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**Course Outline**

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<b>COURSE:</b>	<b>LAWS 3006B - Mediation</b>
<b>TERM:</b>	<b>Winter 2017</b>
<b>PREREQUISITES:</b>	<b>LAWS 1000 and 1.0 credit from LAWS 2105, LAWS 2201, LAWS 2202, LAWS 2301, LAWS 2302, LAWS 2501, LAWS 2502, LAWS 2601, BUSI 2601.</b>
<b>CLASS:</b>	<b>Day &amp; Time: Tuesday – 18:05-20:55</b> <b>Room: Please check with Carleton Central for current room location</b>
<b>INSTRUCTOR:</b> <b>(Contract)</b>	<b>Peter Bishop</b> <b>60 Amberlakes Drive, Stittsville, ON, K2S 2A2</b>
<b>CONTACT:</b>	<b>Office: (Contract Instructor's Office) B442 Loeb Bldg</b> <b>Office Hrs: By Appointment Only - Tuesdays - 5:00 – 6:00 p.m.</b> <b>Telephone: 613-836-1303</b> <b>Email: <a href="mailto:peter@pbishop.ca">peter@pbishop.ca</a></b>

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**Academic Accommodations:**

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://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://carleton.ca/equity/>

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](mailto: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*). **Requests made within two weeks will be reviewed on a case-by-case basis.** After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website ([www.carleton.ca/pmc](http://www.carleton.ca/pmc)) for the deadline to request accommodations for the formally-scheduled exam (*if applicable*).

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

**Plagiarism**

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material,

regardless of the source, and presenting these as one's own without proper citation or reference to the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://carleton.ca/studentaffairs/academic-integrity/>

## **Department Policy**

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://carleton.ca/law/current-students/>

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## **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** [Available at the Campus Bookstore]

1. Bishop, Peter, Cheryl Picard, Rena Ramkay, Neil Sargent. *The Art and Practice of Mediation, 2<sup>nd</sup> ed.* Toronto: Emond Montgomery, 2014

## **EVALUATION**

– All assignments under items 1, 2, and 3 below will be submitted through cuLearn.  
– Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

### **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 three 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 journal entry may be submitted for feedback any time before March 1 and all three journal entries are to be submitted for marking on or before March 21. 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 asked to submit a two-page proposal (plus preliminary bibliography) of what they will undertake for their research paper. The term paper proposal should be submitted by February 14 and the term paper is due on March 28. 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 April 10-25, 2017. 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 (January 10)**

- Course Overview
- Basic Concepts

*The Art and Practice of Mediation*, Chapter One – "Introduction to the Art and Practice of Mediation"

**Class 2 (January 17)**

- Dispute Resolution Methods
- Principles of Negotiation

*The Art and Practice of Mediation*, Chapter Two – "Dispute Resolution Processes"

**Class 3 (January 24)**

- Basic Principles and Practices of Mediation

*The Art and Practice of Mediation*, Chapter Three – "Mediation as a Dispute Resolution Process"

**Class 4 (January 31)**

- Understanding Conflict and Conflict Behaviour

*The Art and Practice of Mediation*, Chapter Four – "Understanding Conflict Behaviour"

**Class 5 (February 7)**

- Conflict Communication

- Basic Mediation Skills

*The Art and Practice of Mediation*, Chapter Five – “Conflict and Communication”

**Class 6 (February 14)**

- Convening and Preparing for a Mediation

*The Art and Practice of Mediation*, Chapter Six – “Convening and Preparing for a Mediation”

**WINTER BREAK WEEK: February 20-24 - No class.**

**Class 7 (February 28)**

- Cultivating Constructive Dialogue in Mediation
- Skills and Practices for Stage Two of the Mediation Process

*The Art and Practice of Mediation*, Chapter Seven – “Cultivating Constructive Dialogue in Mediation”

**Class 8 (March 7)**

- Getting to the Heart of Conflict
- Skills and Practices for Stage Three of the Mediation Process

*The Art and Practice of Mediation*, Chapter Eight – “Getting to the Heart of Conflict”

**Class 9 (March 14)**

- Completing the Mediation Process
- Skills and Practices for Stage Four of the Mediation Process

*The Art and Practice of Mediation*, Chapter Nine – “Reaching Decisions and Completing the Mediation Process”

**Class 10 (March 21)**

- Restorative and Reconciliation Processes
- Mediation and Justice

*The Art and Practice of Mediation*, Chapter Ten – “Restorative and Reconciliation Processes”

**Class 11 (March 28)**

- Mediation Applications
- Mediation Programs in Organizations and Communities

*The Art and Practice of Mediation*, Chapter Eleven – “Using Mediation in Organizations and Communities”

**Class 12 (April 4)**

- Mediation as a Profession
- Course Summary