Course Syllabus

JUST F395-F02
Workshop in Non-Conventional Arbitration in Justice Fields
1 credit

July 12-14, 2013
Friday, 6-9 p.m., Saturday & Sunday Noon-6 p.m.
Gruening Building, Room 303

Instructor Name & Contact Information:
J. Robert Duke, Assistant Professor
Office located at 501E Gruening
Office Hours: TBA
Office Phone: 474-6501
jrduke@alaska.edu

Course Readings/Materials:

Supplementary Readings: None

Recommended Readings:
When Talk Works: Profiles of Mediators (Business/Management), Deborah M. Kolb and Associates
The Third Side: Why We Fight and How We Can Stop, William L. Ury
Alternative Dispute Resolution (Contributions in American History), Stephen J. Ware
A History of Alternative Dispute Resolution: The Story of a Political, Social, and Cultural Movement, Jerome T. Barrett, Joseph Barrett
Solving Somebody Else's Blues: A Study of Police Mediation Activities, Paul E. Lawson
Mediation & Arbitration By Patrol Police Officers, Christopher Cooper

Restrictions: None
Essential Equipment and Facilities: None.

Class specific requirements: None

Catalog Course Description:
The study of the major areas of theory and practice related to justice system mediation-arbitration (med-arb), and non-conventional arbitration. This course places an emphasis on the method, practical skills, and factors that contribute to long term success in resolving conflict.

Course Goals:
There has been little emphasis on training justice system practitioners the theory and skills to use Dispute Resolution techniques in field situations. This course will introduce the skills, build relationships between UAF and justice practitioners, and open opportunities for field research in dispute resolution. Many justice fields deal routinely with violations of law that may be resolved informally if both parties agree. This course explores the theory and practice for doing this successfully.

Student Learning Outcomes:
By the end of the course, the student should be able to . . .
1. Demonstrate a basic knowledge regarding the theoretical and empirical foundations of med-arb and non-conventional arbitration
2. Demonstrate an understanding of historical underpinnings of dispute resolution theories and methods
3. Demonstrate an understanding of, and recognize the differences between med-arb and non-conventional arbitration
4. Be able to differentiate between the various theories and theoreticians
5. Be able to identify problems appropriate for med-arb and for non-conventional arbitration
6. Be able to conduct an informal med-arb
7. Be able to convert a med-arb into a truce and then direct parties to the multi-door courthouse (family court, small claims court, etc.), mental health, social services, legal-aid office, etc.
8. Be able to conduct a non-conventional arbitration

Instructional Methods:
Lectures, small group discussion, Question/answer, guests from the criminal justice field, videos/dvd’s

Course Calendar:
(Tentative)

Friday (August 2013)
- Overview
- Justice system handling of conflict
- History of dispute resolution
- Styles of dispute resolution
- Review Harvard Method (Getting Past No)

Revised: 1-30-13
Saturday
- Types of calls
  - The med-arb call
  - The failed med-arb converted to a truce
  - The non-conventional arbitration
- Toolbox
  - Techniques:
  - Strategies:
- A practical method of med-arb
- A method of retreat and convert call to a med-arb truce
- A method of non-conventional arbitration

Sunday
Practicum in resolving types of problems suitable for med-arb and non-conventional arbitration:
- Minor law violation with an underlying civil dispute
- Family law
- Mental illness
- Serious conflict without obvious offense which will warrant prosecution, but an understanding that no action will lead to tragedy.

Major Study Units:
- What are dispute resolution, med-arb, and non-conventional arbitration?
- Justice system handling of conflict
- Informal dispute processes and dispute system design
- Styles of dispute resolution
- Harvard Method Review
- Types of calls suitable for med-arb and non-conventional arbitration
- Tool box of techniques
- Steps to use:
  - Med-arb
  - Med-arb converted to a truce with referral
  - Non-conventional arbitration
- Practicum

Course Policies:
Students are expected to:
1. Be present for classes
2. Actively participate
3. Silence cell phones; I will follow a schedule with breaks every 50 minutes so, practitioners, please take calls outside of class, refrain from excessive text or other communication.

Revised: 1-30-13
Academic dishonesty:
The UAF Student Code of Conduct is presented online at
http://www.uaf.edu/catalog/catalog_12-13/academics/regs3.html#Student_Conduct and in the
2012-13 UAF Catalog. You will be expected to abide by that code. No collaboration among
students will be allowed on exams and quizzes. Collaboration on projects will be permitted only
to the extent I describe. Copying or paraphrasing another student’s writing is a violation of the
Student Code. Copying or paraphrasing published material without proper attribution is
plagiarism and is a serious academic offense. If you are unsure what constitutes plagiarism, see
the following web page or see me. http://library.uaf.edu/ls101-plagiarism Evidence of academic
dishonesty will be presented to the UAF Director of Judicial Services and may result in an F for
the course and/or expulsion from the University.

Attendance:
Class meets on Friday, Saturday, and Sunday from 8:00 a.m. to 5:00 p.m. Students must attend
each day of the workshop in order to receive credit for the course. Because this is a class
intended for practitioners who may be attending at the end of watch/shift, instructor expects to be
flexible on tardiness, however, students must attend all three days of the course or he/she will not
receive credit for the course.

Participation:
Students will be required to take all roles in various forms of mediation. Students will also be
expected to participate in exercises as a participant and/or spokesperson for a group.

Exam:
The exam will be given on the Sunday afternoon and consists of multiple choice and true false
questions. A practicum is also graded. A passing grade consists of:
  1. Identifying whether the situation is appropriate for mediation;
  2. Identifying which kind of mediation is suitable;
  3. Demonstrating an appropriate style of mediation;
  4. Demonstrating knowledge of theory and practice steps;
  5. Successfully negotiating a truce or agreement.

Course Grading:
This is a workshop course. The grade is based upon attendance (see above); participation in
discussions, exercises, and simulations; and a final exam.
Methods of Evaluation for Determining Grades:
Your final grade will be calculated by the following point breakdown:

<table>
<thead>
<tr>
<th>Assignment:</th>
<th>Points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attendance</td>
<td>200</td>
</tr>
<tr>
<td>Participation</td>
<td>200</td>
</tr>
<tr>
<td>Final exam/Practicum</td>
<td>100</td>
</tr>
<tr>
<td>Total:</td>
<td>500</td>
</tr>
</tbody>
</table>

450-500 pts. = A
400-449 pts. = B
350-399 pts. = C
275-349 pts. = D
<274 pts. = F

Plus and minus grades awarded according to standard U.S. grading scale.

Support Services: No writing or formal presentations.

Disabilities Services:

The Office of Disability Services implements the Americans with Disabilities Act (ADA), and insures that UAF students have equal access to the campus and course materials.

I will work with the Office of Disabilities Services (208 WHIT, 474-5655) to provide reasonable accommodation to students with disabilities.