Course Syllabus

JUST F395-F03
Workshop in Justice Mediation
1 credit

July 26-28, 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.

Revised: 1-30-13
Class specific requirements: None

Catalog Course Description:
The study of the major areas of theory and practice related to justice system mediation, informal mediation, and community mediation. 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.

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 mediation
2. Demonstrate an understanding of historical underpinnings of dispute resolution theories and methods
3. Demonstrate an understanding of, and recognize the differences among, the transformative, evaluative, facilitative, settle-oriented, restorative, and personal narrative mediation
4. Be able to differentiate between the various theories and theoreticians
5. Be able to identify problems appropriate for dispute resolution processes
6. Be able to conduct an informal mediation
7. Be able to conduct a complex mediation
8. Be able to conduct a community mediation

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

Course Calendar:
(Tentative)

Friday (July 2013)
- Overview
- Justice system use of mediation
- History of mediation
- Styles of mediation
  - Strengths and weaknesses
- Harvard Method introduction
Saturday
- Harvard Method
- Precautions
- Toolbox
- Techniques:
  - Clarify situation, Establish protocol, Make parties aware of relevant information, Delineate forthcoming agenda, Rehearse each party in appropriate behavior, Separate parties, Clarify what parties intend to communicate, Pick up hints of what each party might concede, Strike a power balance, Provide direction and act as a spokesman for weaker side, Tender agreement points to parties, Help a party undo a commitment, Contrive a "prominent" position, Arrange informal conferences, Reduce tension, Summarize the agreement, Guarantee compliance to an agreement, Reward parties' concessions, Act as sounding board for positions and tactics, Claim authorship for party's proposal, Obfuscate a party's position, Threaten to quit or to bring in an arbitrator, Convince a party that proposal is salable to constituents, Bring third-party ultimatsms to the interaction/negotiation, Fend off outside intervention, Argue that his/her own constituent's demands are not salable, Exaggerate the costs of disagreement to his/her own constituency.
- Strategies:
  - Reflexive Substantive, Substantive pressing, Substantive suggesting, Substantive face saving.
- Assistance
- Education
- Third-party reliance
- A practical method of informal mediation
- A method of mediation-arbitration

Sunday
Community Mediation
Examples
Field mediation
Formal mediation
Community Policy Ongoing Community relations
Use of mediation/facilitation to resolve minor to moderate complaints of misconduct

Major Study Units:
- What are dispute resolution, mediation, informal mediation, and community mediation?
- Justice system uses of mediation
- Informal mediation throughout history around the world
- Styles of mediation
- Harvard Method
- Indicators of long-term success
- Tool box of mediation techniques
- A triage method to determine what kind of mediation to use
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.

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:

Revised: 1-30-13
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</td>
<td>100</td>
</tr>
<tr>
<td><strong>Total:</strong></td>
<td><strong>500</strong></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.