

Course Outline

| | |
|---------------------------|--|
| COURSE: | LAWS 3006A – Mediation |
| TERM: | Fall 2013 |
| PREREQUISITES: | LAWS 1000 and 1.0 credit from LAWS 2003 [no longer offered], LAWS 2004 [no longer offered], LAWS 2005 [no longer offered], LAWS 2105, LAWS 2201, LAWS 2202, LAWS 2301, LAWS 2302, LAWS 2501, LAWS 2502, LAWS 2601, BUSI 2601 |
| CLASS: | Day & Time: Room: Please check with Carleton Central for current room location |
| INSTRUCTOR: (CONTRACT) | Peter Bishop 60 Amberlakes Drive, Stittsville, ON, K2S 2A2 |
| CONTACT: | Office: B442 Loeb Building, Contract Instructor's Office Office Hrs: By Appointment Only – Tuesdays – 5:00 – 6:00 p.m. Telephone: 613-836-1303 Email: pbishop@bellnet.ca |

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

COURSE DESCRIPTION

Over the past three decades, the mediation process has been applied to resolve many types of conflicts and disputes. It has been developed and adapted in a variety of situations and contexts where it has proven to have a number of advantages over the more formal, traditional procedures in those areas. This course examines mediation from a multidisciplinary perspective, exploring how theories of communication, social psychology, sociology, political science, business management and legal studies can contribute to our understanding of mediation and its practice. Topics to be covered include mediation and alternative methods of dispute resolution, conflict and mediation theory and the application of mediation to a variety of contexts from interpersonal conflicts to organizational, criminal, community and public policy disputes. Current trends such as models of practice, the role of the mediator, narrative mediation, Insight mediation, restorative justice, intercultural mediation, gender issues and particular areas of practice will also be examined.

COURSE OBJECTIVES

To understand the principles and theories of mediation and its practice;
To evaluate and reflect critically upon those principles and theories and their impact on practice;
To gain an introductory understanding of the goals, strategies, skills and art of mediation practice.

REQUIRED TEXTS

1. Picard, Cheryl, Peter Bishop, Rena Ramkay, Neil Sargent. *The Art and Science of Mediation*. Toronto: Emond Montgomery, 2004

**EVALUATION – All four components must be completed in order to get a passing grade.
– All assignments under items 1, 2, and 3 below will be submitted through cuLearn or other electronic means**

1. **Class Preparedness and Participation (15%)**
Students are required to complete readings before class and offer informed and analytical discussion based on assigned readings. Students will be evaluated on their preparedness and participation in class and in small group discussions and exercises. Students will also be evaluated on a group assignment to be done during and between classes. This component will constitute 15% of the final mark
2. **Reflective Journal (25%)**
Students will be required to keep a regular journal of their insights, reflections and experiences relating to the subject matter of this course. In particular, a student will be required to write six journal entries, applying course concepts and methods to actual conflict situations. A journal entry may include reflections on one's own and other's communication styles and preferences, perspectives and perceptions, personality types, cultural factors and generally any aspect of how different people relate and respond to conflict. Guidelines for the course journals assignment will be provided on the course cuLearn site. The first two journal entries are to be submitted for feedback on or before October 11 and all six journal entries are to be submitted for marking on or before November 15. The journal assignment is worth 25% of the final mark.

3. **Research Term Paper (30%)**

Students will be required to submit a research term paper that relates to some course themes and principles. Students may select any area of practice to research. Guidelines for this term paper will be provided on the course cuLearn site. Students will be required to submit a two page proposal (plus preliminary bibliography) of what they will undertake for their research paper. The term paper proposal is due by October 16 and the term paper is due on November 22. The term paper is worth 30% of the final mark.

4. **Final Examination (30%)**

Students will be required to write a final examination at a time to be scheduled during the fall term examination period of December 11 - 22, 2013. It may be necessary for this examination to be scheduled during the day. This final examination will be a three hour, closed book examination with essay questions. The final examination will be worth 30% of the student's final mark.

COURSE AND READING OUTLINE

Note: PowerPoint slides for each class will be posted on the cuLearn site the day before the class.

Class 1 (September 10)

- Course Overview
- Basic Concepts
- Understanding Conflict

The Art and Science of Mediation, Chapter One – “Opening Pandora’s Box: Understanding Conflict”, pp. 1-15

Bishop, Peter. “What is Conflict” – Paper posted on the 3006 cuLearn site

Class 2 (September 17)

- Dispute Resolution Methods
- Basic Principles and Practices of Mediation

The Art and Science of Mediation, Chapter Two – “Choosing a Path: Methods for Resolving Disputes”

Class 3 (September 24)

- Conflict Behaviour

The Art and Science of Mediation, Chapter One – “Opening Pandora’s Box: Understanding Conflict”, pp. 15 -30

Bishop, Peter. “Conflict Emotion” – Paper posted on the 3006 cuLearn site

The Art and Science of Mediation, Chapter Three – “Trading Lemons for Something Sweeter: Mediation as Assisted Negotiation”, pp. 67-75

The Art and Science of Mediation, Chapter Nine – “Bridging Differences: Managing the Interaction”, pp. 255-266

- Principles of Negotiation

The Art and Science of Mediation, Chapter Three – “Trading Lemons for Something Sweeter: Mediation as Assisted Negotiation”, pp. 76 – 88

Class 4 (October 1)

- Conflict Communication

The Art and Science of Mediation, Chapter Eight – “Packing Your Toolkit: Communication Skills”, pp. 221 - 231

- Conflict and Culture

The Art and Science of Mediation, Chapter Three – “Trading Lemons for Something Sweeter: Mediation as Assisted Negotiation”, pp. 88 – 94

- The Mediation Process

The Art and Science of Mediation, Chapter Three – “Trading Lemons for Something Sweeter: Mediation as Assisted Negotiation”, pp. 94 – 100

The Art and Science of Mediation, Chapter Six – “Opting for a Guide: The Mediation Process”

Class 5 (October 8)

- Convening a Mediation

The Art and Science of Mediation, Chapter Seven – “Deciding on and Preparing the Path: Convening a Mediation”

Class 6 (October 15)

- Philosophies and Approaches to Mediation
- Restorative Justice and Victim-Offender Mediation

The Art and Science of Mediation, Chapter Four – “Weaving the Stories: Approaches to Mediation”

Bishop, Peter. “Restorative Justice and Victim-Offender Mediation” – Paper posted on the 3006 cuLearn site

Class 7 (October 22)

- Mediation Theories and Competencies

The Art and Science of Mediation, Chapter Five – “Seeing the Forest and the Trees: Mediation Artistry”

Bishop, Peter. “Mediator Competencies” – Paper posted on the 3006 cuLearn site

Class 8 (November 5)

- Mediation Skills

The Art and Science of Mediation, Chapter Eight – “Packing Your Toolkit: Communication Skills”, pp. 232 - 253

Class 9 (November 12)

- Mediation Skills

The Art and Science of Mediation, Chapter Nine – “Bridging Differences: Managing the Interaction”, pp. 267-283

Class 10 (November 19)

- Mediation and Justice

The Art and Science of Mediation, Chapter Ten – “Turning Swords into Ploughshares: Mediation and Justice”

Class 11 (November 26)

- Mediation as a Profession

The Art and Science of Mediation, Chapter Eleven – “Taking the Unknown Path: Mediation as a Profession”

Class 12 (December 3)

- The Future of Mediation
- Course Summary

The Art and Science of Mediation, Chapter Eleven – “Taking the Unknown Path: Mediation as a Profession”