

Course Outline

COURSE:	LAWS 3006 A – Alternative Dispute Resolution
TERM:	Fall 2026
PREREQUISITES:	LAWS 1001 and LAWS 1002 and 1.0 credit in LAWS at the 2000 level or 0.5 credit in LAWS at the 2000 level and BUSI 2601
CLASS:	Day: Monday Time: 6:05 p.m. to 8:55 p.m. Room: Please check Carleton Central for current Class Schedule Online Scheduled Section (Campus presence is not required).
INSTRUCTOR:	Hashim Oudeh
CONTACT:	Office Office hours to be booked directly with me. Hrs / Location: Appointment only via Zoom Email: hashimoudeh@cunet.carleton.ca
BRIGHTSPACE:	https://brightspace.carleton.ca/d2l/home/450762

CALENDAR COURSE DESCRIPTION

Introduction to theories and practices of alternative dispute resolution, including, negotiation, mediation, arbitration, and restorative justice; contrasts with formal litigation; issues of social and legal control; critiques grounded in critical theories; application to contemporary issues and disputes.

COURSE DESCRIPTION

In this course, we will examine the subject of alternative dispute resolution (ADR) in the context of the law. This will include Negotiation, Mediation, and Arbitration as an alternative to our traditional court system. ADR gained popularity and attention in the last several decades. ADR has the potential to transform our views on justice and how our legal system operates. This course will examine the history of conflict and the legal system and the factors that led to the rise of ADR. While this course will present a

positive view of ADR and the potential it presents to the Canadian legal system, we will examine the limitations and flaws of mediation and arbitration. Who stands to benefit from justice becoming privatized? This course will strive to blend together theoretical concepts and ideas, along with the practical understanding of ADR.

The course format is a blend of seminar style and practical rounds of solving disputes using ADR methods. There will be heavy emphasis on class discussions. You are expected to participate actively in class discussions. The professor will call on students during the class for their input – whether it is to respond to a question posed, offer critiques on a position put forward or to put forth their own topics for discussion. Students should attend class prepared, as the professor will call on students to answer questions.

REQUIRED TEXTS

Bishop, P., C. Picard, R. Ramkay, N. Sargent, *The Art and Practice of Mediation* (2nd ed.) Emond Montgomery, 2015. The Book is available at Carleton Bookstore (96\$) and via Amazon.

Fisher, R., Ury, W., & Patton, B. (2011). *Getting to yes: Negotiating agreement without giving in* (3rd ed., rev. ed.). Penguin. The Book is available at Carleton Bookstore (\$26) and via Amazon.

Other mandatory readings will be placed on Brightspace. Some sources may be accessed through the Carleton library website.

EVALUATION

All components must be successfully completed in order to get a passing grade.

1) Class Preparedness and Participation (10%) – Ongoing

This course will involve lectures, class discussion, and group simulation. Students are expected to have completed the required readings in advance of class and come prepared to offer informed and analytical interventions. Students will be assessed on their willingness to participate in class activities, to ask questions that advance their own understanding and build knowledge for others, and to participate in class discussions that deepen the conversation.

2) Group Bargaining Simulation and Reflection (In class, October 19, more details will be posted on Brightspace) (25%)

In class bargaining simulation in groups; each student must submit a 1000-word reflection paper on the simulation by the following class (November 2). In the reflection,

you will be expected to provide a brief description of the challenges posed by the bargaining simulation, and how you met them. A key element of the reflection should include a reflection on how the principles espoused in Getting to Yes may have helped or hindered you in the bargaining process.

3) Group Mediation Simulation and Reflection (In class, November 23, more details will be posted on Brightspace) (25%)

In class mediation simulation in groups; each student must submit a 1000-word reflection paper on the simulation by the following class (November 30). In the reflection, you will be expected to provide a brief description of the challenges posed in the mediation process, and how you met them.

4) Final Examination (40%) There will be an in-person examination that takes place during the regularly scheduled examination period.

The final examination will be based on the required texts, in-class lectures and discussions, and any further materials distributed throughout the semester. There will be a final exam review class scheduled for the final lecture.

Final Grade Approval

Standing in a course is determined by the course instructor subject to the approval 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 Dean.

POLICY ON LATE PENALTIES AND REQUESTS FOR EXTENSIONS

Late Submission Policy: Deadlines for submission of assignments are set prior to the start of term and clearly communicated in class and in this course outline. It is expected that students will plan accordingly and endeavor to meet those deadlines. Where this is not possible, students may submit their assignment late and their grade will be reduced by a late penalty that will accrue at a rate of 2 marks for each day elapsing between the deadline and their submission of their assignment via Brightspace.

Students are reminded that all course requirements must be met in order to pass the course; thus, where an assignment is submitted so late that a grade of '0' is inevitable (e.g., each assignment is worth 20%, so submission 10 days after the due date will be zero), the assignment must be submitted, or the student will be unable to pass the course. Exams are not returned but may be reviewed upon request.

