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**Carleton University Department of Law  
Mediation  
Laws 3006 A  
Course Outline**

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<b>Term:</b>	<b>Fall 2007</b>
<b>Prerequisites:</b>	<b>LAWS 1000 and one of LAWS 2003, LAWS 2004, LAWS 2005 or BUSI 2601.</b>
<b>Class:</b>	<b>Day: Tuesday Time: 6:00 – 9:00 pm Room: Southam Hall 502</b>
<b>Instructor:</b>	<b>Peter Bishop</b>
<b>Contact:</b>	<b>Office: 60 Amberlakes Drive, Stittsville, ON, K2S 2A2 Telephone: 613-836-1303 E-mail: <a href="mailto:pbishop@bellnet.ca">pbishop@bellnet.ca</a></b>
<b>Office Hours:</b>	<b>C476 Loeb By appointment only on Tuesday 5:00 – 6:00 p.m.</b>

**COURSE DESCRIPTION**

Over the past two 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, 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.

## **STUDENTS WITH DISABILITIES**

Students with disabilities requiring academic accommodations in this course are encouraged to contact a coordinator at the Paul Menton Centre for Students with Disabilities to complete the necessary *letters of accommodation*. After registering with the PMC, make an appointment to meet and discuss your needs with me at least two weeks prior to the first in-class test or any midterm exam. This is necessary in order to ensure sufficient time to make the necessary arrangements. Please note the deadline for submitting completed forms to the PMC for formally scheduled exam accommodations is November 9, 2007 for December examinations and March 14, 2008 for April examinations.

## **REQUIRED TEXTS**

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

## **EVALUATION**

1. **Class Preparedness and Participation (25%)**  
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 25% of the final mark.
2. **Reflective Journal (10%)**  
Students will be required to keep a weekly journal of their insights, reflections and experiences relating to the class. Among other things, this will require the student to apply course concepts and methods to their own conflict or other interactive experiences, both in and outside of the class. It will include reflections on one's own and other's communication styles and preferences, perspectives and perceptions, personality types, cultural factors and generally all aspects of how different people in the class relate to the course material and to each other. The journal is worth 10% 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 handed out to students in class. 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 on October 16, 2007 (Class 6) and the term paper is due on November 20, 2007 (Class 11). The term paper is worth 30% of the final mark.
4. **Final Take Home Exam (35%)**  
Students will be required to submit a final take home examination paper by Saturday, December 22, 2007. The take home examination questions and instructions will be distributed to students on the last day of class, November 27, 2007. The final exam will be worth 35% of the student's final mark.

**COURSE AND READING OUTLINE****Class 1 (September 11) Understanding Conflict**

*The Art and Science of Mediation*, Chapter One – “Opening Pandora’s Box: Understanding Conflict”

**Class 2 (September 18) Dispute Resolution Methods**

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

**Class 3 (September 25) Mediation as Assisted Negotiation**

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

**Class 4 (October 2) Approaches to Mediation**

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

**Class 5 (October 9) Mediation Artistry**

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

**Class 6 (October 16) The Mediation Process**

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

**Class 7 (October 23) Communication Skills**

*The Art and Science of Mediation*, Chapter Eight – “Packing Your Toolkit: Communication Skills”

**Class 8 (October 30) Managing the Interaction**

*The Art and Science of Mediation*, Chapter Nine – “Bridging Differences: Managing the Interaction”

**Class 9 (November 6) Convening a Mediation**

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

**Class 10 (November 13) Mediation and Justice**

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

**Class 11 (November 20) Mediation as a Profession**

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

**Class 12 (November 27) The Future of Mediation**

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