
Academic Year: (2019 / 2020)

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Department assigned to the subject: Criminal Law, Procedural Law and History Law Department

Coordinating teacher: ALCOCEBA GIL, JUAN MANUEL

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 0

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

It is not a condition or a plus to have passed successfully other subjects.

OBJECTIVES

BASIC SKILLS

- Knowledge and understanding that provide a basis or opportunity for originality in developing and / or applying ideas, often in a research context
- That the students can 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
- That students are able to integrate knowledge and handle complexity, and formulate judgments based on information that was incomplete or limited, includes reflections on social and ethical responsibilities linked to the application of their knowledge and judgments
- Students must possess the learning skills that enable them to continue studying in a way that will be largely self-directed or autonomous.

GENERAL SKILLS

- That the students can identify the conflict and the specialties of it and its dynamics
- Students learn to detect within the spectrum of conflict resolution, which is the most appropriate mechanism to deal with them and how to use it
- Students know how to develop a mediation procedure and know their principles, purposes, characteristics and areas
- Students know what the limits of mediation are, and their uses, nationally and internationally

SPECIFIC SKILLS

- Have the first essential knowledge and tools to facilitate the proper understanding and subsequent learning modules
- Deepening in the field of alternative dispute resolution in general and mediation in particular
- Domain of each of the techniques used in the various fields as well as the basic skills of communication in the same
- Acquire theoretical knowledge of civil and commercial mediation and procedural and general tools applied to this type of mediation
- Learning concepts used in the various methods discussed

LEARNING OUTCOMES

- The student at the end of the module will have acquired sufficient theoretical and practical basis to be able to cope with the due guarantees the following modules, focused and more specialized aspects of mediation and other forms of conflict resolution.
- The student at the end of the module will have acquired the necessary knowledge about the process of family, neighborhood or community, school and work mediation, the legislation applicable to them, as well as the different techniques and specific communication tools.

DESCRIPTION OF CONTENTS: PROGRAMME

Common topics:

- The conflict and its various treatments
- Suitable methods of conflict resolution
- Mediation and its peculiarities in different areas
- Legal regulation of mediation

Specific topics:

- Conflict resolution methods: autotutela, autocomposición and heterocomposicion
- Sociology and psychology of conflict
- Conflict analysis techniques
- Styles to conflict
- Dynamics of conflict
- Mediation as a method of conflict management
- Principles, aims and characteristics of mediation
- The legal framework of mediation in Spain. Legal regulation in different areas (civil, criminal, family, labor, etc.)
- The legal framework of mediation in the countries of the European Union. Legal regulation in different areas (civil, criminal, family, labor, etc.)

LEARNING ACTIVITIES AND METHODOLOGY

TRAINING ACTIVITIES

Online part: presentation of the theoretical material, analysis of practical cases, individual and group practices, individual student work.

Classroom part: seminar with invited speakers, practices, resolution of doubts.

TEACHING METHODOLOGIES

- Availability of materials (including audiovisual material) through the Aula Global platform in which the main concepts of the subject are developed and the bibliography is provided to complement the students' learning.
- Resolution of practical cases, tasks, etc. raised by the teacher, individually or in a group.
- Exhibition and discussion in the week forum of topics related to the content of the subject proposed by the teacher and moderated by himself
- Development of individual or group work.
- Critical reading of texts recommended by the professor of the subject: Press articles, reports, manuals and / or academic articles, either for later discussion or reflection, or to broaden and consolidate the knowledge of the subject

ASSESSMENT SYSTEM

% end-of-term-examination/test:	30
% of continuous assessment (assignments, laboratory, practicals...):	70

1. Ordinary

- Active participation and interest classes and activities: 30%
- Practice: 40%
- Objective tests 30%

The percentage corresponding to the final exam will be done in person by exam, exercise or work as appropriate to each subject.

2. Extraordinary

- Objective tests 100%

BASIC BIBLIOGRAPHY

- ALZATE SÁEZ DE HEREDIA, R. ANÁLISIS Y RESOLUCIÓN DE CONFLICTOS. UNA PERSPECTIVA PSICOLÓGICA , UNIVERSIDAD DEL PAÍS VASCO, 2002

- SOLETO MUÑOZ, H. (DIR.) MEDIACIÓN Y RESOLUCIÓN DE CONFLICTOS: TÉCNICAS Y ÁMBITOS, TECNOS, 2013

- SOLETO MUÑOZ, H. Y OTERO PARGA, M. MEDIACIÓN Y SOLUCIÓN DE CONFLICTOS. HABILIDADES PARA UNA NECESIDAD EMERGENTE, TECNOS, 2007

- SUARES MARINÉS MEDIACIÓN: CONDUCCIÓN DE DISPUTAS, COMUNICACIÓN Y TÉCNICAS, PAIDÓS, 1996

- URY, W.L., BRETT, J.M., GOLBERTS, SB. CÓMO RESOLVER LAS DISPUTAS. DISEÑO DE SISTEMAS PARA REDUCIR LOS COSTOS DEL CONFLICTOS, RUBINZAL CULZONI, 1995

ADDITIONAL BIBLIOGRAPHY

- ALCALÁ-ZAMORA Y CASTILLO, N. PROCESO, ATOCOMPOSICIÓN Y AUTODEFENSA, INST. DE INVESTIGACIONES JURÍDICAS, MÉXICO D.F., 1991

- CARNELUTTI, F. CÓMO NACE EL DERECHO, TEMIS, 1994

- MORENO CATENA V. , CORTÉS DOMÍNGUEZ, V. INTRODUCCIÓN AL DERECHO PROCESAL, TIRANT LO BLANCH, 2010