

## MODULE DESCRIPTOR

<b>MODULE TITLE</b>	DISPUTE RESOLUTION		
<b>MODULE CODE</b>	LW3905 (L6)	<b>CREDIT VALUE</b>	20 UK CREDITS / <u>10 ECTS</u>
<b>SCHOOL</b>	SCHOOL OF LAW		

### MODULE AIMS

To develop practical, dispute resolution skills and knowledge of relevance to a range of career pathways and to outline legal, ethical and psychological principles which underpin a range of dispute resolution methods.

### MODULE CONTENT

**Indicative syllabus content:**

#### **Dispute Resolution**

- The theory of conflict; spectrum of dispute resolution methods and their interrelationship
- Advantages and disadvantages of respective dispute resolution methods; professional ethics

#### **Negotiation**

- Negotiation analysis – highlighting important structural factors in negotiation e.g. the number of issues, number of parties, and the contrast between deal-making and dispute resolution
- Dynamic negotiation strategy – crafting negotiation strategy for a complex world, with a focus on the dynamic, interactive nature of the negotiation process and its stages
- Negotiation tactics and interpersonal behaviour, with a focus on the art of persuasion, emotional intelligence and adaptability

#### **Mediation**

- The general principles of mediation and its relationship to other dispute resolution processes
- An introduction to the legal position of, and good practice and procedure in mediation
- The various models of mediation
- The core skills of a mediator by way of practical experience of mediation from a mediator perspective through role-plays.
- The structure of a mediation with the skills of dealing with caucus and conference sessions

#### **Arbitration**

- Key legislation and 'soft law' instruments underpinning both domestic (England and Wales) and international commercial arbitration
- Arbitration agreements; Commencement of arbitration
- Arbitration rules, procedures and process (institutional and ad hoc) and role of national courts
- Arbitral orders and awards; their enforcement

#### **Advocacy Techniques**

- Comparison between written and oral advocacy techniques deployed in mediation, arbitration and litigation
- The art of persuading judges and arbitrators – fundamental principles of persuasion, legal reasoning, brief-writing and oral argument

### INTENDED LEARNING OUTCOMES

**On successful completion of this module a student will be able to:**

1. Select an appropriate dispute resolution strategy to resolve practical problems.
2. Select and apply appropriate conflict management skills when dealing with challenging situations.
3. Identify written and oral advocacy techniques deployed in mediation, arbitration and litigation.
4. Demonstrate critical reflection, both orally and in writing, on the choices that inform the selection of alternate conflict resolution strategies.

## TEACHING METHODS

---

The interactive learning strategy is designed to incrementally build student confidence and develop a range of skills required for effective dispute resolution. A key focus will be on oral communication. Pre-assigned preparatory material, including reading and audio-visual materials, facilitate the identification of useful techniques to be employed during the interactive sessions. Through the use of case studies, feedback and reflection, the module provides students the opportunity to practise and refine a range of CV-enhancing transferable skills.

The written assessment is designed to assess knowledge, understanding and student ability to evaluate the suitability of a particular dispute resolution method against a practical scenario. The purpose of the oral assessment is to develop and measure students' dispute resolution skills in a practical setting.

---

## ASSESSMENT METHODS

This module is assessed through one Written Coursework and one Oral Presentation – role play.