60742 - Alternative Dispute Resolution Techniques

1.General information

1.1.Introduction

1.2.Recommendations to take this course

1.3.Context and importance of this course in the degree

1.4.Activities and key dates

2.Learning goals

2.1.Learning goals

2.2.Importance of learning goals

3.Aims of the course and competences

3.1.Aims of the course

3.2.Competences

4.Assessment (1st and 2nd call)

4.1.Assessment tasks (description of tasks, marking system and assessment criteria)

5.Methodology, learning tasks, syllabus and resources

5.1.Methodological overview

5.2.Learning tasks

5.3.Syllabus

The course will address the following topics:

60742 - Alternative Dispute Resolution Techniques

Topic 1 - The conflict.

1.1. Definition of conflict.

1.2. General theory of conflict.

1.3 Levels of analysis of the conflict.

1.4. The cycle of conflic.

1.5. Structure of the conflict.

1.6. The dynamics of conflict and its treatment.

Topic 2.-Different extrajudicial methods of dispute resolution.

2.1.- Generic analysis of alternative methods of dispute resolution (ADR and ODR).

2.2.- Adequacy of the different methods depending on the subject matter and the search results.

2.3.- Common element: the communication. Introduction to the PNL.

2.4.-Introduction to the current computing techniques that enable you to develop the ODR.

Topic 3.-Introduction to the negotiation.

3.1. Styles of the negotiation.

3.2 The negotiating practic.

3.3. The negotiating process and its Stages.

3.4. Development and analysis of "best alternative to a negotiated agreement" (MAAN).

Topic 4.-Introduction to the conciliation

4.1.-Definition.

4.2. Difference compared to other methods of conflict resolution.

4.3.- The role of the conciliator.

4.4. The process of conciliation

4.5. The agreement of the conciliation.

Lesson 5.-Introduction to the transaction.

5.1.-Definition. 5.2. Difference compared to other methods of conflict resolution. 5.3.-. The process of the transaction 5.4. The agreement.

Topic 6 - Introduction to the mediation.

6.1 Definition and principles.

6.2. Conflict and mediation. Different areas of the mediation: civil, commercial, labor, criminal, etc.

6.3. The various concepts of mediation.

6.4.- Principles of mediation. Voluntariness. Impartiality, Neutrality, Confidentiality.

6.5 The mediator: Role and functions.

6.6.-The process of mediation.

6.7. The mediation agreement.

Topic 7 - Introduction to arbitration.

7.1.- Concept.

7.2 Characteristics of arbitration compared to other methods of conflict resolution.

7.3.-The arbitration agreement.

7.4.-The arbitrators.

7.5.-stages of the arbitral procedure.

7.6.- The arbitral award and its implementation.

7.7. The challenge of the award.

7.8. The Special arbitrations.

5.4.Course planning and calendar

5.5.Bibliography and recommended resources