

**Mediation Clinic – Fall 2008  
Course Introduction**

**TO: Mediation Clinic Students**  
**FROM: Jessica Kuchta-Miller**  
**RE: Fall Semester, 2008**  
**DATE: January 17, 2007**

Welcome to the Mediation Clinic! This project has a singular goal: get you into metro-area courthouses to mediate cases. The course is graded for three credits. There will be class every Wednesday from 4:00 - 5:50 p.m. and you will also be attending court 8 - 10 times during the semester on either Monday or Friday mornings from 8:30 a.m. - 12:30 p.m. in Ramsey County.

**My Contact Information**

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We will be going to court for mediations whenever they are available. In past semesters, most students have found it convenient to carpool together from campus to the courts. Please plan on arriving at your court venue at least 15 minutes prior to the court start time. During those weeks when mediations are not scheduled, you will only attend Wednesday's class from 4:00 - 5:50 p.m. On Wednesdays we will be meeting for training, simulations, seminar discussions, and debriefing mediations.

In addition to attending class sessions and mediating in court each week, you are required to:

- Complete a self-evaluation form for each mediation session conducted. **DUE**: no later than the next scheduled class time. Please bring completed self-evaluations to next scheduled class time.
- Complete and deliver all court paperwork for each mediation session conducted to next scheduled class time.
- Draft a mediation simulation for use in future trainings based on one of your cases. It is expected that you will work a total of approximately 130 hours over the course of the semester to complete these tasks, an estimate that *includes* the weekly class hours and prep for class.
- Based on your experiences in court, submit a paper outlining your personal theory of mediation.

During your initial appearances in court, you will observe and co-mediate with a Student Director or Dispute Resolution Center mediator. After we are satisfied that you are ready to work on your own, you will mediate cases individually (or in teams of two, depending on caseload demands), albeit, initially under observation. It is expected that soon you will be mediating on your own without supervision.

**NOTE:** No one will be permitted to work without supervision until you have demonstrated familiarity with: a). the Rule 114 Code of Ethics; b). the Agreement to Mediate and settlement forms used by the court in our program; and c). mediation confidentiality rules (familiarity will be demonstrated by passing a short multiple choice exam). All needed information will be covered during class sessions.

Our work in Ramsey County is by arrangement with the Dispute Resolution Center. The Dispute Resolution Center is a state-funded, community-based mediation organization that serves the east-metro area of the Twin Cities. Hamline students have been mediating with community organizations since the early 1990's.

**Grading:**

Your grade will be based on the following:

- 30% Simulation paper
- 30% Personal theory of mediation paper
- 10% Professionalism of conduct
- 20% Self evaluation
- 10% Attendance

The simulation paper and personal theory of mediation will be due on or before the last class session of the semester. The simulation paper should be no more than 5 pages in length, the personal theory of mediation paper no longer than 10 pages. Your writing should be double spaced, 12 point Times New Roman typeface with one inch margins. Marks will be given for clear organization and correct spelling and punctuation.

**SIMULATION PAPER:** Drawing on your mediation experiences and readings during the semester you should create a simulation exercise that could be used in future classes. You should provide confidential information for the mediator and both parties (one page each). In addition, you should provide a commentary on the simulation which discusses the issues raised by the simulation, choices the mediator might face and outlines how you would aim to conduct the mediation.

**PERSONAL THEORY OF MEDIATION:** Similar to the simulation paper, this paper should draw on your mediation experiences and readings during the semester to craft a personal theory of mediation. Included should be a summary of your ideology of conflict, the role of the mediator and practice implications beyond conciliation court. When developing this theory, it may be helpful to keep in mind the following questions:

When you hold yourself out as a mediator, what are you communicating to others as to what/who you are?

When contracting for services how do you determine there's a fit between you and your client? And, does there need to be a fit?

**PROFESSIONALISM OF CONDUCT:** Marks for professionalism of conduct will be awarded for your reliability, efficiency, punctuality and preparedness for, and conduct in, mediation sessions.

**SELF-EVALUATION:** Marks for self-evaluation will be given for the thoughtfulness of your responses on the evaluation form required for each mediation session and as demonstrated in class discussion.

**ATTENDANCE:** Because the class is highly dependent upon the sharing of your experiences as a mediator, your attendance at class is required. Unexcused absences will be reflected in your overall course grade.

### CLASSROOM COMPUTER USE POLICY

Use of computers in the classroom will be limited to notetaking during substantive lectures. Computers should not be used during case rounds due to confidentiality.