

Academic Year: (2020 / 2021)

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

Coordinating teacher: HERNANDEZ MOURA, BELEN

Type: Compulsory ECTS Credits : 6.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

- Introduction to Negotiation
- Negotiation Process and techniques
- Introduction to Mediation.
- Mediation techniques for professional mediators

OBJECTIVES**CORE COMPETENCES**

- Possess and understand knowledge that provides a basis or opportunity to be original in the development and/or application of ideas, often in a research context
- Students will know how to apply the knowledge acquired and their problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of study
- Students will be able to integrate knowledge and deal with the complexity of making judgements based on information which, being incomplete or limited, includes reflections on the social and ethical responsibilities linked to the application of their knowledge and judgements
- Students will acquire the learning skills that will enable them to continue studying in a largely self-directed or autonomous manner.

GENERAL SKILLS

- That students know how to identify conflict, as well as its specialties and its dynamics
- Students learn to detect within the conflict resolution spectrum, what is the most appropriate mechanism to deal with conflicts and how to use it
- that students know how to develop a mediation procedure and are aware of its principles, aims, characteristics and scope
- that students know the limits of mediation, and its uses, at the national and international level

SPECIFIC SKILLS

- To have the first knowledge and essential tools that facilitate the correct understanding and learning of the subsequent modules
- Profounding in the field of alternative dispute resolution in general and mediation in particular
- Dominance of each of the techniques used in the different fields, as well as the basic communication skills used in them
- To acquire theoretical knowledge of civil and commercial mediation and general procedure and tools applied to this type of mediation
- Learn concepts used in the different methods discussed

LEARNING OUTCOMES

- At the end of the module, the student will have acquired a sufficient theoretical and practical base to be able to face the following modules with due guarantees, already focused on more specialized aspects of mediation and other forms of conflict resolution
- At the end of the module, the student will have acquired the necessary knowledge about the process of family, neighbourhood or community, school and labour mediation, the legislation applicable to them, as well as the different techniques and specific communication tools

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DESCRIPTION OF CONTENTS: PROGRAMME

Common topics

- The conflict and its different treatments
- Suitable conflict resolution methods
- Mediation and its particularities in different areas
- Legal regulation on mediation

Specific topics

- Legal regulation of family relations
- Judicial treatment of family conflict
- Marriage crisis: separation and divorce. Effects of the break in the personal sphere and economic, as well as in children.
- Conflicts arising in parent-child relations. Guardianship and custody, rebellion and school failure. Mediation in the parental conflicts-subsidiaries
- Neighborhood and community mediation programs
- Relationships in the educational community and conflict transformation in the field of education
- School intervention projects
- Practices

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
- 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 ingroup.
- 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

% end-of-term-examination/test: 40

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

Conflict resolution in social fields will be individually assessed through a final work that deepens in the aspects studied. Class participation will also be taken into account as well as the student attitude and competence in the realization of the different dynamics and practices (individually or/and in group) carried out during this subject.

Individual or group work during the course: 60%

Participación 20%

Final exam: 40% (TEST)

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

BASIC BIBLIOGRAPHY

- Galtung, J. Paz por medios pacíficos. Paz y conflicto, desarrollo y civilización, Gernika, 2003
- Lederach, J.P. El abecé de la paz y los conflictos: educación para la paz, Catarata, 2000
- Ordeñana Gezuraga, Ixusko La conciliación y la mediación en cuanto instrumentos extrajurisdiccionales para solventar el conflicto laboral, Comares, 2009
- Soleto Muñoz, H. (Dir.) Mediación y resolución de conflictos: técnicas y ámbitos, Tecnos, 2017
- Álzate Sáez de Heredia, R., Fernández Villanueva I., y Merino Ortiz, C. Desarrollo de la cultura de la paz y la convivencia en el ámbito municipal: la mediación comunitaria, Revista: Política y Sociedad, 2013

ADDITIONAL BIBLIOGRAPHY

- Carretero Morales, E. La mediación civil y mercantil, Dykinson, 2016
- De la Hoz, C. Mediación escolar: un proceso de resolución de conflictos y prevención de bullying en centros educativos, Familia: Revista de ciencias y orientación familiar, nº 57, 2019
- Fernández, I., Villaoslada, E., Funes, S. El conflicto en el centro escolar. El modelo del alumno ayudante como estrategia de intervención educativa, Catarata, 2002

- Lloria García, P. Convivencia ciudadana: mediación, conciliación y técnicas de prevención y resolución del conflicto ciudadano, Iustel, 2018
- Martín Diz, F. Nuevos escenarios para impulsar la mediación en derecho privado: ¿conviene que sea obligatoria?, Práctica de tribunales: revista de derecho procesal civil y mercantil, nº 137, 2019
- W.Johnson, D, y T. Johnson, R. Cómo reducir la violencia en las escuelas, Paidós, 1999

BASIC ELECTRONIC RESOURCES

- . Guía para la Práctica de la Mediación Intrajudicial - Consejo General del Poder Judicial:
<http://www.poderjudicial.es/cgpj/es/Temas/Mediacion/Guia-para-la-practica-de-la-Mediacion-Intrajudicial/>