

Academic Year: (2022 / 2023)

Review date: 19-05-2022

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)

It is recommended to have passed the following subjects:

- Introduction to negotiation
- Negotiation process and techniques
- Introduction to mediation
- Techniques for the mediator

OBJECTIVES

CORE COMPETENCIES

-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 should be able to apply their acquired knowledge and problem-solving skills in new or unfamiliar environments within broader (or multidisciplinary) contexts related to their area of study.

-Students should be able to integrate knowledge and face the complexity of making judgments based on incomplete or limited information, including reflections on the social and ethical responsibilities linked to the application of their knowledge and judgments.

Students should have the learning skills that will allow them to continue studying in a way that will be largely self-directed or autonomous.

GENERAL COMPETENCIES

-That the students know how to identify the conflict, as well as its specialties and dynamics.

-That the student learns to detect within the spectrum of conflict resolution, which is the most appropriate mechanism to deal with them and how to use it.

-That the students know how to develop a mediation procedure and know its principles, purposes, characteristics and areas.

-That the students know the limits of mediation, and its uses, at national and international level.

SPECIFIC COMPETENCES

-To have the first essential knowledge and tools that facilitate the correct understanding and learning of the subsequent modules.

-Deepening in the field of alternative dispute resolution, in general, and mediation in particular.

-Mastery of each of the techniques used in the different fields, as well as the basic communication skills used in them.

-Acquire theoretical knowledge of civil and commercial mediation and general procedures and tools applied to this type of mediation.

-To learn concepts used in the different methods dealt with.

LEARNING OUTCOMES

-The student, at the end of the module, will have acquired sufficient theoretical and practical basis to be able to face the following modules, focused on more specialized aspects of mediation and other forms of conflict resolution, with the necessary guarantees.

-At the end of the module, the student will have acquired the necessary knowledge about the process of

family, neighborhood or community, school and labor mediation, the legislation applicable to each of them, as well as the different techniques and specific communication tools.

DESCRIPTION OF CONTENTS: PROGRAMME

Common themes:

- Conflict and its different treatments
- Appropriate conflict resolution methods
- Mediation and its particularities in different fields.
- Legal regulation of mediation

Specific topics:

- Legal regulation of family relationships
- Judicial treatment of family conflict
- Matrimonial crisis: separation and divorce. Effects of the rupture in the personal and economic scope, as well as in the sons and daughters.
- Conflicts derived from the paternal-filial relations. Custody and custody, alimony, rebellion and school failure. Mediation in parental-filial conflicts.
- Neighborhood and community mediation programs.
- Relationships in the educational community and the transformation of conflicts in the educational environment.
- 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: | 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
- Soletto 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/>