Other forms of conflict resolution

Academic Year: (2019 / 2020) **Review date: 07-05-2020**

Department assigned to the subject: "Alonso Martínez" Institute for Justice and Litigation

Coordinating teacher: JULLIEN DE ASIS, JESSICA LAURA

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

- Introduction to mediation. Concepts and fields
- Techniques for mediators
- Introduction to negotiation
- Negotiation processes and techniques

OBJECTIVES

BASIC SKILLS

-The ability of students to apply the broader (or multidisciplinary) acquired knowledge and ability to solve problems in new or unfamiliar environments within contexts related to their field of study.
-The ability of students to integrate knowledge and handle the complexity of formulating judgments based on information that, albeit incomplete or limited, includes reflections on social and ethical responsibilities linked to the application of their knowledge and judgments.
-The learning skills that enable students to continue studying in a way that will be largely self-directed or autonomous.

GENERAL SKILLS

-The ability of students to identify the conflict, as well as its specificities and dynamics.

SPECIFIC SKILLS

-Mastering each of the techniques used in the various fields as well as the basic communication skills used therein.
-Selecting cases that can be addressed and handled through the use of electronic means.
-Mastering basic communication skills.
-Developing in practice the knowledge acquired in other forms of dispute resolution, allowing for a committed and more constructive exercise of the legal framework.
-Applying knowledge to the design of a conflict resolution system.
-Nimbly handling the specificities of the subject chosen as the core of one's work , including issues pertaining to concerns emerging from the field of alternative dispute resolution.

LEARNING OUTCOMES

-At the end of this subject, students will have acquired the necessary knowledge with regard to the operation and development of the different conflict resolution methods studied, the law applicable to them, where applicable, as well as the different techniques and specific communication tools.
-Thus, they will be able to design a model of a conflict resolution system in detail, and analyse each of the aspects studied previously.

DESCRIPTION OF CONTENTS: PROGRAMME

- Collaborative Law: concept, origins and current situation
- How to impulse a committed and constructive practice of Law, which generates peace and brings along new values in society
- Appreciative dialogue
- Restorative circles
- Facilitation
- Expert evaluation
- Hybrids: med-arb, arb-med...

LEARNING ACTIVITIES AND METHODOLOGY

EDUCATIONAL ACTIVITIES
-Theoretical classes
-Practical classes
-Combined theoretical and practical classes
-Individual student work

TEACHING METHODS
-Lectures in the classroom with use of computer and audiovisual media: here, the main concepts of the subject are developed and further literature is provided to supplement student learning
-Role Play
-Resolution of practical cases, problems posed by the teacher etc., individually or in groups
-Presentation and discussion in class under moderation by the professor, of issues related to the content of the subject, as well as case studies.
-Critical reading of texts recommended by the subject professor: newspaper articles, reports, manuals and / or academics articles, either for further discussion in class or to expand and consolidate the knowledge of the subject

ASSESSMENT SYSTEM

In the subject referred individualized assessment of the student will take place through the evaluation of the work carried out throughout the course, as well as of the participation in class, attitude and competition in the realization of the different dynamics and practices carried out during the same.

- Individual or group work during the course: 40%
- Final exam: 60%

Those students who have not passed the subject in ordinary call, will be summon to a final exam (100% value) in extraordinary call.

% end-of-term-examination:	60
% of continuous assessment (assigments, laboratory, practicals…):	40

BASIC BIBLIOGRAPHY

- CEDEÑO, E. MEDIACIÓN COMUNITARIA: TEORÍA DEL CONFLCTO, Revista Derecho. P.R, 2009
- Lederach, J.P. El abecé de la paz y los conflictos. Educación para la paz, Catarata (Madrid), 2013
- Madrid Liras, S. Entrevista motivacional, Revista de Mediación 7, 2014 nº 1
- Rodríguez Fernández, G. Diálogos apreciativos. El socioconstruccionismo en acción, Dykinson , 2008
- SOLETO MUÑOZ, H. MECANISMOS ALTERNATIVOS DE SOLUCIÓN DE CONFLICTOS EN JUSTICIA COMUNITARIA EN AMÉRICA LATINA, EUROSOCIAL II, 2013
- SOLETO MUÑOZ, H. EL ABOGADO COLABORATIVO, TECNOS, 2017
- SOLETO MUÑOZ, H. y RUIZ LÓPEZ C. Anuario de Mediación y solución de conflictos. "Elementos esenciales del derecho colaborativo", Reus, 2016. Nº3

ADDITIONAL BIBLIOGRAPHY

- Alzate Sáez de Heredia, R.; Merino Ortiz, C. Open Space: calidad e innovación en los procesos de mediación¿, en San Luís, E., Aportaciones de la mediación en el marco de la prevención, gestión y solución de conflictos familiares. , Comares, 2012
- Brown, J.; Isaacs, D. World Café: el Nuevo paradigma de comunicación organizacional, Compañía Editorial Continental, 2006
- Coser, L. Nuevos aportes a la teoría del conflicto social, Amorrortu, 1970
- Curle, A. Conflictividad y pacificación, Heder, 1978
- Fisas Armengol, V. Cultura de paz y gestión de conflictos, Icaria (Barcelona), 1994
- Galtung, J. Paz por medios pacíficos. Paz y conflicto, desarrollo y civilización, Gernika Gogoratuz (Bilbao), 2003
- Galtung, J. Paz por medios pacíficos. Paz y conflicto, desarrollo y civilización, Gernika Gogoratuz, 2003
- González-Cuéllar Serrano, N. (dir) Mediación: un método de ? de conflictos, Cólex, 2010
- Valls Rius, A. Gestión Cooperativa de Conflictos: MedArb y otras figuras posibles¿ en González-Cuellar Serrano, N. (dir.), Mediación: un método de solución de conflictos. Estudio interdisciplinar, Colex, 2010

BASIC ELECTRONIC RESOURCES

- Soleto Muñoz, H. . El Derecho Colaborativo como nueva forma de ejercicio: https://dialnet.unirioja.es/servlet/articulo?codigo=4534460
- Soleto Muñoz, H. . La nueva normativa de mediación y la oportunidad de impulsar una práctica colaborativa del Derecho: http://e-archivo.uc3m.es/bitstream/handle/10016/18353/nueva_soleto_NSX_2012.pdf?sequence=1