

## LAWS70467 Advanced Mediation

<b>Credit Points:</b>	12.5
<b>Level:</b>	7 (Graduate/Postgraduate)
<b>Dates &amp; Locations:</b>	This subject is not offered in 2015.
<b>Time Commitment:</b>	Contact Hours: The total class time is between 24 and 26 hours. Total Time Commitment: The pre-teaching period commences four weeks before the subject commencement date. From this time, students are expected to access and review the Reading Guide that will be available from the LMS subject page and the subject materials provided by the subject coordinator, which will be available from Melbourne Law School. Refer to the Reading Guide for confirmation of which resources need to be read and what other preparation is required before the teaching period commences.
<b>Prerequisites:</b>	None
<b>Corequisites:</b>	None
<b>Recommended Background Knowledge:</b>	Applicants without legal qualifications should note that subjects are offered in the discipline of law at an advanced graduate level. While every effort will be made to meet the needs of students trained in other fields, concessions will not be made in the general level of instruction or assessment. Most subjects assume the knowledge usually acquired in a degree in law (LLB, JD or equivalent). Applicants should note that admission to some subjects in the Melbourne Law Masters will be dependent upon the individual applicant's educational background and professional experience.
<b>Non Allowed Subjects:</b>	None
<b>Core Participation Requirements:</b>	The Melbourne Law Masters welcomes applications from students with disabilities. The inherent academic requirements for study in the Melbourne Law Masters are: The ability to attend a minimum of 75% of classes and actively engage in the analysis and critique of complex materials and debate; The ability to read, analyse and comprehend complex written legal materials and complex interdisciplinary materials; The ability to clearly and independently communicate in writing a knowledge and application of legal principles and interdisciplinary materials and to critically evaluate these; The ability to clearly and independently communicate orally a knowledge and application of legal principles and interdisciplinary materials and critically evaluate these; The ability to work independently and as a part of a group; The ability to present orally and in writing legal analysis to a professional standard. Students who feel their disability will inhibit them from meeting these inherent academic requirements are encouraged to contact the Disability Liaison Unit: <a href="http://www.services.unimelb.edu.au/disability/">www.services.unimelb.edu.au/disability/</a>
<b>Contact:</b>	For more information: Email: <a href="mailto:law-masters@unimelb.edu.au">law-masters@unimelb.edu.au</a> ( <a href="mailto:law-masters@unimelb.edu.au">mailto:law-masters@unimelb.edu.au</a> ) Phone: +61 3 8344 6190 Website: <a href="http://www.law.unimelb.edu.au/masters">www.law.unimelb.edu.au/masters</a> ( <a href="http://www.law.unimelb.edu.au/masters">http://www.law.unimelb.edu.au/masters</a> )
<b>Subject Overview:</b>	<p>Alternative dispute resolution is an increasing part of everyday practice. Mediation is an integral part of dispute resolution now, both within the litigation context and outside it. Mediation is used across all forms of dispute, using varying models and including hybrid med-arb, co-mediation, construction dispute resolution advisers, restorative justice and many others. The subject will look at the dynamics and psychology of conflict and resolution, as well as the roles played by the mediator and the parties.</p> <p>There will be classroom emphasis on practical examples of mediation issues and techniques, with some classes based on working hypothetical problems in a simulated mediation context.</p> <p>The subject will be a foundation for students working in, or looking to work in, fields which involve mediation, either as the dispute-resolver, or acting for a party. For practitioners who are not expecting to work as mediators, bargaining skills and client outcomes should be enhanced by understanding the dynamics of bargaining.</p> <p>Principal topics will include:</p> <ul style="list-style-type: none"> <li># Models of dispute resolution and the choice and role of the various mediation models</li> <li># Misrepresentation, confidentiality and ethical issues</li> </ul>

	<ul style="list-style-type: none"> <li># Conflictual personalities, the psychology of dispute and resolution, the role of cultural and personality factors in the dynamics of mediation</li> <li># Practice issues – the parties, representation, power imbalances, choice of model, settlement arrangements, enforceability of outcomes</li> <li># Practical mediation techniques</li> <li># Simulated mediation 'hypotheticals'.</li> </ul>
<b>Learning Outcomes:</b>	<p>A student who has successfully completed this subject will:</p> <ul style="list-style-type: none"> <li># Have an understanding of mediation across all forms of dispute, using varying models and including hybrid mediation/arbitration, co-mediation, restorative justice and many others</li> <li># Have an understanding of mediation issues and techniques</li> <li># Understand dynamics and psychology of conflict and resolution</li> <li># Be aware of the dynamics of bargaining and will have enhanced bargaining skills and client outcomes.</li> </ul>
<b>Assessment:</b>	Take-home examination (100%)
<b>Prescribed Texts:</b>	Core subject materials will be provided free of charge to all students. Some subjects require further texts to be purchased. Details regarding any prescribed texts will be provided prior to the commencement of the subject.
<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>Links to further information:</b>	<a href="http://www.law.unimelb.edu.au/subject/LAWS70467/2014">www.law.unimelb.edu.au/subject/LAWS70467/2014</a>
<b>Notes:</b>	This subject has a quota of 30 students. Please refer to the website <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ( <a href="http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format">http://www.law.unimelb.edu.au/masters/courses-and-subjects/subjects/subject-timing-and-format</a> ) for further information about the management of subject quotas and waitlists.