

LAWS40063 Negotiation Theory and Practice

Credit Points:	12.50
Level:	4 (Undergraduate)
Dates & Locations:	This subject is not offered in 2011. Seminars.
Time Commitment:	Contact Hours: One 3-hour seminar per week. Total Time Commitment: 144 hours.
Prerequisites:	<p>Legal Method and Reasoning; Torts; Contracts; Dispute Resolution or in each case their equivalents.</p> <p>Other selection criteria: students will be required to complete a brief written application for admission to this subject. The application will address the following criteria: academic performance, interest in teamwork and commitment to meet the attendance requirement (see 'Overview' and 'Assessment'). Students who are closest to the completion of their degree will be given priority for admission to the subject. The subject will be available to all University of Melbourne Law students.</p>
Corequisites:	None.
Recommended Background Knowledge:	None.
Non Allowed Subjects:	None.
Core Participation Requirements:	For the purposes of considering requests for Reasonable Adjustments under the Disability Standards for Education (Cwth 2005), and Students Experiencing Academic Disadvantage Policy, academic requirements for this subject are articulated in the Subject Description, Subject Objectives, Generic Skills, and Assessment Requirements of this entry. The University is dedicated to providing support to those with special requirements. Further details on the disability support scheme can be found at the Disability Liaison Unit website: http://www.services.unimelb.edu.au/disability/ .
Contact:	Melbourne Law School Student Centre Email: law-studentcentre@unimelb.edu.au (mailto:law-studentcentre@unimelb.edu.au) Tel: +61 3 8344 4475
Subject Overview:	<p>This will be a limited enrolment subject in which students will get intensive exposure to and experience of the theory and practice of negotiation and mediation. Subjects covered will include the place of negotiation and mediation in dispute resolution systems, theories of conflict and disputing behaviour, models of negotiation and mediation, similarities and differences between two-party and multi-party disputes, court-annexed mediation programmes, issues of privilege and confidentiality, cultural factors influencing dispute resolution processes and choices, using and addressing power issues in mediation and negotiation contexts, and ethical practice. Relevant law reform and policy issues will be explored, especially in relation to the interface between formal litigation, negotiation and mediation. Students will participate in seminar discussions and will also plan for and conduct negotiations and mediations. Students will work in teams and will receive teamwork skills training.</p> <p>This will be an optional subject in which negotiation and mediation performances will be a significant component of subject delivery and assessment. Many of these skills performances and assessments will be done in teams. Teamwork, including teamwork skills training, will therefore be an integral component of the subject. For this reason, attendance will be compulsory unless suitable prior arrangements are made and approved by the subject coordinator. Enrolment will be limited to a maximum of 30 students (1) to enhance the value to students of the group work dimension of the subject and (2) to accommodate the resource demands of frequent feedback on, and assessment of, performance-based negotiation and mediation skills.</p>
Objectives:	<p>At the end of this subject, students should be able to:</p> <ul style="list-style-type: none"> # Advise clients on appropriate dispute resolution options; # Use and critique various negotiation and mediation models; # Prepare for and conduct two-party and multi-party negotiations;

	<ul style="list-style-type: none"> # Use basic mediation skills; # Analyse and resolve ethical issues that arise in negotiation and mediation contexts; # Work effectively as team members.
Assessment:	Two negotiation and mediation skills performances (including written plans): worth 50%; word limit 1,250 per plan (total 2,500);A take home examination; worth 50%; word limit: 2,500;Hurdle requirement: compulsory attendance.
Prescribed Texts:	Printed materials will be available from the Melbourne Law School.
Breadth Options:	This subject is not available as a breadth subject.
Fees Information:	Subject EFTSL, Level, Discipline & Census Date, http://enrolment.unimelb.edu.au/fees
Generic Skills:	<p>On completion of the subject, students should have developed the following generic skills:</p> <ul style="list-style-type: none"> # Attitudes towards knowledge that include valuing truth, openness to new ideas and ethics associated with knowledge creation and usage; # The capacity for close reading and analysis of a range of sources; # The capacity for critical and independent thought and reflection; # The capacity to solve problems, including through the collection and evaluation of information; # The capacity to communicate, both orally and in writing; # The capacity to plan and manage time; # The capacity to participate as a member of a team; # Intercultural sensitivity and understanding. <p>In addition, on completion of the subject, students should have developed the following skills specific to the discipline of law:</p> <ul style="list-style-type: none"> # Problem solving; # Advising; # Interviewing; # Teamwork; # Negotiation; # Mediation; # Oral communication; # Written communication.
Notes:	This subject has a quota of 24. Please contact the Law Student Centre for enrolment information.