

Course Outline

COURSE:	LAWS 3006 B - Mediation
TERM:	Winter 2012
PREREQUISITES:	LAWS 1000 and one of LAWS 2003, LAWS 2004, LAWS 2005 or BUSI 2601
CLASS:	Day & Time: Monday – 18:05-20:55
	Room: Please check Carleton Central for current room location
INSTRUCTOR:	Peter Bishop
(Contract)	60 Amberlakes Drive, Stittsville, ON, K2S 2A2
	613-836-1303
CONTACT:	Office: B442 (Contract Instructor's Office) Loeb Bldg.
	Office Hrs: By Appointment Only - Mondays - 5:00 – 6:00 p.m.
	Email: pbishop@bellnet.ca

"Students with disabilities requiring academic accommodations in this course must 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 in order to make the necessary arrangements as early in the term as possible, but no later than two weeks before the first assignment is due or the first test requiring accommodations. For further information, please see:

<http://www2.carleton.ca/pmc/students/accommodations> . If you require accommodation for your formally scheduled exam(s) in this course, please submit your request for accommodation to PMC by 7 March 2012 for April exams. For Religious and Pregnancy accommodations, please contact Equity Services, x. 5622 or their website: www.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 by email or through WebCT

1. Class Preparedness and Participation (20%)

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 20% of the final mark

2. Reflective Journal (20%)

Students will be required to keep a regular journal of their insights, reflections and experiences relating to the subject matter of this course. 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 20% 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 February 13 and the term paper is due on March 26. 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 11 - 24, 2012. 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 WebCT the day before the class.

Class 1 (January 9)

- Basic Concepts
- Understanding Conflict

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

Class 2 (January 16)

- Conflict Behaviour
- Conflict Communication

The Art and Science of Mediation, Chapter One – “Opening Pandora’s Box: Understanding Conflict”, pp. 15 -30
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 Eight – “Packing Your Toolkit: Communication Skills”, pp. 221 - 231
The Art and Science of Mediation, Chapter Nine – “Bridging Differences: Managing the Interaction”, pp. 255-266

Class 3 (January 23)

- Conflict and Culture
- Dispute Resolution Methods
- Principles of Negotiation

The Art and Science of Mediation, Chapter Two – “Choosing a Path: Methods for Resolving Disputes”
The Art and Science of Mediation, Chapter Three – “Trading Lemons for Something Sweeter: Mediation as Assisted Negotiation”, pp. 75 - 100

Class 4 (January 30)

- The Mediation Process

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

Class 5 (February 6)

- 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 WebCT

Class 6 (February 13)

- Mediation Artistry
- The Insight Approach

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

Class 7 (February 27)

- Mediation Skills

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

Class 8 (March 5)

- Mediation Skills

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

Class 9 (March 12)

- Convening a Mediation

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

Class 10 (March 19)

- Mediation and Justice

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

Class 11 (March 26)

- Mediation as a Profession

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

Class 12 (April 2)

- The Future of Mediation

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