Course Specifications
Valid as from the academic year 2016-2017

Negotiation and Mediation (B001343)

Course

Course offerings and teaching methods in academic year 2019-2020

<table>
<thead>
<tr>
<th>A (year)</th>
<th>Dutch</th>
<th>Lecture</th>
<th>15.0 h</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Integration seminar</td>
<td>3.75 h</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Guided self-study</td>
<td>5.0 h</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lecture: plenary exercises</td>
<td>5.0 h</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Demonstration</td>
<td>1.25 h</td>
</tr>
</tbody>
</table>

Lecturers in academic year 2019-2020

- Vanleenhove, Cedric RE21 lecturer-in-charge
- Buysse, Ann PP05 co-lecturer
- De Meulemeester, Dirk RE21 co-lecturer

Offered in the following programmes in 2019-2020

| Master of Science in Teaching in Social Sciences (main subject Laws) | 3 | A |
| Master of Laws in Laws | 3 | A |

Teaching languages

Dutch

Keywords

Alternative Dispute Resolution - Negotiation - Mediation - Conflict Management

Position of the course

The aim of this course is to make students aware that there are other valuable forms of dispute resolution outside of the ‘traditional’ litigation before the state courts. To that end, it introduces the students to dispute resolution mechanisms that are based on a participatory model and that give the parties autonomy to decide on the best possible outcome. It is important that our future lawyers learn to consider sustainable methods of conflict resolution where one not merely focuses on the legal positions but also on the parties’ underlying interests. To that end, this course offers an ‘alternative’ view on dispute resolution. The emphasis of this course lies on negotiation and mediation. These topics are approached in a multi-disciplinary fashion and are studied from both a legal as well as a psychological point of view. Also, the students acquire a theoretical knowledge as well as are offered a chance to develop skills in negotiation and mediation.

Contents

The theoretical component of this course deals with consensual methods of dispute resolution and focuses on negotiation and mediation. The following topics will be dealt with:

- ADR – definition, applications and the (Belgian as well as European) legal framework
- Mediation – definition, approaches and styles and the (Belgian as well as European) legal framework
- Negotiation – definition, analysis of the negotiation process, strategies and approaches (with a focus on the cognitive approach)
- Psychological aspects of communication and mediation – Procedure, roles, method

Contact hrs Study time 90 h Credits 3.0 Contact hrs 30.0 h
of conflict management in negotiations and mediation; Theory of communication and Systems thinking is used as a frame of reference.
The practical component of this course allows students to experience how different negotiation and mediation techniques facilitate the dispute resolution process.

Initial competences
This mandatory masters course deepens and expands the knowledge of Civil Procedure (Ba2), that contained a (brief) overview of the methods of alternative dispute resolution.

Final competences
1. Acquire theoretical knowledge of and insight in the Belgian and European regulation on ADR and mediation.
2. Experience the limits of the law when dealing with conflicts and be open to insights of social scientists.
3. Integrate psychological insights into the practice of mediation.
4. Having knowledge of and be able to apply the principles of 1) communication theory 2) systems theory and 3) cognitive theory as a basis for negotiation and mediation.
5. Be open to and have knowledge of the basic techniques of mediation.
6. Explain the attitude of a mediator within a given mediation context.
7. Be aware of the responsibility of the lawyer who as a professional guides clients in their search for conflict resolution.

Conditions for credit contract
Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

Conditions for exam contract
This course unit cannot be taken via an exam contract

Teaching methods
Guided self-study, demonstration, lecture, integration seminar, lecture: plenary exercises

Extra information on the teaching methods
The theoretical component of this course is offered by a team of professors that each share their expert knowledge on a number of themes with the students. These lectures take place in the first semester.
The practical component consists of ‘integration seminars’ under the supervision and guidance of two certified mediators. These are training sessions whereby students practice their negotiation and mediation skills in small groups. These sessions take place as of the end of the first semester and throughout the second semester. Each student participates on one ‘integration seminar’.
On top of that, students are expected to assimilate the subject material through self-study. Students will be coached via the Forum on the Minerva interface.

Learning materials and price
Reader distributed via Minerva.

References

Course content-related study coaching
Before, during and after class sessions, the lecturers are available to answer questions. Questions can be asked via e-mail to: Tom.Wijnant@UGent.be (assistant) or Ann.Buysse@UGent.be (psychology, co-lecturer), Piet.Taelman@UGent.be (procedural law, co-lecturer) and MariaAnna.Devenyn@UGent.be and Nadja.Delbarre@UGent.be (in charge of the integration seminar).

Evaluation methods
end-of-term evaluation and continuous assessment

Examination methods in case of periodic evaluation during the first examination period

(Approved)
Written examination with open questions

Examination methods in case of periodic evaluation during the second examination period

Written examination with open questions

Examination methods in case of permanent evaluation

Written examination, participation, simulation

Possibilities of retake in case of permanent evaluation

examination during the second examination period is possible

Extra information on the examination methods

The student's performance with regard to participation and simulation will be evaluated during the integration seminar (continuous assessment).

The end-of-term evaluation consists of a written exam in the second-term examination period with open questions, which may or may not be in the form of a case study and can concern all teaching activities. The psychological part is evaluated by means of a case study with open questions expecting the students to apply communication and/or systems thinking.

Calculation of the examination mark

Continuous assessment: 25% End-of-term evaluation: 75%

Students who do not participate in all evaluations achieve maximum 7/20 for this course.

Facilities for Working Students

None