

60742 - Alternative Dispute Resolution Techniques

Información del Plan Docente

Academic Year	2016/17
Academic center	102 - Facultad de Derecho
Degree	522 - Master's in Legal Practice
ECTS	3.0
Course	1
Period	First semester
Subject Type	Compulsory
Module	---

1.Basic info

1.1.Recommendations to take this course

1.2.Activities and key dates for the course

2.Initiation

2.1.Learning outcomes that define the subject

2.2.Introduction

3.Context and competences

3.1.Goals

3.2.Context and meaning of the subject in the degree

3.3.Competences

3.4.Importance of learning outcomes

4.Evaluation

5.Activities and resources

5.1.General methodological presentation

5.2.Learning activities

5.3.Program

Lesson 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 conflict 1.5.

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Structure of the conflict. 1.6. The dynamics of conflict and its treatment.

Lesson 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.

Lesson 3.-Introduction to the negotiation.

3.1. Styles of the negotiation. 3.2 The negotiating practice 3.3. The negotiating process and its Stages 3.4. Development and analysis of "best alternative to a negotiated agreement" (MAAN).

Lesson 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.

Lesson 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.

Lesson 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.

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5.4.Planning and scheduling

5.5.Bibliography and recommended resources