

Introduction to Mediation

Academic Year: (2023 / 2024)

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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 : 1

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

It is not necessary to have passed any subject previously.

OBJECTIVES

The objective of the subject is to provide sufficient knowledge to be able to identify the conflict, as well as its specialties and dynamics. Likewise, to know how to detect, within the spectrum of conflict resolution, which is the most appropriate mechanism to deal with them and how to use it. It also addresses the mediation procedure, its principles, purposes, characteristics and areas.

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
- Assessment exercises

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 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

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.

Participation in class: 20%

Individual or group work during the course: 40%

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%

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
- . Consejo General del Poder Judicial - Mediación: <http://www.poderjudicial.es/cgpj/es/Temas/Mediacion/>