The granting of extensions is at the discretion of the instructor, who will confirm whether

an extension is approved and its duration. For information about requesting short-term or long-term extensions, deferrals for final exams, or academic consideration due to illness, injury, or other extraordinary circumstances, please visit the Academic Consideration Policy page and complete the relevant forms as required. All requests must be submitted to the instructor before the assignment due date or, in the case of exam deferrals, directly to the Registrar's Office. Full details and instructions can be found here <https://carleton.ca/registrar/academicconsideration-policy/>.

****NEW** POLICY ON CLASSROOM RECORDING**

Unauthorized student recording of classroom or other academic activities (including advising sessions or office hours) is prohibited. Unauthorized recording is unethical and may also be a violation of University policy. Students requesting the use of assistive technology as an accommodation should contact the Paul Menton Centre.

Unauthorized use of classroom recordings – including distributing or posting them – is also prohibited. Under the University's Copyright Policy, faculty own the copyright to instructional materials – including those resources created specifically for the purposes of instruction, such as lectures slides, lecture notes, and presentations.

Students cannot copy, reproduce, display, or distribute these materials or otherwise circulate these materials without the instructor's written permission. Students who engage in unauthorized recording, unauthorized use of a recording, or unauthorized distribution of instructional materials will be referred to the appropriate University office for follow-up.

SCHEDULE

1	Week of September 14	Introduction to the Course Course Objectives/Expectations Course Evaluation
2	Week of September 21	Conflict and Communication Getting to the heart of conflict. Understanding Conflict and Conflict Behaviour Readings: • The Art and Practice of Mediation: Chapter four and five. Page 93 to 153.
3	Week of September 28	Positions and Interests and Methods to resolving disputes Readings: • The Art and Practice of Mediation: Chapter

		two. Page 31 to 60. • Getting to Yes: Page 3 to 150.
4	Week of October 5	Negotiations Readings: • Getting to Yes: Page 3 to 150.
	Week of October 12	No Class. Statutory Holiday.
5	Week of October 19	In Class Bargaining Simulation.
October 26-30, 2026, Fall break. No classes.		
6	Week of November 2	Mediation Bargaining Simulation Reflection is Due. Readings: • The Art and Practice of Mediation: Chapter one and three. Page 1 to 29 and 63 to 90.
7	Week of November 9	Mediation Cont'd Readings: • The Art and Practice of Mediation: Chapter seven. Page 189 to 223.
8	Week of November 16	Mediation Cont'd Readings: • The Art and Practice of Mediation: Chapter 9. Page 253 to 286
9	Week of November 23	In Class Mediation Simulation.
10	Week of November 30	Arbitration. Mediation Simulation Reflection is Due. Readings will be posted on Brightspace.
11	Week of December 7	Restorative Justice and Reconciliation Process. Contrast with Formal Litigation Process Readings: • The Art and Practice of Mediation: Chapter 10. Page 287 to 321. • Additional readings will be posted on Brightspace.

12	December 11	Exam Review
-----------	--------------------	--------------------

Fall 2026 Sessional Dates and University Closures	
Please find a full list of important academic dates on the calendar website: https://calendar.carleton.ca/academicyear/	
September 9, 2026	Fall term begins.
September 15, 2026	Last day for registration and course changes (including auditing) for Fall courses.
September 30, 2026	Last day to withdraw from full fall courses and the fall portion of fall/winter courses with a full fee adjustment.
October 12, 2026	Statutory holiday. University closed.
October 26-30, 2026	Fall break. No classes.
November 15, 2026	Last day for academic withdrawal from full and late fall courses.
	Last day to request Formal Examination Accommodations for December full fall, late fall, and fall/winter midterm examinations from the Paul Menton Centre for Students with Disabilities. Note that it may not be possible to fulfil accommodation requests received after the specified deadlines.
November 27, 2026	Last day for summative tests or examinations, or formative tests or examinations totaling more than 15% of the final grade, in full fall term or fall/winter undergraduate courses, before the official December final examination period.
December 11, 2026	Fall term ends.
	Last day of fall classes.
	Classes follow a Monday schedule.
	Last day for take home examinations to be assigned.
December 9-10, 2026	No classes or examinations take place.
December 12-23, 2026	Final examinations in fall term courses and mid-term examinations in fall/winter courses will be held.
December 23, 2026	All final take-home examinations are due on this day, with the exception of those conforming to the examination regulations in the Academic Regulations of the University section of the Undergraduate Calendar/General Regulations of the Graduate Calendar.

STATEMENTS ON ACADEMIC INTEGRITY**Student cannot submit substantially the same piece of work**

Students are strictly prohibited from submitting any work that has been previously submitted for academic credit in another course. Any such submission will result in a grade of 0, and the student will be referred to the university's academic integrity office for review. Re-using any portion of previous work, regardless of its extent, will be treated as a violation of academic integrity.

