

Academic Year: (2024 / 2025)

Review date: 19-05-2024

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
- Conflicts in healths organizations
- 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

- Theoretical classes
- Practical classes
- Individual student work
- Assessment test

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 analysis of negotiation recordings.
- Resolution/debate 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

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

- Individual or group work during the course: 40%
- Final exam: 60% (TEST)

If the student does not pass the subject in the ordinary call, you must take an exam in the resit will have a value of 100% of the final grade.

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, 2017
- 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