

Mediation (seminar) (B001687)

Due to Covid 19, the education and evaluation methods may vary from the information displayed in the schedules and course details. Any changes will be communicated on Ufora.

Course size	<i>(nominal values; actual values may depend on programme)</i>		
Credits 4.0	Study time 120 h	Contact hrs	30.0 h

Course offerings in academic year 2021-2022

A (year)	Dutch	Gent
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Lecturers in academic year 2021-2022

Lanckswaerd, Eric	RE21	lecturer-in-charge
Delbarre, Nadja	RE21	co-lecturer

Offered in the following programmes in 2021-2022

	crdts	offering
Master of Laws in Laws	4	A

Teaching languages

Dutch, English, French

Keywords

Alternative Dispute Resolution - Negotiation - Mediation - Conflict Management

Position of the course

In this course, students are introduced to the practical aspects of alternative Dispute Resolution (ADR). The emphasis is on the competences required to mediate and to negotiate interest-based

Contents

Phased build-up through self-insight about (collaborative) negotiation to mediation. Insight and basic skills regarding alternative conflict resolution. This also requires a sharpening of self-insight. Experience how negotiation and mediation techniques can facilitate legal practice.

Initial competences

The students are obliged to follow the theory course "Negotiation and mediation" (Alternative dispute resolution, Prof. Eric Lanckswaerd) or have followed it.

Final competences

- 1 Recognize and apply simple basic techniques of (collaborative) negotiation and mediation.
- 2 Assist the litigant in a facilitative way during a negotiation or mediation.
- 3 Using specific communication skills (active listening, the art of asking questions, constructive "translation" of negative statements).
- 4 To know the principles of communication theory and to apply them to a case.
- 5 To make a distinction between facts, points of view, interests and needs.
- 6 Have self-insight (eg with regard to conflict styles, communication styles, negotiation styles).
- 7 Analyze conflicts using different tools.
- 8 Explain relevant basic information about the possible ways (ADR options, court,...) in an understandable way.
- 9 Distinguish and illustrate in a case the role of the lawyer as a collaborative negotiator and the role of the lawyer / lawyer as mediator / negotiator / assistant.
- 10 Distinguish and name the role of the clients in the different settings.
- 11 Understanding the influence of context and paying attention to it in a case.
- 12 To have insight into the different stages of the mediation and to go through the different stages.

Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract

This course unit cannot be taken via an exam contract

Teaching methods

Guided self-study, group work, integration seminar, seminar, seminar: coached exercises, online integration seminar, online seminar: coached exercises

Extra information on the teaching methods

Because of covid 19, modified working methods can be rolled out if this proves to be necessary.

Integration seminars (contact moments in group "on campus"; if not allowed, switch to an adapted online session). Practice is done through cases and role plays.

In addition, through a mix of didactic methods (eg guided self-study, group work), there are both preparation assignments and assignments aimed at further processing the subject matter.

The exercises are combined with a few intermediate online contact moments in a limited group, in which the student receives feedback and / or is supervised.

Total number of contact hours: 30 hours

Learning materials and price

Course material (texts, films) that is made available online.

References

A list of recommended reading is provided through Ufora.

Course content-related study coaching

The students can contact the lecturers during the contact moments. Questions can also be asked by e-mail.

The teachers during the contact moments are Nadja Delbarre and Maria-Anna Devenyn

Evaluation methods

end-of-term evaluation and continuous assessment

Examination methods in case of periodic evaluation during the first examination period

Oral examination

Examination methods in case of periodic evaluation during the second examination period

Oral examination

Examination methods in case of permanent evaluation

Participation, simulation

Possibilities of retake in case of permanent evaluation

examination during the second examination period is possible

Extra information on the examination methods

Non-periodic: permanent evaluation of participation / simulation

Periodical: an oral exam based on a previously communicated case.

Participation and simulation are evaluated in the interim on the basis of the sessions of the integration seminar as well as on the basis of the execution of all or part of the (online) assignments. The total score for this evaluation form is 60% of the final score.

The oral exam (40%) takes place in the first exam period, at the end of the second semester.

Data, criteria, partial scores per evaluation moment and extra explanation are announced via Ufora.

Students who are legally absent on the date of an integration seminar are given on request a catch-up moment.

Anyone who is absent illegally, irrevocably loses 10% of the (total) permanent evaluation points for each absence. This applies to both on campus and online teaching moments.

If the oral exam cannot be maintained at the scheduled time due to restrictive measures applicable at that time as a result of the fight against Covid19, the evaluation form will be replaced by a written exam with case study, either on campus or online.

There is no second chance for the non-periodic part. The grading of participation and simulation of the first exam opportunity is retained.

Calculation of the examination mark

Non-periodic evaluation: 60%

Periodic evaluation: 40%

For the second chance, the quotation of participation and simulation of the first exam chance is retained.

Facilities for Working Students

None