

Mediator's skills

Academic Year: (2020 / 2021)

Review date: 08-07-2020

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

Coordinating teacher: PASOLEA , EMILIA OFELIA

Type: Compulsory ECTS Credits : 5.0

Year : 1 Semester : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

- Introduction to mediation
- Introduction to negotiation
- Process of negotiation and negotiation techniques

OBJECTIVES

BASIC SKILLS

- To be able to apply obtained knowledge in solution of problems in new or unfamiliar environments within broader (or multidisciplinary) contexts
- To communicate clearly and unambiguously conclusions, as well as the knowledge and reasons on which they are based, to specialised and non-specialised audiences
- To have the learning skills that enable to continue studying in manner that to the large extent will be self-directed or individual

GENERAL SKILLS

- Ability to identify conflict, its peculiarities and dynamics
- Ability to detect among the methods of conflicts' resolution the one most suitable in each situation and to use it
- Knowledge on the development of mediation procedure, its principles, goals, features and areas
- Knowledge of limits of mediation, its use on national and international level
- Ability to apply in practice different techniques and tools used to manage and to resolve the conflicts
- Ability to detect concepts and elements that are used in different forms of conflict resolution
- Ability to identify correctly and to develop different phases of the process of negotiation and mediation, as well as techniques and tools applied

SPECIFIC SKILLS

- Management of the communication abilities
- To understand theoretical and practical development of mediation and the importance
- To know restorative practices and different modalities of the mediation in penal matters
- To acquire theoretical knowledge about the mediation in civil and commercial matters, as well as procedures and tools applicable to this type of mediation
- To apply in practice different techniques and instruments of mediation
- To learn concepts used in different afore mentioned methods
- To synthesise obtained knowledge as a necessary basis for the elaboration of the final paper about specific and subject matter

LEARNING OUTCOMES

- At the end of the subject the student will obtain knowledge necessary to use and to control different techniques of mediation, as well as different tools of communication in the area of Restorative Justice and penal mediation
- Will obtain sufficient theoretical-practical basis to handle restorative process and penal mediation with proper guarantees and taking into account their peculiarities

DESCRIPTION OF CONTENTS: PROGRAMME

Common topics

- Mediation process and mediation elements
- Communication
- Mediation models

- Areas of mediation

Specific topics

- Mediation techniques:
 - Normalization
 - Reformulation
 - Reframing
 - Recognition of others
 - Synopsis
 - Focus on the future
 - Empowerment
- Communication tools:
 - Active listening
 - Empathy
 - Assertiveness
 - Proactivity
- Mediation models: Harvard, circular-narrative and transformative
- Motivational interview and narrative

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.
- Role play.
- Viewing and/or analysis of 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.
- 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

- Evaluation of practical skills: 40%
- Individual or group work during the course: 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.

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

BASIC BIBLIOGRAPHY

- D. SAINT-MEZARD OPEZZO ¿Comunicación: Buenas prácticas y errores¿, en Mediación y Resolución de Conflictos. Técnicas y ámbitos, Tecnos, 2013
- ESTEBAN SOTO, Y. ¿Las armas del negociador para lograr el acuerdo: las microtécnicas de la mediación¿, en Mediación y Resolución de Conflictos. Técnicas y ámbitos, Tecnos, 2013
- FUNES LAPONI, S. ¿Comunicación: Emociones y poder¿, en Mediación y Resolución de Conflictos. Técnicas y ámbitos, Tecnos, 2013
- M. OTERO PARGA ¿Los modelos teóricos de la mediación¿, en Mediación y solución de conflictos: habilidades para una necesidad emergente, Tecnos, 2013
- R. ALZATE SÁEZ DE HEREDIA ¿Generando opciones en mediación¿, en Mediación y Resolución de Conflictos. Técnicas y ámbitos, Tecnos, 2013
- SOLETO MUÑOZ, H, Mediación y resolución de conflictos: técnicas y ámbitos , Tecnos, 2013
- SOLETO MUÑOZ, J. "Mediación y solución de conflictos: habilidades para una necesidad emergente", Tecnos, 2007
- Soleto Muñoz, H Mediación y resolución de conflictos: técnicas y ámbitos , Tecnos, 2013

ADDITIONAL BIBLIOGRAPHY

- M. OTERO PARGA ¿La ética del mediador¿, en Mediación y Resolución de Conflictos. Técnicas y ámbitos, Tecnos, 2013
- S. FUNES LAPONNI, ¿Comunicación: Emociones y poder¿, en Mediación y Resolución de Conflictos. Técnicas y ámbitos, Tecnos , 2013
- S. FUNES LAPONNI, ¿Comunicación: Emociones y poder¿, en Mediación y Resolución de Conflictos. Técnicas y ámbitos, Tecnos , 2013