Group or Collaborative Work

Students are not permitted to cooperate or collaborate on any academic assignments unless explicitly stated by the instructor. Any unauthorized collaboration will result in the assignment receiving a grade of 0 and the student being referred to the academic integrity office. This policy applies to all tests, exams, and individual assignments. Proofreading by others is not allowed.

The use of AI tools (e.g., ChatGPT) to generate any part of an assignment or test is strictly prohibited. Unauthorized use of AI in this course will be treated as a violation of academic integrity.

STATEMENT ON PLAGIARISM

The University Academic Integrity Policy defines plagiarism as '*presenting, whether intentionally or not, the ideas, expression of ideas or work of others as one's own.*' This 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, artworks, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, material on the internet and/or conversations.

Examples of plagiarism include, but are not limited to:

- any submission prepared in whole or in part, by someone else, including the unauthorized use of generative AI tools (e.g., ChatGPT)

- using ideas or direct, verbatim quotations, paraphrased material, algorithms, formulae, scientific or mathematical concepts, or ideas without appropriate acknowledgment in any academic assignment
- using another's data or research findings without appropriate acknowledgement
- submitting a computer program developed in whole or in part by someone else, with or without modifications, as one's own
- failing to acknowledge sources with proper citations when using another's work and/or failing to use quotations marks.

Plagiarism is a serious offence that cannot be resolved directly by the course's instructor.

The Associate Dean of the Faculty follows a rigorous [process for academic integrity allegations](#), including reviewing documents and interviewing the student, when an instructor suspects a violation has been committed. Penalties for violations may include a final grade of "F" for the course.

STATEMENT ON STUDENT MENTAL HEALTH

As a student you may experience a range of mental health challenges that significantly impact your academic success and overall well-being. If you need help, please speak to someone. There are numerous resources available both on- and off-campus to support you. For more information, please consult <https://wellness.carleton.ca/>

Emergency Resources ([on and off campus](#))

- Crisis/Urgent Counselling Support: 613-520-6674 (Mon-Fri, 8:30-4:30)
- Suicide Crisis Helpline: call or text 9-8-8, 24 hours a day, 7 days a week.
- For immediate danger or urgent medical support: call 9-1-1

Carleton Resources

- Mental Health and Wellbeing: <https://carleton.ca/wellness/>
- Health & Counselling Services: <https://carleton.ca/health/>
- Paul Menton Centre: <https://carleton.ca/pmc/>
- Academic Advising Centre (AAC): <https://carleton.ca/academicadvising/>
- Centre for Student Academic Support (CSAS): <https://carleton.ca/csas/>
- Equity & Inclusivity Communities: <https://carleton.ca/equity/>

Off Campus Resources

- Distress Centre of Ottawa and Region: call 613-238-3311, text 343-306-5550, or connect online at <https://www.dcottawa.on.ca/>

- Mental Health Crisis Service: call 613-722-6914 or toll-free 1-866-996-0991, or connect online at <http://www.crisisline.ca/>
- Good2Talk: call 1-866-925-5454 or connect online at <https://good2talk.ca/>
- The Walk-In Counselling Clinic: for online or on-site service <https://walkincounselling.com>

REQUESTS FOR ACADEMIC ACCOMMODATIONS

Carleton is committed to providing academic accessibility for all individuals. You may need special arrangements to meet your academic obligations during the term. The accommodation request processes, including information about the *Academic Consideration Policy for Students in Medical and Other Extenuating Circumstances*, are outlined on the Academic Accommodations website (students.carleton.ca/course-outline).

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

Pregnancy and Family-Status Related Accommodations

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 about the accommodation policy, visit the [Equity and Inclusive Communities \(EIC\)](#) website.

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, please go to: <https://carleton.ca/equity/focus/discrimination-harassment/religious-spiritual-observances/>.

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. You can find the Paul Menton Centre online at: <https://carleton.ca/pmc/>

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).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

Academic Consideration for Medical and Other Extenuating Circumstances

Due to medical and other extenuating circumstances, students may occasionally be unable to fulfill the academic requirements of their course(s) in a timely manner. The University supports the academic development of students and aims to provide a fair environment for students to succeed academically. Medical and/or other extenuating circumstances are circumstances that are beyond a student's control, have a significant impact on the student's capacity to meet their academic obligations, and could not have reasonably been prevented.

Students must contact the instructor(s) as soon as possible, and normally no later than 24 hours after the submission deadline for course deliverables. If not satisfied with the instructor's decision, students can conduct an "informal appeal" to the Chair of the department within three (3) working days of an instructor's decision. We have created a webform specifically for appeals to the Chair, which can be found here: <https://carleton.ca/law/application-for-review-of-refusal-to-provide-academic-consideration/>. *Note: This form only applies to LAWS courses and is not the same as a formal appeal of grade.* More information about the academic consideration can be found [here](#).

