

Academic Year: ( 2020 / 2021 )

Review date: 24-03-2021

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

Coordinating teacher: HERNANDEZ MOURA, BELEN

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 1

**REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)**

It is not necessary to have passed any subject previously.

**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 heterocomposición
- 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

- Theoretical classes
- Practical classes
- Individual student work

### TEACHING METHODOLOGIES

- Presentations in class with computing and audiovisual media support, which develop the main concepts of the subject and provides the bibliography to complement the learning of the students
- Roleplay
- Viewing and analysis of negotiation recordings
- Resolution of practical cases, problems, etc. raised by professor individually or in group
- Presentation and discussion in class, under the moderation of professor of topics related to the content of the matter, as well as case studies
- Elaboration of works and reports individually or in group
- Critical reading of recommended texts of the subject studied: press articles, reports, manuals, and/or academic articles, well for its subsequent discussion in class, either to expand and consolidate the knowledge of the subject

## ASSESSMENT SYSTEM

In the Introduction to Mediation course, an individualized assessment of the students will be done through conducting a test at the end of it, and their participation, attitude, and competence in performing the different dynamics and practices (individually or in group) made during that subject.

Individual or group work during the course: 60%

Final exam: 40%

If students do not exceed the subject in the ordinary call in the resit must conduct a review of the contents of the matter that will have a value of 100%

**% end-of-term-examination:** 40

**% of continuous assessment (assignments, laboratory, practicals...):** 60

## BASIC BIBLIOGRAPHY

- Alzate Sáez de Heredia, R. Análisis y resolución de conflictos: una perspectiva psicológica, Universidad del País Vasco, Servicio Editorial, 1998
- Soleto Muñoz, H. (Dir.) Mediación y resolución de conflictos: técnicas y ámbitos, Tecnos, 2017
- Soleto Muñoz, H. y Otero Parga, M. Mediación y resolución de conflictos: habilidades para una necesidad emergente, Tecnos, 2007
- Suárez, M. Mediación: conducción de disputas, comunicación y técnicas, Paidós, 1996
- Ury, W.L., Brett, J.M., y Golberts, S. B. Cómo resolver las disputas: diseño de sistemas para reducir los costos del conflicto, Rubinzal Culzoni, 1995

## ADDITIONAL BIBLIOGRAPHY

- Carretero Morales, E. La mediación civil y mercantil en el sistema de justicia, Dykinson, 2016
- Moore, C. El proceso de mediación: métodos prácticos para la resolución de conflictos, Ediciones Granica, 2010
- Moreno Catena, V. y Cortés Domínguez, V. Introducción al Derecho Procesal, Tirant lo Blanch, 2019

#### BASIC ELECTRONIC RESOURCES

- . mediaICAM: centro de resolución de conflictos: [https://mediacion.icam.es/web3/cache/P\\_MED\\_ciudadano.html](https://mediacion.icam.es/web3/cache/P_MED_ciudadano.html)
- . Consejo General del Poder Judicial - Mediación: <http://www.poderjudicial.es/cgpj/es/Temas/Mediacion/>