

EMPLOYMENT DISCRIMINATION MEDIATION REPRESENTATION
CLINIC
Syllabus Spring 2009

<u>Class Date</u>	<u>Topic</u>
1/21/09	Course Introduction; Clinic Goals and Evaluation Methods
1/28/09	Professional Responsibility/Ethics: Practice Challenges and Paradigms for Mediation Representation. Federal Rules of Evidence, Rule 408. Minnesota Mediation Rules
2/4/09	Time Management, Client Interviewing: A Focus on Interests; Representation Agreement and Releases
2/11/09	Evaluating your Client Claims: The Prima Facie Case, Evidentiary Hurdles, Damages, Formulating an Initial Demand
2/18/09	Employment Discrimination: Causes of Action (Federal and State) other substantive law depending on type of cases we handle. Theory of the Case; Good Facts/Bad Facts
2/25/09	Theory of the Case; Good Facts/Bad Facts
3/4/09	Case Preparation/Analysis; Preparing for Negotiation/Mediation Representation; ABA Video (How to Represent Your Client During Mediation)
3/11/09	Case Preparation; General
3/18/09	Case Preparation; Mediation Notebook – Staying Organized
3/25/09	No Class, Mid-Term Break
4/1/09	Case Preparation; Negotiation Strategies to Maximize Value – Added by Third Party Neutral
4/8/09	Case Preparation; Opening Statement/Initial Offers
4/15/09	Case Preparation; Closing the Deal – Settlement, Tax Awareness, Enforcement Concerns
4/22/09	Exploring the Dark Side – Confidentiality Pitfalls, Traps for the Unwary, Justice Concerns
4/29/09	Expectations of Competence – Picking and Evaluating Neutrals; Alternate Paradigms for Advocacy in Mediation; Case Close-out; Course Evaluation