

MSL: CONFLICT RESOLUTION CONCENTRATION

Course Descriptions

Note: MSL students must take Torts I or Contracts I.

Arbitration (2 credits)

Examines statutes, rules and treaties related to international, federal, and state arbitration. Topics may include commercial, insurance, sports, medical, and labor arbitration with role plays and simulations throughout the course. Taught as a skills course with limited enrollment. Students may not enroll in this class if they have previously completed the Arbitration Certificate Program.

Capstone (3 credits)

MSL students may choose to enroll in a regularly scheduled law school seminar or complete a research action project for their capstone experience.

Seminars require production of a substantial thesis-quality research paper, with students obligated to complete at least one well-developed draft, which the professor will critique extensively. Students rewrite their draft(s) based on the faculty member's assessments. Enrollment in seminar classes cannot exceed 16 students. In a typical semester, five to six seminars are offered, including topics directly related to Institute subjects (e.g., conflict resolution; health law; and business law) that are most likely to be the focus of MSL student work.

As an alternative to a seminar, students may complete a research action project in a 3-credit independent study. MSL students electing the research action project option would prepare a project of direct relevance to their current work-place. Research action projects will utilize standardized approaches used in a student's chosen field such as development of an environmental assessment, creation of a legal compliance program, design of a workplace dispute system, or preparation of a conflict resolution curriculum. MSL action research projects will be expected to be professional in their presentation, but need not adhere to the formal thesis guidelines typically utilized by seminar teachers.

Contracts I (3 credits)

Explores the enforceability of promises, including contract formation, consideration, promissory estoppel, unjust enrichment, and contract interpretation. The content of this course is tested on the bar exam in a majority of states.

Cross-Cultural Dispute Resolution (2 credits)

This course examines how obvious and not-so-obvious cultural difference impacts resolution of inter-personal and inter-state (international) disputes. Specifically, the course will bring an international perspective to understanding the impact of culture in the most commonly used international and domestic dispute resolution processes (negotiation, mediation and arbitration). It will follow a three-step approach to know and understand the influence of culture on decision-making, including: awareness and knowledge of one's own culture; knowledge and understanding of another party's culture; and knowledge and impact of either on the desired goal/outcome of the dispute. This course will help students be more culturally aware and better equipped for effective participation in dispute resolution processes that increasingly involve different languages, customs, values, nationalities, and states of origin.

Dispute Systems Design (2 credits)

This course examines theoretical and practical approaches to diagnosing and solving complex organizational conflict.

Students will learn how to conduct a needs assessment, and how to design, evaluate, and improve internal conflict management systems for organizations in the private and public sector.

Electives (8 credits)

MSL students will choose elective courses with the advice and approval of their faculty advisor (and subject to the same prerequisite requirements imposed on all law students for upper-level offerings). Please refer to the list of all courses and descriptions provided by the Office of the Registrar: http://law.hamline.edu/course_descriptions.html

Legal Method and Ethics (3 credits)

This highly interactive, skills-centered course prepares MSL students for success in law school classrooms. Topics to be covered include: the adversary system and the legal profession; thinking like a lawyer; basics of the American judicial system (civil and criminal); introduction to legal reasoning/case law method; statutory analysis; legal history; introduction to legal research and writing; ethics; and comparative law.

Mediation (3 credits)

Through discussion, simulations, and role play, this course focuses on the structure and goals of the mediation process and the skills and techniques mediators use to aid parties in overcoming barriers to dispute resolution. The course also examines the underlying negotiation orientations and strategies that mediators may confront and employ, the roles of attorneys and clients, dealing with difficult people and power imbalances, cultural considerations, and ethical issues for lawyers and mediators. In addition, special attention is devoted to the art of successful representation of clients in mediation. This course will meet the requirements of the Minnesota Supreme Court to be included on the Court's Roster of Qualified Neutrals.

Negotiation (2 credits)

This course examines the skills, constraints, and dynamics of the negotiation process. A theoretical framework for understanding negotiation practice in a variety of contexts will be developed through readings and highly interactive exercises and role-plays. The course addresses the fundamental skills of systematic and thorough negotiation preparation, the ongoing management of a negotiation process, and the identification and achievement of optimal agreements. Legal and ethical constraints of negotiation also are considered. Course content is drawn from the fields of law, psychology, business, and communication.

Theories of Conflict (2 credits)

This interdisciplinary course introduces students to important theoretical perspectives on our understanding of conflict and conflict response. Specifically, students explore the biological/ physiological, psychodynamic, social psychological, communication and sociological/political perspectives on conflict by reading and discussing major theoretical works within each perspective. Emphasis is on comparing and distinguishing key dimensions of these theories, such as the nature and sources of conflict, conflict escalation, conflict response, and the nature of the third party role. Classes follow an interactive format. Using case studies, exercises, and group discussion to draw upon personal experiences, including those involving race and social identity, the course explores the usefulness of each perspective to understanding the experience of conflict.

Torts I (3 credits)

Focuses on civil actions for injury to person, property, or intangible interest on claims of intentional wrongs, negligence, or strict liability. Torts I is a vehicle to teach development of the common law. The content of this course is tested on the bar exam in a majority of states.

For more information about Hamline Law's Master in the Study of Law (MSL), visit: law.hamline.edu/msl