

MEDIATION
DISPUTE RESOLUTION INSTITUTE
HAMLIN SCHOOL OF LAW
JANUARY TERM 2009

PROFESSOR SHARON PRESS

TEXT: MEDIATION THEORY AND PRACTICE, 2ND EDITION
 ALFINI, PRESS, STERNLIGHT & STULBERG

CLASSES MEET: JANUARY 2, 3, 5, 6, 7, AND 8
 9 AM – 4:30 PM

READING ASSIGNMENT TO BE COMPLETED BEFORE FIRST CLASS:
 CHAPTERS 1 AND 2

FRIDAY, JANUARY 2

Overview of Conflict and Dispute Settlement Processes; Introduction to Negotiation; Ethical Issues for Lawyers in Negotiation/Mediation; Introduction to Mediation

After Class Assignment: Read Chapter 3 and Prepare Mediator Opening Statement

SATURDAY, JANUARY 3

Role of the Mediator; Conducting the Mediation, including beginning the mediation, listening skills, and generating movement

After Class Assignment: Read Chapters 6 and 7

SUNDAY, JANUARY 4

NO CLASS SCHEDULED

MONDAY, JANUARY 5

Conducting the Mediation, including managing a caucus, bringing closure to the session, and writing the mediation agreement; Understanding Diversity

After Class Assignment: Read Chapters 8 and 9

TUESDAY, JANUARY 6

Ethical Issues in Mediation; Role of Attorneys in Mediation; Role Play Simulation with Attorneys

After Class Assignment: Group Project Preparation

WEDNESDAY, JANUARY 7

Groups I, II and III Presentations; Role Play Simulation

THURSDAY, JANUARY 8

Minnesota Rules; Groups IV and V Presentations; Role Play Simulations; Summary and Evaluations

Grading: Grades for degree seeking students will be based on the following weights:

- 30%: Class Participation and Group Presentation
- 70%: Final Take-Home Exam based on the readings in the syllabus. It will be due on Friday, January 23, 2009 at 4:30 PM, at the Registrar's Office. Be sure to obtain a receipt for submitting your paper.

Attendance at ALL class sessions is required.

Written Assignments: Only degree seeking students must complete the final exam. Non-degree seeking students may elect to submit a final for comments and feedback.

GROUP PROJECTS:

I: Mediator Roles, Orientations, and Styles (evaluative/facilitative debate), chapter 4

II: Institutionalization of Mediation: Pros and Cons, chapter 10

III: Confidentiality and Mediation: Sources, UMA, Exceptions, chapter 5

IV: Mediation in Other Contexts, chapter 11

V: Mediator Qualifications, pages 401 – 419; 437 - 459