

# Alternative Dispute Resolution

Professor McIntyre – Winter Semester, 2007

(Thursdays, 4:00 p.m.-6:00 p.m., Rm. 2261)

## SYLLABUS

(February 20, 2007)

**Required Text:** Folberg, Golann, Kloppenberg & Stipanowich, *Resolving Disputes: Theory, Practice, and Law*, Aspen Publishers (2005)

Date	Topic	Class Activity	Assignment
Week One Jan. 11	<i>Dispute Resolution</i> What It's All About	Introduction to ADR; Arbitration, Mediation Exercise — "Al & Sandy Breakup"	Ch. 1, pp. 1-16
Week Two Jan. 18	<i>Negotiation</i> The Inner Game and Choice	Global Knowledge Quiz; Sunflower Negotiation	Ch. 2-4, pp. 19-77
Week Three Jan. 25	<i>Negotiation</i> Negotiation Dance	Prado Scoot Negotiation	Ch. 5, pp. 79-116
Week Four Feb. 1	<i>Negotiation</i> Agreement, Gender and Culture	Gender & Culture Questions Concession Negotiation — "Tomalpais"	Chs. 5-6, pp. 116-158
Week Five Feb. 8	<i>Negotiation</i> Ethics and Law	Cubit Properties Negotiation	Ch. 7, pp. 165-191
Week Six Feb. 15	<i>Mediation</i> Process	Mediation Roleplay — "Save the Last Dance" Executive Employment Dispute	Ch. 9, pp. 223-245

Date	Topic	Class Activity	Assignment
Week Seven Feb. 22	<i>Mediation</i> Styles	"Save the Last Dance," continued.	Ch. 9, pp. 245-270
Week Eight, Mar. 1	<i>Mediation</i> Methods	Mediation Roleplay — "Claudia vs. PMG" Sexual Harassment Claim	Ch. 10, pp. 271-302 <b>Journal #1</b>
Week Nine, Mar. 8	<i>Mediation</i> Representing Clients	Mediation Roleplay — "Waltham Const. vs. Foster Fuels" Commercial Case	Ch. 11, pp. 303-354 <b>Journal #2</b>
<b>Spring Break, March 12-16</b>			
Week Ten, Mar. 22	<i>Mediation</i> Applications	Mediation Roleplay — Lynn and Mike Divorce	Chs. 12-13, pp. 355-405 <b>Journal #3</b>
Week Eleven, Mar. 29	<i>Arbitration</i> Overview	Arbitration Quiz	Chs. 15-16, pp. 453-480 <b>Journal #4</b>
Week Twelve, Apr. 5	<i>Arbitration</i> Process	Negotiating and Drafting Exercise — <i>Megamusic</i> contract.	Ch. 16, pp. 480- 508 <b>Journal #5</b>
Week Thirteen Apr. 12	<i>Arbitration</i> Law	Discussion of cases in casebook: <i>First Options, Green Tree, Mitsubishi, Gilmer</i>	Ch. 17, pp. 517-533; 536-544 <b>Journal #6</b>