

Dispute Systems Design
Syllabus, Summer 2013

“A conflict, issue, dispute, or case submitted to any institution for managing conflict, including one labeled alternative or appropriate dispute resolution (ADR), exists in the context of a system of rules, processes, steps, and forums. In the field of ADR, this is called dispute system design (DSD).”

– Lisa Blomgren Bingham, *Designing Justice*
24 OHIO ST J OF DISP RES 1, 2 (2008)

Professor	Dr. Timothy Hedeem, tkhedeem@yahoo.com, 770-423-6879
Class meetings	May 28 th , 29 th , 30 th & 31 st : 4:30pm – 9:15pm June 2 nd : 9:00am – 4:30pm
Course description	<p>Dispute systems design integrates conflict resolution principles with organizational development practices. Organizations ranging from private multinational corporations to public education agencies and non-profits have tailored dispute systems to address conflict internally and externally. Through constructive approaches to conflict anticipation, management, and resolution, these organizations have realized the benefits of ADR to include higher morale, lower turnover, and less frequent litigation.</p> <p>This course examines the historical evolution of dispute systems design and offers a step-by-step application of best practices in assessment, system design, implementation, and evaluation. Course exercises and readings emphasize stakeholder involvement, organizational culture audits, appropriate dispute resolution processes, and strategic program implementation.</p>
Course readings	<ol style="list-style-type: none">1. Costantino & Merchant, DESIGNING CONFLICT MANAGEMENT SYSTEMS2. Articles, chapter as detailed in Course Agenda, next page <p><i>Please note that readings and class meetings are designed to be complementary. Readings will inform class presentations and discussions, in-class material and exercises will expand upon readings.</i></p>
Grading, Basis of Evaluation	The grade for this course will be based on participation (20%) and one paper assignment (80%), due June 18 th , 2013.
<u>Preparation, participation</u>	Preparation, attendance and participation are key to learning in any context, especially in courses designed around in-class exercises and discussion. Attendance is required at all class meetings.
<u>The paper</u>	In <u>2,500-3,000 words</u> (<i>show word count</i>), prepare a paper for an organization you know well. Apply lessons from class presentations and readings to provide an assessment and recommendation to an appropriate office or officer. Consult and reference at

least three journal or industry press articles in addition to course texts relevant to conflict resolution in the type of organization you select. Attend to four elements:

- (1) identification of stakeholders: both internal and external (as appropriate),
- (2) description of your assessment process: explain not only the methods, but the rationale for those methods,
- (3) your 'hypothetical' diagnosis of the issues: describe the findings you'd anticipate from an assessment, were you to do one, and
- (4) the system you'd recommend: how is it accessed, how is it advertised, which processes does it offer, in which order? How does it demonstrate awareness of ethical dimensions raised in our readings and class discussions?

Note well

AR-105(B)(8): A student who does not take a scheduled examination will receive a grade of "F" for that examination, unless properly excused. In addition, any student who does not turn in a required paper on the scheduled date will receive a grade of "F" for that paper, unless properly excused. Failure to meet any course requirement can be the basis for a final grade of "F" in the class, unless properly excused.

Course agenda

Please read as many of the readings as you can *prior to the course start...*

<p>Tues., May 28th</p>	<p>Course overview, DSD theories, origins Smith & Martinez, <i>An Analytic Framework for DSD</i>, 14 HARVARD NEGOTIATION LR 123 (2009) C&M, Part 1 (i.e., Chs.1-4): "Coping with Conflict in Organizations"</p>
<p>Weds., May 29th</p>	<p>DSD processes and concepts: stakeholders, assessment C&M, Ch.5: "Entry and Contracting" C&M, Ch.6: "Organizational Assessment" C&M, Ch.7: "Design Architecture"</p>
<p>Thurs., May 30th</p>	<p>DSD processes and concepts: diagnosis, design C&M, Ch.8: "Training and Education" C&M, Ch.9: "Implementation" C&M, Ch.10: "Evaluation"</p>
<p>Fri., May 31st</p>	<p>DSD processes and concepts: implementation, evaluation C&M, Part 3 (i.e., Chs.11-13): "Making the System Work" Lipsky et alii, <i>New Strategies of Conflict Management, in</i> EMERGING SYSTEMS FOR MANAGING WORKPLACE CONFLICT (2003) Villarreal et alia, <i>GE's Integrated Conflict-Management System</i>, CHIEF LEGAL OFFICER 35 (Spring 2002)</p>
<p>Sun., June 2nd</p>	<p>DSD applications, ethics, and future directions Lande, <i>The Movement Toward Early Case Handling in Courts and Private Dispute Resolution</i>, 24 OHIO STATE J OF DISPUTE RESOLUTION 81 (2008) Menkel-Meadow, <i>Are There Systemic Ethics Issues in Dispute System Design? And What We Should [Not] Do About It: Lessons from International and Domestic Fronts</i>, 14 HARVARD NEGOTIATION LR 195 (2009) Hetzler & Speth, <i>Future DSD: Ethical Imperatives, Millennial and Beyond</i>, 24 OHIO STATE J OF DISPUTE RESOLUTION 131 (2008)</p>