

# LAWS70245 Avoid and Manage Construction Disputes

<b>Credit Points:</b>	12.50
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	2010, Parkville This subject commences in the following study period/s: September, Parkville - Taught on campus.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: Visit the Melbourne Law Masters website for more information about this subject.
<b>Prerequisites:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Corequisites:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Recommended Background Knowledge:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Non Allowed Subjects:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Core Participation Requirements:</b>	Visit the Melbourne Law Masters website for more information about this subject.
<b>Contact:</b>	For the most up-to-date information about this subject, contact the Melbourne Law Masters Office by email at <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> or phone 8344 6190 or alternatively visit the subject website: <a href="http://www.masters.law.unimelb.edu.au">www.masters.law.unimelb.edu.au</a>
<b>Subject Overview:</b>	Principal topics will include: <ul style="list-style-type: none"> <li># Construction contract provisions relating to disputes: Objectives, approaches and enforceability</li> <li># Conflict: Conflict patterns and management</li> <li># Communication and negotiation skills</li> <li># DAPs: Dispute Review Boards, Dispute Adjudication Boards and dispute resolution advisers</li> <li># ADR: Mediation (including mock mediation), senior executive appraisal/mini trials, non-binding and binding expert determination, arbitration and hybrid and multi-tiered processes</li> <li># Selecting the most appropriate form of DAP and/or ADR processes</li> <li># Process dynamics, options and strategic issues, including paths to ADR.</li> </ul>
<b>Objectives:</b>	A student who has successfully completed this subject should: <ul style="list-style-type: none"> <li># Be able to identify the causes of disputes on construction projects</li> <li># Understand the psychology of conflict and how it can be effectively managed</li> <li># Understand the broad range of dispute avoidance and management options available and their relationship to judicial and arbitral processes</li> <li># Be able to critically assess and advise on contract provisions relating to disputes</li> <li># Be able to determine the most appropriate form of dispute avoidance processes (DAPs) and alternative dispute resolution (ADR) for any given project or dispute</li> <li># Be able to negotiate, communicate and participate in dispute resolution processes.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%)(19-22 November)
<b>Prescribed Texts:</b>	Visit the subject website for more information
<b>Breadth Options:</b>	This subject is not available as a breadth subject.
<b>Fees Information:</b>	Subject EFTSL, Level, Discipline & Census Date, <a href="http://enrolment.unimelb.edu.au/fees">http://enrolment.unimelb.edu.au/fees</a>
<b>Generic Skills:</b>	Visit the Melbourne Law Masters website for more information about this subject.

**Links to further  
information:**

<http://www.masters.law.unimelb.edu.au/>