>
<b>Two/Three</b>	<p><b>Lecture/Overview</b>  <b>Chapter 4 – Mediation</b></p> <p><b>Assignments:</b>  <b>Read Chapter 4</b>  <b>Ch. 4, Exercises 1, 2, 4, 6</b>  <b>*Ongoing Conflict Exercise: Due First Class, Week Three</b>  <b>Exercises Due: Beginning of class, Week Four</b></p>
<b>Three/Four</b>	<p><b>Lecture/Overview</b>  <b>Chapter 4- Mediation</b></p> <p><b>Assignments:</b>  <b>Review assignment and meet with groups, additional research assignments as given by instructor, review handouts</b></p> <p><b>IN CLASS EXERCISES:</b>  <b>Role Plays – Rubrics for Role Play Mediations due first class after mediations are finished (The number of mock mediations depends on the number of students enrolled in the class.)</b>  <b>Guest Speaker and/or Movie – In class discussions</b></p> <p><b>*Ongoing Conflict Exercise: Due First Class, Week Four</b></p>

<p><b>Four/Five</b></p>	<p><b>Lecture/Overview</b>  <b>Chapter 5 – Arbitration</b></p> <p><b>Assignments:</b>  <b>Read Chapter 5</b>  <b>Ch. 5, Exercise 5</b>  <b>Case Briefing</b></p> <p><b>Case briefing due last day of the mod</b></p> <p><b>*Ongoing Conflict Exercise: Due First Class, Week Five</b></p>
<p><b>Five/Six</b></p>	<p><b>Lecture/Overview</b>  <b>Chapter 6 - Other Forms of Dispute Resolution</b>  <b>Chapter 7 - Policy, Ethical &amp; Practice Issues</b></p> <p><b>Assignments:</b>  <b>Read Chapters 6 &amp; 7</b>  <b>Case Analysis: <i>Hooters of Am., Inc. v. Phillips</i> (4th Cir. 1999) 173 F.3d 933 – Handout</b>  <b>Case Analysis due: Last day of the mod</b></p> <p><b>*Ongoing Conflict Exercise: Due First Class, Week Six</b></p>
<p><b>Six</b></p>	<p><b>Continue from above. Finalize exercises.</b></p> <p><b>CLASS DISCUSSIONS,</b>  <b>IN CLASS GROUP ROLE PLAYING (if time permits)</b>  <b>Chapter 6 – Other Forms of Dispute Resolution</b>  <b>Chapter 7 - Policy, Ethical &amp; Practice Issues</b></p> <p><b>Assignments:</b>  <b>Finish reading chapters 6 &amp; 7</b>  <b>Turn in final assignments.</b></p>

*The instructor reserves the right to reconfigure the above with prior notice to the class. The class objectives will be met regardless of deviation from this outline.*

*This is an approximate schedule and is subject to change at the instructor’s discretion. The student is responsible for any missed information and handouts due to absences. Homework includes familiarizing yourself to the Calendar and Syllabus, textbook reading assignments, and study guide homework plus diagrams, flashcards, and practice tests all when appropriate to augment learning. The time spent in preparation for or reflection on course lecture will approximate two hours outside of class for each lecture credit hour utilized by the instructor in delivery of the materials and ¼ hour outside of class for each hour of structured lab time.*

