

Academic Year: (2023 / 2024)

Review date: 19-05-2023

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

Coordinating teacher: CARRETERO MORALES, EMILIANO

Type: Compulsory ECTS Credits : 3.0

Year : 1 Semester : 2

REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)

Conflict
Communication
Negotiation
Mediation: features, process, techniques and areas

OBJECTIVES

The objective of the subject is to provide advanced knowledge about the mediation process and its regulation and application at national and international level. It provides theoretical knowledge of civil and commercial mediation and general procedure and tools applied to this type of mediation.

DESCRIPTION OF CONTENTS: PROGRAMME

Common topics:

- Mediation: Process and elements
- The communication
- Mediation models
- Fields of mediation

Specific topics:

- The conflict in the field of business
- Strategy and mediation in the field of business
- Mediation in organizations
- Conflict mediation in banking
- Conflicts and mediation in the field of family business
- Labor disputes
- Mediation in civil and commercial matters. Directive EC / 52/2008. The Spanish legislation: Law 5/2012, of July 6, of Spanish mediation in civil and commercial and Royal Decree 980/2013 affairs of December 13, implementing certain aspects of Law 5/2012 are developed
- Practices civil and commercial mediation

LEARNING ACTIVITIES AND METHODOLOGY

TRAINING ACTIVITIES

Online part: presentation of the theoretical material, analysis of practical cases, individual and group practices, individual student work.

Classroom part: seminar with invited speakers, practices, resolution of doubts.

TEACHING METHODOLOGIES

- Availability of materials (including audiovisual material) through the Aula Global platform in which the main concepts of the subject are developed and the bibliography is provided to complement the students' learning.
- Resolution of practical cases, tasks, etc. raised by the teacher, individually or in a group.
- Exhibition and discussion in the week forum of topics related to the content of the subject proposed by the teacher and moderated by himself
- Development of individual or group work.
- Critical reading of texts recommended by the professor of the subject: Press articles, reports, manuals and / or academic articles, either for later discussion or reflection, or to broaden and consolidate the knowledge of the subject

ASSESSMENT SYSTEM

ORDINARY CALL

- Participation in synchronous online class: 30%
- Individual or group work carried out during the course in synchronous or asynchronous online mode: 20%
- Synchronous online practical skills assessment: 20%
- Synchronous online final exam: 30%

EXTRAORDINARY CALL

- Exam: 100%

% end-of-term-examination: 30

% of continuous assessment (assignments, laboratory, practicals...): 70

BASIC BIBLIOGRAPHY

- CARRETERO MORALES, E. LA MEDIACIÓN CIVIL Y MERCANTIL EN E SISTEMA DE JUSTICIA, DYKINSON, 2016
- SOLETO MUÑOZ, H. (DIR.) MEDIACIÓN Y RESOLUCIÓN DE CONFLICTOS: TÉCNICAS Y ÁMBITOS, TECNOS, 2013
- SOLETO MUÑOZ, H. y FANDIÑO CASTRO, M. MANUAL DE MEDIACIÓN CIVIL, CEJA, 2017

ADDITIONAL BIBLIOGRAPHY

- BLANCO GARCIA, A.I. TRATADOS DE MEDIACIÓN EN ASUNTOS CIVILES Y MERCANTILES, TIRANT LO BLANCH, 2017
- BONET, A. PROCESO CIVIL Y MEDIACIÓN. SU ANÁLISIS EN LA LEY 5/2012, DE MEDIACIÓN EN ASUNTOS CIVILES Y MERCANTILES, THOMSON REUTERS ARANZADI, 2013
- CARRETERO MORALES, E. Comentarios al anteproyecto de ley de mediación en asuntos civiles y mercantiles, Revista Internacional de Estudios de Derecho Procesal y Arbitraje, 2011
- MARTÍN DÍAZ, F. LA MEDIACIÓN EN MATERIA DE FAMILIA Y DERECHO PENAL: ESTUDIO Y ANÁLISIS, TÓRCULO, 2011